

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



## CITY COUNCIL AGENDA

Regular Meeting - June 23, 2020

Updated June 22, 2020

- 9:00 A.M. CLOSED SESSION, ZOOM
- 12:30 P.M. CONSENT, CONSENT PUBLIC HEARINGS, PUBLIC HEARINGS, AND GENERAL BUSINESS, ZOOM
- 6:00 P.M. ORAL COMMUNICATIONS, ZOOM
- 6:30 P.M. GENERAL BUSINESS, ZOOM

**COVID-19 ANNOUNCEMENT: This meeting will be held via teleconference ONLY.**

In order to minimize exposure to COVID-19 and to comply with the social distancing suggestion, the Council Chambers and Tony Hill Room will not be open to the public. The meeting may be viewed remotely, using any of the following sources:

- Online at <http://www.cityofsantacruz.com/government/city-council/council-meetings>
- Online at [Watch - Community Television of Santa Cruz County](#)

### PUBLIC COMMENT and ORAL COMMUNICATIONS:

If you wish to comment on items 3-38, during Oral Communications or item 1, please see information below. Call at the start of the item. You will not be able to join the meeting if Council is still in Closed Session.

- Call any of the numbers below. If one is busy, try the next one.
  - 1-888-788-0099 (toll free)
  - 1-877-853-5247 (toll free)
  - 1-833-548-0282 (toll free)
  - 1-833-548-0276 (toll free)
  - 1-312-626-6799
  - 1-301-715-8592
- Enter the meeting ID number: 982 5063 5656
- When prompted for a Participant ID, press #.
- Press \*9 on your phone to “raise your hand” when the Mayor calls for public comment.
  - It will be your turn to speak when the Mayor unmutes you. You will hear an announcement that you have been unmuted. The timer will then be set to 2 minutes. You may hang up once you have commented on your item of interest.

**NOTE:** If you wish to view the meeting and don’t wish to comment on an item, you can do so at any time via one of the three methods above.

The City of Santa Cruz does not discriminate against persons with disabilities. Out of consideration for people with chemical sensitivities we ask that you attend fragrance free. Upon request, the agenda can be provided in a format to accommodate special needs. Additionally, if you wish to attend this public meeting and will require assistance such as an interpreter for American Sign Language, Spanish, or other special equipment, please call the City Clerk's Department at 420-5030 at least five days in advance so that we can arrange for such special assistance, or email [CityClerk@cityofsantacruz.com](mailto:CityClerk@cityofsantacruz.com). The Cal-Relay system number: 1-800-735-2922.

9:00 AM

The Presiding Officer will open the City Council Closed Session in a public meeting in the Council Chambers, for the purpose of announcing the agenda and receiving public testimony. Thereafter, the meeting will be closed to the public.

### Closed Session

A. Conference With Legal Counsel - Liability Claims (Government Code §54956.95)

Claimant: Linda Bottarini

Claimant: Nina K. Diehl

Claim against City of Santa Cruz

B. Conference with Labor Negotiators (Government Code §54957.6)

1) Police Officers Association

Fire IAFF Local 1716

Fire Management Association

Police Management Association

OE3 Mid-manager and Supervisor Employees

SEIU Local 521

Unrepresented

City Negotiator - Lisa Murphy

2) Economic Hardship Program

**Closed Session (continued)**

C. Conference with Legal Counsel - Existing Litigation (Government Code §54956.9(d)(1))

1) Jane Doe v. City of Santa Cruz, et al.

(Santa Cruz County Superior Court Case No.: 19CV03688)

2) Ocean Street Extension Neighborhood Association v. City of Santa Cruz et al.

(Santa Cruz County Superior Court, Case No. 18CV03212)

D. Conference with Legal Counsel - Anticipated Litigation (Government Code §54956.9(d)(2))

(Significant Exposure to Litigation - 2 potential cases to be discussed)

**City Council**

**12:30 PM**

**Call to Order**

**Roll Call**

**Presentation**

1. Mayoral Proclamation Declaring July 2020 as Black Lives Matter Month

**Presiding Officer's Announcements**

**Statements of Disqualification**

**Additions and Deletions**

**Oral Communications Announcement** - Community members may address the Council about any matter not on the agenda during Oral Communications. Oral Communications will be held at or around 6:00 p.m. Speakers will be invited to call in and address Council and are asked to keep comments to two minutes or less, and encouraged to state name and community of residence. Up to 30 minutes will be allocated for Oral Communications. Note that in the absence of an emergency, California law prohibits the Council from discussing or taking immediate action on comments offered in Oral Communications.

**City Attorney Report on Closed Session**

**City Manager Report** - The City Manager will report and provide updates on the City's business, COVID-19 response, and events.

**Council Meeting Calendar**

2. The City Council will review the meeting calendar attached to the agenda and revise it as necessary.

**Consent Agenda**

3. Resolution Extending Emergency Declaration in Connection with COVID-19 Pandemic by Sixty (60) Days and Ratifying/Confirming Director of Emergency Services Executive Order Nos. 2020-10 through 2020-12 (CA)

Resolution extending declaration of emergency in connection with the COVID-19 pandemic and ratifying Executive Order Nos. 2020-10 through 2020-12 issued by the Director of Emergency Services.

4. Minutes of the June 9, 2020 City Council Meeting (CC)

Motion to approve as submitted.

5. Emergency Ordinance Temporarily Extending Moratorium Preventing Residential or Commercial Evictions for Non-Payment of Rent as a Result of Economic Losses Related to the Coronavirus Pandemic (CN)

1) Adopt an emergency ordinance amending and extending Ordinance No. 2020-11 preventing residential or commercial evictions for non-payment of rent as a result of economic losses related to the coronavirus pandemic, for so long as authorized by the Governor.

2) Consider additional potential options for protecting residential and commercial tenants impacted by the COVID-19 pandemic, as appropriate, based on any activity by the state legislature or Governor related to tenant protections, with direction to return for potential action at a future meeting.

6. Resolution in Support of the California Schools and Local Communities Funding Act of 2020 (CN)

Resolution endorsing the California Schools and Local Communities Funding Act of 2020.

7. Award Contract for Graffiti Abatement Services (ED)

Motion to accept a sole source contract with Graffiti Protective Coatings, Inc. (GPC) for graffiti abatement services in the amount of \$100,000 and authorize the City Manager to execute an agreement, in a form approved by the City Attorney, with GPC.

**Consent Agenda (continued)**

8. U. S. Department of Commerce, Economic Development Administration Economic Adjustment Assistance Grant Application to Fund a Revolving Loan Fund for County Participating Jurisdictions (ED)

Resolution authorizing the City Manager to apply for and accept an Economic Adjustment Assistance Grant from the U.S. Department of Commerce, Economic Development Administration to fund a Revolving Loan Fund for participating jurisdictions in Santa Cruz County.

9. River Street Shelter Lease 125 Coral Street (ED)

Approve lease terms with Encompass Community Services for the River Street Shelter and authorize the City Manager to execute a lease in a form to be approved by the City Attorney and direct that the FY 2021 Adopted Budget include an appropriation of the rental income to be used for site maintenance expenses, if necessary.

10. City Lease Agreement from Garland & Summers LLC for Real Property at 123 Jewell Street to Provide Interim Office Space for the Water Department During the Graham Hill Water Treatment Facility Infrastructure Upgrade Project (ED/WT)

Resolution authorizing and directing the City Manager to execute a lease agreement, in a form acceptable to the City Attorney, and any amendments or documents necessary thereto of a non-substantive nature, with Garland & Summers LLC for real property located at 123 Jewell Street.

11. State Match Local Housing Trust Fund Program (LHTF Program) Funding Application for Funding Affordable Housing Development (ED)

Resolution approving the funding application submittal and if selected receive an allocation of State Match funding through the State Local Housing Trust Fund Program (LHTF Program) and execute any documents related to the LHTF funding award.

**Consent Agenda (continued)**

12. General Obligation Refunding Bonds - Tax Rate Authorization (FN)  
  
Resolution setting the tax rate for FY 2021 with respect to the City's General Obligation Refunding Bonds.
  
13. Liability Claims Filed Against City of Santa Cruz. (FN)  
  
Motion to reject liability claims a) Linda Bottarini, and b) Nina K. Diehl, based on staff recommendation.
  
14. Approval of Cost Reduction Agreements with Various Bargaining Units, the Executives and the City Manager for Fiscal Year 2021 (HR)  
  
1) Motion to approve the Side Letter Agreements to the Memoranda of Understanding with the following Bargaining Units: Police Management, SEIU 521; Mid Management OE3; Supervisors OE3; Fire Local 1716, and Fire Management; and  
  
2) Resolution approving a 10% furlough for the Executive Unrepresented Employees and the City Manager.
  
15. Wastewater Treatment Facility Gravity Thickener No. 2 Upgrade (c401706) - Professional Services Agreement (PW)  
  
Motion to authorize the City Manager to execute an agreement with Brown and Caldwell (San Jose, CA) in the amount of \$302,928.00 to provide professional design services for the Wastewater Treatment Facility Gravity Thickener No. 2 Upgrade (c401706) in a form acceptable to the City Attorney, and authorize the Public Works Director to execute change orders within the approved project budget.
  
16. Sewer Lateral Rebate Incentive Program - Budget Adjustment (PW)  
  
Resolution amending the FY 2020 budget and appropriating funds in the amount of \$60,000 to cover eligible costs and revenue for the Sewer Lateral Incentive Rebate Program.

**Consent Agenda**

17. Consulting Engineering Services for the Resource Recovery Facility - Contract Amendment No. 2 (PW)

Motion to approve Contract Amendment No. 2 with EKI Environment & Water, Inc. (formerly Eler & Kalinowski Inc) for engineering and design services necessary for stormwater compliance at the Resource Recovery Facility in the amount of \$442,000 and authorize the City Manager to execute the amendment in a form acceptable to the City Attorney contingent on approval of the FY 2021 Refuse Fund Capital Investment Fund.

18. San Lorenzo River Lagoon Management (c601403) - Approve Plans, Advertise for Bids and Authorize Execution and Award Contract (PW)

Motion to approve the plans and specifications for the San Lorenzo River Lagoon Management Project (c601403) and authorize staff to advertise for bids, authorize the City Manager to execute a contract in a form acceptable to the City Attorney, and authorize the Director of Public Works to execute change orders within the approved project budget.

19. Riverside Avenue Storm Drain Improvements (c401208) - Award Contract (PW)

Motion to authorize the City Manager to execute an agreement, in a form approved by the City Attorney, with Santa Cruz Underground and Paving (Aptos, CA) in the amount of \$151,750 to provide professional construction services for the installation of new sanitary storm drain improvements (c401208), and authorize the Public Works Director to execute change orders within the approved project budget.

20. SB 1 Road Maintenance and Rehabilitation Account - FY 2021 (PW)

Resolution approving the FY 2021 allocation of SB 1 Road Maintenance and Rehabilitation Account funds and authorizing the City Manager to submit the project list to the California Transportation Commission.

**Consent Agenda (continued)**

21. Wastewater Treatment Facility Ultraviolet Bypass Valve Repair (m409659) - Change Order (PW)

Motion to approve a change order for the Wastewater Treatment Facility Ultraviolet Bypass Valve Repair project in the amount of \$100,000, authorize the City Manager to execute any change order documents in a form approved by the City Attorney, and authorize the Public Works Director to execute change orders within the approved project budget.

22. Citywide Safe Routes to School Crossing Improvement Program (c401617) - Budget Adjustment and Contract Change Orders No.1 through No.5 (PW)

Resolution amending the FY 2020 budget and appropriating funds in the amount of \$25,000 to fully fund the Citywide Safe Routes to School Crossing Improvement Program (c401617).

Motion ratifying approval of Contract Change Orders No.1 through No.5 in the amount of \$36,619.64 for the Safe Routes to School Crossing Improvement Program Project.

23. Application for U.S. Department of the Interior Bureau of Reclamation Grant Funding for a Decision Support Tool to Inform Development of Water Supply Projects (WT)

Resolution authorizing the Water Department to apply for U.S. Department of the Interior Bureau of Reclamation grant funding for a decision support tool to inform development of water supply projects in order to increase resiliency to drought and other climate change impacts.

24. Deferral of Planned July 1, 2020 Water and Wastewater Rate Increases (WT/PW)

Defer the planned July 1, 2020 Water and Wastewater rate increases and approve rescheduling them for implementation on July 1, 2021.

**Consent Agenda (continued)**

25. Graham Hill Water Treatment Plant Facility Improvements Project: Authorization to use Progressive Design Build Project Delivery Method (WT)

Motion to authorize use of the best value project delivery method, Progressive Design Build, for the Graham Hill Water Treatment Plant Facilities Improvement Project.

26. Resolution to Apply for United States Environmental Protection Agency Loan for Backbone Water Infrastructure Projects (WT)

Resolution authorizing the Water Department to apply for United States Environmental Protection Agency (EPA) Water Infrastructure Finance and Innovation Act (WIFIA) loan for Backbone Water Infrastructure Projects.

27. Construction Safety Consultant - Award of Professional Services Agreement (WT)

Motion authorizing the City Manager to execute an agreement in a form to be approved by the City Attorney with Safety Management Consultation Services, Inc. (Yuba City, CA) in the amount of \$117,100 for safety consultation support services.

28. Resolution Authorizing Approval of a Construction Installment Sale Agreement with the California State Water Resources Control Board for the Newell Creek Inlet/Outlet Replacement Project (WT)

Resolution authorizing the Water Director to sign a Construction Installment Sale Agreement with the California State Water Resources Control Board for the Newell Creek Inlet/Outlet Replacement Project in a form approved by the City Attorney.

**Consent Agenda (continued)**

29. Contract Amendment No. 2021-01 with HDR, Inc. for Program Management Services for Water System Capital Improvement Projects (WT)

Motion authorizing the City Manager to execute Contract Amendment No. 2021-01 with HDR, Inc. for Service Order No. 6 in the amount of \$7,010,373 in a form to be approved by the City Attorney.

**End Consent Agenda****Consent Public Hearings**

30. 2nd Reading and Final Adoption of Ordinance No. 2020-13 Amending Chapter 6.91 - Cannabis Retailer Licenses to Allow License Transfers (PL)

2nd reading and final adoption of Ordinance No. 2020-13 revising Chapter 6.91 - Cannabis Retailer Licenses of the City of Santa Cruz Municipal Code to allow the transfer of a cannabis retailer license.

31. Electric Vehicle Charging Station Expedited Processing Ordinance, Zoning Ordinance Amendments for Electric Vehicle Charging Stations, and Amendment to the Local Coastal Program Implementation Plan (PL)

1. Introduce for publication the proposed Electric Vehicle Charging Station Expedited Processing Ordinance.

2. Introduce for publication the proposed Zoning Ordinance Amendments to exempt electric vehicle charging stations from design permit requirements and to allow charging stations above Level 2 to be counted towards meeting the required number of parking spaces served by electric vehicle chargers.

3. Resolution authorizing and directing the City Manager to submit the amendments to the implementation regulations of the Local Coastal Program to the California Coastal Commission.

**Consent Public Hearings (continued)**

32. Amendment of 2017 Analysis of Impediments to Fair Housing Choice (ED)

Motion to extend the term of the 2017-2020 Analysis of Impediments to Fair Housing Choice to June 30, 2022.

33. State Permanent Local Housing Allocation Application for Funding Affordable Housing Development (ED)

1. Resolution authorizing submittal of an application to the California State Department of Housing and Community Development for Permanent Local Housing Allocation Program funds; the execution of a standard agreement and any amendments thereto by the City Manager, as approved by the City Attorney; and any related documents necessary to participate in the State Permanent Local Housing Allocation Program.

2. Approve the proposed Five Year Permanent Local Housing Allocation Program Plan.

3. Amend the City's Affordable Housing Trust Fund Guidelines to include Permanent Local Housing Allocation Program funds as one of the designated funding sources and amend the Affordable Housing Trust Fund Guidelines as needed for consistency with the State Permanent Local Housing Allocation Program and as approved by the City Attorney.

## Public Hearings

The below item was updated to amend the recommendation language. This item is continued to the August 11, 2020 Council meeting and will not be discussed. Staff memo added to attachments.

34. 914 & 916 Seabright Ave. (Application No. CP18-0187) Assessor's Parcel Number 011-123-66 - Tentative Map, Design Permit and Residential Demolition Authorization Permit to Demolish Three Residential Units and Construct a Nine-unit Townhouse Development on a 21,237 Square Foot Parcel Located in the R-L Zone District (PL)

Continue to the August 11, 2020 City Council meeting.

The below item is continued to the July 2<sup>nd</sup> Special Meeting and will not be discussed at the June 23<sup>rd</sup> meeting.

35. Fiscal Year 2021 Proposed Budget Adoption (FN)

Continue to the July 2, 2020 City Council Special meeting.

## General Business

36. COVID-19 Pandemic Response: Options for Consideration to Assist Local Residents and Businesses (ED)

Receive report on actions to date to assist local residents and businesses and provide direction and potential action on considerations to lessen the financial burden of COVID-19 on local businesses.

37. Display of Pan-African and Black Lives Matter Flag at City Hall and Approval of Black Lives Matter Mural - Regular Encroachment Permit (CN)

1. Motion to approve the display of the Pan-African and Black Lives Matter Flag on the front of City Hall every year through the month of July.

2. Motion to approve a proposal for the installation of a Black Lives Matter Mural on Center Street between Church and Locust at City Hall and direct Public Works to issue a regular encroachment permit upon submission of required documentation.

**General Business (continued)**

38. Surveillance Ordinance: Facial Recognition Technology and Predictive Policing (PD)

Introduce for publication an ordinance adding Chapter 9.85 “Surveillance Technology” to Article 9 “Peace, Safety and Morals” of the Santa Cruz Municipal Code.

Establish a temporary ad-hoc police reform measures advisory committee comprised of the Mayor and two other Councilmembers.

**Recess** - The City Council will recess to the 6:00 p.m. session.

**City Council**

**6:00 PM**

**Call to Order**

**Roll Call**

**Oral Communications**

**6:30 PM**

**General Business**

1. Recommendation to Proceed with the Mixed Use Downtown Library Project

The Downtown Library Subcommittee recommends that the City Council reaffirm the programmatic goals established by the Downtown Library Advisory Committee (DLAC), and take action on the following:

1. Conceptually approve, subject to appropriate environmental review and the required permit process, and give direction to staff to proceed with the design and development of a mixed-used project on parking lot 4 (located at Cathcart, Cedar, and Lincoln Streets) by adopting a resolution with the follow provisions

a. relocate the Downtown library to the ground floor a mixed use project on lot 4;

b. include an affordable housing project containing a minimum of 50 low-income dwelling units with the discretionary permit applications for the affordable housing component of the project to be submitted no later than the start of construction of the library;

c. include a parking garage with no more than 400 parking spaces, which will provide the required number of parking spaces for affordable housing units and replacement public parking spaces in the downtown area; and

d. restrict the total height of the building not exceed the height of the University Town Center development or, if this isn't possible, the development at 1010 Pacific.

2. Authorize staff to proceed with selection of an owner's representative to manage the overall project implementation and a competitive RFP/RFQ process for selection of a Design-Build project team.

**General Business (continued)****1. Recommendation to Proceed with the Mixed Use Downtown Library Project (continued)**

3. Direct staff to work with selected owner's representative and Design-Build team to initiate a community outreach process on project design, based off of the preliminary "Option D" concept developed by Group 4 and to return to Council with preliminary project design options for consideration.

4. Prior to the start of construction of the mixed-use project, initiate a public process to consider reuse options of the current library site, including affordable housing, a community commons and other public uses.

5. Direct staff to provide a report to City Council, 1-2 months following the selection of the Design-Build team, containing:

a. Detailed financial information regarding each component of the mixed-use project;

b. A work program and timeline for implementing the affordable housing units, library, and parking garage to include a public engagement process; and

c. General schematics showing the integration of the library, housing, parking, and commercial use components.

6. Direct Staff to reengage with the Farmer's Market and move forward with Council direction from June 12th, 2018 to execute an agreement and develop a design for a permanent downtown Farmer's Market on parking lot 7 (located at the corner of Cathcart and Front Streets).

**Adjournment**

**INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS**

**ADDENDUM TO CITY COUNCIL AGENDA - JUNE 23, 2020**

1. Water Department: Loch Lomond Reservoir Oxygen Diffuser System - Award of Contacts - 6/10/20 (WTFYI 079)

**MAYOR'S PROCLAMATIONS**

**None.**

**Advisory Body Appointments**

The following positions are vacant. Council will make appointments at a future meeting.

Commission for the Prevention of Violence Against Women	Three (3) openings
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**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.

Meeting Type
Holiday
Regular Meeting
Special Meeting
Study Session (will be added as scheduled)
Budget Hearing

## City Council Meeting Calendar for 2020

Please note: Meeting times are not final and are likely to change

DATE	Time	Location	Meeting Type
July 2	12:30 p.m.	Zoom	Council Special Meeting
July 3	City Hall Closure - In (City observed)		
July 4	City Hall Closure - Independence Day		
July 14 and 28 Meetings Cancelled - CITY COUNCIL DARK			
August 11	1:30 p.m.	TBD	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	TBD	Council Regular Meeting - Open to the Public
August 18	TBD	TBD	Council Special Meeting
August 25	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
September 7	City Hall Closure - Labor Day		
September 8	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
September 22	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
September 19	Rosh Hashanah (City observed - beginning at sundown)		
September 28	Yom Kippur (City observed - beginning at sundown)		
October 13	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m. (no 7pm)	Council Chambers	Council Regular Meeting - Open to the Public
October 27	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
November 10	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
November 11	City Hall Closure - Veteran's Day (observed)		
November 24	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
November 26	City Hall Closure - Thanksgiving Day		
November 27	City Hall Closure - Day After Thanksgiving Day		
December 8	1:30 p.m.	Courtyard Conf. Room	Closed Session - Closed to the Public
	2:30 p.m./7:00 p.m.	Council Chambers	Council Regular Meeting - Open to the Public
December 11	Hanukkah (City observed - beginning at sundown)		
December 25	City Hall Closure - Christmas Day		



## CITY COUNCIL AGENDA REPORT

DATE: June 16, 2020

AGENDA OF: June 23, 2020

DEPARTMENT: City Attorney

SUBJECT: Resolution Extending Emergency Declaration in Connection with COVID-19 Pandemic by Sixty (60) Days and Ratifying/Confirming Director of Emergency Services Executive Order Nos. 2020-10 through 2020-12 (CA)

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RECOMMENDATION: Resolution extending declaration of emergency in connection with the COVID-19 pandemic and ratifying Executive Order Nos. 2020-10 through 2020-12 issued by the Director of Emergency Services.

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BACKGROUND: At its regular meeting of March 10, 2020, the City Council adopted Resolution No. NS-29,640 declaring a local health emergency in connection with the global COVID-19 pandemic. The Council's action followed similar actions by California Governor Gavin Newsom on March 4, 2020 and by County of Santa Cruz Health Officer (CHO) Gail Newel on March 6, 2020. On March 16, 2020, the CHO issued a Public Health Order, requiring all Santa Cruz County residents to shelter in place to slow the of COVID-19 in the community, and requiring all businesses to cease operations, except for those deemed essential businesses. At its regular Meeting of April 28, 2020, the City Council adopted Resolution No. NS-29,653, extending the declaration of a local health emergency in connection to COVID-19.

On May 26, the CHO issued a Public Health Order modifying previous orders to remove certain restrictions on business activities to facilitate the safe reopening of businesses in compliance with social distancing and other State Guidelines. The Order aligns with most State restrictions, with the expectation that businesses will gradually begin reopening as the COVID-19 recovery process continues.

In implementing the City Council's emergency declaration and the CHO's Public Health Orders the City Manager, acting as Director of Emergency Services, and in close consultation with the Police and Fire Departments, other City Departments and the City Attorney's Office, has issued the following Executive Orders pursuant to his authority under Section 2.20.020 of the City's Emergency Preparedness Ordinance:

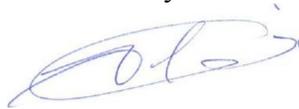
- No. 2020-10 – Ordering the installation of temporary tents and related temporary improvements at medical facilities; and
- No. 2020-11 – Ordering the authorization of temporary use of certain adjacent public streets and outdoor areas for restaurants and other retail establishments; and

- No. 2020-12 – Ordering the establishment of social distancing requirements for sidewalk vendors and display device operators.

DISCUSSION: During a declared emergency the City Manager, acting as the City’s Emergency Services Director is empowered to take various actions in response to the emergency, including making and issuing “rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency” subject to ratification by the City Council “at the earliest practicable time.”<sup>1</sup> The attached Resolution, if approved by the Council, accomplishes that objective. In addition, the Resolution would extend the emergency declaration by sixty days from the date of its adoption. Otherwise, pursuant to California Emergency Services Act,<sup>2</sup> it would automatically expire effective June 27, 2020.

FISCAL IMPACT: Actions taken by the City during a declared emergency relating to the response and measures taken to slow the spread of the COVID-19 epidemic and mitigate the effects thereof on our community are potentially recoverable from Cal OES and FEMA. Accordingly, it is recommended that the Council extend the declaration of emergency as provided for herein until it has determined that conditions giving rise to the emergency have been abated.

Submitted by:



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Tony Condotti  
City Attorney

ATTACHMENTS:

1. Draft Resolution
2. Director of Emergency Services Executive Orders 2020-10 through 2020-12

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<sup>1</sup> SCMC § 2.20.040

<sup>2</sup> Cal. Govt. Code § 8630

RESOLUTION NO. NS-29,

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ EXTENDING  
DECLARATION OF EMERGENCY IN CONNECTION WITH THE COVID-19 PANDEMIC  
AND RATIFYING EXECUTIVE ORDER NOS. 2020-10 THROUGH 2020-12 ISSUED BY  
THE DIRECTOR OF EMERGENCY SERVICES

WHEREAS, on March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency to exist within the State of California due to the threat posed by COVID-19; and

WHEREAS, on March 6, 2020, the County of Santa Cruz Health Officer ("Health Officer"), under her civil authority, declared a Local Health Emergency, finding an imminent and proximate threat to public health and welfare from the introduction of COVID-19 in the County of Santa Cruz; and

WHEREAS, in light of the current COVID-19 pandemic, the Santa Cruz City Council declared a local health emergency re COVID-19 by Resolution No. NS-29,640 on March 10, 2020, and extended the emergency declaration by Resolution No. NS-29,653 adopted at its regular meeting of April 28, 2020; and

WHEREAS, under the California Emergency Services Act (Cal. Govt. Code §8630, et seq.), upon declaration of a local emergency, the City Council must review the need for continuing the emergency declaration at least once every sixty (60) days until it terminates the local emergency; and

WHEREAS, on March 16, 2020, the Health Officer, under her civil authority, issued a Public Health Order, requiring all Santa Cruz County residents to shelter in place to slow the spread of the novel Coronavirus in the community, and requiring all businesses to cease operations, except for those deemed essential businesses; and

WHEREAS, on March 19, 2020, Governor Newsom issued Executive Order N-33-20, which directed all California residents to heed current public health directives and implemented shelter-in-place restrictions ("Shelter-in- Place Order"); and

WHEREAS, on March 31, 2020, the Health Officer, under her civil authority, issued a Public Health Order, extending and expanding sheltering in place, further limiting essential business activities, and further ceasing non-essential business operations, and issued a "Supplemental Order" on April 8, 2020; and

WHEREAS, on May 26, 2020, the Health Officer, under her civil authority, issued a Public Health Order modifying the March 31, 2020 Order allowing certain activities to resume; and

WHEREAS, the State has recently begun modifying the Shelter-in-Place Order to allow for the gradual reopening of lower risk businesses and spaces such as retail, manufacturing,

RESOLUTION NO. NS-29,

office workplaces, outdoor museums, child care, and other businesses that may gradually reopen to the public with modifications so long as social distancing and other precautionary measures are able to be complied with; and

WHEREAS, under Santa Cruz Municipal Code (SCMC) §2.20.030, the City Manager serves as the Emergency Services Director.

WHEREAS, in the event of an emergency declaration, as the Emergency Services Director, the City Manager has the authority to take various actions in the City's interest, including making and issuing "rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency" subject to ratification by the City Council "at the earliest practicable time." (SCMC § 2.20.040); and

WHEREAS, pursuant to his authority as Emergency Services Director, the City Manager has issued the following executive orders relating to the COVID-19 pandemic:

1. No. 2020-10 – Ordering the installation of temporary tents and related temporary improvements at medical facilities; and
2. No. 2020-11 – Ordering the authorization of temporary use of certain adjacent public streets and outdoor areas for restaurants and other retail establishments, and has promulgated Guidelines pursuant thereto; and
3. No. 2020-12 – Ordering the establishment of social distancing requirements for sidewalk vendors and display device operators.

WHEREAS, the Emergency Services Director desires to allow businesses to apply for temporary use of private property, public rights of way, surface lots, public parking spaces, and adjacent parcels for outdoor dining and other outdoor business operations that will enable compliance with public health directives for physical distancing and accommodate changes to existing business operating protocols on a temporary basis, consistent with Guidelines for safe operation; and

WHEREAS, the issuance of temporary permits pursuant to Emergency Service Director's Order Nos. 2020-10 through 2020-12 has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA") and the State CEQA guidelines (California Code of Regulations, Title 14, sections 15000 et seq.). The issuance of temporary permits is not a project subject to CEQA because it will not have a direct or reasonably foreseeable indirect impact on the environment. To the extent that it is a project, the project is statutorily exempt under CEQA Guidelines section 15269 (Emergency Projects) because the temporary permits allow specific actions that would require safe physical distancing consistent with the State's Resilience Roadmap and County and State Guidelines to mitigate the COVID-19 public health emergency. To the extent that it is a project, it is categorically exempt under CEQA Guidelines section 15301 (Existing Facilities) because actions are limited to the permitting and minor modifications of existing facilities, which would result in a negligible expansion of existing commercial uses and a negligible expansion of the public's use of rights of way;

RESOLUTION NO. NS-29,

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

- A. That the City Council hereby declares that the local health emergency declaration adopted at its March 10, 2020 regular meeting by Resolution No. NS-29,640, extended at its April 28, 2020 regular meeting by Resolution No. NS-29,653, is hereby extended; and
- B. That the City Council does hereby ratify and confirm the following:
  - 1. Executive Order No. 2020-10 – Ordering the installation of temporary tents and related temporary improvements at medical facilities; and
  - 2. Executive Order No. 2020-11 – Ordering the authorization of temporary use of certain adjacent public streets and outdoor areas for restaurants and other retail establishments, and associated Guidelines; and
  - 3. Executive Order No. 2020-12 – Ordering the establishment of social distancing requirements for sidewalk vendors and display device operators.
- C. That this Resolution shall remain in full force and effect and shall thereafter terminate on the sixtieth (60<sup>th</sup>) day after its adoption, unless earlier terminated or further extended by subsequent City Council action.

PASSED AND ADOPTED this 23<sup>rd</sup> day of June, 2020 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator



**COVID-19 Emergency Declaration – City of Santa Cruz Executive Order No. 2020-10**  
(Installation of Temporary Tents and Related Temporary Improvements at Medical Facilities)

- A. WHEREAS, in light of the current COVID-19 pandemic, the Santa Cruz City Council declared a local health emergency re: Coronavirus (COVID-19) by Resolution No. NS-29,640 on March 10, 2020, and under Santa Cruz Municipal Code (SCMC) §2.20.030, the City Manager serves as the Emergency Services Director.
- B. WHEREAS, in the event of an emergency declaration, under SCMC §2.20.040, as the Emergency Services Director, the City Manager has the authority to take various actions in the city’s interest of public health and safety including deviating from the general permit processes to allow for an expedited review.
- C. WHEREAS, due to the current state of health emergency, the City Manager has determined the urgency and necessity of allowing the placement of temporary tents to assist in the State direction to provide COVID-19 pandemic evaluation, testing, treatment, and related medical facilities.
- D. WHEREAS, the Palo Alto Medical Clinic (PAMF) erected temporary tents for COVID-19 pandemic testing and related medical services at 2025 Soquel Avenue to address this community need. The tents at this site were placed in a location to accommodate drive-thru testing, to address personal spacing requirements, to minimize conflicts with the hospital Urgent Care use, to avoid impacts to existing accessible parking spaces, and to reduce vehicular circulation impacts on surrounding City streets, in order to provide the necessary operational criteria for COVID-19 testing facilities (i.e., initial evaluation, specimen collection processes, HIPAA and privacy needs). The tents are temporary, and PAMF has plans to relocate the facilities into their buildings. Coordination with the City’s Building Division and Fire Department has occurred to ensure that the temporary facilities are safely operated and maintained.
- E. WHEREAS, other medical providers in the City may also have to quickly react to changing COVID-19 pandemic needs. Those medical providers may also have to erect temporary facilities to serve community needs stemming from the COVID-19 pandemic.

NOW, THEREFORE, I, MARTÍN BERNAL, City Manager, in accordance with the authority provided to me as Emergency Services Director under the Santa Cruz Municipal Code, and in particular SCMC Chapter 2.20 do hereby issue the following Order, to become effective immediately.

IT IS HEREBY ORDERED THAT:

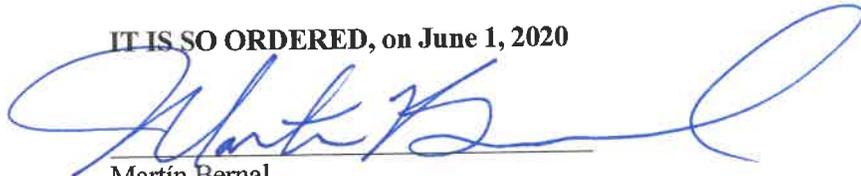
- 1) The City of Santa Cruz permit process for temporary structures (e.g., those under Zoning Ordinance Section 24.10.730(1)(y) Use Permit Requirements in the C-C Zone District);

requirements for parking spaces for commercial structures (e.g., those under Zoning Ordinance Section 24.12.210); and development standards requirements such as building setbacks for tents and related temporary structures (e.g., those under Zoning Ordinance Section 24.10.750), be temporarily changed, suspended, and modified while the Council emergency declaration remains in effect in order to facilitate the provision of medical services, thereby serving the interest of public health and safety in the City of Santa Cruz.

- 2) The Planning and Community Development Department Building Inspection Services Division and Fire Department shall coordinate to conduct inspections, as they deem necessary, of temporary medical facilities in an expedited manner to facilitate the erection of temporary tents for COVID-19 testing and related medical services. As they deem necessary, Building and Fire staff shall conduct ongoing inspections to ensure compliance with minimum safety standards.

This order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the City of Santa Cruz, its departments, officers, or employees.

**IT IS SO ORDERED, on June 1, 2020**



Martín Bernal  
City Manager / Emergency Services Director



**COVID-19 Emergency Declaration – City of Santa Cruz Executive Order No. 2020-11  
(Authorizing Temporary Use of Certain Adjacent Public Streets and Outdoor Areas for  
Restaurants and Other Retail Establishments)**

- A. WHEREAS, in light of the current COVID-19 pandemic, the Santa Cruz City Council declared a local health emergency re: Coronavirus (COVID-19) by Resolution No. NS-29,640 on March 10, 2020; and
- B. WHEREAS, under Santa Cruz Municipal Code (SCMC) § 2.20.030, the City Manager serves as the Emergency Services Director; and
- C. WHEREAS, in the event of an emergency declaration, as the Emergency Services Director, the City Manager has the authority to take various actions in the City’s interest, including making and issuing “rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency” (SCMC § 2.20.040(1)) and requiring “emergency services of any city officer or employee”[.] (SCMC§ 2.20.040(3)); and
- D. WHEREAS, as the Emergency Services Director, the City Manager also has the authority to “[e]xecute all of his or her ordinary powers as a City officer, all of the special powers conferred upon him or her by this chapter or by resolution adopted pursuant thereto, all powers conferred upon him or her by any statute, agreement approved by the City Council, or by any other lawful authority, and in conformity with Section 38791 of the Government Code, to exercise complete authority over the City and to exercise all police power vested in the City by the Constitution and general laws.” SCMC 2.20.040(5); and
- E. WHEREAS, On March 19, 2020, the Governor issued Executive Order N-33-20 and the California Public Health Officer issued a corresponding order requiring people to stay home except as needed subject to certain exceptions; and
- F. WHEREAS, the economic impacts of the COVID-19 closure have been devastating to the local Santa Cruz economy; and
- G. WHEREAS, it is clear that the longer the emergency order is in place, the more difficult it will be for retail and restaurant operators to return and reopen their businesses; and
- H. WHEREAS, during this State of Emergency, the City of Santa Cruz must consider the welfare of its businesses while protecting the health and welfare of its citizens; and
- I. WHEREAS, cities across the State and County are either considering or already have temporarily closed their downtown streets to traffic to give restaurants and retail establishments more outdoor

space to safely serve customers when they are allowed to reopen, and cities are providing additional options for restaurants and commercial establishments to operate outdoors on private property to safely serve customers; and

- J. WHEREAS, on May 30, 2020, the California Department of Public Health accepted the Santa Cruz County variance attestation submitted by the County on May 29, 2020; and
- K. WHEREAS, on May 30, 2020, Santa Cruz County Health Services Agency issued its “SUPPLEMENTAL ORDER” authorizing all business operations and activities allowed by the State of California in Stage 2 with an approved variance to resume operations, pursuant to the State’s guidance on what business operations and activities are allowed in Stage 2 with a variance, as set forth at <https://covid19.ca.gov/roadmap/> and <https://covid19.ca.gov/roadmap-counties/>.

NOW, THEREFORE, I, MARTÍN BERNAL, City Manager, in accordance with the authority provided to me as Emergency Services Director under the Santa Cruz Municipal Code, and in particular Santa Cruz Municipal Code Chapter 2.20, hereby issue the following Order, to become effective immediately but subject to implementation consistent with this Order.

IT IS HEREBY ORDERED THAT:

- 1. All provisions of the afore-referenced orders declaring and explaining the public health, safety and welfare hazards and emergency posed by the COVID-19 virus, as well as the rationale for said orders’ regulations and restrictions relative to the transmission of said virus, are hereby incorporated by reference.
- 2. Temporary Street Closure. I hereby order the closure of the 1100 block of Pacific Avenue, south of Lincoln Street and north of Cathcart Street to vehicular and bicycle traffic to open the streets for a pedestrian promenade and limited commerce. I further order that additional streets may be temporarily closed to vehicular and bicycle traffic, in consultation with the City Engineer and City’s Transportation Manager.

This Order shall be implemented as follows:

- a. Beginning on June 8, 2020, the City Engineer pursuant to SCMC section 10.08.060, and in consultation with the City’s Transportation Manager, may close to vehicular and bicycle traffic from the beginning of the 1100 block of Pacific Avenue south of Lincoln Street to the north of the 1000 block of Pacific Avenue in order to protect the health and safety of pedestrians, employees and patrons of local businesses, and other members of the public by promoting effective physical distancing.
- b. Pursuant to Vehicle Code Sections 21103 and 22651(n), the City Engineer is directed to cause signs to be placed at all entrances to the streets designated to be closed and provide notice that violators may be cited for a violation of the temporary street closure. Lettering on the signs shall be at least one inch in height.

- c. All persons in the closure area are to comply with applicable social distancing and face covering protocols issued by the California Department of Public Health, and/or consistent with local or state orders, to reduce the spread of COVID-19.
3. The City Engineer in consultation with the City's Transportation Manager, shall designate an area extending no less than 14 feet in width, encompassing the prior vehicular driving lane of the closed street that is restricted for the use of pedestrians only. Sidewalk vendors as defined under Government Code Section 51036 shall not be permitted on any City street closed to through traffic pursuant to this Order to maximize appropriate physical distancing in compliance with guidance from the Center for Disease Control to protect public health and safety.
4. Use of Specified Areas. Notwithstanding provisions in the Santa Cruz Municipal Code to the contrary, I hereby authorize limited temporary expansion of existing permitted commercial uses of property in specific areas in the public right-of-way, of adjacent public streets, sidewalks, alleyways (Frasier Lewis Lane, Plaza Lane, Pearl Alley), parking lots, and parking spaces along City streets and the Santa Cruz Municipal Wharf, as well as in required off-street parking on private property<sup>1</sup> and private property setback areas of commercial premises, as follows:
  - a. All the structures, facilities, equipment and activity to accommodate the use of these areas must be of a temporary nature capable of being promptly removed upon expiration of or modifications to this Order. The City's Guidelines for Temporary COVID-19 Outdoor Business Operations ("Guidelines") shall set forth the requirements for the permissible use of the specified areas, consistent with this Order. Each business operator, after submitting an application pursuant to section 6, which adheres to the Guidelines and this Order, will receive approval from the Economic Development Department as to the size, dimensions and configuration of the outdoor business operation. If the application does not adhere strictly to the Guidelines, coordination between City departments and compliance with additional requirements may be necessary prior to any approval. Should Building Permits or Fire Department approvals be necessary, such approvals shall be obtained prior to installation of the temporary improvements.
  - b. All street closures and encroachments into the public right of way or private property which are inconsistent with the Guidelines will not be permitted unless approved by the City Engineer in consultation with the City's Transportation Manager.
  - c. All encroachments in the public right-of-way or on private property in the specified areas shall only be permitted for use as an outdoor extension of the adjacent or appurtenant commercial business and its use shall be limited to the same business activity as engaged in by the business operator, and as approved by the City.
  - d. All encroachments into the public sidewalks shall maintain an eight-foot (8') clearance on the sidewalk which shall in no way interfere with pedestrians or limit their free and

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<sup>1</sup> Excluding City-owned or managed parking lots. The City's off-street parking requirements on private property are waived to accommodate temporary outdoor uses, subject to approval by the City's Economic Development Department, and the outdoor uses shall not increase the required parking for the site.

unobstructed passage. The City may require additional traffic controls in the interest of public safety.

- e. Nothing in this Order waives any provisions in Santa Cruz Municipal Code relating to fire or environmental protection, including codes adopted therein by reference.
  - f. The City shall at all times retain exclusive final authority over the public right-of-way areas, including the right to use the public right-of-way for maintenance of utilities, or other public infrastructure, and as necessary to protect public health, safety, and welfare.
  - g. No ownership or vested property interest is granted by allowing the temporary use of the designated public right-of-way areas or private property areas.
  - h. The permission to use the designated public right-of-way areas or private areas is revocable at any time at the City's sole discretion, or upon the expiration of the City's emergency declaration, or in the interest of the public health, safety, and welfare.
  - i. All of the restrictions of the Order adopted by Paragraph 5 with respect to restaurants and food service establishments, will apply to all such outdoor uses, regardless of their location.
  - j. It shall be the responsibility of the businesses to ensure accessibility to/from/in their areas conforms with the American Disabilities Act and the California Building Code.
  - k. All businesses operating pursuant to the terms of this Order must review and implement procedures set forth in the Industry Guidance documents as required by the California Department of Public Health (available at <https://covid19.ca.gov/industry-guidance/>).
5. Outdoor Food and Beverage Service. Temporary outdoor dining areas must comply with each of the following requirements:
- a. Requirements for obtaining the issuance of an outdoor extension area license or an outdoor curb extension license pursuant to Sections 24.10.2340 and 24.10.2341 of the Santa Cruz Municipal Code are temporarily suspended for food service establishments operating outdoor dining in accordance with this Order.
  - b. Food service establishments with frontage on City streets closed pursuant to this Order may add or expand their premises with outdoor dining onto the adjacent sidewalks or public rights-of-way as provided for under Sections 24.10.2340 and 24.10.2341 of the Santa Cruz Municipal Code, pursuant to the provisions of this Order, including Section 6. The expansion shall be limited to the width of the frontage of the participating food service establishment. Food service establishments may operate between the hours of 8:00 a.m. and 10:00 p.m. daily.
  - c. Businesses that wish to provide alcoholic beverage service in the closure area must meet all requirements of Section 24.10.2341.5.q.

- d. Service of alcoholic beverages will require approval from the California Department of Alcoholic Beverage Control (ABC).
  - e. Access required under the Americans with Disabilities Act and California Building Code shall be maintained at all times.
  - f. Fire hydrants must remain unobstructed.
  - g. Businesses must comply with all City noise regulations.
  - h. Food service establishments must provide conveniently located outdoor waste and recycling receptacles for customers, and the receptacles must be emptied, serviced and maintained at least daily. Businesses shall refrain from using public waste and recycling receptacles.
  - i. Smoking is prohibited in the expanded outdoor dining areas and closure areas.
  - j. Live music and amplified sound are prohibited.
  - k. All food service establishments must follow the requirements under Santa Cruz County Health Officer's Supplemental Order dated May 30, 2020, including completion of self-certifications, and as otherwise modified or superseded by successive orders.
  - l. No more than 6 people may use a single table at the same time. Patrons must maintain at least six-foot social distancing from individuals who are not part of the same household or living unit in accordance with orders from the Santa Cruz County Public Health Officer.
  - m. Food and beverage service must comply with the Santa Cruz County Department of Environmental Health requirements.
  - n. Food service establishments operating pursuant to the terms of this order must review and implement Guidance for Dine-In Restaurants (available at <https://covid19.ca.gov/pdf/guidance-dine-in-restaurants.pdf>) and post the accompanying checklist in the workplace (available at <https://covid19.ca.gov/pdf/checklist-dine-in-restaurants.pdf>) in accordance with the California Department of Public Health requirements.
  - o. The City's Engineer in consultation with the City's Transportation Manager may close parking spaces in the Central Business District areas affected by the street closure to facilitate temporary dining areas for the use of by the adjacent or appurtenant food service establishments.
6. Temporary COVID-19 Outdoor Use Permit Application. Any business operator, prior to commencing any outdoor business activity pursuant to the terms of this Order, shall submit an online application to the City's Economic Development Department on a form to be provided through the [www.ChooseSantaCruz.com](http://www.ChooseSantaCruz.com) website, which shall include an indemnification agreeing to defend and hold the City, its officials, officers, employees and

agents, harmless from any liability arising from the use of the private property or designated City's right-of-way areas; shall furnish the City with a certificate of insurance satisfying the City's insurance requirements, as specified on the form, to obtain a Temporary COVID-19 Outdoor Use Permit; and shall agree to comply with all terms and conditions contained in this Order and in the Guidelines, as may be updated from time to time.

7. All outdoor business operations shall adhere to the Guidelines for temporary outdoor business operations, including size, configuration, barriers, entry and exits and social distancing protocols, except as otherwise approved in advance, in writing, by the City.
8. Any person who parks a vehicle in an area subject to temporary street closures created by this Executive Order is subject to prosecution or citation under any relevant provision of law, including sections 2.20.110 and 10.40.040 of the Santa Cruz Municipal Code, and the vehicle is subject to being towed pursuant to 22651(n) of the California Vehicle Code. This shall not apply to vehicles operated by the Police or Fire Department, any public ambulance or any public utility vehicle or any private ambulance, which public utility vehicle or private ambulance has qualified as an authorized emergency vehicle.
9. Any person who violates any of the provisions of this Executive Order is subject to citation and/or abatement pursuant any relevant provision of law, including Chapter 2.20 and Title 4 of the Santa Cruz Municipal Code. The Chief of Police is authorized and directed to take any necessary actions to assist in the enforcement of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the City of Santa Cruz, its departments, officer, or employees.

IT IS SO ORDERED, on June 4, 2020



Martin Bernal  
City Manager / Emergency Services Director



**COVID-19 Emergency Declaration – City of Santa Cruz Executive Order No. 2020-12  
(Establishing Social Distancing Requirements for Sidewalk Vendors and  
Display Device Operators)**

- A. WHEREAS, in light of the current COVID-19 pandemic, the Santa Cruz City Council declared a local health emergency re: Coronavirus (COVID-19) by Resolution No. NS-29,640 on March 10, 2020; and
- B. WHEREAS, under Santa Cruz Municipal Code (SCMC) § 2.20.030, the City Manager serves as the Emergency Services Director; and
- C. WHEREAS, in the event of an emergency declaration, as the Emergency Services Director, the City Manager has the authority to take various actions in the City’s interest, including making and issuing “rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency” (SCMC § 2.20.040(1)) and requiring “emergency services of any city officer or employee”[.] (SCMC§ 2.20.040(3)); and
- D. WHEREAS, as the Emergency Services Director, the City Manager also has the authority to “[e]xecute all of his or her ordinary powers as a City officer, all of the special powers conferred upon him or her by this chapter or by resolution adopted pursuant thereto, all powers conferred upon him or her by any statute, agreement approved by the City Council, or by any other lawful authority, and in conformity with Section 38791 of the Government Code, to exercise complete authority over the City and to exercise all police power vested in the City by the Constitution and general laws.” SCMC 2.20.040(5); and
- E. WHEREAS, On March 19, 2020, the Governor issued Executive Order N-33-20 and the California Public Health Officer issued a corresponding order requiring people to stay home except as needed subject to certain exceptions; and
- F. WHEREAS, as of today’s date, the County of Santa Cruz’s Health Officer has issued various “Shelter In Place” orders to slow transmission of the COVID-19 virus: the first is dated March 16, 2020; the second is dated March 31, 2020; the third is April 29, 2020; and the currently operative order is dated May 26, 2020. Furthermore, the County of Santa Cruz has issued three “Supplemental Orders,” dated April 8, 2020, May 6, 2020 and May 29, 2020; and
- G. WHEREAS, the afore-referenced orders establish socially distance protocols for all businesses and other entities legally operating within the County of Santa Cruz and City of Santa Cruz; and
- H. WHEREAS, the County Health Officer’s Supplemental Order dated May 29, 2020, authorizing all business operations and activities allowed under State 2 of the State’s Resilience Roadmap,

advised compliance with state orders, which includes the California Department of Public Health's COVID-19 INDUSTRY GUIDANCE: Retail (the "CDPH Guidance") dated May 19, 2020, specifying operating protocols for retail establishments and key prevention practices, including:

- physical distancing to the maximum extent possible; and
- use of face coverings by employees (where respiratory protection is not required) and customers/clients; and
- frequent handwashing and regular cleaning and disinfection; and
- training employees on these and other elements of the COVID-19 prevention plan; and

I. WHEREAS, the CDPH Guidance further; (1) specifies that each business establish a worksite specific COVID-19 prevention plan at every facility, to include a comprehensive risk assessment at every facility; (2) details topics for employee training to minimize the risk of COVID-19 spreading; (3) specifies individual control measures for temperature and/or symptom screenings; (4) details cleaning and disinfecting protocols; and (5) establishes physical distancing guidelines that include, among others:

- Retailers should create clearly marked curbside or outside pickup points that maintain physical distance with visual cues or other measures, and have purchased goods available there or available through home delivery.
- Implement measures to ensure physical distancing of at least six feet between workers and customers. This can include use of physical partitions or visual cues (e.g., floor markings, colored tape, or signs to indicate to where workers and/or employees should stand).
- Take measures at checkout stations to minimize exposure between cashiers and customers, such as Plexiglass barriers. Employees should also wear face coverings and customers are strongly recommended to wear face coverings as well. Some jurisdictions already require face coverings outside the home. Display signage at entrances, checkout lanes, and registers to remind customers of physical distancing at every opportunity.
- Provide a single, clearly designated entrance and separate exit to help maintain physical distancing where possible.
- Adjust maximum occupancy rules based on the size of the facility to limit the number of people in a store at one time, using no more than 50% maximum occupancy.
- Be prepared to queue customers outside while still maintaining physical distance, including through the use of visual cues; and

J. WHEREAS, the afore-referenced orders and operations protocols issued during this emergency and have all been issued because of the propensity of the virus to spread person-to-person and

also because the virus physically is causing property loss or damage due to its proclivity for aerial transmission and to attach to surfaces for prolonged periods of time; and

- K. WHEREAS, the same public health and safety considerations that prompted the afore-referenced socially distancing requirements are implicated by the interaction of members of the public with sidewalk vendors and persons who operate display devices pursuant to Santa Cruz Municipal Code Chapter 5.81 and/or California Government Code Sections 51036-51039; and
- L. WHEREAS, owing to the tendency for such operations to concentrate in areas with heavy foot traffic, where to ensure adequate social distancing it is necessary to maintain wider unobstructed paths for pedestrian travel, and the limited ability of sidewalk vendors to implement measures to ensure that customers are able to practice adequate social distancing, and to require such measures as a condition of receiving service, the operation of sidewalk vendors in areas not otherwise prohibited by existing ordinances and laws is impracticable in many locations; and
- M. WHEREAS, the public health and safety therefore requires the application of socially distancing requirements to said sidewalk vendors and display device operators who are legally conducting business or engaging in speech on City streets, sidewalks, parks and beaches;
- N. WHEREAS, California Government Code Section 51038 authorizes local authorities to enact restrictions upon persons who sell or exchange merchandise from a display device on the public right-of-way when these restrictions are directly related to objective health, safety and welfare concerns.

NOW, THEREFORE, I, MARTIN BERNAL, City Manager, in accordance with the authority provided to me as Emergency Services Director under the Santa Cruz Municipal Code, and in particular Santa Cruz Municipal Code Chapter 2.20, hereby issue the following Order, to become effective immediately.

IT IS HEREBY ORDERED THAT:

1. All provisions of the afore-referenced orders declaring and explaining the public health, safety and welfare hazards and emergency posed by the COVID-19 virus, as well as the rationale for said orders' regulations and restrictions relative to the transmission of said virus, are hereby incorporated by reference.
2. As used in this Order, the term "non-appurtenant business" shall refer to any business operating on a City street, sidewalk, park or beach which does not have a corresponding fixed business location operating out of a building on that street, sidewalk, park or beach.
3. Non-appurtenant businesses which, pursuant to the afore-referenced orders, may legally conduct their operations shall, when operating on city streets, sidewalks, parks and beaches, adhere to the following "socially distancing" regulations:
  - a. Refrain from conducting business on sidewalks which are less than 16 feet in width.
  - b. Conduct business only on the curb side of the sidewalk and no further than 6 feet inward from the curb.

- c. Conduct business no less than 30 feet from any outdoor extension area, outdoor curb extension area and any other non-appurtenant outdoor business or appurtenant business entrance, and otherwise not use any outdoor area which has been approved by the City for use by an appurtenant business per Executive Order 2020-11.
- d. Have hand sanitizer onsite. Proprietors and employees shall frequently sanitize their hands using said sanitizer and in no event less than after each transaction with a member of the public and immediately following each said transaction. In addition, said sanitizer will be available for use by each member of the public who transacts with, or interacts with, the business. Signage advising members of the public of this availability of hand sanitizer for their use shall be prominently displayed.
- e. Proprietors and employees of the business will wear face masks at all times while conducting, setting up for or disassembling the business operation.
- f. Proprietors and employees shall prohibit members of the public from coming within six feet of a business operation except to examine and/or purchase merchandise, and only one member of the public at a time shall be allowed within six feet of a business operation at any time. Signage advising members of the public of this six foot restriction shall be prominently displayed.
- g. Non-appurtenant businesses shall deal with only one member of the public at a time, and shall exclude all others from within the marked business perimeter during such time. While so interacting all other members of the public shall be requested to maintain at least six feet from the business perimeter. Signage advising members of the public of this six foot restriction shall be prominently displayed.
- h. Tape, chalk or other non-permanent markers shall delineate a six foot perimeter or boundary around each non-appurtenant business table or merchandise display area, and only one member of the public at a time shall be permitted within such perimeter or boundary.
- i. Tape or other non-permanent markings shall be spaced no less than six feet apart along one side of each non-appurtenant business and customers shall be directed to form a line along such markings to deter members of the public from congregating outside of the business perimeter in violation of social-distancing requirements.
- j. Each member of the public who approaches the business operation to inspect or purchase merchandise will be required to wear a face mask while doing so. Signage advising members of the public of this face mask requirement shall be prominently displayed, and no service shall be provided or transaction conducted with any member of the public not wearing a face mask.
- k. Proprietors and employees shall regularly, and in no event less than once every thirty minutes, disinfect all displayed merchandise and other touch surfaces such as tabletops.

1. Prominently post signage advising members of the public that they should not come within six feet of the business operation if they are experiencing COVID-19 symptoms.
- m. No proprietor or employee experiencing COVID-19 symptoms shall conduct business or be present at the business operation.
4. All rules and regulations set forth in Paragraph 3 above shall apply to persons who place display devices (as defined in Santa Cruz Municipal Code Chapter 5.81) on City streets, sidewalks, parks and beaches and who take the position that they are not using said display devices to conduct business but, rather, only to engage in speech activity.
5. Notwithstanding the rules and regulations set forth in Paragraph 3, above, no non-appurtenant business shall operate at such times, and in such locations, that the Director of Emergency Services has determined, due to their configuration and the volume of pedestrian traffic present, cannot practicably be operated in a manner that ensures appropriate social distancing protocols can be maintained.
6. Any City employee authorized by Santa Cruz Municipal Code Section 4.02.021 or identified in the Director's April 8, 2020 Executive Order Director No. 2020-05 is authorized to implement this order and issue any necessary guidance or rules consistent with this order.
7. This order shall take effect immediately and shall terminate at such time as the Health Officer amends or terminates the order requiring businesses to conduct their operations pursuant to social distancing protocols.
8. Any person who violates any of the provisions of this Executive Order is subject to citation and/or abatement pursuant to Chapter 2.20 and Title 4 of the Santa Cruz Municipal Code.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the City of Santa Cruz, its departments, officer, or employees.

IT IS SO ORDERED, on June 4, 2020



Martín Bernal  
City Manager / Emergency Services Director

## Rosemary Balsley

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**From:** Garrett <garrettphilipp@aol.com>  
**Sent:** Saturday, June 20, 2020 12:47 PM  
**To:** City Council  
**Subject:** 6.23.20 Agenda Item #3 Extending Emergency Declarations

6.23.20 Agenda Item #3 Extending Emergency Declarations

Dear Council,

As we enter month four of the kill-switch lock down of the economy which began in ignorance of actual risk and has continued to rely on the fear mongering of society of all out doom, perhaps considering new information it is now high time to start justifying your actions more than just an out of control governors sans-legislator emergency declarations.

The city of Santa Cruz is not the State of California. It has it's own local realities. Last I checked (today) we had 45 active cases, and still just two deaths. That in itself, is NOT evidence of an emergency.

I do not see ANY attempt to modify emergency orders to target the most risk vulnerable, and more liberty to those least at risk which is most people, according to new information as it becomes available. It sure seems like children are being hammered by the effects of your emergency, but are close enough to zero risk not to be logically subject to the one size fits all government over reach.

For that matter , the under 65 groups are pretty near the typical kinds of risk seen in bad flu years for the population as a whole normally experiences even with vaccines.

Imagine if every year there were no vaccines. Would this then be an emergency year for those groups I mention? Bad yes, but not really. It would be more like typical. Life has risks and who better to assess personal risk than individuals for themselves?

This emergency declaration is being abused by the government in many , many ways.

There is no such thing as an un-essential worker.

Who are you to judge?

Where are the studies that justify wearing masks outdoors? What justifies undue risk? What are it's parameters?

How is the damage to young people's education justified?

How is the decimation of our monetary system justified?

How is the defective assumption an isolation strategy will eliminate by itself a contagious world wide virus?

How is essentially putting healthy people under house arrest justified?

How do you justify 60 days other than that is the maximum allowed by law?

Where is the good faith people will act in their interest without government mandates?

I personally have had a bad result from the closing of the dentists. By missing my frequent teeth cleaning schedule (I had \$8000 gum surgery some years ago I was maintaining with frequent cleanings), it looks like I will loose a tooth as things got worse during the shutdown. Thanks for less than nothing.

I suspect the price will be heavy for all other missing preventative care and diagnoses. Children are becoming obese. Maybe everyone is becoming less healthy and immune systems compromised by lockdown.

I think everyone realizes there are no good options, only bad and worse coming from presence of the Covid virus.

Don't make it worse. Do no harm (I didn't make that last one up, it's an oath)

Sincerely, Garrett Philipp

**MINUTES ARE UNOFFICIAL UNTIL APPROVED BY COUNCIL**

City of Santa Cruz  
809 Center Street  
Santa Cruz, California 95060

**MINUTES OF A CITY COUNCIL MEETING**

June 9, 2020

**11:00 AM**

Mayor Cummings opened the City Council Closed Session at 11:03 a.m. in a public meeting in the Council Chambers, for the purpose of announcing the agenda, and receiving public testimony.

**Roll Call**

**Present:** Councilmembers Beiers (via Zoom), Mathews (via Zoom), Brown (via Zoom), Golder (via Zoom), Watkins (via Zoom); Vice Mayor Meyers (via Zoom); Mayor Cummings (arrived at 11:38 a.m. via Zoom).

**Absent:** None.

**Staff:** City Manager M. Bernal (via Zoom), City Attorney T. Condotti (via Zoom), Deputy City Clerk Administrator J. Wood, City Clerk Administrator B. Bush.

**Public Comment**

Vice Mayor Meyers opened the public comment period at 11:03 a.m. The following people spoke via teleconference:

Zeke Bean spoke regarding agenda item B.

Ken Bare spoke regarding agenda item B.

Mayor Cummings closed the public comment period at 11:09 a.m.

**Closed Session**

A. Conference With Legal Counsel - Liability Claims (Government Code §54956.95)

Claimant: Annie H. Bradfield

Claim against City of Santa Cruz

**Closed Session (continued)**

B. Conference with Labor Negotiators (Government Code §54957.6)

Police Officers Association  
Fire IAFF Local 1716  
Fire Management Association  
Police Management Association  
OE3 Mid-manager and Supervisor Employees  
SEIU Local 521  
Unrepresented

City Negotiator - Lisa Murphy

C. Real Property Negotiations (Government Code §54956.8)

1) Property: River Street Homeless Shelter, 115C Coral Street  
APN: 008-171-33 (portion)  
Owner: City of Santa Cruz  
City Negotiator: Bonnie Lipscomb  
Negotiating Parties: Encompass Community Services and City of Santa Cruz  
Under Negotiation: Price, terms of payment or both for new lease (current lease with CFSC Inc. ends 6/30/20)

2) Property: 125 Coral Street  
APNs: 008-171-24 and 008-171-25  
Owner: James P. Gillespie and one Jean Gillespie, Trustees, and Harley F. and Sandra I. Gillespie, Co-trustees  
City Negotiator: Bonnie Lipscomb  
Negotiating Parties: City and Owners  
Under Negotiation: Price, terms of payment or both for potential purchase of property

D. Conference With Legal Counsel - Anticipated Litigation (Government Code §54956.9(d)(4))

Initiation of litigation (1 potential case)

**Closed Session (continued)**

- E. Conference with Legal Counsel - Existing Litigation (Government Code §54956.9(d)(1))

City of Santa Cruz v. Santee, Richard L., et al.  
(Santa Cruz Superior Court Case No. 19CV01304 - 744 River St. & 808 River St.)

At this time, the Council moved to the Courtyard Conference Room. (See pages 5233–5234 for a report on Closed Session.)

City of Santa Cruz  
809 Center Street  
Santa Cruz, California 95060

MINUTES OF A CITY COUNCIL MEETING  
June 9, 2020

**2:00 PM**

**Call to Order** - Mayor Cummings called the meeting to order at 2:20 p.m. in the Council Chambers.

**Roll Call**

**Present:** Councilmembers Beiers (via Zoom, left at 5:50 p.m.), Mathews (via Zoom), Brown (arrived at 2:35 p.m. via Zoom), Golder (via Zoom), Watkins (via Zoom); Vice Mayor Meyers (via Zoom); Mayor Cummings (via Zoom).

**Absent:** None.

**Staff:** City Manager M. Bernal (via Zoom), City Attorney T. Condotti (via Zoom), Assistant City Manager L. Schmidt (via Zoom), Director of Economic Development B. Lipscomb (via Zoom), Business Liaison R. Unitt (via Zoom), Chief of Police A. Mills (via Zoom), Director of Planning and Community Development L. Butler (via Zoom), Senior Planner K. Donovan (via Zoom), Principal Planner M. VanHua (via Zoom), Transportation Planner II C. Gallogly (via Zoom), Deputy City Clerk Administrator J. Wood, City Clerk Administrator B. Bush.

**Presentations**

1. GetVirtual.org Presentation

Founders, Student Co-Founders, and Project Managers of GetVirtual.org gave a presentation and responded to Councilmember questions.

2. Mayoral Proclamation Declaring June as Mental Health Month

This item was removed from the agenda and was not presented.

**Presentations (continued)**

3. Community Action Board - Housing Assistance During COVID-19

Helen Ewan-Storey, Assistant Director of Community Action Board, and Paz Padilla, Homelessness and Prevention and Intervention Director provided an update on Housing Assistance during COVID-19 and responded to Councilmember questions.

**Presiding Officer's Announcements**

**Statements of Disqualification** - None.

**Additions and Deletions** - None.

**Oral Communications Announcement** - The Mayor provided a brief announcement about Oral Communications.

**City Attorney Report on Closed Session**

A. Conference With Legal Counsel - Liability Claims (Government Code §54956.95)

Claimant: Annie H. Bradfield

Claim against City of Santa Cruz

Council received a status report, and Council took up under agenda item 9.

B. Conference with Labor Negotiators (Government Code §54957.6)

Police Officers Association  
Fire IAFF Local 1716  
Fire Management Association  
Police Management Association  
OE3 Mid-manager and Supervisor Employees  
SEIU Local 521  
Unrepresented

City Negotiator - Lisa Murphy

Council received a status report from the City Negotiator, and took no reportable action.

**City Attorney Report on Closed Session (continued)****C. Real Property Negotiations (Government Code §54956.8)**

1) Property: River Street Homeless Shelter, 115C Coral Street

APN: 008-171-33 (portion)

Owner: City of Santa Cruz

City Negotiator: Bonnie Lipscomb

Negotiating Parties: Encompass Community Services and City of Santa Cruz

Under Negotiation: Price, terms of payment or both for new lease (current lease with CFSC Inc. ends 6/30/20)

2) Property: 125 Coral Street

APNs: 008-171-24 and 008-171-25

Owner: James P. Gillespie and one Jean Gillespie, Trustees, and Harley F. and Sandra I. Gillespie, Co-trustees

City Negotiator: Bonnie Lipscomb

Negotiating Parties: City and Owners

Under Negotiation: Price, terms of payment or both for potential purchase of property

Council received a status report from the City Negotiator, and took no reportable action.

**D. Conference With Legal Counsel - Anticipated Litigation (Government Code §54956.9(d)(4))**

Initiation of litigation (1 potential case)

Council received a status report on a case of anticipated litigation, and authorized the City to join a coalition of public agencies seeking to challenge PG&E's practice of calculating utility users' tax payments net, which results in an underpayment of utilities taxed to cities and other public agencies.

**E. Conference with Legal Counsel - Existing Litigation (Government Code §54956.9(d)(1))**

City of Santa Cruz v. Santee, Richard L., et al.

(Santa Cruz Superior Court Case No. 19CV01304 - 744 River St. & 808 River St.)

Council received a status report, gave direction to the City Attorney's office, and

took no reportable action.

**City Manager Report**-City Manager M. Bernal provided updates on the City's business, COVID-19 response, and called on Business Liaison R. Unitt to give a presentation on outdoor expansion for businesses reopening after the coronavirus pandemic closures; and also called on Chief of Police A. Mills to give an update on the Black Lives Matter protests.

### **Council Meeting Calendar**

4. The City Council reviewed and did not revise the meeting calendar attached to the agenda.

### **Consent Agenda**

Councilmember Mathews pulled item 7 for further discussion.

Councilmember Beiers pulled item 8 for further discussion.

Mayor Cummings opened the public comment period. There were no speakers. Mayor Cummings closed the public comment period.

**MOTION:** Councilmember Mathews moved, seconded by Councilmember Watkins, to approve the remaining Consent Agenda.

**ACTION:** The motion carried unanimously with the following vote.

AYES:	Councilmembers Beiers, Mathews, Brown, Golder, Watkins; Vice Mayor Meyers; Mayor Cummings.
NOES:	None.
ABSENT:	None.
DISQUALIFIED:	None.

5. Minutes of the May 26, 2020 City Council Meeting (CC)

Motion carried to approve as submitted.

6. Resolution Ordering an Election for Four Council Seats on the November 3, 2020 Presidential General Election (CC)

Resolution No. NS-29,666 was adopted ordering an election, requesting the County Elections Department to conduct the election, and requesting consolidation of the election with the November 3, 2020 Presidential General Election.

**Consent Agenda (continued)**

7. Resolution to Support the League of California Cities’ Support Local Recovery Campaign (CN)

Mayor Cummings opened the public comment period. There were no speakers.

Mayor Cummings closed the public comment period.

**MOTION:** Councilmember Mathews moved, seconded by Councilmember Watkins, to adopt Resolution No. NS-29,667 supporting the League of California Cities’ “Support Local Recovery: Vibrant Cities. Strong Economies.” campaign and authorizing the Mayor to submit a letter to the Governor, legislative delegation and Congressional representative and local civic partners, expressing support for campaign objectives, and further authorizing official communication on specific City priorities that are consistent with this campaign.

**ACTION:** The motion carried unanimously with the following vote.

- AYES: Councilmembers Beiers, Mathews, Brown, Golder, Watkins; Vice Mayor Meyers; Mayor Cummings.
- NOES: None.
- ABSENT: None.
- DISQUALIFIED: None.

8. Application for an Economic Adjustment Assistance Grant for the Santa Cruz Municipal Wharf from the U. S. Department of Commerce, Economic Development Administration (ED)

Director of Economic Development B. Lipscomb responded to Councilmember questions.

Mayor Cummings opened the public comment period. There were no speakers.

Mayor Cummings closed the public comment period.

**MOTION:** Councilmember Beiers moved, seconded by Councilmember Watkins, to adopt Resolution No. NS-29,668 authorizing the City Manager to apply for and accept a grant from the U.S. Department of Commerce, Economic Development Administration for funding the Santa Cruz Municipal Wharf from the Economic Adjustment Assistance grant program.

**Consent Agenda (continued)**

8. Application for an Economic Adjustment Assistance Grant for the Santa Cruz Municipal Wharf from the U. S. Department of Commerce, Economic Development Administration (ED) (continued)

**ACTION:** The motion carried unanimously with the following vote.

AYES: Councilmembers Beiers, Mathews, Brown, Golder, Watkins;  
Vice Mayor Meyers; Mayor Cummings.

NOES: None.

ABSENT: None.

DISQUALIFIED: None.

9. Liability Claim Filed Against City of Santa Cruz (FN)

Motion carried to reject liability claim of a) Annie H. Bradfield, based on staff recommendation.

10. Bureau of Justice Assistance FY 2020 Coronavirus Emergency Supplemental Funding Program - Grant Acceptance (PD)

Resolution No. NS-29,669 was adopted authorizing the acceptance of funds from the Department of Justice, Office of Justice Program's Bureau of Justice Assistance (BJA) FY 2020 Coronavirus (COVID-19) Emergency Supplemental Funding Program. The City Manager is hereby authorized and directed to execute the contact and agreements associated with the acceptance of this grant.

11. Carbonera II Pump Station Replacement (m401601) - Budget Adjustment (PW)

Resolution No. NS-29,670 was adopted appropriating funds and amending the FY 2020 Wastewater funded Capital Investment Program budget in the amount of \$495,272 to fully fund the cost of the Carbonera II Pump Station Replacement (m401601).

**Consent Agenda (continued)**

12. Highway Safety Improvement Program Cycle 8: Citywide Pedestrian Crossing Improvement (c401801) - Budget Adjustment (PW)

Resolution No. NS-29,671 was adopted appropriating additional grant funds and amending the FY 2020 project budget in the amount of \$103,000 to fully fund the cost of the Highway Safety Improvement Program (HSIP) Cycle 8: Citywide Pedestrian Crossing Improvement Project (c401801).

13. Walnut Avenue Sewer Replacement (c402101) - Advertise for Bids and Award Contract (PW)

Motion carried to approve the plans and specifications for the Walnut Avenue Sewer Replacement (c402101), authorize staff to advertise for bids and award the contract, authorize the City Manager to execute a contract in a form acceptable to the City Attorney, and authorize the Director of Public Works to execute change orders within the approved project budget.

14. Laguna Creek Diversion Retrofit Project: Master Service Agreement Laguna-First Amendment with Ecological Concerns Incorporated for Restoration and Revegetation Services (WT)

Motion carried authorizing the City Manager to execute Laguna-First Amendment to the Master Service Agreement for professional services for planning work related to restoration and revegetation for the Laguna Creek Diversion Retrofit Project with Ecological Concerns Incorporated (Santa Cruz, CA) in a form approved by the City Attorney.

15. Newell Creek Dam Inlet/Outlet Replacement Project - Budget Adjustment (WT)

Resolution No. NS-29,672 was adopted appropriating \$7,100,000 from Water Enterprise Fund 711 to fund construction work in Fiscal Year 2020 for the Newell Creek Dam Inlet/Outlet Replacement Project.

**End Consent Agenda**

### Consent Public Hearing

Mayor Cummings opened the public comment period. There were no speakers. Mayor Cummings closed the public comment period.

**MOTION:** Vice Mayor Meyers moved, seconded by Councilmember Mathews, to approve the Consent Public Hearing Agenda.

**ACTION:** The motion carried unanimously with the following vote.

AYES: Councilmembers Beiers, Mathews, Brown, Golder, Watkins; Vice Mayor Meyers; Mayor Cummings.  
NOES: None.  
ABSENT: None.  
DISQUALIFIED: None.

16. 2nd Reading and Final Adoption of Ordinance No. 2020-10 Amending Sections of Chapter 2.10 of the Santa Cruz Municipal Code Related to Election Campaign Expenditure and Contribution Limits (CC)

Ordinance No. 2020-10 was adopted amending Chapter 2.10, sections 2.10.020, 2.10.030, and 2.10.065 of the Municipal Code pertaining to election campaign expenditures and contributions.

17. Downtown Association - Parking and Business Improvement Area Assessments for FY 2021 (ED)

Resolution No. NS-29,673 was adopted confirming the Parking and Business Improvement Area FY 2021 Plan prepared by the Downtown Association and levying the Parking and Business Improvement Area Assessments for FY 2021.

18. Cooperative Retail Management Business Real Property Improvement District Assessments for FY 2021 (ED)

Resolution No. NS-29,674 was adopted confirming the Cooperative Retail Management Business Real Property Improvement District Annual Plan for FY 2021 and levying Cooperative Retail Management Business Real Property Improvement District Assessments for FY 2021.

**Public Hearing**

19. Amendments to Chapter 6.91 - Cannabis Retailer Licenses to Allow License Transfers (PL)

Senior Planner K. Donovan gave a presentation and responded to Councilmember questions.

Director of Planning and Community Development L. Butler responded to Councilmember questions.

Principal Planner M. VanHua responded to Councilmember questions.

Mayor Cummings opened the public comment period. The following people spoke.

SPEAKING VIA TELECONFERENCE:

- Khalil Moutawakkil
- Garrett Philipp
- Pat Malo
- Unidentified person
- Bryce Berryessa
- Robert Singleton
- Carolyn Bartkowski
- James Ewing Whitman
- Jacob Laggner
- Valerie Corral
- Scott Graham
- Collin Disheroon
- Jim Coffis
- Unidentified person
- Unidentified person

Mayor Cummings closed the public comment period.

**Public Hearing (continued)**19. Amendments to Chapter 6.91 - Cannabis Retailer Licenses to Allow License Transfers (PL) (continued)

**MOTION:** Councilmember Watkins moved, seconded by Vice Mayor Meyers, to:

- Introduce for publication Ordinance No. 2020-13 revising Chapter 6.91- Cannabis Retailer Licenses of the City of Santa Cruz Municipal Code to allow license transfers and to require cannabis retailers to apply for a new license for any change of ownership greater than 20%.
- Direct staff to conduct an analysis and return to Council to determine if the number of licenses should increase in the community, and
- Direct the subcommittee to consider law enforcement as it relates to licenses in the City to ensure businesses are operating legally.

**FRIENDLY AMENDMENT:** Councilmember Brown requested to amend section 6.91.090(2) to include an additional factor for consideration for the cannabis retailer to maintain an active and transparent banking relationship with a financial institution. Councilmember Watkins and Vice Mayor Meyers accepted.

**FRIENDLY AMENDMENT:** Mayor Cummings requested to:

- Require cannabis retailers to apply for a new license for any change of ownership greater than 30%,
- Amend section 6.91.090(2)(G) from:

“Carries a minimum of fifteen percent in total shelf space at any given time products produced or grown within Santa Cruz County;”

To:

“...grown within one hundred miles of Santa Cruz County;” and

- Amend section 6.91.090(4) from:

“All cannabis retail businesses shall provide an annual affidavit confirming that the business is meeting each of the requirements and factors included in the initial license application that resulted in the provision of the license. This affidavit shall be provided by August 1 for the prior fiscal year spanning July 1 through June 30.”

To:

“All cannabis retail businesses shall be subject to random audits.”

**Public Hearing (continued)**19. Amendments to Chapter 6.91 - Cannabis Retailer Licenses to Allow License Transfers (PL) (continued)

Councilmember Watkins and Vice Mayor Meyers accepted the amendment to require cannabis retailers apply for a new license for any change of ownership greater than 30%, and did not accept the amendments to sections 6.91.090(2)(G) or 6.91.090(4).

Mayor Cummings stated for the record, “I think the audits would be better. I think that given that Santa Cruz County doesn’t have producers, it would make more sense either to remove that or extend the distance so that so it’s actually relevant.”

**FRIENDLY AMENDMENT:** Councilmember Mathews requested to extend the staff direction of analysis to be completed “at some point in the future.” Councilmember Watkins accepted.

After further discussion, Councilmember Watkins and Vice Mayor Meyers accepted Mayor Cummings’ friendly amendment to section 6.91.090(2)(G).

**ACTION:** The motion carried with the following vote.

AYES:	Councilmembers Mathews, Brown, Golder, Watkins; Vice Mayor Meyers; Mayor Cummings.
NOES:	None.
ABSENT:	Councilmember Beiers.
DISQUALIFIED:	None.

**General Business**20. Senate Bill 743 Implementation (PW)

Transportation Planner II C. Gallogly gave a presentation and responded to Councilmember questions.

Mayor Cummings opened the public comment period. There were no speakers. Mayor Cummings closed the public comment period.

**General Business (continued)**20. Senate Bill 743 Implementation (PW) (continued)

**MOTION:** Councilmember Golder moved, seconded by Councilmember Watkins, to:

- Adopt Resolution No. NS-29,675 amending the 1990 City of Santa Cruz CEQA Guidelines and rescinding Resolution No. NS-19,309 adopting earlier guidelines.
- Adopt Resolution No. NS-29,676 adopting a transportation threshold of significance of 15% below the regional average Vehicle Miles Traveled for purposes of complying with Senate Bill 743.

**ACTION:** The motion carried with the following vote.

AYES: Councilmembers Mathews, Golder, Watkins; Vice Mayor Meyers; Mayor Cummings.  
NOES: Councilmember Brown.  
ABSENT: Councilmember Beiers.  
DISQUALIFIED: None.

**Oral Communications**

At 7:17 p.m. Mayor Cummings opened Oral Communications for members of the public who wished to speak regarding items not listed on the City Council agenda.

James Ewing Whitman spoke regarding two service groups at the County Supervisors' meeting and his personal social media posts.

Lee Brokaw spoke informing Council of a petition that he dropped off requesting that City Council meet publicly and not electronically.

Scott Graham called regarding the community forum hosted by the Mayor and Chief of Police, and stated there's no reason for Council to continue meet electronically.

Abbi [last name unintelligible] spoke requesting Council to approve a special events permit for a Black Lives Matter mural on Soquel Avenue.

Jay Switchy spoke regarding the Santa Cruz Police Department and affordable housing.

**Oral Communications (continued)**

Chrissy Hansen spoke asking Council not to defund the Santa Cruz Police Department.

Garrett Philipp spoke condemning the protests happening.

Edith spoke requesting the City disarm Santa Cruz Police Department and redirect funding into community programs.

Unidentified person spoke commending the Mayor and Chief for how they have addressed the protests.

Sean Swain McGowen spoke requesting Council to approve a permit for a Black Lives Matter mural on the corner of Soquel and Front Streets.

Peter Banke spoke regarding being attacked outside the Asti and how the Santa Cruz Police handled that.

Unidentified person spoke requesting Council to evaluate the City's financial relationship with policing.

Al spoke thanking the Mayor and Chief of Police for their response to the Black Lives Matter protests and requesting Council to not defund the police.

Josh Brahinsky spoke requesting Council to defund the Santa Cruz Police Department.

Caitlin Hannon spoke requesting Council to agendaize for the next meeting to defund the Santa Cruz Police Department and to focus funds on social services.

Andrew Carlton spoke regarding the proposed Santa Cruz Police budget increase.

Elaina Ramer spoke requesting Council to defund the police and make police obsolete.

Hailey Texler spoke requesting Council not to approve the increase of the Police budget and to allocate funds towards education, housing, and community programs.

Stephanie Malley asking Council to reallocate the proposed Police budget increase to humanitarian and social services

**Oral Communications (continued)**

Sabrina spoke requesting Council to defund the police, stating they are dangerous for children.

Unidentified person spoke requesting Council to defund the Santa Cruz Sheriff's Department.

Rachel Martinez spoke asking Council to agendaize at the next meeting to defund the Police Department.

Rachel Chavez spoke requesting Council to defund the Santa Cruz Police Department and reallocate the funds towards housing.

Madison spoke requesting Council to prioritize health and welfare spending over policing.

McKenna spoke requesting Council to defund the police.

Charlie spoke requesting Council agendaize for the next meeting to defund the police and put that funding towards minority education.

Adam spoke requesting Council consider defunding or eliminating the police department.

Keith spoke requesting to call a meeting to defund the police.

Unidentified person spoke requesting the police be defunded to fund housing, and climate change.

Devyn Rainwater spoke, stating being a police officer is a choice, requesting the police department be abolished.

Anna Avansky spoke requesting funds to be reallocated to housing, mental health, and to defund the police.

Remy spoke requesting the Santa Cruz Police be defunded and for funding to be reallocated to the City's most vulnerable communities.

Unidentified person spoke requesting police funds be reallocated to education, climate change, and housing.

**Oral Communications (continued)**

Lane Edwards spoke, citing much more violent crime in New Orleans with far less funding attributed to their police than Santa Cruz, and asking Council to defund the Santa Cruz Police.

Unidentified person spoke regarding the death of Tamario Smith while in the Santa Cruz County jail, and regarding a citation her friend's son almost received from a County Sheriff's Officer for breaking the shelter in place in Pleasure Point.

Unidentified person spoke requesting the Santa Cruz Police to be defunded.

Elizabeth Clifton-Doolin spoke in support of funding the Santa Cruz City Police Department under the support of Andy Mills.

Jennifer Kischler spoke requesting Council vote in opposition to the proposed budget for the Santa Cruz Police Department.

Cassandra Powell spoke regarding the police departments' social media posts and asking Santa Cruz to do better with their police posts on social media.

Melinda spoke in support of creating a special meeting to discuss the Santa Cruz police funding and the initiative of the Black Lives Matters mural on Front Street.

Elizabeth spoke in support of all the calls to defund and reallocate the resources going towards the Police.

Mel spoke in opposition to the proposed increase to the police budget.

Unidentified person spoke about the racism in Santa Cruz.

Nicholas Church spoke requesting the police department be defunded, and in opposition to police being sent to Oakland to assist with the protests.

Avatar Joshi spoke regarding excessive force being used by police departments across the nation and asking the City Council to vote against the proposed budget for the County Sheriff's budget and the Santa Cruz Police Department's budget.

Unidentified person spoke requesting funding be allocated to address homelessness.

**Oral Communications (continued)**

Ashley spoke regarding systemic racism and asking Council to defund the Santa Cruz Police Department and allow the community ample time to have discussion on reallocating the funds.

Veronica Barner spoke, appalled with the budget allocated for the Police Department.

Emery Woodall spoke requesting to defund the police and refund City services.

Victoria Nobles spoke about the anti-bias and anti-racist teachings at her preschool, and asking the inequity experience of being black, indigenous, and people of color be a priority of City government.

Lisa Howe spoke requesting Council to defund the police and reinvest the funds into housing, mental health services, addiction services, and education.

Charles Leigh-Wood spoke in support of Santa Cruz Police Department and requested Council not to defund.

Piper spoke requesting Council vote to defund the police.

Rachel spoke requesting Council to defund the police.

Santiago spoke requesting a community meeting to have a discussion of reallocating the police budget to community-based support.

CJ Fergundous spoke requesting a special meeting be called to defund the Santa Cruz Police.

Karen Leigh-Wood spoke in support of Santa Cruz Police, requesting not to defund police.

Cameron Baker spoke requesting Council defund the police.

David Doolin spoke in support of Santa Cruz Police as someone who has ridden with the police several times.

At 8:27 p.m. Mayor Cummings closed Oral Communications.

**General Business (continued)****1. Interim Recovery Planning and Prioritization within the Context of the Coronavirus (COVID-19) Pandemic (CN) (continued)**

Assistant City Manager L. Schmidt gave a presentation and responded to Councilmember questions.

Mayor Cummings opened the public comment period. The following people spoke.

**SPEAKING VIA TELECONFERENCE:**

James Ewing Whitman  
Glenn Schaller  
Manny Panero  
Garrett Philipp

Mayor Cummings closed the public comment period.

**MOTION:** Councilmember Brown moved, seconded by Mayor Cummings, to:

1. Accept a report regarding reconciling the pending broad-based, traditional City strategic plan work with the realities of the context of the coronavirus (COVID-19) pandemic.
2. Formally approve a shift for the City's strategic plan work from broad-based, 1–3 year horizon to an approximate 18-month COVID-19-based interim recovery plan.
3. Establish a Council Recovery Plan Committee, comprised of the Mayor, Vice Mayor and one Councilmember, to work with contracted consultant, staff, and the community to develop an interim recovery plan, focused on the next 18 months and heavily influenced by County and State efforts to shepherd the City's recovery from the COVID-19 pandemic.
4. Discuss re-prioritization of Council-initiated work in process, and, if needed, direct staff to work with the Council Recovery Plan Committee to develop a short-term prioritization process and a longer-term recovery-based prioritization rubric and return to Council with options for Project Labor Agreements at the second meeting of August.

City Manager M. Bernal responded to Councilmember questions.

**General Business (continued)**1. Interim Recovery Planning and Prioritization within the Context of the Coronavirus (COVID-19) Pandemic (CN) (continued)

**FRIENDLY AMENDMENT:** Vice Mayor Meyers requested to split the motion into two, voting on item 4 independently and nominated Councilmember Watkins to serve on the Recovery Plan Committee. Councilmember Brown and Mayor Cummings accepted.

Mayor Cummings split the motion.

**MOTION:** Councilmember Brown moved, seconded by Mayor Cummings, to:

- Accept a report regarding reconciling the pending broad-based, traditional City strategic plan work with the realities of the context of the coronavirus (COVID-19) pandemic.
- Formally approve a shift for the City's strategic plan work from broad-based, 1–3 year horizon to an approximate 18-month COVID-19-based interim recovery plan.
- Establish a Council Recovery Plan Committee, comprised of the Mayor, Vice Mayor and Councilmember Watkins, to work with contracted consultant, staff, and the community to develop an interim recovery plan, focused on the next 18 months and heavily influenced by County and State efforts to shepherd the City's recovery from the COVID-19 pandemic.

**ACTION:** The motion carried with the following vote.

AYES: Councilmembers Mathews, Brown, Golder, Watkins; Vice Mayor Meyers; Mayor Cummings.  
 NOES: None.  
 ABSENT: Councilmember Beiers.  
 DISQUALIFIED: None.

**General Business (continued)**1. Interim Recovery Planning and Prioritization within the Context of the Coronavirus (COVID-19) Pandemic (CN) (continued)

**MOTION:** Councilmember Brown moved, seconded by Mayor Cummings, to:

- Re-prioritize Council-initiated work in process as follows:
  - Cannabis - Events and on-site consumption: Defer to a future date
  - Inclusionary Housing: adjusted to re-start work in July and return to Council in September
  - Project Labor Agreements: adjusted to restart the work in June and return to Council with a draft ordinance at the second meeting in August
  - DeLaveaga Golf Course: Assign to the Budget Committee
  - Combine the Quality of Life Ordinance and Camping Ordinance Amendments return date: adjusted to re-start work in June and return to Council with draft ordinances in August at the earliest
  - Surveillance Ordinance: adjusted to re-start work in August and return to Council with draft ordinance in October
  - River Street Coordinator: Defer to a future date
  - Beach Flats Parking: Defer to a future date; and
- Direct staff to work with the Council Recovery Plan Committee as needed to develop a short-term prioritization process and a longer-term recovery-based prioritization rubric.

Director of Planning and Community Development L. Butler responded to Councilmember questions.

Principal Planner M. VanHua responded to Councilmember questions.

## General Business

### 1. Interim Recovery Planning and Prioritization within the Context of the Coronavirus (COVID-19) Pandemic (CN)

**SUBSTITUTE MOTION:** Councilmember Mathews moved, to re-prioritize Council-initiated work in process as follows:

- Cannabis - Events and on-site consumption: Defer to a future date
- Inclusionary Housing: Direct staff to re-start work in July and return to Council in September
- DeLaveaga Golf Course: Assign to the Budget Committee
- Combine the Quality of Life Ordinance and Camping Ordinance Amendments return date: Direct staff to re-start work in June and return to Council with draft ordinances in August at the earliest
- Surveillance Ordinance: Direct staff to re-start in August and return to Council with draft ordinance in October
- River Street Coordinator: Defer to a future date
- Beach Flats Parking: Defer to a future date

Councilmember Mathews withdrew the motion.

**FRIENDLY AMENDMENT:** Councilmember Mathews requested to direct staff to complete a thorough analysis and return to Council the first meeting in August for discussion prior to the Project Labor Agreements draft ordinance being presented at the second meeting in August. Councilmember Brown and Mayor Cummings accepted.

**FRIENDLY AMENDMENT:** Mayor Cummings requested to direct staff to return to Council with the Project Labor Agreements draft ordinance at the first meeting in September. Councilmember Brown accepted.

**ACTION:** The motion carried with the following vote.

AYES:	Councilmembers Mathews, Brown, Golder, Watkins; Vice Mayor Meyers; Mayor Cummings.
NOES:	None.
ABSENT:	Councilmember Beiers.
DISQUALIFIED:	None.

**Adjournment** - The City Council adjourned at 10:33 p.m.

Respectfully Submitted:

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Julia Wood, Deputy City Clerk Administrator

Attest:

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Bonnie Bush, City Clerk Administrator

Approved:

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Justin Cummings, Mayor



## CITY COUNCIL AGENDA REPORT

DATE: June 16, 2020

AGENDA OF: June 23, 2020

DEPARTMENT: City Council

SUBJECT: Emergency Ordinance Temporarily Extending Moratorium Preventing Residential or Commercial Evictions for Non-Payment of Rent as a Result of Economic Losses Related to the Coronavirus Pandemic (CN)

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### RECOMMENDATION:

- 1) Adopt an emergency ordinance amending and extending Ordinance No. 2020-11 preventing residential or commercial evictions for non-payment of rent as a result of economic losses related to the coronavirus pandemic, for so long as authorized by the Governor.
- 2) Consider additional potential options for protecting residential and commercial tenants impacted by the COVID-19 pandemic, as appropriate, based on any activity by the state legislature or Governor related to tenant protections, with direction to return for potential action at a future meeting.

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**BACKGROUND:** On March 16<sup>th</sup>, the Santa Cruz County Public Health Officer issued an order to shelter in place (the “Order”) to slow the spread of the novel coronavirus. The Order required all individuals living in the county to shelter at their place of residence except to provide or receive essential services. The Order also directs businesses and governmental agencies to cease non-essential operations at physical locations in the county, prohibits all non-essential gatherings of any number of individuals, and orders the cessation of all non-essential travel.

Also on March 16<sup>th</sup>, Governor Newsom issued Executive Order N-28-20 acknowledging the financial hardships brought on by government efforts to slow the spread of COVID-19, waived or suspended provisions of state law to make it easier for local governments to craft policies to prevent further homelessness related to the inability to pay rent due to financial hardships, and authorizes local jurisdictions to determine the measures necessary to promote housing security, stability among commercial tenancies, and access to basic utilities.

The Governor’s Order N-28-20 expressly suspended any provision of state law that would preempt or otherwise restrict a local government’s exercise of its police powers to impose substantive limitations on residential or commercial evictions when the basis for the eviction is non-payment of rent or foreclosure arising out of a substantial decrease in household or business income arising out or caused by the COVID-19 pandemic. The Order also requested financial institutions holding home and commercial mortgages, to implement an immediate moratorium on foreclosures and on foreclosure-related evictions when a foreclosure or a foreclosure-related eviction arises out of a substantial decrease in household or business income, or substantial out of pocket medical

expenses, arising out of or caused by the COVID-19 pandemic, or by any local, state, or federal government response to COVID-19.

In response to Executive Order No. N-28-20, on March 24, 2020, the City Council adopted Ordinance No. 2020-07 – An Emergency Ordinance Preventing Residential or Commercial Evictions for Non-Payment of Rent as a Result of Economic Losses Related to the Coronavirus Pandemic.

On May 6, 2020, in light of Governor Newsom’s announcement that that the State of California would begin the Stage 2 of the COVID-19 recovery process on Friday, May 8, 2020, the County Health Officer further amended the Shelter In Place Order to align her prior orders with applicable State Orders to enter the beginning of “Stage 2,” allowing expanded retail businesses with curbside pick-up/delivery only, and associated manufacturing and supply chain businesses, to reopen and begin conducting business again, consistent with existing Social Distancing Requirements. On May 26, 2020, the County Health Officer modified the May 6, 2020 Order to fully align the County’s Order with applicable State Orders to fully join the State in “Stage 2” and continue to move with the State through “Stages 3 and 4” of the Resilience Roadmap.

On May 29, 2020, Governor Newsom issued Executive Order No. N-66-20, which extended his prior Executive Order N-28-20 for an additional 60 days. As such, the Governor’s suspension of the state law preemption on residential and commercial evictions based on nonpayment of rent or foreclosure due to decrease in income was extended to July 30, 2020.

In view of the phased reopening of the economy over weeks and months, the economic outlook for many workers and businesses will not improve in the immediate near term. Indeed, the COVID-19 pandemic and associated public health orders have resulted in a severe loss of income to a widespread portion of the local population that depends on wages or business income to pay rent. The County of Santa Cruz is already experiencing a homelessness crisis as one of the least affordable communities in the world, which is one of the factors driving homelessness and displacement of residents. Many of the County’s renters are rent-burdened, paying over 30 percent of their income on rent, and some renters are severely rent-burdened, paying over 50 percent of their income on rent, which leaves less money for families to spend on other necessities like food, healthcare, transportation, and education.

Pending State Legislation. In recognition of the on-going and long-term adverse financial impact of COVID-19, the following bills have been proposed by the State legislature related to tenant protections, which may impact the City’s consideration of its options regarding tenant protections:

- AB 1436: Prohibits landlords from seeking evictions for any rent not paid during the state of emergency declared by Gov. Newsom, until 90 days after the emergency declaration is lifted. Tenants also would have a year after the end of the eviction moratorium to start repaying back-rent accumulated during the pandemic. As of the drafting of this report, this bill passed in the Assembly and is in the Senate.
- SB 1410: Creates a taxpayer financed fund to cover 80% of rent that tenants could not afford. As of the drafting of this report, this bill was still in the Senate.
- AB 828: Freezes evictions and requires court-ordered payment plans to be used if the tenant cannot pay due to COVID-19 related loss of earnings. As of the drafting of this report, this bill was still in the Assembly.

**DISCUSSION:** Given the economic hardships resulting from the COVID-19 pandemic, and emergency measures intended to contain or reduce the spread of the virus, many individuals in the community may be unable to pay commercial or residential rents. Despite promising pending State legislation, the City's current ordinance relating to protections for tenants is set to expire on June 30<sup>th</sup>, 2020. To avoid further homelessness and loss of jobs and employment opportunities within the community, the Council is asked to consider a modest extension of the eviction moratorium ordinance adopted by the Council at its May 26<sup>th</sup> meeting. As written, the eviction moratorium aligns with the Governor's Executive Order, set to expire on July 30<sup>th</sup>, 2020, or until Executive Order N-28-20 issued by the Governor of the State of California is further extended or rescinded by the Governor.

In the event that no State legislation is passed to offset the impacts of the COVID-19 pandemic with respect to tenants, the Council may consider discussing additional provisions to enhance tenant protections at a future Council meeting.

**ENVIRONMENTAL REVIEW:** The adoption and implementation of this Ordinance are exempt from the provisions of the California Environmental Quality Act under section 15061(b)(3) in that the implementation of this Ordinance would not result in any physical changes to the environment and therefore would not have significant effects on the environment.

**FISCAL IMPACT:** Costs of a rental eviction moratorium would initially be borne mostly by rental property owners, many of whom rely on rent to pay mortgages and support the needs of daily life. Rental property owners may be substantially affected if tenants are unable to pay rent for a sustained period of time. Foreclosures could result through sustained non-payment of rent and routine maintenance could be neglected resulting health and safety violations should the COVID-19 pandemic extend indefinitely. Such secondary impacts could create fiscal costs to the City, though the extent of those costs is unknown.

Submitted by:

Justin Cummings  
Mayor

Sandy Brown  
Councilmember

**ATTACHMENTS:**  
Ordinance

ORDINANCE NO. 2020-

AN EMERGENCY ORDINANCE OF THE CITY OF SANTA CRUZ EXTENDING A TEMPORARY MORATORIUM ON EVICTIONS DUE TO NONPAYMENT OF RENT FOR RESIDENTIAL AND COMMERCIAL TENANTS WHERE THE FAILURE TO PAY RENT RESULTS FROM INCOME OR BUSINESS LOSSES RESULTING FROM THE NOVEL CORONAVIRUS (COVID-19), AND SETTING FORTH THE FACTS CONSTITUTING SUCH URGENCY

WHEREAS, on December 31, 2019, the World Health Organization (WHO) China Country Office was informed of several cases of pneumonia of unknown cause detected in the Hubei Province of China. Between December 31, 2019 to January 3, 2020 the WHO received a total of 44 case-patient reports with pneumonia of unknown causes from the national authorities in China; and

WHEREAS, on January 7, 2020, a novel coronavirus now known as COVID-19 was identified as the likely source of the illness; and.

WHEREAS, On January 21, 2020, the Centers for Disease Control (CDC) confirmed reports from Washington state of the first U.S. resident with COVID-19 infection; and

WHEREAS, as infections began to rapidly increase in China and other countries throughout the world, on January 30, 2020, WHO declared the COVID-19 outbreak a Public Health Emergency of International Concern; and

WHEREAS, on January 31, 2020 the Secretary of U.S. Public Health and Human Services declares a Public Health Emergency for the United States for 2019 Novel Coronavirus; and

WHEREAS, during the month of February 2020, Santa Cruz County (“County”) Public Health Services Agency acknowledged the spread of Coronavirus in surrounding Bay Area counties with close connections to the resident and visitor populations in the County and continued to monitor the community for spread of COVID-19.

WHEREAS, on March 4, 2020, California Governor Gavin Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for a broader spread of COVID-19. The proclamation comes as the number of positive California cases rises and following one official COVID-19 death; and

WHEREAS, also on March 4, 2020, although there had as yet been no confirmed cases of COVID-19 in the County, the County Health Officer, based on the rapidly changing conditions related to the novel coronavirus noted by international, national, state, and Bay Area health agencies, issued a local health emergency to inform and protect the public.

WHEREAS, on March 9, 2020 with mounting concern about the spread of COVID-19

and two confirmed cases in the County, the Board of Supervisors voted unanimously to declare a local state of emergency and ratified the County Public Health Officer's declaration of a local health emergency.

WHEREAS, on March 10, 2020, due to an escalating increase in the number of coronavirus cases in the world and evidence of community spread in the Bay Area, the Santa Cruz City Council approved a Declaration of Local Emergency, which determines the legal, operational and recovery resources available for the City of Santa Cruz to respond to the COVID-19 public health emergency; and

WHEREAS, on March 16, 2020, the County Health Officer issued a Shelter in Place Order (the "Order") mandating people stay in their homes except as needed to provide or receive essential services or engage in essential activities to mitigate the spread of COVID-19. Additionally, the County Superintendent of Schools and all district superintendents in the County have decided to close schools to students for three weeks beginning Monday, March 16, 2020. These school closures have caused children to have to remain at home, leading to many parents adjusting their work schedules to take time off work, whether paid or unpaid. Hourly wage earners are unlikely to be paid for time off. The inability to work due to school closures is an economic strain those families who cannot afford to take time off from work to stay at home; and

WHEREAS, also on March 16, 2020, Governor Gavin Newsom issued Executive Order N-28-20, which authorizes local jurisdictions to suspend the evictions of tenants for the non-payment of rent and take other measures if the non-payment is a result of the COVID-19 pandemic; and

WHEREAS, the County of Santa Cruz's currently operative Shelter in Place Order, originally dated March 31, 2020 and extended and modified effective May 1, 2020, states that individuals may only leave their residences to engage in certain "Essential Activities", "Essential Governmental Functions", "Essential Travel", to work for "Essential Businesses", or to perform "Minimum Basic Operations" for non-essential businesses. (See March 31, 2020 County of Santa Cruz, Health Officer Order, page 1, paragraph 3). It also provides that "All public and private gatherings of any number of people occurring outside a single household or living unit are prohibited, except for the limited purposes expressly permitted in this Order." (See March 31, 2020 County of Santa Cruz, Health Officer Order, page 2, paragraph 6). The Shelter in Place Order also generally prohibits all travel, except for specifically defined "Essential Travel." (See March 31, 2020 County of Santa Cruz, Health Officer Order, page 2, paragraph 7); and.

WHEREAS, on May 6, 2020, in light of Governor Newsom's announcement that that the State of California would begin the Stage 2 of the COVID-19 recovery process on Friday, May 8, 2020, the County Health Officer further amended the Shelter in Place Order to align her prior orders with applicable State Orders to enter the beginning of Stage 2, allowing expanded retail businesses with curbside pick-up/delivery only, and associated manufacturing and supply chain businesses, to reopen and begin conducting business again, consistent with existing Social Distancing Requirements. Examples of such businesses include, but are not limited to,

book stores, clothing stores, florists, and sporting goods stores, which may provide services to the public via curbside pick-up/delivery only. However, businesses that do not fall within the confines of the State continue to be prohibited from reopening and are subject to citation; and

WHEREAS, on May 29, 2020, Governor Gavin Newsom issued Executive Order N-66-20, extending the authorization of local jurisdictions to suspend the evictions of tenants for the non-payment of rent and take other measures if the non-payment is a result of the COVID-19 pandemic, pursuant to Executive Order N-28-20, for an additional 60 days, expiring July 30, 2020; and

WHEREAS, in view of the phased reopening of the economy over weeks and months, the economic outlook for many workers and businesses will not improve in the immediate near term; and

WHEREAS, the COVID-19 pandemic and associated public health orders have resulted in a severe loss of income to a widespread portion of the local population that depend on wages or business income to pay rent. The County of Santa Cruz is already experiencing a homelessness crisis as one of the least affordable communities in the world, creating a housing affordability crisis, which is driving homelessness and displacement of residents. Many of the County's renters are rent-burdened, paying over 30 percent of their income on rent, and some renters are severely rent-burdened, paying over 50 percent of their income on rent, which leaves less money for families to spend on other necessities like food, healthcare, transportation, and education; and

WHEREAS, pursuant to section 611 and 612 of the City Charter, "Any ordinance declared by the City Council to be necessary as an emergency measure for preserving the public peace, health, safety or property, and containing a statement of the reasons for its urgency, may be introduced and adopted at one and the same meeting if passed by at least five (5) affirmative votes." and

WHEREAS, this Ordinance extends, as amended, a temporary moratorium intended to promote stability and fairness within the rental market in the City during the COVID-19 pandemic outbreak, and to prevent avoidable homelessness thereby serving the public peace, health, safety, and public welfare and to enable tenants in the City whose income and ability to work is affected due to COVID-19 to remain in their homes; and

WHEREAS, displacement through eviction destabilizes the living situation of tenants and impacts the health of Santa Cruz's residents by uprooting children from schools, disrupting the social ties and networks that are integral to citizens' welfare and the stability of communities within the City; and

WHEREAS, displacement through eviction creates undue hardship for tenants through additional relocation costs, stress and anxiety, and the threat of homelessness due to the lack of alternative housing; and

WHEREAS, during the COVID-19 pandemic outbreak, affected tenants who have

ORDINANCE NO. 2020-

lost income due to impact on the economy or their employment may be at risk of homelessness if they are evicted for non-payment as they will have little or no income and thus be unable to secure other housing if evicted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SANTA CRUZ AS FOLLOWS:

SECTION 1. Ordinance No. 2020-07, adopted as an emergency measure by the City Council on March 24, 2020, extended by Ordinance No. 2020-11 as an emergency measure by the City Council on May 26, 2020, is hereby amended and re-adopted as set forth in Exhibit A, attached hereto.

SECTION 2. The City Council of the City of Santa Cruz hereby finds that there is a current and immediate threat to the public health, safety and/or welfare and a need for immediate preservation of the public peace, health, or safety that warrants this urgency measure, which finding is based upon the facts stated in the recitals above, as well any oral and written testimony at the March 24, 2020 City Council meeting, at the May 26, 2020 City Council meeting, and at the June 23, 2020 City Council meeting.

SECTION 3. This Ordinance and any moratorium that may be established thereunder is declared by the City Council to be an emergency measure necessary for the immediate preservation of the public peace, health or safety. The facts constituting such urgency are all of those certain facts set forth and referenced in Section 2 of this Ordinance.

SECTION 4. Severability

If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this ordinance which can be implemented without the invalid provisions, and to this end, the provisions of this ordinance are declared to be severable. The City Council hereby declares that it would have adopted this ordinance and each provision thereof irrespective of whether any one or more provisions are found invalid, unconstitutional or otherwise unenforceable.

SECTION 5. California Environmental Quality Act (CEQA) Compliance.

This ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and Section 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines, because it has no potential for resulting in physical change to the environment, directly or indirectly.)

SECTION 6. This Emergency Ordinance shall become effective immediately upon its adoption pursuant to Section 612 of the Charter of the City of Santa Cruz and shall expire on July 30<sup>th</sup>, 2020, or until Executive Order N-28-20 issued by the Governor of the State of California is further extended or rescinded by the Governor.



ORDINANCE NO. 2020-

PASSED FOR FINAL ADOPTION as an emergency ordinance this 23<sup>rd</sup> day of June, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

This is to certify that the above and foregoing document is the original of Ordinance No. 2020-XX and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

\_\_\_\_\_  
Bonnie Bush, City Clerk Administrator



ORDINANCE NO. 2020-  
EXHIBIT A

TEMPORARY MORATORIUM ON EVICTIONS DUE TO NONPAYMENT OF RENT FOR  
RESIDENTIAL AND COMMERCIAL TENANTS WHERE THE FAILURE TO PAY RENT  
RESULTS FROM MONETARY LOSS DUE TO THE NOVEL CORONAVIRUS (COVID-19)

Section 1. Purpose

While it is in effect, this Ordinance prohibits evictions for any tenant who can demonstrate that they have received a notice of eviction for failure to pay rent, and that such failure is related to a substantial loss of income or substantial out-of-pocket medical expenses resulting from the 2020 novel coronavirus pandemic or any local, state, or federal government response to the pandemic.

Section 2. Definitions

- A. “Commercial real property” means any real property that is used for business or income-producing purposes.
- B. “Owner” means any person, acting as principal or through an agent, providing residential or commercial real property for rent, and includes a predecessor in interest to the owner.
- C. “Residential real property” means any dwelling or unit that is intended or used for human habitation.
- D. “Tenancy” means the lawful occupation of residential or commercial real property and includes a lease or sublease.
- E. “Qualifying Tenant” means any residential tenant, or any commercial tenant that is not a multi-national company, a publicly traded company, or a company that is not eligible for the Small Business Administration’s Paycheck Protection Program.

Section 3. Prohibition on Evictions Stemming from Coronavirus Pandemic Losses

- A. While this Ordinance is in effect, the owner of residential or commercial real property shall not terminate the tenancy of a qualifying tenant for failure to pay rent if the tenant demonstrates that the failure to pay rent is directly related to a substantial loss of income or substantial out-of-pocket medical expenses associated with the coronavirus pandemic or any local, state, or federal government response to the pandemic.
- B. In order for this section to apply, a tenant must demonstrate through documentation or other objectively verifiable means:
  - 1. Substantial loss of income from (a) job loss; (b) layoffs; (c) a reduction in the number of compensable hours of work; (d) a store, restaurant, office, or business closure; (e) a substantial decrease in business income caused by a reduction in opening hours or consumer demand; (f) the need to miss work to care for a home-bound school-age child or a family member infected with coronavirus; or (g) other similarly-caused loss of

income that resulted from the pandemic; or

2. substantial out-of-pocket medical expenses related to the pandemic.

- C. This prohibition shall also apply to an owner's action that constitutes constructive eviction under California law. An owner's failure to comply with this ordinance shall render any notice of termination of tenancy void. This section may be asserted as an affirmative defense in an unlawful detainer action. Terminations that are required to comply with an order issued by a government agency or court requiring that the real property be vacated are excepted from this prohibition. An owner's failure to comply with this ordinance does not constitute a criminal offense but will subject an owner to civil fines and penalties as set forth in this Code.
- D. Any qualifying tenant who satisfies the requirements of Section B shall be entitled to assert the protections afforded by this ordinance as a complete affirmative defense in an unlawful detainer or other action brought by any owner to recover possession of a rental unit in violation of Section A, above. This ordinance is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the City of Santa Cruz, its departments, officers, employees, or any other person.
- E. Nothing in this ordinance shall relieve a tenant of obligation to pay rent, nor restrict a landlord's ability to recover rent due. Tenants and landlords may negotiate payment plans that identify a set timeline for unpaid rent. This timeline could extend for up to six months. Tenants shall pay all of the portion of the rent that the tenant is able to pay.
- F. This ordinance shall be liberally construed to provide the broadest possible protection for tenants in the City of Santa Cruz. This ordinance acknowledges state and federal policy changes will be forthcoming and this ordinance will be updated with all expediency to protect tenants.

## Rosemary Balsley

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**From:** Garrett <garrettphilipp@aol.com>  
**Sent:** Saturday, June 20, 2020 12:08 PM  
**To:** City Council  
**Subject:** 6.23.20 Agenda Item #5 , Extending emergency moratorium on Evictions

6.23.20 Agenda Item #5 , Extending emergency moratorium on Evictions

Dear Council,

You mention evictions "uprooting children from schools, disrupting the social ties and networks that are integral to citizens' welfare and the stability of communities within the City", but that is what YOU have done with the kill-switch lockdowns and so-called emergency ordinances.

You mention eviction cause "stress and anxiety", but that is what YOU have done in the government constant fear mongering essentially of death by Covid, despite the fact only two people have died in the county, far less than other causes. How many city residents have died ?? Answer that.

I would point out there are no state wide eviction moratoriums, this city by itself has decided this itself for Santa Cruz.

Extension after extension of this is extraordinarily unfair to landlords, and comes without any actual proof whatsoever there exists a blanket threat to everyone (actually considerable evidence exists only a minority have any considerable risk from Covid, and little comparatively in this city compared to others).

I submit if this is your order, in logical fairness YOU should be the one offering up credit to no pay tenants, and YOU can collect if you can.

I see no plan for repayment, I see no proof required of sufficient income loss due to Covid, or a definition of sufficient. The "Covid related" clause is lamely vague.

I see no definitive metric on your part which defines the emergency, or what it would take to remove it except the blind following of the governor's unilateral without assembly backing totalitarian proclamations of emergency.

I see no accounting for continual verification of income status form those refusing to pay or a definition of "little or no", whether multiple or shared tenancies can be evaluated as to ability to pay.

I see no accounting/verification of bank deposits insufficient to pay rent.

I do see lame voluntary surveys where the city tries to better understand what is going on with rentals which is proof you have no idea what you are doing.

Sincerely, Garrett Philipp

## Rosemary Balsley

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**From:** Lissner Properties <lissner.properties@gmail.com>  
**Sent:** Monday, June 22, 2020 9:51 AM  
**To:** City Council  
**Subject:** 23June2020 City Council Meeting Consent Agenda Item 5

Dear Honorable City Council Members,

The proposed extension of Emergency Order 2020-11 has a flaw. The order should end when the State's restriction on evictions ends. It should not extend for ninety (90) days past the State's restrictions. I am concerned that the City's action could be successfully litigated on the basis of denying the right of a rental property owner to seek Court-ordered relief in a case of adverse tenant possession due to a failure to pay rent.

Because each rental situation is unique, each situation warrants equal access to the courts in those cases where the private parties in a private contractual relationship are unable to agree between themselves. Up until the public courts are called upon for help, the matter is a private matter. Subverting the courts and using emergency proclamations to deny court access to rental property owners is a fundamental violation of equal representation, equal protection, equal access, and equal treatment. It is simply wrong.

Sure, adopt the State's risk-taking lead on stripping some people of their access to the courts for adjudication, but please do not ask your fellow Santa Cruz City Council members or City Staff to exceed what the State has already done. Two wrongs do not make a right.

--

Michael Cox  
Manager  
Lissner Properties  
831-459-0572  
408-644-7848 (cell)  
(831) 475-3426 (urgent & after hours)



## CITY COUNCIL AGENDA REPORT

DATE: 6/15/2020

AGENDA OF: 6/23/2020

DEPARTMENT: City Manager

SUBJECT: Resolution in Support of the California Schools and Local Communities Funding Act of 2020 (CN)

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RECOMMENDATION: Resolution endorsing the California Schools and Local Communities Funding Act of 2020.

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BACKGROUND: As of June 4, 2020 the California Schools and Local Communities Funding Act of 2020 initiative has officially qualified for the November 2020 ballot. This initiative's goal is to generate up to \$12 billion every year by closing corporate tax loopholes in the State of California and looks to invest these funds in local governments, essential workers like first responders and public health nurses, and schools – while protecting homeowners and renters, small businesses, and agriculture.

The funds raised by this initiative would come through a new requirement for commercial and industrial real property to be taxed based on current market value. Exempted from this change would be: residential properties; agricultural properties; and owners of commercial and industrial properties with combined value of \$3 million or less.

If approved by the voters, a net increase in annual property tax revenues of \$7.5 billion to \$12 billion in most years, depending on the strength of real estate markets is expected. After backfilling state income tax losses related to the measure and paying for county administrative costs, the remaining \$6.5 billion to \$11.5 billion would be allocated to schools (40 percent) and other local governments (60 percent).

According to a USC report, the Central Coast would receive an estimated \$628.1 million annually from this reform, with jurisdictions in Santa Cruz County receiving \$57.5 million.

DISCUSSION: A resolution endorsing the California Schools and Local Communities Funding Act of 2020 would direct staff to proceed with adding the City of Santa Cruz to the growing list of official endorsers for this campaign, which currently includes a coalition of labor unions, small business owners, elected officials, teachers, students, housing advocates, social justice groups, and faith-based organizations.

FISCAL IMPACT: Approval of this recommendation has no fiscal impact on the General Fund.

Submitted by:  
Renee Golder  
Councilmember

Submitted by:  
Justin Cummings  
Mayor

Submitted by:  
Martine Watkins  
Councilmember

ATTACHMENTS:  
Resolution  
USC Report  
Fact Sheet  
Measure  
Policy Summary

RESOLUTION NO. NS-29,

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ SUPPORTING  
THE SCHOOLS AND COMMUNITIES FIRST INITIATIVE

WHEREAS, for the last four decades, cities and counties in California have experienced underinvestment and devastating cuts to critical services and infrastructure that residents rely on; and

WHEREAS, the lack of adequate local funding is the result of an inequitable tax system in which corporations and wealthy investors do not pay their fair share in property taxes; and

WHEREAS, loopholes in California's property tax system allow a fraction of major commercial and industrial properties to avoid regular reassessment and use shady schemes to hide change in ownership; and

WHEREAS, these loopholes and tax schemes result in millions of dollars going to corporations and wealthy investors rather than to local communities for essential services; and

WHEREAS the property tax is one of the few discretionary sources of revenue for cities and counties; and

WHEREAS, experts estimate that the *California Schools and Local Communities Funding Act* reclaims \$12 billion in property tax revenue every year by closing loopholes in California's property tax system; and

WHEREAS the *California Schools and Local Communities Funding Act* does not affect property taxes for homeowners or renters because the initiative exempts all residential property; and

WHEREAS, allocation of revenues to cities, counties and special districts will follow current property tax allocation; and

WHEREAS, the measure will provide billions in locally-controlled property tax funding yearly for cities, counties, and special districts; and

WHEREAS, academic researchers at the University of Southern California (USC) have identified that the vast majority of reclaimed revenue will come from a fraction of large commercial and industrial properties; and

WHEREAS, USC research shows that a majority of commercial owners already pay close to market value, making the current system inequitable among businesses, benefitting large owners who have held land for a long period; and

RESOLUTION NO. NS-29,

WHEREAS, the current failure to close the commercial property loophole has led to poor land use and inflated land values, particularly affecting the ability to provide adequate high-density housing; and

WHEREAS, the measure incentivizes the development of residential units and provides more funding for communities to invest in affordable housing; and

WHEREAS, the measure provides new tax incentives to spur new investment in small businesses by eliminating the business personal property tax on equipment for California's small businesses; and

WHEREAS, the measure also exempts all small business owners whose property is worth \$3 million or less; and

WHEREAS, the measure levels the playing field for businesses that already pay their fair share in our communities; and

WHEREAS, the *California Schools and Local Communities Funding Act of 2020* is expected to be on the November 2020 ballot; and

WHEREAS, now more than ever, in light of the national and state economic crisis precipitated by the COVID-19 global pandemic, California's local communities need additional revenues for their continued provision of services; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz that it hereby endorses the *California Schools and Local Communities Funding Act of 2020* for a ballot measure in November 2020.

PASSED AND ADOPTED this 23<sup>rd</sup> day of June, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

# Getting Real about Reform II: *Estimating Revenue Gains from Changes to California's System of Assessing Commercial Real Estate*

by Jennifer Ito, Justin Scoggins, and Manuel Pastor



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# Introduction

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This report is an update of *Getting Real About Reform: Estimating Revenue Gains for Changes to California’s System of Assessing Commercial Real Estate*, a report released in May 2015 that sought to provide empirical analysis to help generate a new level of civic—and civil—conversation about structural changes to the state’s property tax system and revenue implications (Ito, Scoggins, and Pastor 2015). It was intended to support discussions about reforms to a set of provisions ushered in under Proposition 13 specifically related to locally-assessed commercial and industrial properties.

Prior to 1978, real property (i.e., land and improvements) was assessed at market value at locally set rates. When voters approved Proposition 13 over 40 years ago in 1978, property assessment changed from a system based on market value to one based on acquisition value, with a maximum tax rate of 1 percent, and annual increases in a property’s assessed value capped at the lesser of 2 percent or the rate of inflation. When the real estate market grows faster than inflation, assessed value stays below market value, and the gap widens over time.

In November 2020, the California electorate will have an opportunity to vote on the California Schools and Local Communities Funding Act, a constitutional amendment that would set the taxable value of commercial and industrial properties to market value while maintaining the 1-percent tax rate.<sup>1</sup> The initiative provides exemptions for owners of small business properties and for business tangible personal property; a phase-in of reassessments; recovery of direct administrative costs to counties for implementation; and other provisions intended to ensure oversight, transparency, and equitable allocation of new revenue.

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1 A version of the initiative was certified for the November 2020 ballot. Proponents have revised the initiative and are expected to withdraw the original initiative if the revised version qualifies. For the most recent information on the initiatives and their status, see the California Secretary of State website at <https://www.sos.ca.gov/elections/ballot-measures/initiative-and-referendum-status/>.

In this report, we explore one question: How much additional revenue would be generated through the 1-percent general tax levy if commercial and industrial property were assessed at market value? We estimate that under such a system, an additional **11.4 billion dollars, or between 10.3 and 12.6 billion dollars**, in property tax revenues **would be available in 2021-22.**<sup>2</sup> It is important to note that this estimate is not a fiscal analysis of the proposed initiative; in other words, it does not take into account the exemptions or phase-in period. Nor does it include the additional revenue that would be generated through local voter-approved, ad-valorem taxes, such as school and infrastructure bonds.

We first explored this question in the 2015 report *Getting Real About Reform* then released updated estimates in 2018. In the 2015 report, we estimated an additional 8.2 to 10.2 billion dollars in statewide property tax revenues would be generated in the year 2019-20. It was a conservative estimate given that the analysis was derived primarily from assessor roll data for the years 2012-13 and 2013-14, a period in which commercial real estate market prices were just starting to recover from the Great Recession. In 2018, we revised our estimates upward to between 10.8 and 12.0 billion dollars in additional revenue in the year 2019-20, with the increase primarily explained by a stronger market recovery in commercial and industrial real estate statewide than we had initially projected (Ito et al. 2018).

The range for the current estimate is about the same as the 2018 revised estimate. Although one might expect it to be higher given that it is two years later in time, the primary reason it is not is that in generating our current estimates,

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2 For the current research update, we use assessor roll data to generate baseline estimates for the 2017-18 tax year, and project the estimates forward to 2021-22. Our updated estimates rely on more recent data with sales during the 2017 calendar year informing our analysis of disparities between market and assessed values for all commercial and industrial properties (excluding agriculture and all residential uses including multi-family) statewide and for every county, and assume a more moderate outlook for growth in assessed and market values over the projected period than our previous estimates.

we updated our expectations of future growth in assessed and market values of commercial/industrial properties. While there has been strong growth in the commercial/industrial real estate market over the past several years, national and statewide indices suggest we are in the midst of a slowdown. For example, results from the Allen Matkins/UCLA Anderson Forecast California Commercial Real Estate Survey suggest a weak market over the next couple of years until around 2022 when a rebound is expected (Allen Matkins/UCLA Anderson Forecast 2019). Thus, while our previous mid-growth scenario assumed 8 percent annual growth in market value for commercial and industrial properties between 2015-16 and 2019-20, in this research update we assume a mid-growth scenario of only 2 percent annual growth between 2017-18 and 2021-22.

This report is organized as follows: We begin with three key starting assumptions and definitions underlying our research then provide a summary of the methods and basic approach underlying our analysis. We then present tables, maps, and figures with estimates of total revenue gains, per capita gains by county, and sources of the revenue gain. For those interested, we include a technical appendix that includes our data sources, methods in estimating revenue gains, and information on the methodological differences from our previous analyses.



Photo by Schplook, Flickr.

# Assumptions

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There are three basic assumptions underlying our analysis. The first involves clarifying what changes in current law we are assuming in order to generate the estimates. The second involves defining what we refer to as “commercial” properties throughout the report; as we will explain, we focus on “true” commercial uses and exclude all residential and agricultural uses. The third relates to assumptions about the future outlook for the real estate market that underlie projections forward to the year 2021-22.

## Estimates are based on changes to current law.

Currently, under Proposition 13, properties are reassessed at market value when the property is sold; thereafter, annual increases in assessed value are capped at the rate of inflation up to 2 percent until the property is sold again. New construction also triggers reassessment at market value, but any existing structures and the underlying land are not reassessed until the property is sold. Under Proposition 8, when a property’s market value falls below its assessed value, it qualifies for a temporary reduction in assessed value. Its annual assessed value may increase more than 2 percent thereafter until it reaches its allowable Proposition 13-determined base year value.<sup>3</sup> According to the Legislative Analyst’s Office (LAO), reduced assessments under Proposition 8 reached a peak in 2012-13. It estimates that commercial properties, apartments, and agricultural properties received, on average, a \$7,500 reduction in property taxes (California Legislative Analyst’s Office 2014:6, 9).

The estimates in this report are of new revenue that would be collected from a policy change that would assess commercial and industrial real property (i.e., land, buildings, and other permanent structures) at market value. Simply stated, the gains we estimate

are the difference between revenues that would be collected if all commercial and industrial properties were assessed at market value (regardless of the last date of sales) and revenues that would be anticipated under current law. We attribute only gains in revenue to the estimates since downward assessments to meet market value are already allowable under current law. Furthermore, the estimated revenue gains include only the 1-percent general tax levy and do not include voter-approved ad-valorem taxes, parcel taxes, or personal property taxes.

## All residential and agricultural uses are excluded from commercial.

In this report, we use the term “commercial properties” to refer to both commercial and industrial properties. We analyze only those properties that are dedicated to commercial and industrial land uses, such as offices, retail, manufacturing facilities, and hotels. We also include vacant commercial and industrial land. We exclude agricultural land uses, such as farms, pastures, and orchards, as well as all residential uses including multi-family apartments, vacation homes, and vacant residential land. We also exclude properties that are state-assessed such as rail transportation properties and utilities. Such properties are already assessed at an estimate of market value by the state, rather than by county assessors.

Our definition of commercial includes approximately 1.27 million parcels. In cross-checking our data, we find the total assessed value of these properties to be comparable to the unaudited local roll data reported by the State Board of Equalization in its annual reports on budgets, workloads, and assessment appeals activities. More information is provided on the data from which we draw our estimates in the technical appendix.

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<sup>3</sup> The allowable Proposition 13-determined base year value is the last sale price plus an annual inflation rate or a maximum of 2 percent increase in each year since its last sale.

## Estimates are based on scenarios of slow growth in commercial/industrial real estate valuation.

In this report, we generate baseline estimates for 2017-18 tax year and project forward to 2021-22, which is the year after the vote on the November 2020 ballot initiative. We assume slow growth in aggregate market and assessed values over the projection period given signs that we are currently at or near the peak of the market expansion that followed the crash triggered by the Great Recession of 2008. The middle growth scenario assumes 2 percent growth in market value each year and 0.7 percent growth in assessed value each year. For more information on how we derived these rates, please see the technical appendix.

In our previous two analyses, we generated estimates of the gain in property tax revenues for the 2019-20 tax year by projecting forward from baseline estimates made in 2012-13 and 2015-16, respectively. Given that the baseline estimates at those times were near the beginning of the recovery, our assumptions around growth in assessed and market values in projecting forward to 2019-20 were much higher, with a middle scenario assumption of 8 percent growth in market value each year. Despite being higher, those earlier projections turned out to fall on the conservative side as compared to our baseline statewide estimate for the 2017-18 tax year generated in the current analysis. That the previous estimates were relatively close—and, in fact, understated—gives us further confidence in the methods used to estimate the current disparity and thus the potential revenue gains reported in the sections on results (for more on this, see the technical appendix).

**Table 1. Scenarios for Average Annual Growth Rates, Assessed and Market Value**

GROWTH SCENARIO	ASSESSED VALUE	MARKET VALUE
LOW	0.2%	0.5%
MID	0.7%	2.0%
HIGH	1.2%	3.5%

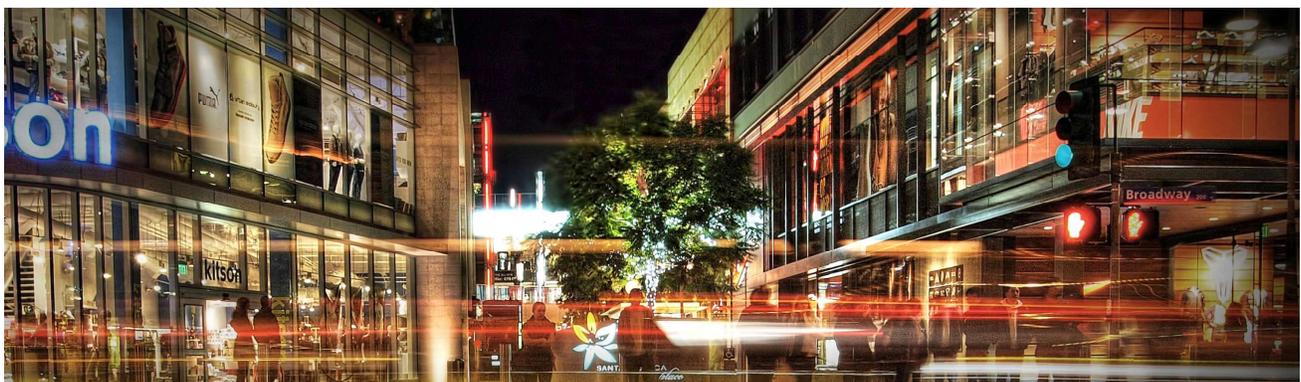


Photo by OM, Krazy Diamnd on Flickr.

# Methods

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The general method for estimating revenue gains is drawn from previous approaches conducted by Blue Sky Consulting Group and best documented by Arthur O’Sullivan, Terri Sexton, and Steven Sheffrin (O’Sullivan, Sexton, and Sheffrin 1993, 1995; Sexton and Sheffrin 2003; Sheffrin and Sexton 1998). To summarize, the approach requires determining disparity ratios, or the ratio of market value to assessed value, where market value is defined by a property’s sales price and where sold properties are assumed to reflect non-sold properties.

This approach also requires classifying properties within a county by base year, which is the last year when the property was reassessed at market value. Properties with older base years have larger disparity ratios than properties with more recent base years. Therefore, we classify properties within a county by base year, calculate weighted-mean disparity ratios based on sales for each base year (weighted by assessed value), then apply the weighted-mean disparity ratio to the assessed value of all non-sold properties of the same base year to estimate their combined market value, and sum market values for both sold and non-sold properties to determine the total market valuation in 2017-18.

We then carry both total market and assessed values forward to 2021-22 using the assumptions described in Table 1.<sup>4</sup> Under the middle growth scenario, we apply a 2 percent average annual growth rate to market values and 0.7 percent average annual growth rate to assessed values. This is based on a variety of sources, including the trend suggested by our previous and current baseline estimates of aggregate assessed and market values (for 2012-13, 2015-16, and 2017-18), an assessment of the state’s historical real estate market cycles, and information from commercial real estate experts. To provide lower- and upper-bound estimates, we applied 0.5

percent and 3.5 percent average annual growth rates to market values which correspond to 0.2 and 1.2 percent average annual growth rates for assessed values, respectively. Finally, we calculate new revenue for each county as the difference between revenue that would be collected from fair market valuation of all commercial properties and that which would be collected under current law. The statewide gain is the sum of gains across all counties.

For this report, we build upon our previous analyses by incorporating three new years of assessor data from CoreLogic for the 2016-17, 2017-18, and 2018-19 rolls. The disparity ratios we estimate are based on sales identified between the 2017-18 and 2018-19 rolls. In total, we have 15 consecutive years of assessor data that cover the roll years of 2004-05 through 2018-19. Despite challenges posed by the most recent three years of data for which we had to apply adjustments (see the technical appendix), this robust dataset allows us to generate estimates for all counties (including smaller counties with few sales of commercial properties) and to better understand how revenue gains perform under different market conditions. However, despite the efforts we make to improve estimates for small counties, our estimates are bound to be more accurate for larger counties given that disparity ratios for those counties are based on a larger number of sales.

For a longer discussion of the data sources and methodological differences in our analyses, please see the technical appendix.

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4 For our subsequent county-level projections, we apply the same average annual growth rates for assessed and market values in the commercial real estate market to all counties. While we recognize that growth rates will not be even throughout the state’s 58 counties, it is not feasible to predict how growth in the real estate market will vary in different counties and so this seems like a reasonable approach.

# Results: Estimated Revenue Gains

We find that under a system that assesses commercial and industrial property at market value, an estimated **11.4 billion dollars, or between 10.3 and 12.6 billion dollars**, in additional property tax revenues statewide would be available in 2021-22. While every county would gain additional revenue, the counties that would see the greatest gains include: Los Angeles (3.4 billion dollars), Santa Clara (1.2 billion dollars), Orange (1.0 billion dollars), San Mateo (770 million dollars), San Francisco (733 million dollars), Alameda (652 million dollars), and San Diego (631 million dollars). See Table 2 for the

estimated range and mid-point of total revenue gain for each county. To be clear, all estimated revenue gains by county reported in this brief reflect those generated by the 1-percent rate for municipalities, school districts, and special districts, and do not represent the amount that would be allocated to the county governments alone. Nor do these estimates take into account any of the specific conditions of the proposed legislation.

**Table 2. Estimated Revenue Gains by County, 2021-22**

Estimated Revenue Gains by County, 2021-22 (millions)					
County	Estimate Range	Mid Estimate	County	Estimate Range	Mid Estimate
ALAMEDA	591.6 - 715.6	652.1	PLACER	77.9 - 97.4	87.4
ALPINE	.1 - .1	0.1	PLUMAS	2.0 - 2.7	2.3
AMADOR	6.0 - 7.3	6.6	RIVERSIDE	283.3 - 362.4	321.8
BUTTE	11.4 - 16.1	13.7	SACRAMENTO	115.0 - 157.0	135.4
CALAVERAS	1.2 - 1.7	1.4	SAN BENITO	3.4 - 4.6	4.0
COLUSA	2.9 - 3.5	3.2	SAN BERNARDINO	386.3 - 486.5	435.1
CONTRA COSTA	348.8 - 421.8	384.4	SAN DIEGO	552.0 - 713.7	630.7
DEL NORTE	.8 - 1.0	0.9	SAN FRANCISCO	663.8 - 806.1	733.2
EL DORADO	4.7 - 8.0	6.3	SAN JOAQUIN	65.9 - 87.5	76.4
FRESNO	73.7 - 95.6	84.4	SAN LUIS OBISPO	44.0 - 56.0	49.8
GLENN	.9 - 1.3	1.1	SAN MATEO	709.4 - 833.7	770.0
HUMBOLDT	27.7 - 33.3	30.4	SANTA BARBARA	97.8 - 122.6	109.9
IMPERIAL	10.3 - 13.5	11.9	SANTA CLARA	1,106.7 - 1,332.3	1,216.7
INYO	10.4 - 13.0	11.7	SANTA CRUZ	52.1 - 63.1	57.5
KERN	75.3 - 97.9	86.3	SHASTA	9.5 - 13.8	11.6
KINGS	7.6 - 10.4	9.0	SIERRA	.1 - .2	0.2
LAKE	1.6 - 2.4	2.0	SISKIYOU	4.0 - 5.3	4.6
LASSEN	1.1 - 1.6	1.3	SOLANO	63.8 - 82.1	72.7
LOS ANGELES	3,072.9 - 3,750.1	3,403.0	SONOMA	152.0 - 182.5	166.9
MADERA	6.9 - 9.7	8.3	STANISLAUS	34.1 - 46.2	40.0
MARIN	86.2 - 104.0	94.9	SUTTER	11.9 - 14.8	13.3
MARIPOSA	1.8 - 2.3	2.0	TEHAMA	2.1 - 3.1	2.6
MENDOCINO	20.3 - 25.7	23.0	TRINITY	.7 - .9	0.8
MERCED	19.8 - 25.7	22.7	TULARE	60.5 - 74.7	67.4
MODOC	.2 - .3	0.3	TUOLUMNE	1.2 - 2.0	1.6
MONO	7.9 - 10.0	8.9	VENTURA	135.7 - 171.6	153.2
MONTEREY	183.8 - 215.8	199.4	YOLO	26.8 - 35.0	30.8
NAPA	111.1 - 132.5	121.5	YUBA	3.5 - 4.5	4.0
NEVADA	15.3 - 19.2	17.2	<b>Total</b>	<b>10,257.8 - 12,604.2</b>	<b>11,401.3</b>
ORANGE	890.1 - 1,102.5	993.6			

To understand the gains in relation to the size of the population, we calculated the per capita gain based on the 2017 5-year American Community Survey summary file. The per capita revenue gain by county ranges from 1,008 dollars for each person living in San Mateo to 29 dollars in Tuolumne County.

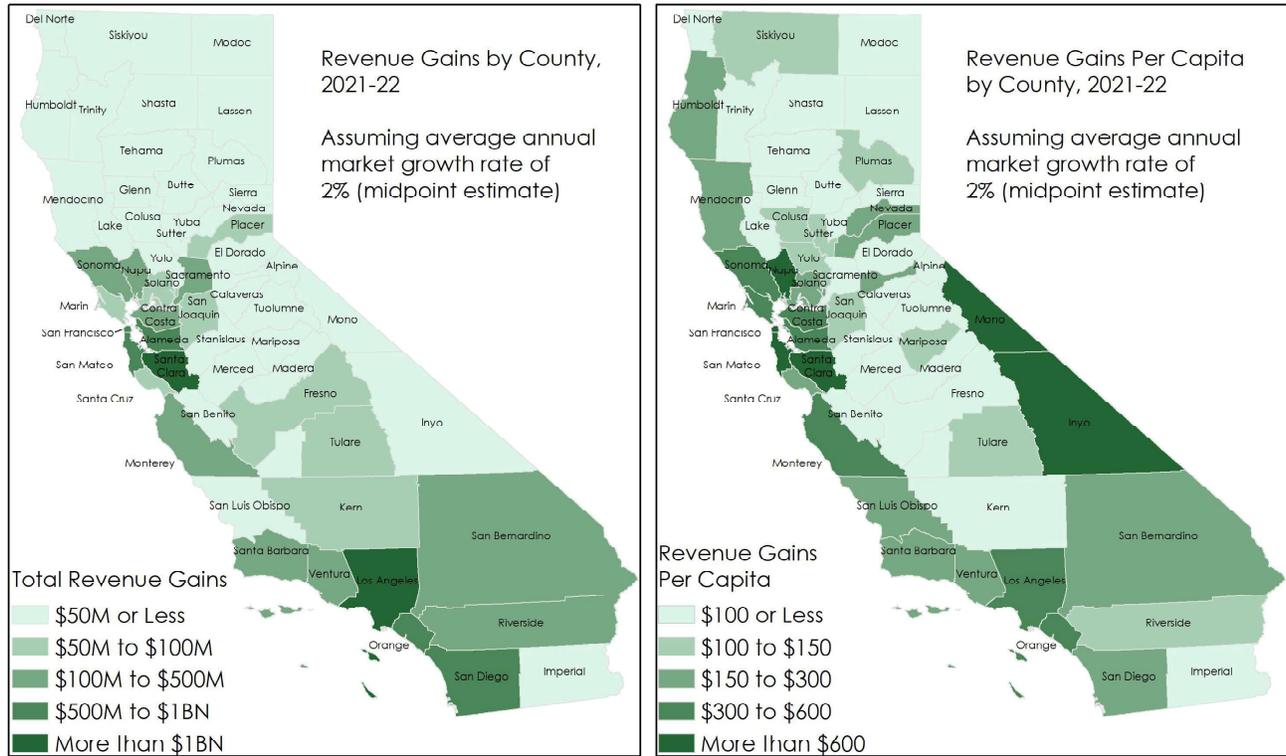
estimated per capita gains for the Inland Valley are 205 dollars for San Bernardino and 137 dollars for Riverside. In the Central Valley, Kern would gain an additional 98 dollars per person; Merced, 85 dollars per person; and Fresno, 87 dollars per person. See Table 3 for estimated revenue gains per capita by county.

While the Bay Area counties of San Mateo, Napa (862 dollars), San Francisco (848 dollars), and Santa Clara (637 dollars) rank near the top, Inyo (643 dollars), Los Angeles (337 dollars) and Orange (315 dollars) also see significant gains per capita. The

**Table 3. Estimated Revenue Gains Per Capita by County, 2021-22**

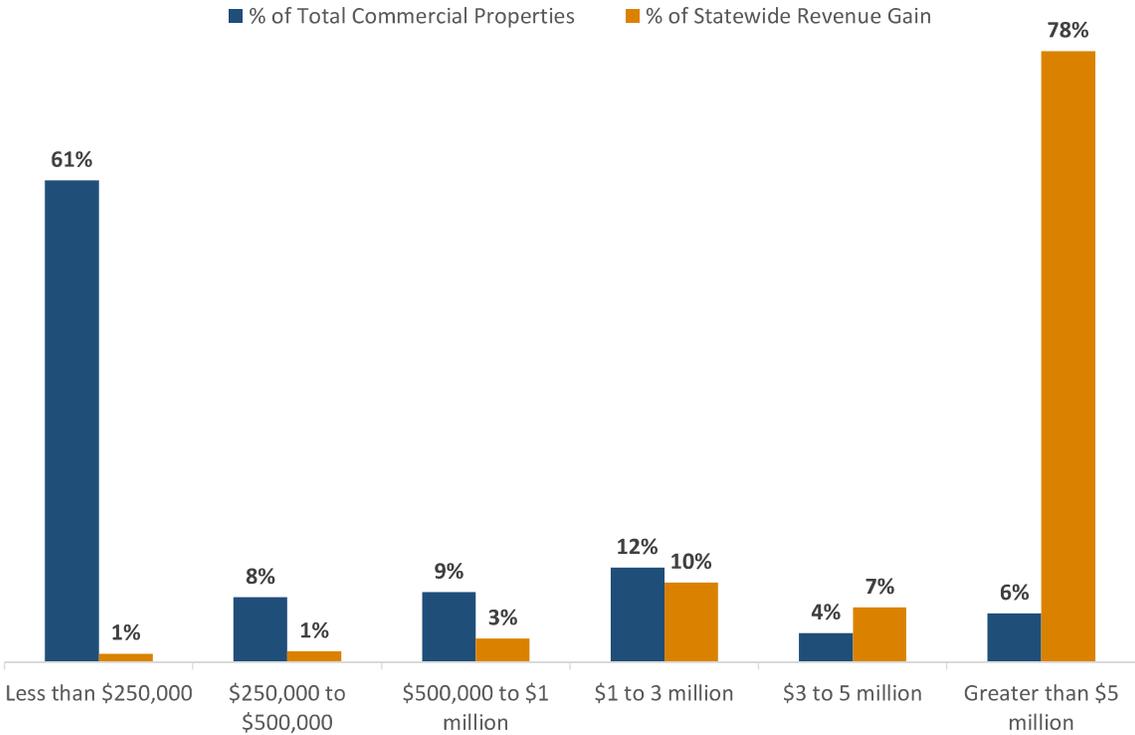
Estimated Revenue Gains Per Capita by County, 2021-22					
County	Estimate Range	Mid Estimate	County	Estimate Range	Mid Estimate
ALAMEDA	363.0 - 439.1	400.1	PLACER	207.6 - 259.7	233.0
ALPINE	67.8 - 98.5	82.7	PLUMAS	104.2 - 145.5	124.3
AMADOR	160.0 - 196.1	177.6	RIVERSIDE	120.3 - 153.9	136.6
BUTTE	50.8 - 71.6	60.9	SACRAMENTO	76.9 - 105.0	90.6
CALAVERAS	26.0 - 38.3	32.0	SAN BENITO	58.7 - 77.7	67.9
COLUSA	133.1 - 161.4	146.9	SAN BERNARDINO	182.1 - 229.3	205.1
CONTRA COSTA	310.4 - 375.4	342.1	SAN DIEGO	168.1 - 217.3	192.1
DEL NORTE	28.0 - 35.9	31.8	SAN FRANCISCO	768.1 - 932.7	848.4
EL DORADO	25.2 - 43.1	33.9	SAN JOAQUIN	91.0 - 120.8	105.5
FRESNO	75.8 - 98.4	86.8	SAN LUIS OBISPO	157.2 - 199.8	178.0
GLENN	33.8 - 46.7	40.1	SAN MATEO	929.2 - 1092.0	1,008.6
HUMBOLDT	204.7 - 245.6	224.6	SANTA BARBARA	220.7 - 276.8	248.0
IMPERIAL	57.3 - 75.0	66.0	SANTA CLARA	579.1 - 697.1	636.6
INYO	573.1 - 717.0	643.2	SANTA CRUZ	190.6 - 231.0	210.3
KERN	85.7 - 111.4	98.2	SHASTA	52.9 - 77.1	64.7
KINGS	50.8 - 69.4	59.9	SIERRA	47.0 - 64.2	55.4
LAKE	25.1 - 37.3	31.0	SISKIYOU	91.5 - 122.2	106.5
LASSEN	34.7 - 50.1	42.2	SOLANO	146.7 - 188.7	167.1
LOS ANGELES	304.1 - 371.1	336.7	SONOMA	303.5 - 364.3	333.2
MADERA	44.5 - 62.8	53.4	STANISLAUS	63.7 - 86.3	74.7
MARIN	330.6 - 398.8	363.9	SUTTER	124.7 - 155.3	139.6
MARIPOSA	99.6 - 129.8	114.3	TEHAMA	33.9 - 48.5	41.0
MENDOCINO	232.0 - 294.3	262.3	TRINITY	54.7 - 72.0	63.1
MERCED	73.9 - 96.1	84.7	TULARE	131.9 - 162.7	147.0
MODOC	27.5 - 38.3	32.8	TUOLUMNE	21.7 - 36.9	29.1
MONO	559.0 - 707.8	631.5	VENTURA	160.0 - 202.4	180.7
MONTEREY	424.3 - 498.1	460.3	YOLO	126.0 - 164.7	144.9
NAPA	787.8 - 939.7	861.9	YUBA	46.5 - 60.3	53.2
NEVADA	154.9 - 193.8	173.9			
ORANGE	282.0 - 349.3	314.8			

**Figure 1. Map of Estimated Revenue Gains and Revenue Gains Per Capita by County, 2021-22**



In addition, we calculated the distribution of commercial and industrial properties by estimated market value in 2021-22 and shares of the statewide revenue gain that would come from different groups of properties by estimated market valuation. Figure 2 shows that a small share of properties account for most of the revenue gain. Only 6 percent of properties account for 78 percent of the revenue gain—properties that we estimate will have a market value in 2021-22 of greater than five million dollars.

**Figure 2. Share of Total Commercial and Industrial Properties and Share of Statewide Revenue Gain by Estimated Market Value, 2021-22**



# Conclusion

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When we first released *Getting Real About Reform* in 2015, we presented a methodology for estimating county-level tax revenue gains from a change in law to assess commercial/industrial properties at market value in California. We subsequently updated the analysis in 2018, and here we update it again in 2020—the year an initiative will be on the November ballot to make such a change in law.

While we build on the methods developed in that earlier work, we use here more recent data and alter our assumptions around average annual growth rates for both assessed value and market value to reflect likely market conditions. We then project our baseline estimates forward to 2021-22, and offer an estimate of the revenue implications for the Golden State and its diverse 58 counties under a system that assesses commercial and industrial property based on market rather than acquisition value. That analysis suggests a shift to market value assessment on the commercial and industrial side could yield 10.3 to 12.6 billion dollars statewide in additional property tax revenue.

Ultimately, the decision about what to do about California's current property tax treatment of commercial and industrial property will take into account many factors, including issues of equity, practicality, and potential economic impact (Benner and Giusta 2018). We hope that this study contributes to the emerging civic conversation about how to further strengthen the state's finances and better prepare California and Californians for a prosperous, inclusive, and sustainable future.

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# Technical Appendix

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The general method for estimating revenue gains is drawn from previous approaches conducted by Blue Sky Consulting Group and best documented by Arthur O’Sullivan, Terri Sexton, and Steven Sheffrin (O’Sullivan et al. 1993, 1995; Sexton and Sheffrin 2003; Sheffrin and Sexton 1998). It employs the primary assumption that properties sold in any given year are representative of those that did not sell, and it requires the following information:

- *Assessed value:* The assessed value is the value of a property (including both land and improvements) for taxation purposes. These data are available in county assessor rolls.
- *Market value:* The market value is the price that a willing buyer would pay and a willing seller would accept. Sales prices is used as the measure of market value. This requires identifying sales, or arms-length transactions, and changes in ownership that trigger a reassessment.
- *Disparity ratio:* The ratio of market-to-assessed value for a property or class of properties. This ratio is applied to the assessed values of properties of that same class that did not sell in order to estimate their market values.
- *Base year:* The base year is the most recent year in which a property was re-assessed at market value. In general, the base year is the last sales date. For example, properties that last sold in 2005 have a 2005 base year. For properties that existed in 1975 and have never been sold, the base year is 1975.

The approach to estimating revenue gains requires determining disparity ratios where market value is defined by a property’s sales price and where sold properties are assumed to reflect non-sold properties. It also requires classifying properties within a county by base year. Properties with older base years have larger disparity ratios than properties with more recent base years. Therefore, we classify properties within a county by base year, calculate weighted-mean disparity ratios based

on sales for each base year (weighted by assessed value), then apply the weighted-mean disparity ratio to the assessed value of all non-sold properties of the same base year to estimate their combined market value, and sum market values for both sold and non-sold properties to determine the total market valuation in 2017-18. The final step is to calculate the difference between total market value and assessed value for all properties in a county and take 1 percent to determine the revenue gain.

While we follow this general approach in deriving our estimates, we make several modifications and adjustments to estimate market value (which requires accurately identifying properties that have been sold, sale prices, and base years prior to a sale); to generate estimates for all counties in California (including smaller counties), and to reduce the impact of sales that are at either extreme of the disparity ratio distribution by county and base year.

First, we note that our approach to identifying sales requires at least three consecutive years of assessor data. There are three key reasons for this. First, the dataset we use does not include sales price information so sales prices must be interpreted from assessed values. Second, it only includes the current base year, so if a sale occurs in 2017, the base year in the 2017-18 roll shows up as 2017 as we must retrieve the base year prior to the sale from the previous year’s assessor roll to implement our methodology. Third, there is inconsistency as to when the sale price becomes reflected (as a new assessed value) on the assessor roll, so we cannot rely simply on the reported base year to identify sales in a given year and take the follow year’s assessed value as the sales price. For those reasons, we use three years of consecutive data in order to gather all of the prior base year and sale price information for sales that resulted in an update of assessed value to market value between the 2017-18 and 2018-19 roll years.

To identify sales that triggered a reassessment to market value between the 2017-18 and 2018-19 roll years, we look for changes in assessed land value that diverge from the standard average

annual increase applied by assessors (the maximum allowable increase under current law is 2 percent).<sup>5</sup> We find that standard increases in assessed value vary by county and take this into account to identify sales more accurately. Once an apparent sale is identified by these criteria, we examine base year information to see whether and when a sale was indicated by the base years in the 2016-17 through 2018-19 rolls. For the majority of sales that triggered a reassessment to market value between the 2017-18 and 2018-19 rolls, the base year indicates a sale in 2017.

One difference in this current analysis from our previous analyses lies in the data. Our original analysis conducted in 2015 was based on the historical assessor roll files for all non-government-owned properties in all 58 counties of California for the roll years 2004-05 through 2013-14, purchased from DataQuick. The updated analysis released in January 2018 was based on additional data for the years 2011-12 through 2016-17 purchased from CoreLogic, which acquired DataQuick in 2014. The current analysis relies on additional data from CoreLogic for the years 2016-17 through 2018-19. While we presumed that the more recently acquired data for the 2016-17 roll would be the same as the 2016-17 data we already had on hand, it turned out to be somewhat different for reasons not explained by CoreLogic. We reached out to CoreLogic for clarification on the differences between the two files, but were unable to get a response as of the release of this report.

The first and greatest challenge of using the three new years of data for 2016-17 through 2018-19 was that they appeared to be missing a sizeable share of commercial/industrial parcels and assessed value. Based on a comparison with previous years of data and aggregate data for commercial/industrial properties from the California State Board of Equalization (BOE), the most recent three years of data appeared to be missing about 35 percent of all commercial/industrial parcels in the

state, accounting for about 24 percent of the total commercial/industrial assessed value.

To account for this, we used the 2016-17 data from the earlier data delivery (which align with BOE statewide totals) to supplement the missing parcels for that year. We then developed an approach to estimating the assessed value for each of the supplementary parcels for the following two years. We first increased them each year by the median percentage increase observed in each county. We then adjusted for likely sales that occurred for the supplementary parcels. Note that our approach to identifying sales relies on identifying abnormal changes in assessed land value between one year and the next, so without data on true assessed values in 2017-18 and 2018-19, no sales could be identified among the supplementary parcels. Failure to account for sales that are likely to have occurred would have tended to understate total assessed value (and overstate the revenue gain).

To minimize the possibility of any upward bias, we sought to adjust for sales that are likely to have occurred. To do this, we calculated the percentage of parcels that sold between 2016-17 and 2017-18, and between 2017-18 and 2018-19, among the non-supplementary parcels by county and broad land use. We assumed that the same percentage sold among the supplementary parcels in each of the two-year periods, and randomly tagged hypothetical sales among the supplementary parcels to match the calculated sales rates by county and broad land use. For hypothetical sales tagged between each two-year period, we adjusted their assessed values in the latter year upward to our estimate of market value based on disparity ratios (by county, base year, and broad land use) derived from the authentic sales that were identified between 2017-18 and 2018-19 among the non-supplementary parcels. While disparity ratios based on sales between 2017-18 and 2018-19 are likely to overstate our estimate of adjusted assessed value for hypothetical sales that occurred during the previous year, the difference is likely to be slight.

A second, much smaller challenge with the new three years of data for 2016-17 through 2018-19 is that all the data for El Dorado County was lagged by one year. For example, the data in the 2016-17

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<sup>5</sup> We focus on only land value (and not improvements) when identifying sales because land values are only reassessed to market value upon the sale of a property while major improvements are often reassessed to market value at the time they are made.

roll file was actually from 2015-16 and so on. This meant that the disparity ratios we derived for sales identified between the 2017-18 and 2018-19 rolls were also lagged by one year for El Dorado county—that is, they reflected sales that occurred between 2016-17 and 2017-18—and that the assessed values in the 2017-18 roll were actually for 2016-17. Correcting the assessed values in 2017-18 was simple: we plugged in the values from the 2018-19 roll. Correcting the disparity ratios to reflect the ratio of sale prices to previous assessed value in 2017-18 was more challenging. If market values of commercial/industrial parcels rose between 2017-18 and 2018-19 (which is likely the case), then the lagged disparity ratios would understate our estimate of total market value as well gains in tax revenue.

After examining the limited data available for the county, including the trend in estimated market value for residential properties on Zillow.com and the change in estimated disparity ratios for commercial/industrial properties from our previous analysis (for 2015-16) to the current analysis, the increase in market values appeared to be relatively modest. To err on the conservative side (i.e. avoid overstating revenue gains in the county), we simply applied the lagged disparity ratios to the corrected 2017-18 assessed values for unsold properties.

After completing such modifications and adjustments to tag sales in the more recent dataset, these properties were used to derive summary disparity ratios by county. In our original analysis, we tested three summary disparity ratios: median disparity ratio by county/base year, weighted-mean disparity ratio by county/base year, and a weighted-mean disparity ratio calculated statewide across all base years. O’Sullivan, Sheffrin, and Sexton used the median disparity ratio by county/base year; Blue Sky Consulting Group used the weighted-mean disparity ratio by county/base year in its 2009 estimates; and the BOE uses what is analogous to the weighted-mean statewide ratio across all base years in calculating the 4-R Equalization Ratio that is applied for assessing rail transportation property at the same percentage of market value as all other commercial and industrial property.

We tested each of the summary ratios by 1) comparing results with previous revenue estimates;

2) comparing against real estate market trends; and 3) using a randomly selected (80 percent) sample of all sales to derive the disparity ratios and examining how well they predicted market value for the remaining (20 percent of) sales. Based on the results, we chose to use the weighted-mean disparity ratio (weighted by assessed value). While O’Sullivan, Sheffrin, and Sexton opt to use the median disparity ratio to minimize the influence of outlying property-level disparity ratios on the summary disparity ratio for each county/base year, it is our view that because more valuable properties play a larger role in determining market value in a county, improving market value estimates for them by allowing them to carry more weight in deriving the summary disparity ratios improves estimates overall, and we take other measures to reduce the outliers (described below).

To the extent that different land uses within the commercial/industrial spectrum appreciate at different rates over time, a case could be made for calculating and applying separate disparity ratios for different land uses within each county/base year. However, the number of sales observations by county/base year is often already very small, making further division of the sales by land use imprudent. Therefore, in effort to adjust for the potential mismatch in land use distribution between sold and non-sold properties in each county/base year, we instead adjust the weights before calculating our weighted-mean disparity ratios so that the distribution of 2017-18 assessed value for sold parcels mirrors that for all parcels in each county/base year across four broad land use categories. In essence, the adjustment simply gives more weight to land use categories that are underrepresented among sales in a given county/base year and vice versa.

For counties/base years in which there are fewer than 10 sales to serve as the basis for the summary disparity ratio, we make a series of adjustments and substitutions that seek to use as much county-specific data as possible while incorporating disparity ratio information from surrounding counties and the state overall. We aggregate counties that are similar in terms of disparity ratios (for base years with more than 10 sales) and a series of demographic and housing characteristics from the

U.S. Census to divide the state into nine county groups. We also group base years together to create base year categories, and derive summary disparity ratios for each county group (and statewide) by base year and base year category. We then apply the disparity ratios by base year from the most detailed level of geographic aggregation for which they are based on at least 10 sales (either the county group or statewide), and adjust them up or down for each county using adjustment factors based on what we know about the county relative to its county group and (if necessary) the county group relative to the state from the variety of disparity ratios calculated, while ensuring that each adjustment factor itself that we apply is also based on at least 10 sales.

When our calculation of weighted-mean disparity ratios produce disparity ratios that are less than one for some counties/base years, it suggests that the market value for certain properties are below their assessed value. There are a variety of possible reasons for this: Property owners may not exercise their right to decline-in-value assessments under current law (perhaps to avoid negative externalities of a decline in asset values); our estimate of market value may be too low (to the extent that fire sales are prominent); or there may be lag time between when the market falls and when the decline-in-value assessments are reflected on the assessor roll. To focus our estimates on the impact of change to current law, we set a minimum of one for disparity ratios that are applied to non-sold properties. This has the effect of excluding from our results any estimated losses in tax revenue from (downward) assessment to market value, as these are to be expected under current law. Finally, to the extent that fire sales (i.e. distressed properties sold at extremely discounted prices) are prominent in our data, it is likely that they drive down all (or many) of our calculated disparity ratios—not just those for counties/base years in which our initial disparity ratio estimate came out below one. While such sales are bound to be far less prominent in our current analysis than in our original analysis released in 2015, given the point in the market cycle at which baseline estimates were made, evidence that they still exist in the data suggests that our baseline estimates of revenue gains in 2017-18 should be seen as conservative.

Another methodological choice we make aims to reduce the impact of outliers, as noted earlier. While this was the rationale behind O’Sullivan, Sheffrin, and Sexton’s choice of applying the median disparity ratio, given that we find the weighted-mean disparity ratio to be a better fit for other reasons, we sought to account for outlying property-level disparity ratios in our methodology. To do so, we run our model under three levels of outlier exclusion among sales, excluding the outlying 1, 2, and 5 percent of values from each end (top and bottom) of the property-level disparity ratio distribution by county/base year. Note that if there are fewer than 20 sales in a particular county/base year, no outliers are excluded, and so to capture any outliers in counties/base years with few sales, we also excluded observations found to be among the outlying 1, 2, and 5 percent of values (respectively) at each end of the property-level disparity ratio distribution statewide by base year. As we would expect, the outlier exclusion affects smaller counties more than larger counties. Baseline estimates of revenue gains for each county in 2017-18 were derived under each of the three levels of outlier exclusion separately, and the average of the three results was taken as our final estimate.

To carry our baseline estimates of revenue gains in 2017-18 forward to 2021-22, making them more relevant for policy discussion, we adjusted our growth assumptions for aggregate market and assessed value over the projection period and made substantial changes from our previous analyses. While there has been substantial growth in the commercial/industrial real estate market over the past several years, national and statewide indices suggest we are headed for a slowdown. For example, results from the latest Allen Matkins/UCLA Anderson Forecast California Commercial Real Estate Survey suggest a weak market over the next couple of years, until around 2022 when a rebound is expected. Partly because of this, our growth assumptions are lower than in our previous analyses for which our baseline estimates were relatively early in the market recovery and there was good reason to expect a robust market recovery over the projection period.

To determine the specific assumptions around growth in assessed and market values from 2017-18 to 2021-22, we relied on the limited data that

exists on trends in aggregate assessed values for commercial/industrial properties over time, as well as on the baseline estimates of aggregate assessed and market value for commercial/industrial properties that we have generated for three points in time: 2012-13, 2015-16, and 2017-18. We began by make a simple logarithmic projection forward to 2021-22 of aggregate assessed and market values based on the three data points we had for each measure. This yielded an average annual growth rate of 1.3 percent for market value and 0.5 percent for assessed value.

To validate these simplistic projections, we examined historical data from the BOE on assessed value growth for commercial/industrial properties as reported in the California Taxpayer Association's (CalTax) report, Proposition 13 Revisited: A look at California's property tax 35 years after passage of Proposition 13 (Gutierrez, Doerr, Kline, & Blocker, 2013, p. 19). We identified the period from 1991-92 through 1995-96 as the four-year time period in the data that best resembled the portion of the market cycle we might expect between 2017-18 and 2021-22, given that growth in assessed values (and presumably market values) slowed substantially during that period (and actually became slightly negative in the last two years). We found an average annual growth rate in assessed value for commercial properties (business and non-homeowner property) over the period to be 0.6 percent—very close the rate implied by our simple projection.

However, California experienced a major recession in the early 1990s, and while the state may fall into recession over the projection period, we do not expect it to be as deep if it does. Therefore,

we set our middle growth scenario assumptions around market growth a bit higher than suggested by our simple forecast, at 2 percent average annual growth in aggregate market value and 0.7 percent average annual growth in assessed value. We believe these middle-scenario assumptions to be on the conservative side. As in previous analyses, we stress that estimated tax revenue gains from assessing commercial property at market value are sensitive to changes in the market, and for this reason we also provide estimates based on low- and high-growth scenarios which assume average annual growth in market values of 0.5 percent and 3.5 percent, respectively.

As noted in the main body of the report, we have confidence in our baseline estimates for 2017-18 in part because they are based on disparity ratios derived from data on sale prices (and not projections of sale prices) and in part because our previous projections to 2019-20 have been close in predicting current disparities. In our previous analysis, we generated a baseline estimate of statewide revenue gains in 2015-16 and projected it forward to 2019-20. Our projection from that analysis for 2017-18 under the middle growth scenario was 9.0 billion dollars, whereas our estimated statewide revenue gains in 2017-18 in the current analysis is 9.9 billion dollars. Thus, the assumptions we made around market growth in our previous analysis seem to have understated revenue gains. As noted above, we suspect that may be the case with the assumptions made here as well, but prefer to err on the conservative side to avoid overstating the potential gains.

# Acknowledgments

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# SCHOOLS & COMMUNITIES FIRST

## SCHOOLS & COMMUNITIES FIRST WILL RECLAIM OVER \$12 BILLION EVERY YEAR FOR SCHOOLS AND LOCAL COMMUNITIES.

Most of us want similar things: good schools for our children, a healthy family, and safe neighborhoods. But for more than four decades, big corporations have not been paying their fair share, leaving California's school funding falling behind. California now has the most overcrowded classrooms in the U.S. and some of the worst ratios of counselors, librarians, and nurses per student. Schools & Communities First ensures that our schools and communities come first – with the resources to educate all of our kids and the services to support all of our families. It closes commercial property tax loopholes benefiting a fraction of corporations and wealthy investors, without affecting homeowners or renters, and reclaims \$12 billion every year to fund world-class schools and strengthen local economies to lift up all Californians. It's time to invest in California's future.

### WHAT DOES SCHOOLS AND COMMUNITIES FIRST DO?



**RECLAIMS** over \$12 billion per year for K-12 schools, community colleges, and local communities.



**INVESTS** in educating all of our kids and in the vital services necessary to support our families and communities.



**CLOSES** commercial property tax loopholes and ends shady schemes that big corporations and wealthy investors use to avoid paying their fair share of property taxes.



**PROVIDES** one of the largest tax incentives in a generation to spur new investment in small businesses.



**PROTECTS** all homeowners and renters by maintaining tax protections for ALL residential property.



**LEVELS** the playing field for all the businesses that already pay their fair share.



**ENSURES** strict accountability so that money goes directly to our students and communities.

Join a powerful and growing coalition of labor unions, small business owners, elected officials, teachers, students, housing advocates, social justice groups, and faith-based organizations in supporting the first structural and equitable tax reform in four decades.

### HELP QUALIFY SCHOOLS & COMMUNITIES FIRST FOR THE NOVEMBER 2020 BALLOT:

1. Collect petition signatures
2. Spread the word to friends and family
3. Follow the campaign on social media @Schools1stCA
4. Donate to help power our movement

Paid for by Schools and Communities First - Sponsored by a Coalition of Social Justice Organizations Representing Families and Students. Committee major funding from:  
Chan Zuckerberg Advocacy (Nonprofit (501(c)(4))  
The San Francisco Foundation  
California Teachers Association  
Funding details at <http://fppc.ca.gov>

777 S. Figueroa St., Ste. 4050, Los Angeles, CA 90017

September 12, 2019

19 - 0008

Amdt. # 1

**VIA PERSONAL DELIVERY**

Anabel Renteria  
Initiative Coordinator  
Office of Attorney General  
1300 I Street  
Sacramento, CA 95814

RECEIVED

SEP 17 2019

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

**Re: Initiative No. 19-0008 – Amendment**

Dear Ms. Renteria:

Pursuant to subdivision (b) of Section 9002 of the Elections Code, enclosed please find an amendment to the above referenced initiative. The amendments are reasonably germane to the theme, purpose or subject of the initiative measure as originally submitted.

I am one of the proponents of the measure and request the Attorney General prepare a circulating title and summary of the measure using the amended language.

Sincerely,

ANTHONY THIGPENN



CAROL MOON GOLDBERG

BENJAMIN MCBRIDE

September 12, 2019

**VIA PERSONAL DELIVERY**

Anabel Renteria  
Initiative Coordinator  
Office of Attorney General  
1300 I Street  
Sacramento, CA 95814

**Re: Initiative No. 19-0008 – Amendment**

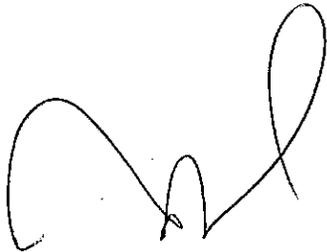
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Sincerely,

ANTHONY THIGPENN

A handwritten signature in black ink, appearing to read 'Benjamin McBride', with a large loop at the end.

BENJAMIN MCBRIDE

CAROL MOON GOLDBERG

September 12, 2019

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ANTHONY THIGPENN

CAROL MOON GOLDBERG

BENJAMIN MCBRIDE

## SECTION 1. Title

This measure shall be known as “The California Schools and Local Communities Funding Act of 2020.”

## SEC. 2. Findings

- (a) California is the fifth largest economy in the world, but if we don’t invest in our future, we’ll fall behind. To grow our economy and provide a better quality of life now, and for future generations of Californians, we need to do a better job of investing in our schools, community colleges, and local communities, and do more to encourage small businesses and start-ups.
- (b) Our competitiveness begins with making children and their education a priority. Decades of cuts and underfunding have undermined California schools. A recent national study ranked the performance of California schools in the bottom half of all states. The top ranked states spend thousands of dollars more per student than California.
- (c) California’s funding shortfall has direct consequences for our kids: we’re dead last in the nation in teacher-to-student ratios, last in guidance counselor to student ratios, and last in librarian-to-student ratios.
- (d) The quality of life in our local communities is also critical to our economic future. It depends on streets that are safe and clean, emergency services we can count on, parks and recreation programs that keep our youth off the streets, and roads that are well maintained. Our cities, counties and local agencies are on the front line facing the consequences of the lack of affordable housing and increasing homelessness as well as worsening risks from wildfires and other disasters.
- (e) Property taxes on commercial and industrial properties are a principal source of funding for our schools and local communities. While virtually every other state assesses commercial and industrial property based on its fair market value, California allows commercial and industrial property taxes to go many years, even decades, without reassessment. This unusual system is prone to abusive tax avoidance schemes, diverts funds away from schools and local communities, contributes to the shortage of affordable housing, distorts business competition, and disadvantages business start-ups.
- (f) California’s under-assessment of commercial and industrial properties is a growing problem. Large investors and corporations, many of whom are from other states and countries, are using a variety of schemes to get around the law and buy and sell properties without being reassessed, costing our schools and local communities billions of dollars.
- (g) A recent study by the University of Southern California has found that under-assessed commercial and industrial property allows owners to avoid over \$11 billion in local property taxes each year that should be going to support our schools and local communities.

- (h) California's unusual commercial and industrial property tax system contributes to California's affordable housing crisis. Studies by the Legislative Analyst Office and the University of California have demonstrated that California's property tax system incentivizes owners to hold idle vacant and under-utilized commercial and industrial property. A reformed system, that assesses all properties based on their fair market value, would create a powerful new incentive to build new housing.
- (i) Every commercial and industrial property owner benefits from local schools and services like public safety and infrastructure. It is unfair and anti-competitive that the property tax system forces some businesses to pay higher property taxes to support our schools and local communities while their competitors pay much lower property taxes because their properties are assessed far below their fair market value.
- (j) California's unusual property tax system not only distorts competition, it discourages business investments. Under the current system, businesses that invest in improving their properties trigger reassessment and higher property taxes. But businesses that don't invest in improving their properties continue to enjoy the low cost of under assessment.
- (k) A study done at the University of California demonstrates that reassessing commercial property will have a net positive benefit on jobs and the California economy.
- (l) If we reformed California's under-assessment problem on business properties, California would still rank among the lowest states for business property taxes in the nation because of the California Constitution's provisions related to the 1% limitation on property tax rates.
- (m) Thriving small businesses and start-ups are essential to California's economy now and for our future. The property tax on equipment and fixtures discourages new start-ups, small businesses and larger businesses from making new productive investments. By requiring under-assessed large properties to be assessed at fair market value, small businesses can be fully exempted from the property tax on equipment and fixtures and the tax can be substantially reduced for other businesses, removing this disincentive without harm to funding for our schools and local communities.
- (n) Reassessing under-assessed commercial and industrial property in California would primarily impact a small number of properties owned by the largest corporations and wealthiest investors. Almost 80% of the tax benefits of the under-assessment allowed by the current system go to just 8% of the properties.
- (o) The benefits to our schools, local communities and economy resulting from ending the under-assessment of commercial and industrial property can be achieved while protecting small businesses through exemptions and deferrals of reassessment and at the same time encouraging small businesses by creating a more level playing field and by eliminating the property tax on business equipment and fixtures.

- (p) Reforming commercial and industrial property assessments to fair market value will result in a fairer system for our schools, our local communities and our businesses. All businesses will compete on a level playing field, generating billions of dollars in additional support for our schools and local communities.

SEC. 3. Purpose and Intent.

It is the intent of the People of the State of California to do all of the following in this measure:

- (a) Preserve in every way Proposition 13's protections for homeowners and for residential rental properties. This measure only affects the assessment of taxable commercial and industrial property.
- (b) Provide for increased and stable revenues for schools, cities, counties and other local agencies by requiring under-assessed commercial and industrial properties to be assessed based on their fair market value.
- (c) Distribute the new revenues resulting from this measure to schools and local communities, not to the State.
- (d) Ensure that the portion of any new revenues going to local schools and community colleges as a result of this measure is treated as new revenues that are in addition to all other funding for schools and community colleges, including Proposition 98.
- (e) Guarantee every school district and community college will receive additional funding from this measure and that funds going to schools and community colleges are allocated in a manner that is consistent with local control funding formulas intended to advance equity.
- (f) Ensure that any new revenues going to cities, counties, and special districts as a result of this measure will be allocated in the same manner as other property tax revenues, consistent with prior ballot measures approved by voters, to improve the quality of life in local communities in all parts of California.
- (g) Make certain there is complete public transparency by requiring schools, community colleges, cities, counties, and special districts to publicly disclose the new revenues they receive and how those revenues are spent in a manner that is widely available and easily understood.
- (h) Be very clear that this measure only applies to taxable commercial and industrial real property by including provisions stating that:
  - 1) All residential property is exempt so homeowners and renters will not be affected in any way by this measure.
  - 2) This measure makes no change to existing laws affecting the taxation or preservation of agricultural land.

- (i) Make no change to Proposition 13's constitutional provisions relating to the 1% limitation on property tax rates for all taxable real property so local property taxes on commercial and industrial property will continue to be among the lowest in the country after this measure is approved by voters.
- (j) Ensure stability for owners of small business properties by providing an exclusion for small commercial and industrial real property owners. The intent of this provision is to provide an exclusion that applies only to the true owners of small businesses and that large property owners shall be prevented from using the exclusion for their own benefit.
- (k) Defer reassessments for properties in which small businesses account for 50% or more of the occupied space until the 2025-2026 lien date to provide those small business tenants additional time to choose the leasing option that works for them, recognizing that the impact of this measure will be different for each property, depending on how close the current assessment is to the fair market value and whether or not it qualifies for the small property exclusion for properties with a fair market value of \$3 million or less.
- (l) Encourage new and existing businesses to make new investments by eliminating the business tangible personal property tax on equipment and fixtures for small businesses and providing a \$500,000 per year exemption for all other businesses. The Legislature may not reduce this exemption, but it may increase it.
- (m) Provide greater equity in the taxation of commercial and industrial properties by assessing all of them based on their actual fair market value just like start-ups and new commercial and industrial properties that already are being assessed based on their actual fair market value. The intent is for all businesses to compete on a more level playing field and make sure all businesses are paying their share to support the schools and local communities from which they benefit.
- (n) Require the Legislature, after conferring with a Task Force on Property Tax Administration, to provide by statute for the phase-in of reassessments of under-assessed commercial and industrial real properties so that county assessors may effectively implement the new law. Such phase-in will begin with the lien date for the 2022-23 fiscal year and occur over several years. Affected owners shall only be obligated to pay the taxes based on the new assessed value beginning with the lien date for the fiscal year when the assessor has completed the reassessment.
- (o) Require the Legislature to ensure that the phase-in provisions provide affected owners of under-assessed commercial and industrial real properties reasonable time to pay any increase in their tax obligations resulting from this measure.
- (p) Provide for the recovery of actual direct administrative costs incurred by counties to effectively implement the new law.

- (q) Ensure that the General Fund and other funds of the State are held harmless by reimbursing the State for reductions in tax revenue caused by the deductibility of the property tax.
- (r) Maintain the Board of Equalization's oversight over the property tax system to assure the public that assessments of commercial and industrial real property in every county are equitable and uniform as required by this measure, and to further ensure that the Board of Equalization provides statewide assistance as necessary to support the efficient implementation of this measure within all 58 counties.

SEC. 4. Section 8.7 of Article XVI of the California Constitution is added to read:

SEC. 8.7. (a) The Local School and Community College Property Tax Fund is hereby created in the State Treasury, to be held in trust, and is continuously appropriated for the support of local education agencies as that term is defined in section 421 of the Education Code as that statute read on January 1, 2020, and for the support of community college districts. The moneys deposited in the Local School and Community College Property Tax Fund shall be held in trust for schools, and shall be distributed as follows:

(1) Eleven percent (11%) of the moneys shall be allocated by the Board of Governors of the California Community Colleges to community college districts in proportion to the funding calculated for each district pursuant to the distribution formulas operative in statute as of January 1, 2020, or any successor statute, provided that property tax revenues calculated pursuant to section 84751 of the Education Code, or any successor statute, that exceed the total funding calculated for a district pursuant to the then-operative distribution formulas shall be subtracted from that district's proportionate share of the Local School and Community College Property Tax Fund.

(2) Eighty-nine percent (89%) of the moneys shall be allocated by the Superintendent of Public Instruction to school districts, charter schools and county offices of education as follows:

(A) To school districts and charter schools, in proportion to each school district's or charter school's total funding calculated pursuant to subdivisions (a)-(i), inclusive, of section 42238.02 of the Education Code, as those provisions read on July 1, 2019. Any school district or charter school that qualifies as a "basic aid school district" or "excess tax entity" under subdivision (o) of that section shall have subtracted from its proportionate share of the Local School and Community College Property Tax Fund the amount by which the sum calculated in subdivision (j) of that section exceeds the amount calculated pursuant to subdivisions (a)-(i), inclusive, as each of those provisions read on July 1, 2019.

(B) To county offices of education, in proportion to each office's total funding calculated pursuant to section 2574 of the Education Code as that section read on July 1, 2019.

(3) Notwithstanding the above, no school district or charter school shall receive from the Local School and Community College Property Tax Fund less than \$100 per unit of average daily attendance, adjusted annually upward or downward by the same percentage that the Local School and Community College Property Tax Fund grew or declined from the previous year, and no community college district shall receive from the Local School and Community College

Property Tax Fund less than \$100 per enrolled full time equivalent student, adjusted annually upward or downward by the same percentage that the Local School and Community College Property Tax Fund grew or declined from the previous year.

(b) Except as provided in paragraph (2) of subdivision (d) of Section 8.6 of this Article, notwithstanding any other law, the moneys deposited in the Local School and Community College Property Tax Fund shall not be subject to appropriation, reversion, or transfer by the Legislature, the Governor, the Director of Finance, or the Controller for any purpose other than those specified in this section, nor shall these revenues be loaned to the General Fund or any other fund of the State or any local government fund.

(c) Moneys allocated to local education agencies, as that term is defined in section 421 of the Education Code as that statute read on January 1, 2020, and to community college districts from the Local School and Community College Property Tax Fund shall supplement, and shall not replace, other funding for education. Funds deposited into or allocated from the Local School and Community College Property Tax Fund shall not be part of "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B and allocated local proceeds of taxes" for purposes of paragraphs (2) and (3) of subdivision (b) of Section 8 of this Article or for purposes of Section 21 of this Article. Except as provided in subdivision (c) of Section 8.6 of this Article, revenues generated by Section 2.5 of Article XIII A shall not be deemed to be General Fund revenues which may be appropriated pursuant to Article XIII B for purposes of paragraph (1) of subdivision (b) of Section 8 of this Article, nor shall they be considered in the determination of per capita General Fund revenues for purposes of subdivisions (b) and (e) of Section 8 of this Article.

(d) Except as provided in subdivision (c) of Section 8.6 of this Article, revenues generated by Section 2.5 of Article XIII A shall not be deemed to be General Fund proceeds of taxes that may be appropriated pursuant to Article XIII B for purposes of Section 20 or Section 21 of this Article.

SEC. 5. Section 8.6 of Article XVI of the California Constitution is added to read:

SEC. 8.6. (a) The Legislature shall provide by statute a methodology, based on historical experience, for determining the additional revenue generated in each county each fiscal year as a result of the application of the tax rate specified in subdivision (a) of Section 1 of Article XIII A and the application of Section 2.5 of Article XIII A. The determination as to the amount of additional revenue in each county shall be transmitted to the county auditor annually for use for the calculations required by this section.

(b) After transferring the necessary funds pursuant to subdivisions (c), (d) and (e) and subparagraph (B) of paragraph (1) of this subdivision, all additional revenue resulting from the application of the tax rate specified in subdivision (a) of Section 1 of Article XIII A and the

application of Section 2.5 of Article XIII A shall be allocated and transferred by the county auditor as follows:

(1) (A) First, to the Local School and Community College Property Tax Fund created pursuant to Section 8.7 of this Article, in an amount equal to the school entities' share of property taxes as determined pursuant to Chapter 6 (commencing with Section 95) of Part 0.5 of Division 1 of the Revenue and Taxation Code, as that chapter read on January 1, 2020.

(B) Prior to making the transfer pursuant to subparagraph (A) of this subdivision, the county auditor shall subtract an amount equal to the county's share of the increase in appropriations of State General Fund proceeds of taxes for the support of school districts and community college districts pursuant to Section 8 of Article XVI due to the revenue loss resulting from the exemptions provided by Section 3.1 of Article XIII, as determined by the Director of Finance. The county's share of additional State General Fund appropriations shall be transferred by the county auditor to the General Fund prior to the allocation specified in subparagraph (A) of this subdivision. The amount determined by the Director of Finance pursuant to this subparagraph shall for each fiscal year be apportioned by county in proportion to the revenue loss resulting from the exemptions provided by Section 3.1 of Article XIII.

(2) Second, among cities, counties, and special districts pursuant to Chapter 6 (commencing with Section 95) of Part 0.5 of Division 1 of the Revenue and Taxation Code, as that chapter read on January 1, 2020.

(c) The Franchise Tax Board shall determine the reduction to the General Fund and any other affected state fund of revenues derived from the taxes imposed by the Personal Income Tax Law (Part 10 (commencing with Section 17001) of Division 2 of the Revenue and Taxation Code) and the Corporation Tax Law (Part 11 (commencing with Section 23001) of Division 2 of the Revenue and Taxation Code), as those laws read on January 1, 2020, due to the deduction of any net increase in property taxes resulting from the implementation of Section 2.5 of Article XIII A and subdivision (a) of Section 3.1 of Article XIII. The amount of reduction as determined by the Franchise Tax Board shall be transferred by the county auditor to the General Fund and any other affected state fund prior to the allocation specified in subdivision (b). For purposes of making the determinations required by Section 8, 20 and 21 of this Article, the amount transferred to the General Fund pursuant to this subdivision shall be deemed to be General Fund revenues which may be appropriated pursuant to Article XIII B and General Fund proceeds of taxes appropriated pursuant to Article XIII B, and shall be included in the calculation of per capita General Fund revenues. The amount transferred pursuant to this subdivision shall for each fiscal year be apportioned among the counties in proportion to each county's contribution to the total additional revenue resulting from the application of the tax rate specified in subdivision (a) of Section 1 of Article XIII A and the application Section 2.5 of Article XIII A determined for all counties.

(d) (1) Each county or city and county shall be annually compensated for the actual direct administrative costs of implementing Section 2.5 of Article XIII A and Section 3.1 of Article XIII as identified by the board of supervisors of the county or city and county consistent with statutes identifying those costs. The Legislature shall determine by statute what constitutes actual direct administrative costs for purposes of this subdivision. Such costs shall at a minimum

include the costs of assessment, assessment appeals, legal counsel, tax allocation and distribution, and auditing and enforcement of the provisions of Section 3.1 of Article XIII and Section 2.5 of Article XIII A. It is the intent of this subdivision to provide full adequate funding to counties to cover all costs associated with implementation of the Act.

(2) The Legislature shall determine by statute the initial start-up costs necessary for each county or city and county and the Board of Equalization to implement the Act and shall appropriate State General Fund monies to pay for such startup costs until sufficient funds are available to pay for all ongoing costs to implement the Act, at which time the statute shall provide for the State General Fund to be reimbursed.

(e) Each county or city and county shall annually be reimbursed for actual refunds of property taxes paid in the prior fiscal year as a result of corrections to assessments made pursuant to Section 2.5 of Article XIII A. The amount reimbursed pursuant to this subdivision shall for each fiscal year be subtracted from each county's contribution to the total additional revenue resulting from the application of Section 2.5 of Article XIII A as a result of the application of the tax rate specified in subdivision (a) of Section 1 of Article XIII A.

(f) All local education agencies, community colleges, counties, cities and counties, cities, and special districts that receive funds from the revenues generated by Section 2.5 of Article XIII A shall publicly disclose for each fiscal year, including in their annual budgets, the amount of property tax revenues they received for that fiscal year as the result of Section 2.5 of Article XIII A and how those revenues were spent. Such disclosure shall be made so that it is widely available to the public and written so as to be easily understood.

SEC. 6. Section 2.5 of Article XIII A of the California Constitution is added to read:

SEC. 2.5. (a) (1) Notwithstanding Section 2 of this Article, for the lien date for the 2022-23 fiscal year and each lien date thereafter, the "full cash value" of commercial and industrial real property that is not otherwise exempt under the Constitution is the fair market value of such real property as of that date as determined by the county assessor of the county in which such real property is located, except as provided by the Legislature pursuant to subdivision (b).

(2) Paragraph (1) of this subdivision shall not apply to residential property as defined in this section, whether it is occupied by a homeowner or a renter. Residential property as defined in this section shall be assessed as required by Section 2 of this Article. Paragraph (1) of this subdivision shall also not apply to real property used for commercial agricultural production as defined in this section. Real property used for commercial agricultural production as defined in this section shall be assessed as required by Section 2 of this Article.

(b) The Legislature shall establish a Task Force on Property Tax Administration immediately after this section is enacted, including a county assessor or designee, a Board of Equalization member or designee, a proponent of this Act or designee, a taxpayer representative, and a member of the Legislature or designee. The Task Force shall publicly convene immediately upon its creation to examine and recommend to the Legislature all statutory and regulatory changes

necessary for the equitable implementation of this measure consistent with its purpose and intent. The Legislature, after conferring with the Task Force, shall provide by statute for the phase-in of the reassessment of commercial and industrial real property as required by paragraph (1) of subdivision (a). Any such phase-in shall provide for reassessment of a percentage of all commercial and industrial real properties within each county commencing with the lien date for the 2022-23 fiscal year and extending over two or more lien dates each fiscal year thereafter, in order to ensure a reasonable workload and implementation period for county assessors, including provision for processing and timing of assessment appeals. An owner shall first be obligated to pay the taxes based on the new assessed value beginning with the lien date for the fiscal year when the county assessor has completed the reassessment. The phase-in also shall provide taxpayers whose property has been reassessed a reasonable timeframe within which to pay any increase in taxes. After the initial reassessment of commercial and industrial real property pursuant to this subdivision, such commercial and industrial real property shall be periodically reassessed no less frequently than every three years as determined by the Legislature. Notwithstanding existing statutes, the Legislature shall, in consultation with county assessors, develop a process for hearing appeals resulting from the reassessment of properties pursuant to this section that is consistent with the following:

- (1) The process shall not include automatic acceptance of the applicant's opinion of values within a given time-frame.
- (2) The process shall impose on the taxpayer the burden of proof that the property was not properly valued.
- (3) The process shall require the taxpayer to provide evidence relevant to any appeal in the initial application before the local assessment appeals board.
- (4) The process shall ensure that decisions by local administrative hearing bodies such as assessment appeals boards, if subject to judicial review, are subject only to de novo judicial review on issues of law, while issues of fact, including valuation, shall be reviewed under the substantial evidence standard.

(c) For purposes of this section:

- (1) "Commercial and industrial real property" means any real property that is used as commercial or industrial property, or is vacant land not zoned for residential use and not used for commercial agricultural production. For purposes of this paragraph, vacant land shall not include real property that is used or protected for open space, a park, or the equivalent designation for land essentially free of structures, natural in character to provide opportunities for recreation and education, and intended to preserve scenic, cultural, or historic values.
- (2) "Mixed-use real property" means real property on which both residential and commercial or industrial uses are permitted.
- (3) "Real property used for commercial agricultural production" means land that is used for producing commercial agricultural commodities.
- (4)(A) "Residential property" shall include real property used as residential property, including both single-family and multi-unit structures, and the land on which those structures are constructed or placed.

(B) The Legislature shall provide by statute that any property zoned as commercial or industrial but used as long-term residential property shall be classified as residential for purposes of paragraph (2) of subdivision (a). For mixed-use real property, the Legislature shall ensure only that portion of the property that is used for commercial and industrial purposes shall be subject to reassessment as required by paragraph (1) of subdivision (a). The Legislature shall also define and provide by statute that limited commercial uses of residential property, such as home offices, home-based businesses or short-term rentals, shall be classified as residential for purposes of paragraph (2) of subdivision (a). The Legislature may provide for an exclusion from reassessment for the commercial share of mixed use property provided seventy-five percent (75%) or more of the property by square footage or value is residential.

(d) (1) Subject to paragraph (2) of this subdivision, upon reassessment pursuant to subdivisions (a) and (b), each commercial and industrial real property with a fair market value of three million dollars (\$3,000,000) or less shall not be subject to reassessment pursuant to paragraph (1) of subdivision (a) and shall be assessed as required by Section 2 of this Article. The amount specified in this paragraph shall be adjusted for inflation every two years commencing January 1, 2025, as determined by the State Board of Equalization. The State Board of Equalization shall calculate the adjustment separately for each county taking into consideration differences in average commercial and industrial market values among counties.

(2) Notwithstanding paragraph (1) of this subdivision, real property that would otherwise comply with the exclusion set forth in paragraph (1) of this subdivision shall be subject to reassessment pursuant to paragraph (1) of subdivision (a) if any of the direct or indirect beneficial owners of such real property own a direct or indirect beneficial ownership interest(s) in other commercial and/or industrial real property located in the State, which such real property in the aggregate (including the subject property) has a fair market value in excess of three million dollars (\$3,000,000). The amount specified in this paragraph shall be adjusted for inflation every two years commencing January 1, 2025, as determined by the State Board of Equalization.

(3) All determinations of fair market value under this subdivision shall be determined by the county assessor of the county in which the property is located, and such determinations by the county assessor shall be conclusive and subject only to judicial review for abuse of discretion.

(4) In order to be eligible for the exclusion provided by paragraph (1) of this subdivision, the owner of the real property shall make a claim and certify annually to the county assessor under penalty of perjury that the conditions required by paragraphs (1) and (2) of this subdivision for exemption from reassessment have been met and shall be subject to audit by the county or the State as to that certification. The Board of Equalization shall have the authority to conduct any audits on behalf of the State.

(5) Any real property excluded from reassessment under paragraph (1) of this subdivision shall only be excluded from reassessment so long as it meets the conditions imposed by paragraphs (1) and (2) of this subdivision. If there is any change in the direct or indirect beneficial ownership of such real property, a new claim and certification must be made to the county assessor.

(6) Any appeals by taxpayers who are found not to be excluded from reassessment pursuant to paragraph (1) of this subdivision shall be subject to the process for hearing appeals as provided in subdivision (b).

(e) (1) Provided fifty percent (50%) or more of the occupied square footage of a commercial or industrial real property is occupied by a small business as defined in paragraph (4) of this subdivision, the provisions of paragraph (1) of subdivision (a) shall not take effect prior to the lien date for the 2025-26 fiscal year; provided, however, that if the Legislature establishes by statute pursuant to subdivision (b) that a real property qualified under this paragraph shall be reassessed on a lien date subsequent to the 2025-26 fiscal year, then such property shall be reassessed commencing on that subsequent lien date.

(2) In order to be eligible for the deferral provided by paragraph (1) of this subdivision, the owner of the property shall make a claim and certify annually to the county assessor under penalty of perjury that the conditions required by paragraph (1) of this subdivision for deferral from reassessment have been met and shall be subject to audit by the county or the Board of Equalization as to that certification.

(3) Any real property for which reassessment is deferred under paragraph (1) of this subdivision shall only be eligible for deferral so long as it meets the conditions imposed by paragraph (1) of this subdivision and if there is any change in the direct or indirect beneficial ownership of such real property, a new claim and certification must be made to the county assessor. Upon termination of the deferral, the property shall be subject to paragraph (1) of subdivision (a).

(4) For purposes of this subdivision, the term small business shall include only those businesses which meet all of the following conditions:

(A) The business has fewer than 50 annual full-time equivalent employees.

(B) The business is independently owned and operated such that the business ownership interests, management and operation are not subject to control, restriction, modification or limitation by an outside source, individual or another business.

(C) The business owns real property located in California.

(f) For purposes of this section the failure in any year to claim, in a manner required by the laws in effect at the time the claim is required to be made, an exclusion or classification which reduces or defers an assessment or reassessment shall be deemed a waiver of the exclusion or classification for that year.

(g) Using the methodology prescribed by the Legislature pursuant to subdivision (a) of Section 8.6 of Article XVI, the percentage change in gross taxable assessed valuation within a city, county, or a city and county used to calculate an entity's vehicle license fee adjustment amount pursuant to Section 97.70 of the Revenue and Taxation Code shall not include the additional assessed valuation that results from the application of this section.

(h) Notwithstanding Section 16 of Article XVI or any other law, the additional assessed valuation that results from the application of this section shall not be factored into to any division

of taxes or calculation of growth for treatment as tax increment and shall not be diverted in any manner whatsoever.

SEC. 7. Section 3.1 of Article XIII of the California Constitution is added to read:

SEC. 3.1. (a) (1) For each taxpayer paying the tax on tangible personal property, including business equipment and fixtures, used for business purposes, either of the following shall apply:

(A) (i) For a taxpayer that is a small business, as defined in paragraph (4) of subdivision (e) of Section 2.5 of Article XIII A, all tangible personal property owned and used for business purposes is exempt from taxation.

(ii) A taxpayer shall make a claim and certify annually to the county assessor under penalty of perjury that the condition required by this subparagraph for exemption has been met and such claim shall be subject to audit by the county or the state as to that certification.

(B) Except for a taxpayer subject to subparagraph (A) of paragraph (1) of this subdivision, an amount of up to five hundred thousand dollars (\$500,000) of combined tangible personal property and fixtures, per taxpayer, is exempt from taxation.

(2) Aircraft and vessels shall not be subject to this exemption.

(3) The Legislature shall not lower the exemption amounts provided by this subdivision or change their application, but may increase the exemption amount specified in subparagraph (B) of paragraph (1) of this subdivision consistent with the authority enumerated in Section 2 of this Article.

(b) The Legislature shall provide by statute that all related entities, including but not limited to any subsidiaries, holding companies, or parent corporations, are considered one "taxpayer" for the purposes of this section.

SEC. 8. Section 16 of Article XIII B of the California Constitution is added to read:

SEC. 16. (a) For purposes of this article, "proceeds of taxes" shall not include the additional revenues generated by Section 2.5 of Article XIII A.

(b) For purposes of this article, appropriations subject to limitation of each entity of government shall not include appropriations of the additional revenues collected as a result of the implementation of Section 2.5 of Article XIII A.

SEC. 9. Effective Date.

This measure shall become operative on January 1, 2022, except that subdivision (a) of Section 3.1 of Article XIII shall become operative on January 1, 2024, and subdivision (d) of Section 8.6 of Article XVI and subdivision (b) of Section 2.5 of Article XIII A shall become operative immediately upon passage of this measure.

SEC. 10. Severability

The provisions of this Act are severable. If any portion, section, subdivision, paragraph, clause, sentence, phrase, word, or application of this Act is for any reason held to be invalid by a decision of any court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this Act. The People of the State of California hereby declare that they would have adopted this Act and each and every portion, section, subdivision, paragraph, clause, sentence, phrase, word, and application not declared invalid or unconstitutional without regard to whether any portion of this Act or application thereof would be subsequently declared invalid. Notwithstanding the foregoing, Section 7 of this Act is non-severable from Section 6 of this Act.

#### SEC. 11. Liberal Construction

This Act shall be liberally construed in order to effectuate its purposes as articulated in Section 3 of this Act.

## About the California Schools and Local Communities Funding Act of 2020

Official summary from the office of the California Attorney General:

**“Increases funding for K-12 public schools, community colleges, and local governments by requiring that commercial and industrial real property be taxed based on current market value. Exempts from this change: residential properties; agricultural properties; and owners of commercial and industrial properties with combined value of \$3 million or less.”**

Key benefits of the ballot measure:

1

### Reassessment of Commercial/Industrial Property Only:

The reassessment of only commercial and industrial property to fair market value is the cornerstone of the initiative. Reassessments will be conducted on a regular, ongoing basis, and are estimated to generate as much as \$12 billion annually in new revenues when fully implemented, not including small business exemptions outlined below.

2

### Residential Properties and Agricultural Land are Exempt:

No residential properties will be reassessed, whether rental residential (apartments and rental homes), homeowner or condominium owner, or mobile home. It exempts all agricultural land from reassessment used for producing commercial commodities or for agricultural production. It also exempts open space, so that farmland which is held without production would also be exempt. Mixed-use property is to be assessed based on proportion of commercial to residential footage. Our measure allows the legislature to exempt the commercial portion of mixed-use properties if the properties are predominantly residential (75% or more).

3

### Education Share:

40% of the revenue goes to schools, with 89% of this dedicated to K-12 and 11% for Community Colleges.

### New School Revenues Over Prop 98:

New revenues will be pooled statewide and deposited into the Local School and Community College Property Tax Fund to ensure that the local schools and community colleges portion of new revenues is considered additional to all other funding, over and above the Proposition 98 guarantee.

### New School Revenues to Advance Equity:

The school share of new revenues will be allocated to advance social equity according to the local control funding formulas for all schools, which provide additional funding for districts with large populations of low-income students, English-learners, and foster youth.

### Basic Aid School Districts:

In order to assure that all school districts benefit from this reform, Basic Aid School Districts (which receive sufficient local property tax revenue to meet their target funding level under state law) will receive as much as they would have under current law and at least \$100 per unit of average daily attendance in addition from the new revenues. Similarly, community college districts shall receive no less than \$100 per enrolled full-time equivalent student.

Paid for by Schools and Communities First - Sponsored by a Coalition of Social Justice Organizations

Representing Families and Students. Committee major funding from:

Chan Zuckerberg Advocacy (Nonprofit (501(c)(4))

The San Francisco Foundation

California Teachers Association

Funding details at <http://fppc.ca.gov>

777 S. Figueroa St., Ste. 4050, Los Angeles, CA 90017

## About the California Schools and Local Communities Funding Act of 2020

### Key benefits of the ballot measure:

4

#### **New Revenues for Local Government:**

60% of the new revenues go to cities, counties and special districts and will be allocated in the same manner as property tax revenues are currently allocated, with no changes in the proportions between local government entities. Like all property taxes, revenues will be spent at local government discretion, for parks, libraries, public safety, capital outlay, health and social services.

5

#### **Expenditure Transparency:**

Public disclosure is required by all entities (i.e., local education agencies, community colleges, counties, cities and counties, cities and special districts) on an annual basis as to how new revenues from this measure are spent. The measure mandates that public disclosures be widely available to the public and written in a manner that is easily understood.

6

#### **Expanded Small Business Relief:**

The new measure contains modified and expanded provisions to protect small businesses:

##### **Exemption for small properties:**

Properties with a market value of \$3 million or less will be exempted from reassessment, unless the property owner holds a direct or indirect interest in other properties in the state which together have a cumulative total market value of over \$3 million, in which case, all properties will be reassessed. Small property owners will claim this exemption annually through a certification filed with their County Assessor under penalty of perjury.

7

#### **Business Personal Property Tax on Equipment and Fixtures:**

An exemption is to be provided from the Business Personal Property Tax on up to \$500,000 of fixtures and equipment for all businesses. This exemption helps the vast majority of businesses that lease but do not own their property. It will take most small businesses off the business personal property tax rolls and provide financial relief from a nuisance tax.

8

#### **Expanded Phase-In and Assessor Provisions:**

Since the system has not been changed in 40 years, a transition period will be necessary. The measure creates a Property Tax Administration Task Force comprised of County Assessors, the Board of Equalization and others to work with the Legislature to implement a phase-in timetable to develop plans for implementation. It calls for start-up costs to be advanced by the Legislature to County Assessors and full compensation from revenues generated by the measure of administrative costs, including costs of the Assessors' Offices, to implement the new system. It provides for statewide oversight by the Board of Equalization. It also directs the Legislature to consult with Assessors to develop a phase-in approach that begins in the 2022-23 fiscal year, and extends over 2 or more years, allowing for reasonable workload, including an expedited process for hearing appeals. The phase-in period also applies to property owners to provide them a reasonable timeframe within which to pay any increase in taxes. After the initial reassessment is completed, all commercial and industrial property will be periodically reassessed no less frequently than every 3 years as determined by the Legislature.

Paid for by Schools and Communities First - Sponsored by a Coalition of Social Justice Organizations  
Representing Families and Students. Committee major funding from:

Chan Zuckerberg Advocacy (Nonprofit (501(c)(4))

The San Francisco Foundation

California Teachers Association

Funding details at <http://fppc.ca.gov>

777 S. Figueroa St., Ste. 4050, Los Angeles, CA 90017

## Rosemary Balsley

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**From:** Bonnie Bush  
**Sent:** Friday, June 19, 2020 5:04 PM  
**To:** City Council  
**Subject:** Fwd: Item 6 on Consent Agenda -- requires additional information  
**Attachments:** PastedGraphic-1.png; ATT00001.htm; 2020 Split Roll Property Tax -6-23-20.pdf; ATT00002.htm

Bonnie Bush, CMC  
City Clerk Administrator  
831-420-5035

Begin forwarded message:

**From:** Casey Beyer <casey.beyer@santacruzchamber.org>  
**Date:** June 19, 2020 at 5:03:04 PM PDT  
**To:** Justin Cummings <jcummings@cityofsantacruz.com>, Donna Meyers <dmeyers@cityofsantacruz.com>, Cynthia Mathews <CMathews@cityofsantacruz.com>, Martine Watkins <mwatkins@cityofsantacruz.com>, Sandy Brown <sbrown@cityofsantacruz.com>, Katherine Beiers <kbeiers@cityofsantacruz.com>, Renee Golder <rgolder@cityofsantacruz.com>  
**Cc:** Martin Bernal <mbernal@cityofsantacruz.com>, Bonnie Bush <bbush@cityofsantacruz.com>  
**Subject:** **Item 6 on Consent Agenda -- requires additional information**

Dear Mayor Cummings, Vice Mayor Meyers, Council members Beiers, Brown, Golder, Mathews and Watkins:

[Resolution in Support of the California Schools and Local Communities Funding Act of 2020 \(CN\)](#)

Resolution endorsing the California Schools and Local Communities Funding Act of 2020.

On behalf of the Santa Cruz County Chamber of Commerce, we respectfully request that the City Council also consider additional information about your resolution to endorse the California Schools and Local Communities Funding Act of 2020. The agenda report only provides the Proponents information and not the Opposition. The Chamber is neutral on this matter at this time as the Chamber board tabled discussion of this item until our next board meeting in the summer. Please see the attached analysis that was prepared for the Chamber board. We respectfully request that you also include this in your discussion.

Thank you.

Casey

Casey Beyer  
Chief Executive Officer  
Santa Cruz County  
Chamber of Commerce  
(831) 457-3713  
[www.santacruzchamber.org](http://www.santacruzchamber.org)

## **Summary Analysis**

Since voters reduced California property taxes with Proposition 13 in 1978, multiple factions have attempted to roll back the reform and boost property tax collections. Government labor unions, schools and advocacy organizations are aiming for the 2020 general election to repeal many of Proposition 13's protections and increase taxes on business properties, called a "split roll," to support their priorities. Because a split roll property tax would be so damaging to the state's small businesses and the investment climate, the initiative will be a central feature of the 2020 political debate.

## **Background on Proposition 13**

Proposition 13 has been the law for more than 40 years. In 1978, property values were soaring and so were their corresponding property taxes. There was no limit to how high an assessor could increase a property's value in any given year. Between 1972 and 1977, home prices in Southern California doubled. Even if tax rates didn't change, property tax bills also doubled. Many taxpayers could not afford their ever-increasing property taxes and feared losing their homes.

Proposition 13 brought a halt to all that—limiting total taxes to 1% of the property's value, and any increases to a maximum of 2% per year. California voters passed the constitutional amendment by a nearly 2 to 1 margin, and solidified property tax reasonableness and predictability.

## **Proposition 13 Amendments to State Constitution Keep Property Taxes Manageable and Predictable**

Proposition 13 required that all categories of real property on the local assessment roll be assessed at the same basic tax rate and under the same valuation standard. It did not distinguish among residential, commercial, industrial, agricultural, or any other type of property. Additionally, it capped local property tax rates at 1% of the property's assessed value—based on the market value as of the date of the most recent change in ownership or new construction. Proposition 13 capped property tax increases at 2% per year. This means that

property taxes are pegged to the property's original purchase price, plus improvements, not what the property is currently worth. When a property is sold, it is reassessed at its new purchase price. It is then taxed at a rate of 1% of that new value, and from then on, Proposition 13's tax limits apply until it is sold again. These protections provide stability and predictability to both property owners and government coffers—protecting both from very high or very low reassessed property values each year.

Furthermore, Proposition 13 required any state tax to be approved with a two-thirds vote of both houses of the Legislature. It required approval by two-thirds of voters for any tax levied by local governments that was designated for a special purpose, like parks or roads.

### **What Is Split Roll?**

A tax roll is the official list of all the properties to be taxed. “Split roll” means applying a different tax formula, either tax rate, reassessment frequency, or vote requirement, to commercial and industrial properties than that applied to residential properties. Proponents of a split roll would remove some of the protections of Proposition 13 from nonresidential properties in order to raise taxes.

The idea of a split roll has been rejected consistently since the passage of Proposition 13. Over the last few decades there have been numerous legislative proposals to present a split roll to the voters, but none ever reached the ballot. A split roll ballot measure in 1992 was defeated soundly.

### **Split Roll Ballot Initiative**

The California Schools and Local Community Funding Act of 2018—an initiative proposal for a split roll property tax—is a constitutional amendment that has qualified for the November 2020 ballot. On August 13, 2019, however, proponents of the initiative announced that the campaign would collect signatures for a revised version of the proposal to appear on the ballot. Even though they acknowledged the original measure was flawed, proponents refused to remove the already-qualified measure from the ballot pending qualification of the

new measure. The deadline to gather signatures will be mid-April 2020.

Opposition to a split roll property tax is a fundamental concern for small business owners, commercial property owners, and industrial and manufacturing facilities, so voters can count on a well-funded opposition campaign for education about this initiative.

### **Key Provisions of Initiative**

- Requires all business property to be reassessed to fair market value, beginning on the 2022–2023 lien date. The Legislature may phase in this requirement over three years.
- Increases business property taxes by \$7.5 billion to \$12 billion a year, according to the Legislative Analyst.
- Requires reassessment of business property to fair market value every three years.
- Includes all business property, except for property used for residential (including rental) or agricultural production purposes. Mixed-use property is reassessed proportional to its commercial use.
- Exempts from full reassessment business property with an on-site business, and which is under a single ownership with no more than \$3 million worth of property statewide.
- Exempts from taxation up to \$500,000 of business personal property and exempts from taxation all tangible personal property of certain small businesses.
- Dedicates the proceeds of the tax increase to schools, community colleges and local governments, in proportion to what those entities currently receive in general property tax allocations. In general, schools receive about 40% of the allocation, with cities, counties and special districts splitting the rest.
- Allocates money to these entities with almost no strings attached. No money is retained for reserves and few accountability conditions are attached.
- Earmarks \$1 billion a year for the costs of implementation (for example, assessor's offices), compliance and support of existing state and local programs.

### **Concerns with Split Roll**

## **Schools' Fiscal State of Affairs Are Unaffiliated with Property Taxes.**

Schools could certainly use more money, especially to pay teachers trying to make ends meet in expensive coastal housing markets. But the story of school finance is not a lack of revenues; it is the growth of other state priorities. State support for the health care program for poor Californians, called Medi-Cal, has increased ten-fold since 1978. It is now by far the biggest single program in state government, annually consuming \$100 billion in state and federal funds, and serving one in three Californians.

Additionally, pension and health care costs have hit schools especially hard. In the seven years through 2020–2021, researchers estimate the cost of teacher and staff pensions for school districts will more than triple, totaling \$9 billion just to support retirement systems that are still actuarially underwater.

Additionally, two California policy changes that predated Proposition 13 have had a far greater impact on the fiscal health of schools than property tax alterations.

First was California Supreme Court's 1971 decision in *Serrano v. Priest*, which wrote local school boards (and voters) out of school finance decisions and placed the state Legislature firmly in control of school appropriations. The court required "equalization" of tax effort, which led to state-imposed revenue limits for schools—essentially a narrow band of per-student revenues allowed for school districts. Sacramento—not local voters—became the locus of school revenue decisions.

Second, Governor Edmund G. Brown, Jr. signed legislation in 1976 granting collective bargaining rights to school employee unions. From that day on, every major spending decision by school districts required affirmative agreement by school unions. If money equals quality, then the unions must shoulder responsibility for student performance based on their spending priorities.

### **Small Businesses and Their Employees Hardest Hit.**

Smaller businesses will be even more incapable of absorbing a sudden rent increase due to reassessment. Those small businesses that cannot raise prices will need to cut costs, which will include reducing employee compensation, benefits, or cutting the number of employees. Some small businesses will have to relocate or close, creating an oversupply of commercial space and higher vacancy rates, which would cause commercial property rents and values to decline. The closing of storefronts will decrease job opportunities because of decreased economic activity.

Although the revised initiative includes a small business exemption, the split roll still would be crippling to a significant portion of businesses. The new language, for example, expands the reassessment exemption to small business owners with property valued at \$3 million or less, up from the previous \$2 million threshold.

According to California Taxpayers Association President Rob Gutierrez, the protections for small businesses aren't strong enough. Because many small businesses are renters, higher property taxes on the buildings they rent space in will result in more expensive rent for them, he said. "What that translates into is higher prices for consumers and brick-and-mortar stores," he said. "Dry cleaners, grocers, companies that cannot move, will have to find a way to pass these costs on."

### **Split Roll Will Increase Costs for Consumers.**

Faced with higher property taxes, commercial property owners with typical lease terms are likely to pass the increased costs on to their tenants. For instance, a shopping center with multiple tenants would be faced with significant increased property taxes under this pending ballot initiative, and would in turn, increase rental rates. When faced with higher rent, those tenant business owners will increase the cost of their products to offset the higher rent, meaning the split roll tax will systemically increase the cost of living.

Even though a split roll tax is not aimed at consumers, the consumers are the ones who ultimately will pay for the tax through higher prices for everyday goods and services.

Residents already are struggling with a painfully high cost of living in California. This cost encompasses some of the steepest taxes in the country, including one of the highest gas, income, and sales taxes. The Legislature just passed policies that have resulted in Californians paying 48% more for electricity than the rest of the nation. Adding a split roll tax on top of these existing costs will only exacerbate the affordability issue for many Californians.

### **Split Roll Will Hurt California's Economy.**

High taxes, mandates and regulations already make it difficult for California businesses to compete. An almost \$11 billion split roll tax increase will prevent businesses from hiring new employees and, potentially, from keeping existing ones. The stability and predictability brought by Proposition 13 has allowed California businesses to compete nationally despite the high cost of doing business in this state. A split roll tax will force many to close or relocate to a state that welcomes business investment.

The Legislative Analyst's Office (LAO) warned that if the split roll ballot initiative passes, it would likely increase the costs of many businesses operating in California and thus influence their decisions as to whether to invest further in the state or move elsewhere.

### **No Accountability Measures for New Revenue Are Included with the Initiative.**

The ballot initiative does not include taxpayer protections, cost controls, accountability measures or transparency requirements. The proponents even removed a cap on administrative expenses—so government can waste this new tax money on administration and overhead with no limits or checks.

In addition, it is challenging for assessors to competently value properties. The initiative will change the assessor's review of property from an objective standard (price of sale) to a subjective standard

(assessor's opinion of value). This will lead to arbitrary assessments, more appeals, and an increased amount of bureaucratic overhead.

### **Problem of Budget Volatility Will Be Exacerbated.**

Even if properly administered, tax assessments will follow the highs and lows of California's real estate market—leading to more volatility. During recessions, this could lead to a significant reduction in revenue. For example, in 2008–2009, commercial property values declined by about 35% due to the economic recession.

These wild value swings are what led to the passage of Proposition 13 in the first place. Proposition 13 stabilized the flow of property tax revenue by locking in acquisition values and allowing these values to increase slowly from year to year.

### **Massive Additional Revenue Not Necessary.**

California taxpayers have remitted a mountain of state and local taxes since Proposition 13's inception—more than \$240 billion this year alone. The Budget surplus that existed in January 2020 has since disappeared because of COVID—19 and now the state faces a \$54 billion deficit.

Since Proposition 13 passed in 1978, per capita state and local tax revenues, adjusted for inflation, have increased by 55%. That's the equivalent of \$90 billion in new spending even after adding another 17 million residents and the increased cost of living.

California has record-high revenues and an enormous surplus. Local government revenue is at an all-time high as well. When Proposition 13 was passed in 1978, local property tax assessments were \$6 billion. Local property tax levies are now projected to have grown \$19 billion over the last decade alone—from \$50 billion in 2008–2009 to \$69 billion in 2018–2019. A massive tax increase via the unraveling of Proposition 13's sound protections is not warranted.

**Chamber's Position: Neutral - The Chamber Board of Directors tabled this item at our May 2020 Board meeting and will revisit the issue later this summer.**

I was unable to find any record of the Santa Cruz County Chamber of Commerce taking a formal position on the 1978 Initiative. However, as a practical sense of supporting businesses, we oppose increases in taxes unless it is specified where the tax would be allocated. The Chamber has supported local school bonds, community college bonds, sales tax for transportation improvements (Measure D), the increase in the gas tax for road improvements (SB 1) are examples.

The Chamber has opposed rent control, but we were neutral on the City of Santa Cruz 2018 tax increase which received voter approval on the June ballot. We noted that the city should not put the tax increase into the general fund as a way to offset their budget deficit, but rather direct the revenue collected to specific needs — like public safety, parks, etc. The City wanted the increase to go to the general fund so the voter approval threshold was 50%+1 vs. a 67% approval requirement.

In January 2020 the Legislative Analyst Office (LAO) estimated the Legislature will have a \$7 billion surplus available to allocate in the upcoming budget process in addition to building an \$18.3 billion balance in the state's rainy-day fund by the end of 2020–2021. Discriminating against businesses through a split roll proposal will hurt the business community as well as employees and consumers, thereby having a negative impact on our entire economy.

With the state facing a \$54 billion dollar deficit with the pandemic and local governments facing growing deficits into the next three fiscal years, placing the burden on property owners will have a demonstrative impact on small businesses who rent or lease space from the owner. The property owner would just pass on the increase to the tenant and to the consumer.

At a time of a global pandemic, a local economy in dire straights, small businesses closing or reducing hours, laying off employees, there is no justification to increase a property tax.



## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Economic Development

SUBJECT: Award Contract for Graffiti Abatement Services (ED)

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**RECOMMENDATION:** Motion to accept a sole source contract with Graffiti Protective Coatings, Inc. (GPC) for graffiti abatement services in the amount of \$100,000 and authorize the City Manager to execute an agreement, in a form approved by the City Attorney, with GPC.

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**BACKGROUND:** In 2003 the Redevelopment Agency established a graffiti abatement program using volunteers and a private contractor to remove graffiti. Over the years the number of reports for graffiti removal increased and it became more efficient to contract out for graffiti abatement services. Since 2006 Parks and Recreation, Public Works, Economic Development and the Water Department have contributed funds for graffiti removal services and Economic Development has solicited bids for the graffiti abatement services contract.

**DISCUSSION:** Economic Development staff recommends a sole source contract with Graffiti Protective Coatings, Inc. (GPC) for graffiti removal services in FY 2021.

GPC has been the City's abatement contractor for seven years and has provided excellent graffiti abatement services. They have consistently responded to work orders in a timely fashion. From January 2020 to March 2020, GPC responded to 1245 tags, 86% were removed on the same day as reported, 94% within 24 hours, and 97% within 48 hours. This quick turnaround time helps to discourage further acts of vandalism at the site.

GPC not only removes graffiti but also restores surfaces to their original condition. When paint is used for removal, they provide a 99% paint color match. GPC has provided an incomparable level of service and investment by providing an application programming interface (API) with the City's Community Request for Services Portal (CRSP) application. This allows full access and data transfer required to log work orders by address, description, property type, surface, removal method, size, moniker and pictures. All work order data is stored and can be later used for Police, Risk Management, and District Attorney in court cases. Staff recommends awarding the contract to GPC based on their one-of-a-kind service levels.

**FISCAL IMPACT:** Parks and Recreation, Public Works, Economic Development and Water Departments have included funds for this service in the FY 2021 budget.

Prepared by:  
Jennifer Yeung  
Administrative Assistant

Submitted by:  
Bonnie Lipscomb  
Director of Economic Development

Approved by:  
Martin Bernal  
City Manager

ATTACHMENTS:  
None



## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Economic Development

SUBJECT: U. S. Department of Commerce, Economic Development Administration  
Economic Adjustment Assistance Grant Application to Fund a Revolving  
Loan Fund for County Participating Jurisdictions (ED)

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**RECOMMENDATION:** Resolution authorizing the City Manager to apply for and accept an Economic Adjustment Assistance Grant from the U.S. Department of Commerce, Economic Development Administration to fund a Revolving Loan Fund for Participating Jurisdictions in Santa Cruz County.

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**BACKGROUND:** The Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress and signed into law by President Trump on March 27, 2020 and provides funding to the U.S. Department of Commerce, Economic Development Administration (EDA) and its Economic Adjustment Assistance Program (EAA) to assist communities impacted by COVID-19 Pandemic. The EDA received \$1.5 billion through the CARES Act to fund its various programs nationwide.

Following passage of the CARES Act city staff contacted the EDA Northern California EDA Representative to discuss potential aid to the City of Santa Cruz. From this discussion assistance for the establishment of a Santa Cruz County Revolving Loan was identified as a likely candidate for EDA assistance. In past years the establishment of a Santa Cruz County Revolving Loan Fund (RLF) has been examined, but in those time periods Santa Cruz County did not meet the various economic distress criteria to allow EDA funding. However, with the COVID-19 economic impact the County is now experiencing 17.4% unemployment as shown on the latest May 22, 2020 Employment Report for Santa Cruz County. This level of economic distress is above the national average and now meets EDA criteria for funding a revolving loan fund. Additionally, EDA now has funding to increase the number of RLFs in the US and increase funding available to the existing RLFs.

The EDA funded RLF program now consists of more than 500 RLFs nationwide. The purpose of each of these EDA RLFs is to make loans to businesses that cannot otherwise obtain traditional bank financing. These loans provide access to capital as gap financing that enables small businesses to grow into enterprises that can qualify for conventional business financing. Currently, Monterey County is going through a similar process to create an EDA funded RLF for their county.

The need for the creation of a permanent loan fund was clearly demonstrated by the experience of the City’s Small Business Micro Loan Program which was completely committed within a very short time frame. The difference between the City Micro Loan Program and an EDA Revolving Loan Fund (RLF) is the RLF will operate on a permanent county-wide basis. The City’s Micro Loan Fund was designed to meet immediate economic needs of City small businesses early in the COVID-19 “Stay in Place” period.

DISCUSSION: To initiate the creation of a Santa Cruz County RLF staff of the City’s Economic Development Department have initiated a series of discussions with the other county government jurisdictions, local financial institutions and non-profit organizations. The purpose of these discussions is to form the governing and financial basis for a County RLF. Following these discussions, a number of other administrative steps are required to finalize the formation of a County RLF. One of the first steps is for a lead jurisdiction to submit an application to EDA for RLF funding. The City of Santa Cruz at the moment has taken the lead on the formation of a County RLF and the action requested of the Council is to authorize the submittal of the necessary grant application. Other steps will follow and the Council will be required to take additional steps at future meetings, if the grant application is successful in securing EDA funding.

Grant funding through the EDA for an RLF will be on a matching basis of 80% Federal and 20% local. The current discussions with other agencies are focused on developing a strategy for securing the local 20% match. It is possible the EDA may lower this match depending on future local economic conditions. Additionally, in-kind services in the administration of the RLF can be counted toward the local match requirement. EDA RLF grant awards may range from \$800,000 to \$2.5 million.

FISCAL IMPACT: The EDA RLF grant, if awarded, will utilize a combination of sources to fund the local match. These sources are being developed as part of the ongoing discussions with other local agencies. There is also a possibility that due to local economic conditions EDA may reduce the local 20% share which includes in-kind contributions. If awarded, staff will return at a later meeting to City Council to finalize local matching share contributions.

Prepared by:  
Rebecca Unitt  
Development Manager

Submitted by:  
Bonnie Lipscomb  
Director of Economic Development

Approved by:  
Martin Bernal  
City Manager

ATTACHMENTS:  
Resolution

RESOLUTION NO. NS-29,

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ AUTHORIZING THE CITY MANAGER TO APPLY FOR A GRANT FROM THE U.S. DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATION FOR A REVOLVING LOAN FUND FOR PARTICIPATING JURISDICTIONS IN SANTA CRUZ COUNTY

WHEREAS, the US Department of Commerce, Economic Development Administration (EDA) administers a program to encourage local governments to create revolving loan funds to assist in business formation and development in local communities;

WHEREAS, pursuant to EDA regulations in order for a community or a group of communities to create an EDA Revolving Loan Fund the participating entities must pass a resolution of their governing body stating an interest in participating in an EDA funded revolving loan fund; and

WHEREAS, the City and County of Santa Cruz and the other cities in Santa Cruz County have suffered a major economic loss from the closure of businesses due to the impacts of the COVID-19 Pandemic; and

WHEREAS, the City of Santa Cruz, as an emergency measure created a micro-loan program for small businesses in the City of Santa Cruz; and

WHEREAS, in conversations with other jurisdictions in the Santa Cruz County there has been an interest expressed in working cooperatively to create a Revolving Loan Fund to leverage EDA funds to assist local businesses throughout Santa Cruz County.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz that the City Manager is hereby authorized to submit a grant application and all other required documentation to the Economic Development Administration for a grant to establish a Santa Cruz County Revolving Loan Fund.

BE IT FURTHER RESOLVED that the Director of Economic Development is authorized to continue efforts with both public and private organizations in the preparation of an application for an EDA funded Santa Cruz County Revolving Loan Fund.

RESOLUTION NO. NS-29,

PASSED AND ADOPTED this 23<sup>rd</sup> day of June, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator



## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020  
DEPARTMENT: Economic Development  
SUBJECT: River Street Shelter Lease 125 Coral Street (ED)

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**RECOMMENDATION:** Approve lease terms with Encompass Community Services for the River Street Shelter and authorize the City Manager to execute a lease in a form to be approved by the City Attorney and direct that the FY 2021 Adopted Budget include an appropriation of the rental income to be used for site maintenance expenses, if necessary.

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**BACKGROUND:** The River Street Shelter is located in the Coral Street campus. The long term lease with CFSC has been extended multiple times with the third 5-year extension expiring on June 30, 2020. In the past, CFSC has sublet the site to the social services provider Encompass Community Services. At this time City staff, County staff, and social service providers are engaging in a process to develop a long term plan for the most effective use of the campus.

**DISCUSSION:** With funding from the County Health Services Agency, Encompass provides shelter and related mental health support at the site. To bridge this moment while campus use is under evaluation, staff has been in direct negotiation with Encompass Community Services for a short term lease.

There is agreement that the lease will be for the duration of twelve months with rent at \$1,000 per month. Similar to the former lease, Encompass will be responsible for regular maintenance and repairs. For single expenses larger than \$2,500, the City may elect to spend up to the annual rental income of twelve thousand dollars.

**FISCAL IMPACT:** The revenue generated by the lease will be deposited into a project to provide funding for any required repairs and maintenance so that the lease will have no fiscal impact on the General Fund during the one year term.

Prepared by:	Submitted by:	Approved by:
Kathryn Mintz	Bonnie Lipscomb	Martin Bernal
Development Manager	Director of Economic Development	City Manager

**ATTACHMENTS:**  
None



## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Economic Development / Water

SUBJECT: City Lease Agreement from Garland & Summers LLC for Real Property at 123 Jewell Street to Provide Interim Office Space for the Water Department During the Graham Hill Water Treatment Facility Infrastructure Upgrade Project (ED/WT)

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**RECOMMENDATION:** Resolution authorizing and directing the City Manager to execute a lease agreement, in a form acceptable to the City Attorney, and any amendments or documents necessary thereto of a non-substantive nature, with Garland & Summers LLC for real property located at 123 Jewell Street.

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**BACKGROUND:** The Water Department will soon begin major infrastructure work at the Graham Hill Water Treatment Facility to upgrade facilities. This work requires the relocation of staff from Graham Hill from temporary offices on site to new offices for a period of five (5) to nine (9) years. Economic Development has worked with Water Department staff to investigate available office space throughout the City that is suitable for the needs of the Water Resources Group. The Water Resources Group is responsible for protecting City-owned watershed lands and the quality of the Santa Cruz water supply. The Water Resources Group must relocate by August 1, 2020 to ensure the Graham Hill project remains on track.

Garland & Summers LLC (Owner) owns an approximately 2,160 square foot office building at 123 Jewell Street. The Water Department desires to lease the building for their Water Resources group. The building provides proximate access to Graham Hill and watershed lands, as well as convenient access to Highway 1 and the Water Department's offices downtown. The building was determined to be the most affordable and most suitable for the group's needs, although some Tenant Improvements (TI) and a storage container will be needed to ensure ADA compliance including shower facilities, kitchenette, and a wet lab for processing water quality samples. The Owner has offered to complete all exterior site work for ADA compliance as well as to provide a 6 month period of rent abatement to offset the City's TI costs.

DISCUSSION: Staff has negotiated terms of the new lease to include:

Size: Approximately 2,160 Square Feet with associated parking and outdoor areas.

Use: Office space for Water Department Staff

Term of License: Five (5) year and six (6) month initial term.

Extension Options: Two Two-year options.

Rent: \$3,240 per month / \$38,880 annually (w/ annual CPI increase)

Rent Adjustments: Annual Consumer Price Index (CPI) increase (2% min. / 5% max.)

Est. Operating Costs: \$1,000 per month / \$12,000 annually (at ~\$0.459/SF)

Owner Improvements: ADA access from parking area to building

City Improvements: New shower and restroom, wet lab, kitchenette, and storage container.

FISCAL IMPACT: The rental costs of approximately \$51,000 per year have been included in the Fiscal Year 2021 Water Department Enterprise Fund Operating Budget. Limited TI and construction costs have also been accommodated within the Operating Budget. Should the anticipated construction costs for TIs exceed the budgeted amount, staff will return to City Council or seek funding through the budget process.

Prepared by:	Submitted by:	Approved by:
David McCormic	Bonnie Lipscomb	Martin Bernal
Asset and Development Manager	Director of Economic Development	City Manager

Submitted by:  
Rosemary Menard  
Water Director

ATTACHMENTS:  
Resolution

RESOLUTION NO. NS-29,

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT AND ANY AMENDMENTS THERETO OF A NON-SUBSTANTIVE NATURE WITH GARLAND & SUMMERS LLC FOR THE PREMISES LOCATED AT 123 JEWELL STREET

WHEREAS, Garland & Summers LLC is the owner of commercial office space located at 123 Jewell Street; and

WHEREAS, infrastructure work at the Graham Hill Water Treatment Facility requires relocation of now obsolete staff offices; and

WHEREAS, the Water Department wishes to lease said property at 123 Jewell Street for City new staff offices; and

WHEREAS, City Staff wishes to proceed with planning and improvements to facilitate an August 1, 2020 move in date; and

WHEREAS, authorization to execute the Lease Agreement requires approval of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz that the City Manager is authorized and directed to execute the Lease Agreement, and any extensions, amendments, or documents necessary thereto of a non-substantive nature, subject to the approval of the City Attorney, with Garland & Summers LLC for the premises located at 123 Jewell Street.

PASSED AND ADOPTED this 23<sup>rd</sup> day of June, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator



## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Economic Development

SUBJECT: State Match Local Housing Trust Fund Program (LHTF Program) Funding Application for Funding Affordable Housing Development (ED)

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**RECOMMENDATION:** Resolution approving the funding application submittal and if selected receive an allocation of State Match funding through the State Local Housing Trust Fund Program (LHTF Program) and execute any documents related to the LHTF funding award.

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**BACKGROUND:** On April 30, 2020, the State of California Department of Housing and Community Development issued a Notice of Funding Availability (NOFA) for the Local Housing Trust Fund Program (LHTF Program). The NOFA stated that approximately \$57 million in state LHTF Program funds from the Veterans and Affordable Housing Bond Act Trust Fund of 2018 is available to fund Local Public Agencies or Nonprofit Corporations for eligible activities within the LHTF program.

To be eligible to apply for this funding, an applicant (such as a city, county, city and county, charitable non-profit organization or a Native American Tribe or Tribes) must have created, funded, and operated an existing Local Housing Trust Fund (LHTF) or that has created and funded a new LHTF in compliance with Guidelines Sections 102(a)(1), 102(a)(2), and 102(a)(3). As one of the eligible funding activities, these funds would be used for the purpose of developing affordable housing in the City of Santa Cruz.

Matching funds are required for this program. All LHTF programs funds provided by the State shall be matched by the applicant on a dollar for dollar basis with matching funds derived from dedicated sources of funding, such as taxes, fees, loan repayments, or public or private contributions. Matching funds shall be on deposit in the City's AHTF prior to disbursement of program funds. Matching funds must be utilized on a dollar-for-dollar basis for the same eligible project for which LHTF program funds are used.

On October 28, 2003, the City established an Affordable Housing Trust Fund (AHTF) for the purpose of developing and preserving affordable housing.

**DISCUSSION:** Based on the eligible activities staff is proposing that the Council direct staff to apply for funding for the LHTF Program.

As this program requires matching funds, staff has calculated the current balance of the AHTF to be approximately \$2,500,000. Staff has also inquired with State Housing and Community Development (HCD) staff about the potential of land dedications as a match value for the LHTF Program. HCD has confirmed that land dedications can be used in calculating the City's matching funds. Given the current balance of the AHTF and the value of the parcels of land that have been dedicated to the City in the past few years, it is likely that the City will be able to apply for the maximum allowed program funding of \$5,000,000 from State HCD. However, jurisdictions have to compete for these funds and there is not a large amount of funding available considering that any jurisdiction in California with a Housing Trust Fund may apply.

As the LHTF Program provides a 60-month (5 year) period to fully expend the awarded funds, staff is recommending applying for the maximum allowed amount of \$5,000,000 with the expectation that this funding will be used for specific affordable housing development projects in the City.

**FISCAL IMPACT:** There is a matching requirement for the LHTF Program, however, the City already has the matching funds and land valuations in place to meet the requirements. There have been and will continue to be staff costs associated with applying for, executing agreements, and administering this program.

Prepared by:  
Jessica Mellor  
Management Analyst

Submitted by:  
Bonnie Lipscomb  
Director of Economic Development

Approved by:  
Martín Bernal  
City Manager

Prepared by:  
Jessica de Wit  
Housing and Community  
Development Manager

**ATTACHMENTS:**  
Resolution

RESOLUTION NO. NS-

RESOLUTION FOR THE CITY COUNCIL OF THE CITY OF SANTA CRUZ  
AUTHORIZING APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF  
HOUSING AND COMMUNITY DEVELOPMENT FOR, AND RECEIPT OF, LOCAL  
HOUSING TRUST FUND (LHTF) PROGRAM FUNDS; THE EXECUTION OF A  
STANDARD AGREEMENT IF SELECTED FOR SUCH FUNDING AND ANY  
AMENDMENTS THERETO; AND ANY RELATED DOCUMENTS NECESSARY TO  
PARTICIPATE IN THE LHTF PROGRAM

All or a necessary quorum and majority of the City Council of the City of Santa Cruz, a California Municipal Corporation, (“Applicant”) hereby consents to, adopts and ratifies the following resolution:

WHEREAS, the Department is authorized to provide up to \$57 million under the Local Housing Trust Fund (“LHTF”) Program from the Veterans and Affordable Housing Bond Act of 2018 (Proposition 1) (as described in Health and Safety Code section 50842.2 et seq. (Chapter 365, Statutes of 2017 (SB 3)) (“Program”).

WHEREAS, the State of California (the “State”), Department of Housing and Community Development (“Department”) issued a Notice of Funding Availability (“NOFA”) dated 04/30/2020 under the LHTF Program;

WHEREAS, Applicant is an eligible Local or Regional Housing Trust Fund applying to the Program to administer one or more eligible activities using Program Funds.

WHEREAS, the Department may approve funding allocations for the LHTF Program, subject to the terms and conditions of H&S Code Section 50842.2, the LHTF Program Guidelines, NOFA, Program requirements, the Standard Agreement and other related contracts between the Department and LHTF award recipients;

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

SECTION 1. If Applicant receives an award of LHTF funds from the Department pursuant to the above referenced LHTF NOFA, it represents and certifies that it will use all such funds on Eligible Projects in a manner consistent and in compliance with all applicable state and federal statutes, rules, regulations, and laws, including, without limitation, all rules and laws regarding the LHTF Program, as well as any and all contracts Applicant may have with the Department (“Eligible Project”).

SECTION 2. That the Affordable Housing Trust Fund is hereby authorized to act as the trustee/manager in connection with the Department's funds to Eligible Projects pursuant to the

RESOLUTION NO. NS-29,

above-described Notice of Funding Availability in an amount not to exceed \$5,000,0000 (the "LHTF Award").

SECTION 3. Applicant hereby agrees to match on a dollar for dollar basis the LHTF Award pursuant to Guidelines Section 104. Applicant hereby agrees to utilize matching finds on a dollar-for-dollar basis for the same Eligible Project for which Program Funds are used, as required by HSC Section 50843.5(c).

SECTION 4. Pursuant to Attachment 1 and the Applicant's certification in this resolution, the LHTF funds will be expended only for Eligible Projects and consistent with all program requirements.

SECTION 5. Nonprofit Housing Trust Funds and Native American Tribe Housing Trust Funds agree to use Program Funds only for Eligible Projects located in cities and counties that submitted an adopted Housing Element that was found by the Department to be in compliance and that have submitted their Housing Element Annual Progress Report (APR) for the current year or prior year by the application due date.

SECTION 6. Applicant shall be subject to the terms and conditions as specified in the Standard Agreement, H&S Section 50842.2 and LHTF Program Guidelines.

SECTION 7. City Manager, currently Martín Bernal, and Economic Development Director, currently Bonnie Lipscomb, are authorized to execute the LHTF Program Application, the LHTF Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents which are related to the Program or the LHTF Award to Applicant, as the Department may deem appropriate.

PASSED AND ADOPTED at a regular meeting of the Santa Cruz City Council this 23<sup>rd</sup> day of June, 2020 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

Attachment 1

The City of Santa Cruz commits to using 100% of the Program Funds and Matching Funds to develop multiple Affordable Rental Housing Projects within the City of Santa Cruz. There are several potential projects in the pipeline whose feasibility will be heavily dependent on securing financing to move forward. Of the projects that are likely to move forward first, the City is partnering with the Santa Cruz Metro Transit Authority to assemble parcels adjacent to its main downtown transit hub to develop a new and improved transit station that includes affordable housing.

The City will be targeting an average household income of 60% AMI and below. The City will not fund more than 20% cumulatively of all units developed with Program Funds or Matching Funds at the Moderate (120% AMI) level.



## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Finance

SUBJECT: General Obligation Refunding Bonds - Tax Rate Authorization (FN)

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RECOMMENDATION: Resolution setting the tax rate for FY 2021 with respect to the City's General Obligation Refunding Bonds.

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BACKGROUND: In November 1998, voters in the City of Santa Cruz approved the issuance of General Obligation Bonds in the amount of \$7,000,000 for the purchase of greenbelt property; the renovation of the City's fire stations; and the purchase/improvement of a City park adjacent to the depot site. Resources to repay the Bonds come from property tax levies within the City of Santa Cruz. The tax rate is established by the City Council each year and then forwarded to the County of Santa Cruz for inclusion on the property tax bills. The Bonds were refunded in December 2009 to reduce the overall cost of debt service and, thereby, realize financial savings for the taxpayers.

DISCUSSION: For the upcoming property tax billing, the City directs the County of Santa Cruz to levy on all taxable property in the City, in addition to all other taxes, a continuing direct and ad valorem tax in the amount of \$497,631 to be used toward the payment of principal and interest coming due on the Bonds. Since the County of Santa Cruz is on the "Teeter Plan," the City will receive 100% of the assessment. There is no need to factor in an amount for delinquencies.

The attached resolution establishes the appropriate tax rate, and instructs the Acting Director of Finance to forward a copy to the County of Santa Cruz and take whatever action is necessary to have the assessment placed on the 2020-2021 property tax bills.

FISCAL IMPACT: There is no fiscal impact to the City of Santa Cruz.

Prepared by:  
Michael Manno  
Accountant II

Submitted by:  
Chery Fyfe  
Acting Director of Finance

Approved by:  
Martín Bernal  
City Manager

ATTACHMENTS:  
Resolution

RESOLUTION NO. NS-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ  
SETTING THE TAX RATE FOR FY 2021 WITH RESPECT TO GENERAL OBLIGATION  
REFUNDING BONDS

WHEREAS, more than two-thirds of the electors voting at a special municipal election held on November 3, 1998, voted for a proposition authorizing the issuance by the City of general obligation bonds in the aggregate principal of \$7,000,000 (the "1998/1999 Bonds") for the purpose of providing funds for certain municipal improvements, including fire station improvements, community park improvements, and the acquisition of property to be used for open space purposes; and

WHEREAS, pursuant to such authorization the City has previously issued the 1998/1999 Bonds in the form of \$4,500,000 principal amount of current interest bonds and \$2,498,473.25 principal amount of capital appreciation bonds; and

WHEREAS, the City Council has issued and sold its City of Santa Cruz 2009 General Obligation Refunding Bonds (the "Refunding Bonds") in the aggregate principal amount not to exceed \$8,000,000 for the purpose of refunding all of the outstanding 1999 current interest bonds and all of the outstanding 1998 capital appreciation bonds and thereby realizing financial savings to the property tax payers of the City; and

WHEREAS, pursuant to Section 43632 of the California Government Code, the City Council is required annually to levy and collect until the bonds are paid, or until there is a sufficient amount in the treasury set apart to meet all payments of principal and interest coming due, a tax sufficient to pay the principal of and interest on the Refunding Bonds coming due and payable before the proceeds of a tax levied at the next general tax levy will be available; and

WHEREAS, the City has determined that it is necessary to levy and collect an amount of \$497,631 toward the payment of principal and interest coming due on the Refunding Bonds on March 1 and September 1, 2021, and thereby directs the County of Santa Cruz to levy on all taxable property in the City, in addition to all other taxes, a continuing direct and ad valorem tax in the amount of \$497,631 based on the estimated assessed values for all rolls (secured, unsecured and utility) for FY 2021.

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

Section 1. Levy of Tax. The City Council hereby determines that the tax rate necessary to pay the principal of and interest on the Refunding Bonds coming due and payable on March 1 and September 1, 2021, is equal to a continuing direct and ad valorem tax in the amount of \$497,631, and such tax rate shall be and is hereby levied in accordance with all applicable requirements of law.

RESOLUTION NO. NS-29,

Section 2. Collection of Tax. The Acting Director of Finance is hereby directed to forward a copy of this Resolution to the Auditor-Controller of the County of Santa Cruz and to the Board of Supervisors of the County of Santa Cruz, and to take such actions and execute such documents as may be required to cause the tax rate set forth in Section 1 to be placed on the 2020-2021 property tax bills and collected by the County of Santa Cruz.

Section 3. Application of Tax. As provided in Section 43634 of the California Government Code, all taxes levied pursuant to this Resolution shall be used only for payment of the Refunding Bonds and the interest thereon.

Section 4. Effective Date. This Resolution shall take effect from and after the date of its passage and adoption.

PASSED AND ADOPTED this 23<sup>rd</sup> day of June, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

## Rosemary Balsley

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**From:** Sylvia Caras <Sylvia.Caras@gmail.com>  
**Sent:** Friday, June 19, 2020 7:14 AM  
**To:** City Council  
**Subject:** June 23 Council Meeting - three questions

Consent 12: If I'm reading correctly, the city intends to prorate \$497,631 among those who pay property tax. How much per payer might that amount to? Percent of increase? I'm a renter; should I be anticipating an increase?

Consent 14: For instance, "For the non-public safety employees, the proposal was to reduce the work week from 40 hours to 36 hours which is equivalent to a 10% furlough. " Are employees paid by the hour, not salaried? Please explain more specifically how this saves dollars.

The CACH had just completed all their background work, was about to proceed with analyzing sites, the most difficult part of finding sheltering solutions, and the reason it was formed. Why was it sunsetted, and when will the CACH final report be agendized?

Sylvia Caras



## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Finance

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

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RECOMMENDATION: Motion to reject liability claims a) Linda Bottarini, and b) Nina K. Diehl, based on staff recommendation.

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BACKGROUND: N/A.

DISCUSSION: Claims to be rejected:

- a. Claimant: Linda Bottarini  
Date of occurrence: 3/27/2020  
Date of claim: 5/6/2020  
Amount of claim: \$ 1,377.61

Claimant seeks compensation for costs allegedly related to water meter leak.  
Self-represented.

- b. Claimant: Nina K. Diehl  
Date of occurrence: 4/19/2020  
Date of claim: 5/28/2020  
Amount of claim: \$ 15,000.00

Claimant seeks compensation for damages allegedly caused by vehicle towing.  
Self-represented.

FISCAL IMPACT: No fiscal impact.

Prepared by:  
Patty Haymond  
Risk & Safety Manager

Submitted by:  
Cheryl Fyfe  
Acting Finance Director

Approved by:  
Martín Bernal  
Martín Bernal

ATTACHMENTS:  
None.



## CITY COUNCIL AGENDA REPORT

DATE: 6/18/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Human Resources

SUBJECT: Approval of Cost Reduction Agreements with Various Bargaining Units, the Executives and the City Manager for Fiscal Year 2021 (HR)

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### RECOMMENDATION:

1) Motion to approve the Side Letter Agreements to the Memoranda of Understanding with the following Bargaining Units: Police Management, SEIU 521; Mid Management OE3; Supervisors OE3; Fire Local 1716, and Fire Management; and

2) Resolution approving a 10% furlough for the Executive Unrepresented Employees and the City Manager.

---

**BACKGROUND:** This is an unprecedented time for our country and for the City of Santa Cruz. We are dealing with a public health crisis that our generation has never seen before. What makes this situation extra challenging is how it is continuously evolving. We are receiving updates on the situation on what seems like a daily basis and to protect the health and safety of our community we are being asked to respond with urgency and efficiency as a City.

Prior to the COVID-19 outbreak, the City was projecting a surplus to end this fiscal year (FY 2020). However, updated projections which take into account the financial impacts associated with COVID-19 estimate ending FY 2020 with a General fund deficit of \$10.4 million, followed by approximately \$9.0 million in General fund deficits over the next 2 fiscal years (\$6 million in FY 2021 and \$3 million in FY 2022).

In order to address the projected FY 2020 10.4 million General Fund deficit and FY 2021 General Fund deficit of \$6 million, the City is taking numerous steps to mitigate these deficits. These actions include the use of Reserve Funds, delayed capital improvement projects, reduction of material and supply budgets, reduction of consultant contracts and a 10% reduction in personnel costs.

**DISCUSSION:** The City Council directed staff to engage in negotiations with all of the City's employee groups requesting concession the equivalent of a 10% reduction in compensation and personnel costs for FY 2021. For the non-public safety employees, the proposal was to reduce the work week from 40 hours to 36 hours which is equivalent to a 10% furlough. For public safety employees, the 10% reduction proposals were varied because of the operational

difficulties in reducing public safety work weeks. Agreements have been reached with all of the bargaining units with the exception of the Police Officers Association (POA) as POA has a twelve day notification process for a membership vote. This date falls after this Council meeting. The POA will be considering a proposal equivalent to a 10% personnel reduction at an upcoming membership meeting. If the POA ratifies the Agreement, a special meeting will be held in the first week of July.

FISCAL IMPACT: The savings to the General Fund for FY 2021 will be approximately \$5,725,000 and \$4,132,000 for all other funds.

Prepared by:	Approved by:
Lisa Murphy	Martin Bernal
Human Resources Director	City Manager

ATTACHMENTS:

Resolution

Agreement with Mid-Management Association, Operating Engineers Local 3

Agreement with Supervisor Employees, Operating Engineers Local 3

Agreement with Service Employees SEIU Local 521

Agreement with Firefighters Local 1716

Agreement with Fire Management Association

Agreement with PMA

RESOLUTION NO. NS-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ  
IMPLEMENTING THE PROVISIONS OF THE FISCAL YEAR 2021 COST SAVINGS PLAN  
FOR THE EXECUTIVE MANAGEMENT TEAM AND THE CITY MANAGER

WHEREAS, in order to address the projected FY 2021 General Fund deficit of \$10 million and \$6 million in FY 2021, the City is asking all employee groups to agree to a ten percent (10%) reduction in salary costs;

WHEREAS, the Executive Management Team consists of the Assistant City Manager, Department Directors, and the Chiefs of Police and Fire;

WHEREAS, the City Manager is employed with the City through an Employment Agreement;

WHEREAS, for its part, the City of Santa Cruz Executive Management Team and the City Manager have agreed to a ten percent (10%) salary reduction through a 10% furlough effective June 27, 2020 through June 25, 2021.

NOW, THEREFORE, it is resolved by the City Council of the City of Santa Cruz to implement the following provisions:

1. A 10% furlough (208 hours) through a reduction in hours worked.
2. No reduction of employment benefits, including health or leave benefits, will result from implementation of the reduced work week
3. The unpaid furlough hours will not affect retirement service credit accruals for employees working the minimum number of hours required to earn a full year's service credit, as established by CalPERS. Employees working less than the minimum number of hours required to earn a full year's service credit will earn service credit in accordance with CalPERS regulations. Currently, the minimum number of hours required by CalPERS to earn a full year's service credit is 1,720.
4. No annual or other paid leave may be used in lieu of unpaid furlough hours.
5. For the duration of the furlough and eighteen months beyond, the accumulation of vacation time shall be expanded to allow three times the annual rate of accrual.
6. The parties will meet on or before December 18, 2020 to discuss the continuation of the furlough.

RESOLUTION NO. NS-29,

PASSED AND ADOPTED this 23<sup>rd</sup> day of June, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

## AGREEMENT BETWEEN

### **Mid-Management Association of the City of Santa Cruz, Represented by Operating Engineers Union Local #3, and the City of Santa Cruz June 11, 2020**

The Mid-Management Association of the City of Santa Cruz, represented by Operating Engineers Union Local #3 (Mid-Managers), and the City of Santa Cruz (City) are parties to a Memorandum of Understanding (MOU) that expires on August 19, 2022.

Having met and conferred in good faith, the parties wish to memorialize their Agreement and modify their MOU with respect to furloughs effective June 27, 2020 through June 25, 2021 with a reopener on December 18, 2020 to meet and confer over the continuation of this side letter for the term as described above ending June 25, 2021, as follows:

#### **I. Ongoing Meetings and Information Sharing**

- a. The City agrees to keep the Mid-Managers informed about any significant changes in budget revenues, deficits, &/or surpluses for the duration of the agreed upon furlough period and at their regularly scheduled meetings.

#### **II. Furlough Plan**

- a. The primary purpose of the furlough is to offset the 2020-2021 budget shortfall in the General Fund. The furlough will also offset revenue losses in non-General Fund budgets.
- b. The furlough plan is guided by a number of principles, the most important of which are to maximize salary savings and to minimize the furlough's impact on City services and employees. If the furlough (or other agreement) does not yield sufficient budget savings, the City maintains its management right to implement reductions in force in accordance with the MOU. The City agrees to meet and confer with the Mid-Managers over the impacts prior to instituting any reductions in force.
- c. All represented employees will have their pay reduced by ten percent (10%) through a reduction from a forty (40) hour work week to a thirty-six (36) hour work week. The work week for employees who work less than forty (40) hours will be scheduled by their departments to meet the ten percent (10%) pay reduction. During the term of this agreement, the work week for represented employees may be as follows:

Example 1: Employees will work a thirty-six (36) hour work week consisting of four (4) days per week, nine (9) hours per day with

every Friday off. If the Department Head determines that for operational needs in a particular department or work group, a day other than Friday or a schedule other than the four (4), nine (9) hour days is appropriate, they will work with the employee(s) to determine an operationally effective schedule. The work site could remain open.

Example 2: Employees will work a thirty-six (36) hour work week consisting of five (5) days per week, eight (8) hours per day with every other Friday off. Under this scenario employees would alternate Fridays off so that the work site would remain open.

Department Heads shall make a reasonable effort to allow employees to work the schedule that best meets the needs of the individual employees and still meets the operational needs of the department.

- d. The City will notify Mid-Managers by July 17, 2020 of those departments or work groups where an alternate schedule is implemented. Within ten (10) calendar days, Mid-Managers may request to meet and confer regarding specific alternate schedules. Alternate schedules will maintain consecutive days off for employees. Individual employees may submit a request for other than consecutive days off to their Department Head who will approve the request if it does not disrupt operations or otherwise reduce service levels.
- e. No represented employee will be furloughed below the minimum number of hours required for health benefit eligibility as established by CalPERS, currently twenty (20) hours per week.
- f. No reduction of employment benefits, including health or leave benefits, will result from implementation of the furlough.
- g. The furlough will not affect retirement service credit accruals for employees working the minimum number of hours required to earn a full year's service credit, as established by CalPERS. Employees working less than the minimum number of hours required to earn a full year's service credit will earn service credit in accordance with CalPERS regulations.
- h. Currently, the minimum number of hours required by CalPERS to earn a full year's service credit is 1,720.
- i. No annual or other paid leave may be used in lieu of furlough hours.
- j. Employees cannot be required to work or perform official duties during their furlough. This does not remove, alter, or eliminate the requirements of extracurricular assignments identified in the MOU.
- k. If a holiday falls on a workday, the closure date will be taken on the preceding workday, unless the Department Head determines that for operational necessity another workday is better or the employee requests

and is granted another workday off. Furlough hours will not affect eligibility for holiday pay.

- l. The City agrees to not shift the productivity burden from furloughed to temporary employees or contractors and that furloughed employees will not be replaced by temporary employees or contractors. The City reserves the right to use temporary employees or contractors for peak and unusual work load fluctuations.
- m. For the duration of this agreement, the reinstatement period for represented employees defined in MOU Section 24.04 (Reinstatement) will be extended to thirty-six (36) months.
- n. For the duration of the furlough and eighteen months beyond, the accumulation of vacation time shall be expanded to allow three times the annual rate of accrual.
- o. The City shall institute the use of APO II-42 – Voluntary Time Off for the duration of the furlough to assist those employees who may need to have additional time off for childcare and other family needs that do not qualify for FMLA time off.
- p. The Library Mid-Management employees are incorporated into this agreement according to the terms of this side letter. The Library will implement the thirty six (36) hour workweek which will include scheduling on weekends and evenings.

### **Telecommuting**

- a. The City is in the process of creating and approving a Telecommuting APO.
- b. The City shall consult with the Mid-Managers regarding the content and specific requirements of the Telecommuting APO.
- c. The Telecommuting APO shall apply to all Mid-Managers as described by the specific requirements contained in the APO, which may require some individuals in positions that can't be performed remotely to work from their normal workplace.

### **III. Applicability**

The language of any section of the MOU not modified by this agreement shall remain in effect for the duration of the term of the original MOU.

**MID-MANAGEMENT ASSOCIATION  
OF THE CITY OF SANTA CRUZ**

**CITY OF SANTA CRUZ**

6/15/  
Date

6/15/20  
Date

\_\_\_\_\_  
Michael Moore

  
\_\_\_\_\_  
Tim Davis

  
\_\_\_\_\_  
Katherine Donovan

  
\_\_\_\_\_  
Lisa Murphy

**SIDE LETTER OF AGREEMENT BETWEEN**  
**City of Santa Cruz Operating Engineers Local 3 - Supervisory Unit**  
**and**  
**the City of Santa Cruz**

**June 10, 2020**

City of Santa Cruz Operating Engineers Local 3 - Supervisory Unit (OE3 Supervisory Unit) and the City of Santa Cruz (City) are parties to a Memorandum of Understanding (MOU) that expires on August 19, 2022.

Having met and conferred in good faith the parties wish to memorialize their Agreement and modify their MOU with respect to furloughs effective June 27, 2020 through June 25, 2021. The parties are to reopen this Agreement on December 18, 2020 to meet and confer over the continuation of the terms set forth in this Agreement as follows:

**I. Supervisors Position on Furloughs**

- A. By entering into this Agreement, the Supervisors do not waive their position that the City should solve its budget shortfalls without decreasing their compensation and do not give up their rights to meet and confer as set forth in Section II.

**II. Ongoing Meetings and Information Sharing**

- A. The City agrees to keep the OE3 Supervisory Unit informed about any significant changes in budget revenues, surpluses, and deficits, including covid-19 related grants, reimbursements, State and/or Federal aid, and savings from supervisor retirements, for the duration of this agreement by way of monthly informational updates as well as discussion at their regularly scheduled bi-monthly meetings or as requested by either party. Both parties agree to meet and confer at the request of either party over changes in budget revenues, surpluses or savings.

**III. Furlough Plan**

- A. The furlough plan is guided by a number of principles, the most important of which are to realize 10% in Supervisory Employee savings from all funds and to minimize the furlough's impact on City services and employees.
- B. The pay period starting June 27, 2020, all represented employees will have their pay reduced by 10% through a reduction from a 40-hour workweek to a

36-hour workweek. The workweek for employees who work less than 40 hours will be scheduled by their departments accordingly to meet the 10% pay reduction. The Department Heads will make a good faith effort to work with individual Supervisors to accommodate unique scheduling needs in order to limit any adverse effects on Supervisors to the extent possible. During the term of this agreement, an example of a workweek for represented employees will be based upon each Departments operational needs, including but not limited to the following alternate schedule examples:

Example 1: Employees will work a 36-hour workweek consisting of four (4) days per week, nine (9) hours per day with every Friday off

Example 2: Employees will work five (5) days per week, eight (8) hours per day with every other Friday off. Under this scenario, employees would alternate Fridays off so that the work site would remain open

- The Library Supervisor employees are incorporated into this agreement according to the terms of this side letter. The Library will implement the thirty six (36) hour workweek which will include scheduling on weekends and evenings.
- If a Department Head determines that for operational needs in a particular department or workgroup, a day other than Friday or a schedule other than the four (4), nine (9) hour days is appropriate, s/he will work with the employee(s) to determine an operationally effective schedule.
- Requests for alternative schedules by individual employees will be considered on a case by case basis and granted as appropriate when such a schedule does not disrupt operations or otherwise reduce service levels.
- The City will supply the OE3 Supervisory Unit with the schedules for all Supervisors by July 10, 2020. OE3 Supervisory Unit may request to meet and confer regarding specific alternate schedules.
- Alternate schedules will maintain consecutive days off for employees. Individual employees may submit a request for other than consecutive days off to their Department Head who will approve the request if it does not disrupt operations or otherwise reduce service levels.
- No represented employee will be furloughed below the minimum number of hours required for health benefits eligibility as established by CalPERS, currently 20 hours per week. During the declared pandemic emergency, the City will continue to make a best-faith effort

to provide at least a 5 working day notice for shift changes. The Union and the affected employee will be notified of their shift change in writing via email. The notification shall include the start and end times and the effective time period for which the change will be in effect.

- C. No reduction of employment benefits, including PERS contributions, health, or leave benefits, will result from implementation of the furlough.
- D. The furlough will not affect retirement service credit accruals for employees working the minimum number of hours required to earn a full year's service credit, as established by CalPERS. Employees working less than the minimum number of hours required to earn a full year's service credit will earn service credit in accordance with CalPERS regulations. Currently, the minimum number of hours required by CalPERS to earn a full year's service credit is 1,720.
- E. Furlough hours will count towards seniority.
- F. No annual or other paid leave may be used in lieu of furlough hours.
- G. Employees cannot be required to work or perform official duties during their furlough. This does not remove or eliminate the requirements of call-back, duty assignment, overtime, and other extracurricular assignments identified in the MOU.
- H. If a furlough day falls on a holiday, the furlough day will be taken on the preceding scheduled work day in the same pay period. If a furlough day falls on a holiday that is on the first scheduled work day of a pay period, the furlough day will be taken on the next scheduled work day in the pay period. Furlough hours will not affect eligibility for holiday pay.
- I. The City will consider whether or not to implement the California Employment Development Department (EDD) work share program with the Supervisor unit.
- J. The City agrees to not shift the productivity burden from furloughed employees to temporary employees or consultants and that furloughed employees will not be replaced by temporary employees or consultants. The City reserves the right to use temporary employees and consultants for peak and unusual workload fluctuations.
- K. For the duration of this agreement, the reinstatement period defined in Section 21.05 (Reinstatement) of the MOU will be extended to 36 months.
- L. Furlough hours will be counted for the purposes of calculating overtime.
- M. The language of any section of the MOU not modified by this agreement shall remain in effect for the duration of the term of the original MOU.

- N. Before approval of a request to fill any vacant position from the Supervisors unit for the duration of the furlough program, the Union will be offered the opportunity to examine the request prior to approval and to submit recommendations. Beginning in July 2020, the parties will form a joint labor-management committee comprised of up to three Supervisory employees and the union representative and up to three management employees to review requests to fill vacant positions.
- O. Prior to filling vacant Supervisory positions, the City will consider utilizing qualified unit employees to do the work on an overtime or out-of-class basis if:
1. It is to the City's economic advantage; and
  2. It is to the City's operational advantage; and
  3. It meets PERS working out of class rules.

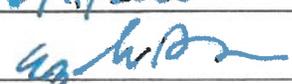
Unit employees or the bargaining unit may provide the City with prior notice of their interest in performing such work.

**Supervisory Employees of the  
City of Santa Cruz, OE3**

**City of Santa Cruz**

Date: 6/11/2020  
 By:   
 Michael Moore

Date: June 12, 2020  
 By:   
 Tim Davis

Date: 6/11/2020  
 By:   
 Ezekiel Bean, President

Date:   
 By: 6/12/20  
 Lisa Murphy, Human Resources Director

**AGREEMENT BETWEEN**  
**City of Santa Cruz Service Employees, SEIU Local 521**  
**and the City of Santa Cruz**  
**June 10, 2020**

SEIU Local 521 and the City of Santa Cruz (City) are parties to a Memorandum of Understanding (MOU) that expires on April 15, 2022.

Having met and conferred in good faith the parties wish to memorialize their Agreement and modify their MOU with respect to furloughs effective June 27, 2020 through June 25, 2021. The parties are to re-open this Agreement on December 18, 2020 to meet and confer over the continuation of the terms set forth in this Agreement as follows:

**I. Ongoing Meetings and Information Sharing**

a) The City agrees to keep SEIU Local 521 informed about any significant changes in budget revenues, deficits, &/or surpluses for the duration of the agreed upon furlough period and at their regularly scheduled meetings. The first update will be within one month after the September 2020 budget update presented to the City Council. The parties will meet no less than quarterly thereafter during the term of this Agreement.

**II. Furlough Plan**

a) The furlough plan is guided by a number of principles, the most important of which are to maximize salary savings and to minimize the furlough's impact on City services and employees. Both parties acknowledge that a 10% reduction in labor will cause a reduction in work output and community services.

b) All represented employees (including the Library) will have their pay reduced by 10% through a reduction from a forty (40) hour work week to a thirty-six 36 hour work week. The work week for employees who work less than forty (40) hours will be scheduled by their departments to meet the 10% pay reduction. During the term of this agreement, the work week for represented employees may be as follows:

Example 1: Employees will work a thirty-six (36) hour work week consisting of four (4) days per week, nine (9) hours per day with every Friday off. If the Department Head determines that for operational needs in a particular department or work group, a day other than Friday or a schedule other than the four (4), nine (9) hour days is appropriate, they will work with the employee(s) to determine an operationally effective schedule. The work site may remain open.

Example 2: Another alternative would be five (5) days per week, eight (8) hours per day with every other Friday off. Under this scenario employees would alternate Fridays off so that the work site would remain open.

1. The City will notify SEIU Local 521 by July 17, 2020 of those departments or work groups where an alternate schedule is requested. Within ten (10) calendar days, both parties will come to a mutually beneficial agreement regarding specific alternate schedules.
  2. Alternate schedules will maintain consecutive days off for employees. Individual employees may submit a request for other than consecutive days off to their Department Head who will approve the request if it does not disrupt operations or otherwise reduce service levels.
- C. No represented employee will be furloughed below the minimum number of hours required for health benefit eligibility as established by CalPERS, currently twenty (20) hours per week.
- D. No reduction of employment benefits, including health or leave benefits, will result from implementation of the furlough. Employees furlough obligation will not be extended retroactively if they were on an approved leave of absence.
- E. The furlough will not affect retirement service credit accruals for employees working the minimum number of hours required to earn a full year's service credit, as established by CalPERS. Employees working less than the minimum number of hours required to earn a full year's service credit will earn service credit in accordance with CalPERS regulations. Currently, the minimum number of hours required by CalPERS to earn a full year's service credit is 1,720.
- F. Furlough hours will count towards seniority.
- G. No annual or other paid leave may be used in lieu of furlough hours.
- H. Employees cannot be required to work or perform official duties during their furlough. This does not remove or eliminate the requirements of call-back, duty assignment, overtime, and other extra curricular assignments identified in the MOU.
- I. If a furlough day falls on a holiday the furlough will be taken on the preceding scheduled workday in the same pay period. If a furlough day falls on a holiday that is the first scheduled work day of a pay period, furlough will be taken on the next scheduled work day in the pay period. Furlough hours will not affect eligibility for holiday pay.

- J. The City agrees to not shift the productivity burden from furloughed to temporary employees and that furloughed employees will not be replaced by temporary or contract employees. The City reserves the right to use temporary employees for peak and unusual work load fluctuations. The City agrees to discuss the use of temporary and contract employees at our quarterly update meetings.
- K. For the duration of this agreement, the reinstatement period defined in Section 17.05 (Reinstatement) of the MOU will be extended to thirty-six (36) months.
- L. Furlough hours will be counted for the purposes of calculating overtime.
- M. The City will create an economic hardship program to provide limited financial assistance to those who demonstrate a need. SEIU 521 will provide ideas and suggestion by June 15, 2020 for review and response.
- N. The language of any section of the MOU not modified by this agreement shall remain in effect for the duration of the term of the original MOU.

**City of Santa Cruz Service Employees  
SEIU Local 521**

6/17/20  
Date

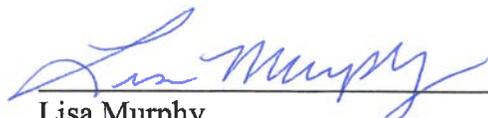
  
Veronica Rodriguez

\_\_\_\_\_  
Ken Bare

**City of Santa Cruz**

6/17/20  
Date

  
Timothy Davis

  
Lisa Murphy

## **SIDE LETTER OF AGREEMENT**

**Between**

**City of Santa Cruz Firefighters, IAFF Local 1716 and  
The City of Santa Cruz**

**June 12, 2020**

The Santa Cruz City Firefighters IAFF Local 1716 (IAFF) and the City of Santa Cruz (City) are parties to a Memorandum of Understanding (MOU) which expired as of September 20, 2019. The parties are at impasse over successor MOU negotiations and are currently waiting for a decision on interest arbitration from Arbitrator Mathew Goldberg (Arbitration).

Having met and conferred in good faith under the Meyers-Miliias-Brown Act, the parties wish to memorialize their Agreement and modify the current status quo on the terms below effective June 27, 2020 through June 25, 2021. The parties will re-open this Agreement on or before December 18, 2020 to meet and confer over the continuation of the terms set forth in this Agreement which are as follows:

### **I. Ongoing Meetings and Information Sharing**

The City agrees to notify in writing IAFF Local 1716 of any changes in the City budget revenue or surpluses which occurring from June 27, 2020 through June 25, 2021. The City will also notify IAFF Local 1716 within three (3) working days of receipt of any COVID-19 related grants or reimbursements of deficits, or stimulus funds which occur during the June 27, 2020 through June 25, 2021 period.

### **II. Specific Terms of the Agreement**

- A. VACATION SPECIAL SELECTION: For the duration of this agreement, the Department Manual Section 4-13 will be modified to permit Local 1716 employees to apply for vacation specials when it does not result in a back fill or overtime.
- B. The parties agree three (3) firefighter positions will be frozen for a period of no less than twelve (12) months and (1) firefighter position will be frozen for a period of no less than six (6) months at the discretion of the Fire Chief.
- C. Upon the conclusion of the Arbitration, the IAFF agrees that the first year 3% COLA will be modified to an amount equal to a 2% COLA reduction from June 27, 2020 through June 25, 2021.

### **III Termination of Agreement**

The terms in this Agreement will sunset/expire on June 25, 2021 unless an extension in writing is mutually agreed upon by all signed Parties. Under no circumstances will the IAFF have to re-negotiate for concessions given under the terms of this side letter.

Local 1716



Cody Muhly, President 1716

6/12/20

Date

Brandon Yamasaki, Vice President 1716

Date:



Andy Emhoff, Local 1716 Member

**6/13/20**

Date



Eddie Carlson, Local 1716 Member

**6/13/20**

Date

City of Santa Cruz



Lisa Murphy, Director of Human Resources

6/12/20

Date



Ti

e, William & Sorensen LLP

June 12, 2020

Date

## **SIDE LETTER OF AGREEMENT**

**Between**

**City of Santa Cruz Police Management Association and  
the City of Santa Cruz**

**June 16, 2020**

City of Santa Cruz Police (PMA) and the City of Santa Cruz (City) are parties to a Memorandum of Understanding (MOU) that expires on March 3, 2023.

Having met and conferred in good faith in accordance with the Meyers Milias Brown Act, the parties wish to memorialize their Agreement and modify their MOU with respect to furloughs effective June 27, 2020 through June 25, 2021. The parties agree to re-open this agreement on December 18, 2020 to meet and confer over the continuation of the terms in this Agreement. .

### **I. Ongoing Meetings and Information Sharing**

- A. The City agrees to keep the PMA Unit informed about any significant changes in budget revenues &/or surpluses, including covid-19 related grants or reimbursements and savings from PMA retirements, and deficits, for the duration of the agreed-upon furlough period. The first update will be within one month after the September 2020 budget update presented to the City Council. The parties will meet no less than quarterly there-after during the term of this Agreement.

### **II. Reduced Work Week and Other Provisions**

- A. All represented employees will have their pay reduced by 9% through a reduction from a 40-hour workweek to a 36.4-hour workweek. Specific schedules will be determined in accordance with Santa Cruz Police (SCPD) rules and regulations
- B. No reduction of employment benefits, including PERS contributions, health, or leave benefits, will result from implementation of the furlough.
- C. The furlough will not affect retirement service credit accruals for employees working the minimum number of hours required to earn a full year's service credit, as established by CalPERS. Employees working less than the minimum number of hours required to earn a full year's service credit will earn service credit in accordance with CalPERS regulations. Currently, the minimum number of hours required by CalPERS to earn a full year's service credit is 1,720. The parties agree to re-open this Agreement if CalPERS regulations change on the determination of what qualifies as a full years service credit.

- D. The reduced work week will not affect the calculation of seniority.
- E. No annual or other paid leave may be used to restore the work week to forty (40) hours.
- F. In the event a member of the PMA retires before June 25, 2021 that position will be frozen subject to the approval of the Chief of Police. The City will then calculate a pro-rated budgeted amount for that employee's position to be used as a credit towards reducing or removing the 9% furlough. The parties will discuss this credit during the reopener negotiations in December 18, 2020.
- G. In recognition of the inability of members of the PMA to utilize their Holiday, Vacation and Management Leave accrual banks, the caps on each bank will be as follows:
  - 1) Holiday Hours Banked: Effective the first day of the pay period that includes July 1, 2020 any previous banked hours will be allowed to be carried over as described. Those designated hours must be used within thirty (30) months from July 1, 2020 and concluding on December 31, 2022 or they will expire and not be eligible to be cashed out.
  - 2) Management Vacation: Any unused Management Vacation Hours prior to the pay period that includes January 1, 2021 will be allowed to be carried over. Those designated hours must be used within eighteen (18) months beginning January 1, 2021 and concluding on June 30, 2022 or they will expire.
  - 3) Vacation Hours: The vacation accrual cap will be increased by 187.2 hours (equivalent to 9% furlough) for thirty (30) months beginning July 1, 2020 and concluding on December 31, 2022, thereafter the vacation cap will be in accordance with Section 10.02 of the MOU.
- H. For the duration of this agreement, the reinstatement period defined by Santa Cruz Personnel Rule 9 (Layoff Policy and Procedure) will be extended to thirty-six (36) months.
- I. The language of any section of the MOU not modified by this agreement shall remain in effect for the duration of the term of the original MOU.

Police Management Association

*Bernie Escalante* 6-17-2020  
Bernie Escalante, Deputy Chief

*Jose Garcia*  
Jose Garcia, Lieutenant

06/17/2020  
Date

City of Santa Cruz

*Lisa Murphy*  
Lisa Murphy, Director of Human Resources

*Tim Davis*  
Tim Davis, Burke, William & Sorensen LLP

6/17/20  
Date

# SIDE LETTER OF AGREEMENT

Between

**City of Santa Cruz Fire Management Association and  
the City of Santa Cruz**

**June 2, 2020**

City of Santa Cruz Fire Management Association (FMA) and the City of Santa Cruz (City) are parties to a Memorandum of Understanding (MOU) that expires on September 30, 2022.

Having met and conferred in good faith the parties wish to memorialize their Agreement and modify their MOU with respect to personnel cost savings effective June 27, 2020 through June 25, 2021, with a re-opener on December 18, 2020 to meet and confer over the continuation of this side letter for the term as described above ending June 25, 2021 as follows:

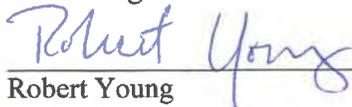
## **I. Ongoing Meetings and Information Sharing**

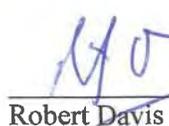
- A. The City agrees to keep the FMA Unit informed about any significant changes in budget revenues &/or surpluses, including covid-19 related grants or reimbursements and savings from FMA retirements, and deficits, for the duration of the agreed-upon term of the side letter.

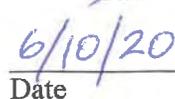
## **II. Specific Terms of Agreement**

- A. The parties agree that for the duration of this agreement, represented employees will pay an additional 10% of the California Public Employees' Retirement System (PERS) contribution. This will be accomplished by an employee pick-up of the employers' contribution to the retirement benefit thus reducing the City's cost for retirement benefits. This 10% retirement contribution will be implemented as a pre-tax payroll deduction.
- B. The parties agree the vacant Battalion Chief position will be frozen for period no less than six (6) months at the discretion of the Fire Chief.
- C. The language of any section of the MOU not modified by this agreement shall remain in effect for the duration of the term of the original MOU.

Fire Management Association

  
Robert Young

  
Robert Davis

  
Date

City of Santa Cruz

  
Lisa Murphy, Director of Human Resources

  
Tim Davis, Burke, William & Sorensen LLP

June 12, 2020  
Date

## Rosemary Balsley

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**From:** Sylvia Caras <Sylvia.Caras@gmail.com>  
**Sent:** Friday, June 19, 2020 7:14 AM  
**To:** City Council  
**Subject:** June 23 Council Meeting - three questions

Consent 12: If I'm reading correctly, the city intends to prorate \$497,631 among those who pay property tax. How much per payer might that amount to? Percent of increase? I'm a renter; should I be anticipating an increase?

Consent 14: For instance, "For the non-public safety employees, the proposal was to reduce the work week from 40 hours to 36 hours which is equivalent to a 10% furlough. " Are employees paid by the hour, not salaried? Please explain more specifically how this saves dollars.

The CACH had just completed all their background work, was about to proceed with analyzing sites, the most difficult part of finding sheltering solutions, and the reason it was formed. Why was it sunsetted, and when will the CACH final report be agendized?

Sylvia Caras



## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Public Works

SUBJECT: Wastewater Treatment Facility Gravity Thickener No. 2 Upgrade  
(c401706) – Professional Services Agreement (PW)

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**RECOMMENDATION:** Motion to authorize the City Manager to execute an agreement with Brown and Caldwell (San Jose, CA) in the amount of \$302,928.00 to provide professional design services for the Wastewater Treatment Facility Gravity Thickener No.2 Upgrade (c401706) in a form acceptable to the City Attorney, and authorize the Public Works Director to execute change orders within the approved project budget.

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**BACKGROUND:** The City of Santa Cruz Wastewater Treatment Facility (WWTF) installed Gravity Thickener No. 2 in 1971 to thicken primary sludge. Gravity Thickener No. 2 was last refurbished in 1988 during the Advanced Primary Expansion project. The existing thickener has experienced significant corrosion on the Thickener No. 2 mechanism. Public Works staff propose to replace the mechanism and corresponding drive unit and make repairs to the interior walls of the thickener.

In addition to the in-tank improvements, Public Works staff propose replacing the single-stage primary sludge and scum pumps with two-stage pumps, an electrical upgrade as needed to support the new two-stage pumps, and adding an inline grinder and flow meter to prevent accumulation of debris on the thickener mechanism.

Brown and Caldwell will provide engineering design services and develop a full design including plans, specifications, and cost estimate. Brown and Caldwell will assist with project management during the design phase and provide engineering services throughout construction.

**DISCUSSION:** The Brown and Caldwell design team have a 30-year history working at the WWTF, including designing the Advanced Primary Expansion Project and Secondary Expansion Projects and has extensive experience working within the WWTF and understands the unique challenges it presents.

The City proposes to utilize Brown and Caldwell as the design engineers for this project in order to keep project design continuity, compatibility, and knowledge of the existing system. Brown and Caldwell has previously provided engineering design services for Gravity Thickener No. 2 having designed the last replacement of the Thickener No. 2 roof and mechanism in 1988. The rehabilitation an in-tank improvements proposed must be standardized with the original design.

This is not a new piece of equipment but rather a rehabilitation that must be compatible with existing equipment. Brown and Caldwell's institutional knowledge and familiarity with the existing equipment will save significant staff time compared to bringing a new firm up to Brown and Caldwell's level of knowledge.

On March 26, 2020, Brown and Caldwell presented the City with a proposal outlining the scope of work for design as well as a breakdown of costs associated with this design. Staff recommends approval of a contract for engineering services in the amount of \$302,928.00 be awarded to Brown and Caldwell. Section 3.08.150 of the Purchasing Ordinance allows the Purchasing Manager to award a contract without competition when there is only one source for the required item/service. The Purchasing Manager concurs with this recommendation.

The work performed under this contract is described in detail in the attached Professional Services Agreement document. The tasks include preliminary design, final design, bid and award services, project management, and engineering services during construction.

FISCAL IMPACT: The project is funded in the Wastewater Enterprise Fund FY 2021 Capital Investment Program as WWTF – Infrastructure and Major Equipment (c401706). The County Sanitation District pays 8/17 of the cost based on wastewater treatment facility capacity dedicated to the County. There is no impact to the General Fund.

Prepared by:  
Katie Shurtleff  
Assistant Engineer II

Submitted by:  
Mark R. Dettle  
Director of Public Works

Approved by:  
Martin Bernal  
City Manager

ATTACHMENTS:  
Professional Services Agreement

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PROFESSIONAL SERVICES AGREEMENT FOR  
**WASTEWATER TREATMENT FACILITY  
GRAVITY THICKENER NO. 2 UPGRADE PROJECT**

THIS AGREEMENT for professional services is made by and between the City of Santa Cruz (“City”) and Brown and Caldwell (“Consultant”) (referred to individually as a “Party” and collectively, as the “Parties”) as of \_\_\_\_\_, 2020 (the “Effective Date”).

NOW, THEREFORE, in consideration of each other’s mutual promises, the Parties hereto agree as follows:

SECTION 1: SCOPE OF WORK

Consultant will furnish services as defined and described in the Scope of Work, attached hereto as Exhibit A and incorporated herein.

SECTION 2: RESPONSIBILITIES OF CONSULTANT

All work performed by Consultant, or under Consultant’s direction, shall be rendered in accordance with the generally accepted practices, and to the standards of, Consultant's engineering profession. Consultant represents and agrees that Consultant: (i) is fully experienced and properly qualified to perform the work and services provided for herein, (ii) has the financial capability required for the performance of the work and services, and (iii) is properly equipped and organized to perform the work and services in a competent, timely, and proper manner, in accordance with the requirements of Scope of Work set forth in Exhibit A

Consultant shall not undertake any work beyond the **Scope of Work** set forth in **Exhibit A** unless such additional work is approved in advance and in writing by City. The cost of such additional work shall be reimbursed to Consultant by City on the same basis as provided for in Section 4.

If, in the performing the work, it is necessary to conduct field operations, security and safety of the job site will be the Consultant's responsibility excluding, nevertheless, the security and safety of any facility of City within the job site which is not under the Consultant's control.

Consultant shall meet with Mark Dettle, Director of the Public Works Department, hereinafter called "Director", or other designated and authorized City personnel, or third parties as necessary, on all matters connected with carrying out of Consultant’s services described in Exhibit A. Such meetings shall be held at the request of either Party. Review and City approval of completed work shall be obtained monthly, or at other intervals as may be mutually agreed upon during the course of this Agreement.

In providing opinions of cost, financial analyses, economic feasibility projections, and schedules for potential projects, Consultant has no control over cost or price of labor and material; unknown or latent conditions of existing equipment or structures that may affect operation and maintenance costs; competitive bidding procedures and market conditions; time or quality of performance of third parties; quality, type, management, or direction of operating personnel; and other economic and operational factors that may materially affect the ultimate project cost or schedule. Therefore, Consultant makes no warranty that the City’s actual project costs, financial aspects, economic feasibility, or schedules will not vary from Consultant’s opinions, analyses, projections, or estimates.

## SECTION 3: RESPONSIBILITIES OF THE CITY

City shall make available to Consultant all necessary data and information in the City's possession and shall actively assist Consultant in obtaining such information from other agencies and individuals as needed. Consultant shall be entitled to use and rely upon all such data and information in completing the services required hereunder.

The Director may authorize a staff person to serve as his or her representative. The work in progress shall be reviewed at such intervals as may be mutually agreed upon between the parties. If the work is satisfactory, it will be approved. If the work is not satisfactory, City will inform Consultant of the changes or revisions necessary to secure approval.

City shall arrange for access to and make all provisions for Consultant to enter upon public and private property as required for Consultant to perform services hereunder.

## SECTION 4: FEES AND PAYMENT

For services actually performed, the City will compensate Consultant at the rates set forth in the **Fee Schedule** detailed in **Exhibit B** and in accordance with the terms set forth therein. Payment for Consultant's services in carrying out the entire the Scope of Work shall be made within the budget limit, or limits shown, upon Exhibit B. Such payment shall be considered the full compensation for all personnel, materials, supplies, and equipment used by Consultant in the Scope of Work.

In addition to the compensation specified above, Consultant will be paid for actual reasonable expenses authorized and pre-approved by the City, and excluding administrative, clerical or other overhead costs. Vehicle mileage reimbursement, shall be paid at the rate of the applicable standard business mileage rate as set by the U.S. Internal Revenue Service. Approved commercial airline travel shall be reimbursed at coach class rates. Lodging, meals, and incidental expenses shall be reimbursed at the current per diem rates established by the U.S. General Services Administration. All expenses require submittal of acceptable substantiating documentation for each such expense to be reimbursable. It is expected that all expenses associated with travel incurred by the Consultant, while conducting activities on behalf of the City, will be at reasonable rates and that the Consultant will exercise prudence in incurring such expenses.

Consultant agrees that the payments to Consultant specified in this Section 4 will constitute full and complete compensation for all obligations assumed by Consultant under this Agreement. Where conflicts regarding compensation may occur, the provisions of this section apply.

Consultant may reallocate compensation between tasks; however, in no event shall the total fee charged for the Scope of Work set forth in Exhibit A exceed the budget of \$ 302,928.00 without advance written City authorization in the form of an amendment or change order.

Invoices shall detail the time worked by each class of employee on each task and the expenses incurred for which billing is made. Invoices shall indicate the percentage completion of each work task as identified in the Scope of Work in Exhibit A and the overall percentage of completion of the total required services. Unless otherwise specified in the fee schedule, payments shall be made monthly by the City within 30 days based on itemized invoices from the Consultant which list the actual costs and expenses.

## SECTION 5: CHANGES IN WORK

City may negotiate changes in the Scope of Work. No changes in the Scope of Work shall be made without the City's written approval. Any change requiring compensation in excess of the sum specified in Exhibit B shall be approved in advance in writing by the City. Only City's authorized representative(s) is authorized to approve changes to this Agreement on behalf of City.

## SECTION 6: TIME OF BEGINNING AND SCHEDULE FOR COMPLETION

Consultant shall begin work upon its receipt of a written Notice to Proceed. The Notice to Proceed shall not be issued until after this Agreement has been approved and authorized by the City.

The **Work Schedule** for completion of the work shall be as shown upon **Exhibit C**. In the event that major changes are ordered, the schedule for completion as stated in Exhibit C will be adjusted by City so as to allow Consultant a reasonable period of time within which to complete any additional work which may be required as a result of the ordered changes.

Neither party will be held responsible for delay or default caused by declared emergencies, natural disasters, or any other cause which is beyond the party's reasonable control. Consultant will, however, make all reasonable efforts to remove or eliminate such a cause of delay or default and will, upon the cessation of the cause, diligently pursue performance of its obligations in this Agreement.

The City reserves the right to obtain the item(s) covered by this Agreement from another source during any on-going suspension of service due to the circumstances outlined above.

Consultant acknowledges that it is necessary for Consultant to complete its work on or before the completion date set forth in Exhibit C in order to allow the City to achieve its objectives for entering into this Agreement. The Parties therefore agree that time is of the essence in the performance of this Agreement.

## SECTION 7: TERMINATION

The City or Consultant may terminate the Agreement for convenience by providing written notice to the other party not less than 30 calendar days prior to an effective termination date.

The City or Consultant may terminate the Agreement for material breach of agreement by providing written notice to the other party not less than 14 calendar days prior to an effective termination date.

Upon notice of termination, the Consultant will immediately take action not to incur any additional obligations, costs or expenses, except as may be reasonably necessary to terminate its activities. The City's only obligation to the Consultant will be just and equitable payment for services authorized by, and received to the satisfaction of, the City up to and including the effective date of termination. All finished or unfinished work or documents procured or produced under the Agreement will become property of the City upon the termination date. The City reserves the right to obtain services elsewhere, and the defaulting Consultant will be liable for the difference between the prices set forth in the terminated Agreement and the actual cost to the City. In no event will the City be liable for any loss of profits on the resulting agreement or portion thereof so terminated. After the effective date of termination, Consultant will have no further claims against the City under the Agreement. Termination of

the Agreement pursuant to this paragraph may not relieve the Consultant of any liability to City for damages sustained by City because of any breach of Agreement by Consultant, and City may withhold any payments to Consultant for the purpose of set-off until such time as the exact amount of damages due City from Consultant is determined.

The rights and remedies provided in this section will not be exclusive and are in addition to any other rights and remedies provided by law or under the Agreement.

#### SECTION 8: INSURANCE

Prior to the beginning of and throughout the duration of the Agreement, Consultant will maintain and comply with the **Insurance Requirements** as set forth in **Exhibit D**. Consultant will insure the City against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder and the results of that work by Consultant, Consultant's agents, representatives, employees or subcontractors.

#### SECTION 9: INDEMNIFICATION

- a. For professional services subject to a professional liability insurance policy, Consultant agrees, to the fullest extent permitted by law, to indemnify, defend, and hold harmless the City, its officials, officers, employees and agents ("Indemnified Parties"), from and against any and all claims, demands, actions, damages, or judgments, and expenses, including attorneys' fees and costs arising from the negligence, recklessness or willful misconduct by Consultant, Consultant's employees, agents, representatives, and subcontractors in any way related to the obligations or performance of the professional services under this Agreement except where caused by the sole negligence or willful misconduct of City.
- b. The costs to defend charged to the Consultant relating to any design professional services shall not exceed the Consultant's proportionate percentage of fault per Civil Code §2782.8.
- c. With respect to all matters other than covered by the foregoing paragraphs, Consultant agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees and authorized agents to the fullest extent permitted by law from and against any and all claims, demands, actions, damages, or judgments, and expenses, including attorneys' fees and costs arising from the acts or omissions of Consultant, Consultant's employees, agents, representatives, and subcontractors in any way related to this Agreement, except where caused by the sole negligence or willful misconduct of City.

#### SECTION 10: EQUAL EMPLOYMENT OPPORTUNITY/NON-DISCRIMINATION POLICIES

City's policies promote a working environment free from abusive conduct, discrimination, harassment, and retaliation; and require equal opportunity in employment for all regardless of race, religious creed (including religious dress and grooming practices), color, national origin (including language use restrictions), ancestry, religion, disability (mental and physical), medical condition, sex, gender (including gender identity and gender expression), physical characteristics, marital status, age, sexual orientation, genetic information (including family health history and genetic test results), organizational affiliation, and military or and veteran status, or any other consideration made unlawful by local, State or Federal law. City requires Consultant to be in compliance with all applicable Federal and State and local equal employment opportunity acts, laws, and regulations and Consultant is responsible for ensuring that effective policies and procedures concerning the prevention of abusive conduct, discrimination, harassment, and retaliation exist in Consultant's business organization. The City's current Equal Employment Opportunity and Non-Discrimination policies to which this Section applies may be viewed

at <http://www.codepublishing.com/CA/SantaCruz/?SantaCruz09/SantaCruz0983.html> and <http://www.cityofsantacruz.com/home/showdocument?id=59192>.

## SECTION 11: LEGAL ACTION/ATTORNEYS' FEES

If any action at law or in equity is brought to enforce or interpret the provisions of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief. The laws of the State of California, with jurisdiction in the Santa Cruz County Superior Court, shall govern all matters relating to the validity, interpretation, and effect of this Agreement and any authorized or alleged changes, the performance of any of its terms, as well as the rights and obligations of Consultant and the City.

## SECTION 12: AMENDMENTS

This Agreement may not be amended in any respect except by way of a written instrument which expressly references and identifies this particular Agreement, which expressly states that its purpose is to amend this particular Agreement, and which is duly executed by the City and Consultant. Consultant acknowledges that no such amendment shall be effective until approved and authorized by the Director. No representative of the City is authorized to obligate the City to pay the cost or value of services beyond the scope of services set forth in Exhibit A. Such authority is retained solely by the Director. Unless expressly authorized by the Director, Consultant's compensation shall be limited to that set forth in Exhibit B, Fee Schedule.

## SECTION 13: MISCELLANEOUS PROVISIONS

1. Project Manager. Director reserves the right to approve the project manager assigned by Consultant to said work. No change in assignment may occur without prior written approval of the City.
2. Consultant Services Only. Consultant is employed to render professional services only and any payments made to Consultant are compensation solely for such professional services.
3. Independent Contractor. In the performance of its work, it is expressly understood that Consultant, including Consultant's agents, servants, employees, and subcontractors, is an independent contractor solely responsible for its acts and omissions, and Consultant shall not be considered an employee of the City for any purpose. Consultant agrees to comply with AB5, codified at Labor Code section 2750.3, and shall indemnify, defend and hold harmless the City, its officials, officers, and employees against any and all claims, demands, demands, actions, damages or judgments, including associated costs of investigation and defense arising in any manner related to this Agreement that an employee, agent or independent contractor of Consultant was misclassified.
4. Consultant Not an Agent. Except as City may specify in writing, Consultant shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Consultant shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.
5. Subcontractors. Subcontracting of work without prior approval of the City, may result in contract termination. If at any time, the City determines any subcontractor is incompetent or unqualified, Consultant will be notified and will be expected to immediately cancel the subcontract. Consultant shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein, and Consultant shall ensure that City of Santa Cruz, its officers, officials, employees, agents, and volunteers are additional insureds on insurance required from subcontractors.
6. Assignment. This Agreement shall not be assigned without first obtaining the express written consent of the Director or after approval of the City Council. Neither party may assign this Agreement unless this Agreement is amended in accordance with its terms.
7. Conflicts of Interest. Consultant owes City a duty of undivided loyalty in performing the work and services under this Agreement. Consultant on behalf of itself, its employees and subcontractors, covenants that it presently has

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no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required to be performed under this Agreement. Consultant acknowledges that it is aware of and agrees to comply with the provisions of the Political Reform Act, Section 1090 of the Government Code, and the City's conflict of interest code. Consultant will immediately advise City if Consultant learns of a conflicting financial interest of Consultant's during the term of this Agreement. Consultant owes City a duty of undivided loyalty in performing the work and services under this Agreement.

8. City Property. The work, or any portion, of Consultant in performing this Agreement upon payment to Consultant shall become the property of City. The Consultant shall be permitted to retain copies or such work for information and reference in connection with the City's use. All materials and work product, whether finished or unfinished, shall be delivered to City upon completion of contract services or termination of this Agreement for any reason and payment to Consultant of undisputed amounts. Consultant agrees that all copyrights which arise from creation of project-related documents and materials pursuant to this Agreement shall be vested in the City and Consultant waives and relinquishes all claims to copyright or other intellectual property rights (except for preexisting intellectual property) in favor of City. Any work product related to this Agreement shall be confidential, not to be used by the Consultant on other projects or disclosed to any third party, except by agreement in writing by the City.
9. Confidentiality.
  - a. Consultant shall not acquire any ownership interest in data and information ("City Data") received by Consultant from City, which shall remain the property of the City. Certain information may be considered confidential ("Confidential Information"). Confidential Information shall mean all non-public information or proprietary materials (in every form and media) disclosed or made available directly or indirectly through any means of communication, either verbally or in writing, in connection with this Agreement. Consultant shall not, without City's written permission, use or disclose City Data and/or Confidential Information other than in the performance of its obligations under this Agreement. As between Consultant and City, all City Confidential Information shall remain the property of the City. Consultant shall not acquire ownership interest in the City's Confidential Information.
  - b. Consultant shall be responsible for ensuring and maintaining the security and confidentiality of City Data and Confidential Information, protect against any anticipated threats or hazards to the security or integrity of City Data and Confidential Information, protect against unauthorized access to or use of City Data and Confidential Information that could result in substantial harm or inconvenience to City or any end users; and ensure the proper disposal of City Data and Confidential Information upon termination of this Agreement. If the Consultant or its Subcontractors become involved in any litigation in relation to the Project, the Consultant may request that the City provide a copy of the Confidential Information as is relevant to the litigation
  - c. Consultant shall take appropriate action to address any incident of unauthorized access to City Data and Confidential Information, including addressing and/or remedying the issue that resulted in such unauthorized access, notifying City as soon as possible of any incident of unauthorized access to City Data and Confidential Information, or any other breach in Consultant's security that materially affects City or end users; and be responsible for ensuring compliance by its officers, employees, agents, and subcontractors with the confidentiality provisions hereof. Should confidential and/or legally protected City Data be divulged to unauthorized third parties, Consultant shall comply with all applicable federal and state laws and regulations, including but not limited to California Civil Code sections 1798.29 and 1798.82 at Consultant's sole expense. Consultant shall not charge City for any expenses associated with Consultant's compliance with these obligations.
  - d. Consultant shall defend, indemnify and hold harmless City, its officials, officers, employees and volunteers against any claim, liability, loss, injury or damage arising out of, or in connection with, the unauthorized use, access, and/or disclosure of City Data and/or Confidential Information by Consultant and/or its agents, employees or sub-contractors, excepting only loss, injury or damage caused by the sole negligence or willful misconduct of the City.
10. Consultant's Records. Consultant shall maintain accurate accounting records and other written documentation

pertaining to the costs incurred for this project. Such records and documentation shall be kept available at Consultant's office during the period of this Agreement, and after the term of this Agreement for a period of three years from the date of the final City payment for Consultant's services.

11. Compliance with Laws. All activities of Consultant, its employees, subcontractors and/or agents will be carried out in compliance with all applicable federal, state and local laws.
12. Licensure. Consultant agrees that Consultant, its subcontractors and/or agents (if any) has/have complied with applicable federal, state, and local licensing requirements and agrees to provide proof of a current City of Santa Cruz Business Tax Certificate if:
  - Consultant, its subcontractor(s) and agent(s) is/are located in the City of Santa Cruz;
  - Will perform physical work in the City of Santa Cruz for 6 or more days annually; or
  - Will use company vehicles to deliver within the City of Santa Cruz for 6 or more days annually.
 For additional information and licensing requirements, view the City's [Business Licenses and Permits webpage](#) or call the Revenue and Taxation division at 831/420-5070.
13. Living Wage. Every contract for services to the City for \$10,000 or more, is subject to City of Santa Cruz Living Wage Ordinance number 2000-25. The requirements of the Living Wage ordinance are provided in Santa Cruz Municipal Code Chapter 5.10.
14. Prevailing Wage. To the extent that the work or services to be performed under this Agreement may be considered a "public work" pursuant and subject to Labor Code section 1720 *et seq.*, Consultant (and any subconsultant performing the work or services) shall conform to any and all prevailing wage requirements applicable to such work/and or services under this Agreement. Consultant (and any subconsultant) shall adhere to the prevailing wage determinations made by the Director of Industrial Relations (DIR) pursuant to California Labor Code Part 7, Chapter 1, Article 2, applicable to the work, if any. All workers employed in the execution of a public works contract (as such term is defined California Labor Code section 1720 *et seq.* and section 1782(d)(1)) must be paid not less than the specified prevailing wage rates for the type of work performed. Reference: California Labor Code sections 1720, 1774 and 1782.

Consultant agrees to be bound by the prevailing wage requirements to the extent applicable to the scope of work and services under this Agreement, including, but not limited to, the following:

- a. If a worker is paid less than the applicable prevailing wage rate owed for a calendar day (or any portion thereof), Consultant shall pay the worker the difference between the prevailing wage rate and the amount actually paid for each calendar day (or portion thereof) for which the worker(s) was paid less than the prevailing wage rate, as specified in Labor Code section 1775;
- b. Consultant shall maintain and make available payroll and worker records in accordance with Labor Code sections 1776 and 1812;
- c. If Consultant employs (and/or is legally required to employ) apprentices in performing the work and/or services under this Agreement, Consultant shall ensure compliance with Labor Code section 1777.5;
- d. Consultant is aware of the limitations imposed on overtime work by Labor Code sections 1810 *et seq.* and shall be responsible for any penalties levied in accordance with Labor Code section 1813 for failing to pay required overtime wages;
- e. Consultant shall post a copy of the applicable wage rates at each jobsite at a location readily available to its workers.

Any failure of Consultant and/or its subconsultant to comply with the above requirements relating to a public work project shall constitute a breach of this Agreement that excuses the City's performance of this Agreement at the City's sole and absolute option, and shall be at the sole risk of Consultant. Consultant on behalf of itself, any subconsultant, agree to indemnify, defend and hold harmless the City and its officials, officers, employees, and agents from and against any and all claims, liabilities, losses, costs, expenses,

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attorney's fees, damages, expenses, fines, financial consequences, interest, and penalties, of any kind or nature, arising from or relating to any failure (or alleged failure) of the Consultant and any subconsultant to pay prevailing wages or to otherwise comply with the requirements of prevailing wage law relating to a public work.

15. Registration with DIR. Consultant acknowledges that it and/ any subconsultant shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, unless currently registered with the DIR and qualified to perform public work pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)]. A bid shall not be accepted nor any contract or subcontract entered into without proof of the Consultant or subconsultant's current registration to perform public work. Labor Code section 1771.1(b).
16. Dispute Resolution. The Parties agree to attempt in good faith to resolve through negotiation any dispute, claim or controversy arising out of or relating to this Agreement. Either party may initiate negotiations by providing written notice in letter form to the other party, setting forth the subject of the dispute and the relief requested. Promptly upon such notification, the Parties shall meet at a mutually agreeable time and place in order to exchange relevant information and perspective, and to attempt to resolve the dispute. In the event that no resolution is achieved, and if, but only if, the parties mutually agree, then prior to pursuing formal legal action, the parties shall make a good faith effort to resolve the dispute by non-binding mediation or negotiations between representatives with decision-making power, who, to the extent possible, shall not have had substantive involvement in the matters of the dispute. To the extent that the dispute involves or relates to a public works project, the Parties agree to attempt to resolve the dispute by complying with the claims process as set forth in Public Contract Code section 9204(e).
17. Force Majeure. Neither party hereto shall be considered in default in the performance of its obligation hereunder to the extent that the performance of any such obligation, except the payment of money, is prevented or delayed by any cause, natural disaster, or other peril, existing or future, which is beyond the reasonable control of the affected party and without the negligence of the respective Parties. Each party hereto shall give notice promptly to the other of the nature and extent of any Force Majeure claimed to delay, hinder or prevent performance of the services under this Agreement. Each Party will, however, make all reasonable efforts to remove or eliminate such a cause of delay or default and will, upon the cessation of the cause, diligently pursue performance of its obligations in this Agreement. In the event either party is prevented or delayed in the performance of its respective obligation by reason of such Force Majeure, there may be an equitable adjustment of the schedule and Consultant compensation based on City's sole discretion.
18. Complete Agreement. This Agreement, along with any attachments, is the full and complete integration of the parties' agreement with respect to the matters addressed herein, and that this Agreement supersedes any previous written or oral agreements between the parties with respect to the matters addressed herein.
19. Severability. The unenforceability, invalidity or illegality of any provision(s) of this Agreement shall not render the other provisions unenforceable, invalid or illegal.
20. Waiver. Waiver by any party of any portion of this Agreement shall not constitute a waiver of the same or any other portion hereof.
21. Governing Law. This Agreement shall be governed by and interpreted in accordance with California law.
22. Contract Interpretation. Each party acknowledges that it has reviewed this Agreement and that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement.
23. MacBride Principles/Peace Charter. City of Santa Cruz Resolution NS-19,378 (7/24/90) encourages all companies doing business in Northern Ireland to abide by the MacBride Principles and Peace Charter.

24. Storm Water Requirements. To the extent applicable to the Scope of Work under this Agreement, Consultant, and all subcontractors, are required to abide by the applicable City of Santa Cruz Storm Water Best Management Practices (BMPs) for the duration of the work. The City's mandatory Storm Water BMPs, which are listed according to the type of work, operations, or business, are located on the City website at: <http://www.cityofsantacruz.com/index.aspx?page=138>.
25. Notices. If either party shall desire or is required to give notice to the other such notice shall be given in writing, via email or facsimile and concurrently by prepaid U.S. certified or registered postage, addressed to recipient as follows:

**To CITY:**

City of Santa Cruz Public Works Department  
 ATTN: Steve Wolfman  
 809 Center Street, Room 201  
 Santa Cruz, CA 95060\_  
[SWolfman@cityofsantacruz.com](mailto:SWolfman@cityofsantacruz.com)  
 831-420-5428

**To CONSULTANT:**

Brown and Caldwell  
 ATTN: Aren Hansen  
 201 N. Civic Drive Suite 300  
 Walnut Creek, CA 94596  
[AHansen@BrwnCald.com](mailto:AHansen@BrwnCald.com)  
 925-210-2255

Changes to the above information shall be given to the other party in writing ten (10) business days before the change is effective.

26. Counterparts. The parties may execute this Agreement in two or more counterparts, which shall, in the aggregate, be deemed an original but all of which, together, shall constitute one and the same instrument. A scanned, electronic, facsimile or other copy of a party's signature shall be accepted and valid as an original.

27. Warranty of Authority. The signatories to this Agreement warrant and represent that each is authorized to execute this Agreement and that their respective signatures serve to legally obligate their respective representatives, agents, successors and assigns to comply with the provisions of this Agreement.

28. Third Parties. The services to be performed by Consultant are intended solely for the benefit of the City. No person or entity not a signatory to this Agreement shall be entitled to rely on Consultant's performance of its services hereunder, and no right to assert a claim against Consultant by assignment of indemnity rights or otherwise shall accrue to a third party as a result of this Agreement or the performance of Consultant's services hereunder.

#### SECTION 14: DOCUMENT OWNERSHIP

Consultant's instruments of service hereunder are the printed hard copy drawings and specifications issued for the Project, whereas electronic media, including CADD files, are tools for their preparation. As a convenience to the City, Consultant shall furnish to the City both printed hard copies and electronic media. In the event of a conflict in their content, the printed hard copies shall take precedence over the electronic media. Because data stored in electronic media form can be altered, inadvertently, it is agreed that the City shall hold Consultant harmless from liability arising out of changes or modifications to Consultant's data in electronic media form in the City's possession or released to others by the City.

SECTION 15: SERVICES DURING CONSTRUCTION

The parties agree that Consultant shall be indemnified to the fullest extent permitted by law by the construction contractor for all claims, damages, losses and expense including attorney's fees arising out of or resulting from the construction contractor's performance of work including injury to any worker on the job site. Additionally, Consultant shall be named as additional primary insured(s) by the construction contractor's General Liability and Builders All Risk insurance policies without offset and be included in any waivers of subrogation, and all Construction Documents and insurance certificates shall include wording acceptable to the parties herein with reference to such provisions.

Consultant shall not be responsible for the means, methods, techniques, sequences, or procedures of construction selected by construction contractors or the safety precautions and programs incident to the work of construction contractors and will not be responsible for construction contractors' failure to carry out work in accordance with the Contract Documents.

Approved As To Form:

By: Barbara H. Choi Date: 6/8/2020  
 for City Attorney

CONSULTANT

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Printed: \_\_\_\_\_ Title: \_\_\_\_\_

CITY OF SANTA CRUZ

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Martín Bernal  
 City Manager

## THICKENER NO. 2 UPGRADES PROJECT

Santa Cruz Wastewater Treatment Facility  
Brown and Caldwell  
Scope of Work

This document describes the engineering services Brown and Caldwell (BC) will provide to the City of Santa Cruz (City) related to the Thickener No. 2 Upgrades Project (Project) at the Santa Cruz Wastewater Treatment Facility (WWTF).

### Background

In 1971, the City installed a second thickener at the WWTF to thicken primary sludge. The Thickener No. 2 mechanism was last replaced in 1992, under the Secondary Treatment Facility project designed by BC. At that time, both the thickener mechanism and roof were replaced. The thickener originally had a concrete roof, which was replaced with the existing metal dome roof.

In recent years, City staff have noticed significant corrosion on the Thickener No. 2 mechanism, and as a result the City would like to replace the mechanism and corresponding drive unit. The inside walls of the thickener tank will also need to be repaired, as it appears that the protective coating system has been compromised and concrete corrosion has been observed.

In addition to the in-tank improvements, the City would also like to replace their single-stage primary sludge and scum pumps with two-stage pumps. The associated electrical equipment may also need to be replaced, depending on the capacity of the existing electrical equipment. Lastly, the City would like to add an inline grinder and flow meter (with bypass piping) on the thickener influent line (e.g., primary sludge) in order to prevent accumulation of large debris and rags on the thickener mechanism.

Under this Project, BC will provide engineering design services to support these project elements. In general, BC's scope of work will consist of the following, which is described in further detail in the Scope of Work on the next page.

## Scope of Work

BC will provide services as described in the following tasks.

### Task 1 – Site Visit & Basis of Design

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The purpose of this task is to develop the basis of design for the project components to be carried forward into detail design and bidding. BC will develop the preliminary design for the Project and will summarize recommendations in a Basis of Design presentation. This task will generally consist of the following:

- Review record drawings of existing thickener and related facilities
- Conduct one site visit with four BC staff (structural, electrical and 2 mechanical engineers) to view the inside of the thickener tank and further examine the electrical systems. It is assumed that City staff accompany BC staff inside the tank, and will provide all access to the tank, including ventilation, air monitoring, harnesses, and permit to enter space. Contact equipment manufacturers to obtain information on thickener mechanism, sludge/scum pumps, grinder, flow meter and other related equipment.
- Develop a Basis of Design presentation to define the mechanical, structural, and electrical improvements that will be included in the Project.

**Deliverable:** One Basis of Design presentation, to be presented during a 2-hour meeting at the WWTF.

**Assumptions:** The assumptions for this task are listed below:

- Work is limited to structural rehabilitation and equipment replacement. It is assumed that the weight of the new thickener mechanism will not exceed the weight of the existing mechanism and that the integrity of the existing structures is adequate. BC's scope of work does not include overall structural or seismic evaluation of existing structures. New connections and attachments will be designed to current code. The City is to provide the weights of the existing equipment within 2 weeks of notice to proceed.
- It is assumed that the equipment manufacturer will not have to deviate from their standard design to meet the mechanism weight limitation.
- The City will clean the interior of the existing structure and thickener mechanism before the structural observation site visit.
- For the Basis of Design presentation, we have allowed for one (2-hour) review meeting (two BC staff in person, one via teleconference) to present the findings. The review period for the City allows for 2 weeks. BC will prepare a meeting agenda and minutes.

### Task 2 – 50 Percent Design Submittal

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BC will further develop the design documents and will produce a design submittal for the 50% interim milestone. The submittal will consist of an electronic document in .PDF format including drawings and specifications, and a cost estimate and a construction schedule. This task consists of the following sub-tasks:

## **Task 2.1 – Drawings and Specifications**

The drawings will include general, demolition, civil/mechanical, structural, electrical and instrumentation disciplines. Drawings will be based on scanned or electronic versions of as-built drawings of existing facilities provided by the City and on other projects BC has designed at the City. The drawings will include plans, major sections, and key details. Minor sections and details may be included, but will not be complete. Equipment, piping and structural outlines will be defined; however, structural detailing will not be complete. BC has also budgeted for our coating subconsultant to provide expertise related to concrete restoration and coating systems during design. Electrical drawings will show single-line diagrams, panel and equipment locations, control schematics, equipment locations, and limited conduit routing and wiring schedules.

The specifications will include appropriate technical sections (Division 2 through 17) with initial project-specific information.

An anticipated list of drawings to be prepared by BC are included in Table 1. BC will assist the City in tailoring the City's existing front-end specifications for this project.

## **Task 2.2 – Cost Estimate & Construction Schedule**

BC will develop an AACEI Class 2 cost estimate, which will be submitted to the City two weeks after the drawings and specifications are submitted.

BC will also develop an estimated construction schedule in Microsoft Project. The schedule will show major critical-path construction activities. The schedule will be used by the City to determine construction contract duration and plan for construction management. This will be submitted with the cost estimate.

## **Task 2.3 – Review Meeting**

BC has allowed for one (2-hour) review meeting with the City for the 50% design submittal (two BC staff in-person) to review the design and discuss comments.

### **Assumptions:**

- Existing plant drawings will be used as backgrounds where it is determined necessary. It is assumed that existing drawings accurately represent existing conditions. BC will not verify the accuracy of these drawings.
- Front-end specifications will be provided by the City and updated with Project-specific information by BC.
- BC will prepare a meeting agenda and minutes.
- The City will provide a collated set of review comments in excel format. The review period for the City allows for 2 weeks.

## **Task 3 – 90 Percent Design Submittal**

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BC will incorporate agreed review comments from the 50% design submittal review and will develop the 90% submittal drawings and specifications. The submittal will consist of an electronic document in .PDF format including drawings and specifications, a cost estimate and a construction schedule. This task consists of the following sub-tasks:

### **Task 3.1 – Drawings and Specifications**

The drawings will include plans, sections, details and schematics.

The specifications will include applicable sections with project-specific information and be suitable for bidding. It is assumed that the City's Construction Manager will assist and provide guidance in completing Divisions 0 and 1.

### **Task 3.2 – Cost Estimate & Construction Schedule**

BC will develop an AACEI Class 1 cost estimate, which will be submitted to the City two weeks after the drawings and specifications are submitted.

BC will also develop an updated estimated construction schedule in Microsoft Project based on comments from the 50% design submittal review. The schedule will show major critical-path construction activities. The schedule will be used by the City to determine construction contract duration and plan for construction management. This will be submitted with the cost estimate.

### **Task 3.3 – Review Meeting**

BC has allowed for one (2-hour) review meeting with the City for the 90% design submittal (two BC staff in-person) to review the design and discuss comments.

#### **Assumptions:**

- BC will prepare a meeting agenda and minutes.
- The City will provide a collated set of review comments in excel format. The review period for the City allows for 2 weeks.

## **Task 4 – Final Contract Documents**

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BC will incorporate agreed review comments from the 90% design submittal review and will develop the final bid drawings and specifications for bidding by the City. Table 1 lists the expected drawing list that is intended to be submitted with the final design deliverable. As part of the bid document submittal, BC will provide a response to comments received from the 90% design submittal.

**Deliverable:** Final bid documents (drawings and specifications) will be submitted to the City electronically in PDF format.

**Table 1. Anticipated Drawing List**

Sheet No.	Title	Included in 50% Submittal
G-001	Cover Sheet	X
G-002	Drawing Index, Standard Abbreviations, and Site Plan	X
X-001	Demolition -- Floor & Roof Plan	X
X-002	Demolition -- Sections and Details	X
M-001	Mechanical details Sheet 1	X
M-002	Mechanical details Sheet 2	
M-003	Mechanical details Sheet 3	
M-101	Thickener No. 2 Partial Plans	X
M-102	Thickener No. 2 Sections	X
M-103	Sludge & Scum Pumps Plan & Section	X
M-104	Inlet Grinder Plan & Section	X
S-001	Structural General Notes, Special Inspections, and Deferred Submittals	X
S-101	Structural Plan and Section	X
S-102	Structural Rehabilitation Notes and Details	
E-001	Electrical Symbols & Legend Sheet	X
E-002	Electrical Standard Details	X
E-101	Single Line Diagram Sheet 1	X
E-102	Single Line Diagram Sheet 2	X
E-103	Electrical Power Plan and Conduit Routing Sheet 1	
E-104	Electrical Power Plan and Conduit Routing Sheet 2	
E-105	Control Schematic Diagram	
E-106	P&ID Sheet 1 – Thickener Mechanism	X
E-107	P&ID Sheet 2 – Sludge & Scum Pumps	X
E-108	Conduit Schedule	X

## Task 5 – Bid Period Services

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BC will support the City in responding to bidder questions during the bid period, by providing interpretation and addenda to the bid documents as it related to BC's scope of design, and by evaluating the bids to determine responsiveness to the technical requirements of the bidding documents. Activities performed will include the following:

- Two BC staff to attend the pre-bid (2-hour) meeting in-person
- Respond to questions from prospective bidders
- Assist with up to one addendum to the contract documents
- Assist City with evaluation of bids, including review of costs.

Services described under this task will be performed up to the limit of the task budget.

## **Task 6 – Project Management (Design & Bid Phase)**

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### **Task 6.1 – Design PM**

BC will provide project management services during the design phase, including the following:

- Prepare a project schedule with milestones (baseline and monthly updates).
- Monitor project budget for effort versus progress and keep the City informed of the status. Identify and mitigate potential overruns in a timely manner.
- Participation in biweekly meeting (30-minute duration) with the City's Project Manager to coordinate the work (assumed BC's Project Manager and one key staff to attend via phone). It is assumed that BC will prepare agenda and meeting minutes.
- Preparation and implementation of a field work safety plan.
- Preparation and submission of monthly invoices and monthly progress reports (standard BC format).

### **Task 6.2 – Design QAQC**

BC will prepare and implement a quality control (QC) program. BC will conduct QC reviews of all deliverables before they are submitted to the City. The reviews will be conducted by a QC manager and subject matter experts (SMEs).

## **Task 7 – Engineering Services During Construction**

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BC will provide engineering services during the construction of the project. This task consists of the following sub-tasks:

### **Task 7.1 – RFI Responses**

BC will answer questions and requests for information (RFI) from the Contractor and Construction Manager (CMRFIs) to clarify the Contract Documents and the design intent. The level of effort assumes that RFIs will be addressed with a written response by the designers. RFIs that do not involve design intent are assumed to be answered by the Construction Manager. We have budgeted for 10 RFIs, which are estimated to require an average of three (4) hours per RFI. BC will provide assistance up to the task budget.

### **Task 7.2 – Submittal Reviews**

BC will review Contractor submittals. BC will prepare written engineer's review comments for each submittal forwarded to BC by the Construction Manager. For budgeting purposes, it is assumed that BC will provide written responses to 15 submittals and 10 resubmittals at an average of five (6) hours per written submittal and two (3) hours per resubmittal up to the limit of the task budget. BC will provide assistance up to the task budget. BC has also budgeted for our coating subconsultant to provide input during construction.

### **Task 7.3 – Site Visits**

It is assumed that construction and coating inspections will be performed by the Construction Manager's inspection staff. The Construction Manager shall coordinate the activities of the contractor and the inspectors to ensure that all work is inspected as required by the Contract

Documents. Where site visits or field observations are requested by the Construction Manager, BC will provide design engineering staff for structural and electrical disciplines. It is assumed that the Construction Manager will provide a minimum of 48 hours of notice for required specialty inspections, and will collect, review and file all inspection and testing reports.

For budgeting purposes, it is assumed that BC will provide up to six (6) trips and up to 96 hours of site visits and inspections up to the limit of the task budget. This includes time for inspection report preparation and data organization.

#### **Task 7.4 – Design Clarifications and Changes**

Additional project coordinating and/or clarification may be needed during construction. This may include changes to the original design, or changes in the project schedule and prioritization, and the direction is often provided in the form of a design clarification. BC has budgeted for 40 hours to assist in developing the design clarifications and/or design changes. This task will not be used until authorized by the City's Project Manager.

#### **Task 7.5 – Contract Change Order Assistance**

BC shall review proposed construction change orders involving design intent including providing design details. It is assumed that Construction Manager will meet with the Contractor to negotiate the change order impact to the construction contract. For budgeting purposes, BC will provide up to 16 hours of assistance up to the task budget.

#### **Task 7.6 – Construction Meetings**

This task consists of preparing for and attending construction meetings including regular construction meetings. It is assumed that the Construction Manager will conduct weekly construction meetings during the active construction period and will develop and distribute minutes from the meetings summarizing the discussion, decisions and action from the meetings.

For budgeting purposes, BC has estimated the construction duration at 6 months (October 2020 – March 2021) and assumed that weekly project meetings will occur from October through March. The BC project manager or representative staff will attend weekly meetings during the construction period (1 meeting per month in person; 3 meetings per month by phone). This results in attendance at up to 6 in-person meetings, and 18 phone meetings. Meetings have been estimated at 8 hours per on-site meeting and 1 hour per call, including limited follow-up activities.

#### **Task 7.7 – Startup and Testing**

Startup and testing the new facilities will be planned and conducted by the Contractor, equipment vendors and the Construction Manager. BC will assist and review the contractor's startup plan, schedule and procedures. BC will be available to witness startup and performance testing of each process and review testing data submitted by the Contractor. For budgeting purposes, BC assumes two (2) site visits and up to 32 hours of assistance up to the task budget.

#### **Task 7.8 – Punch List and Closeout**

BC shall assist the Construction Manager in project close out and documentation activities on the contract. Activities include preparation of punch lists and final inspections. For budgeting purposes, BC will provide up to 16 hours of assistance including one walk through up to the task budget.

## Task 7.9 – Conformed Documents and Record Drawings

BC will provide up to 8 hours of assistance in developing conformed documents and specifications, and 20 hours of assistance in developing record drawings. Record drawings shall be developed from comments on drawings provided by the Contractor and Construction Manager. The comments shall not be field verified by BC. Deliverables will be provided in Adobe PDF format; hard copies will not be provided.

## Task 7.10 – Project Management (ESDC Phase)

This task assumes the ESDC phase of the project will be 6 months. BC will provide project management services during the construction phase, including the following:

- Prepare a project schedule with milestones (baseline and monthly updates).
- Monitor project budget for effort versus progress and keep the City informed of the status. Identify and mitigate potential overruns in a timely manner.
- BC will participate in up to six (6) phone calls with the City's Project Manager to review progress and discuss and resolve issues. Project coordination activities will be performed up to the limit of the task budget (assumed BC's Project Manager and one key staff to attend via phone). It is assumed that BC will prepare agenda and meeting minutes.
- Preparation and implementation of a field work safety plan.
- Preparation and submission of monthly invoices and monthly progress reports (standard BC format).
- QC of all ESDC deliverables, including RFI responses, submittal reviews, DCMs, conformed drawings, and record drawings.

## General Assumptions

### Budget & Schedule

BC will complete the forgoing tasks within 1 year of receiving authorization to proceed from the City. BC has assumed a 6 month design period and a 6 month construction period. A draft schedule is outlined in Appendix A. It should be noted that although the schedule below is proposed, much of this scope of work is dependent upon timely receipt of the City's review comments. BC assumed a review period of 2 weeks for the review of each project deliverable. The project durations assume that all required information from the City is readily available to BC at NTP and at the listed subsequent project meetings.

The estimated cost to provide this scope of work is shown in Table 2 on the next page. A detailed estimated proposal budget is attached. Work will be billed on a time and expense basis using BC's hourly rates in effect at the time services are performed. At BC's discretion, BC may reallocate budget between the tasks as necessary to complete the scope of work.

**Table 2. Budget Summary**

<b>Phase</b>	<b>Task Title</b>	<b>Total Labor Hours</b>	<b>Total Effort (\$)</b>
1	Site Visit & Basis of Design	96	18,919
2	50% Design Submittal	314	61,115
3	90% Design Submittal	265	47,969
4	Bid Documents	75	14,877
5	Bid Period Services	24	8,680
6	Project Management (Design & Bid Phase)	154	34,008
SUBTOTAL			185,569
7	Engineering Services During Construction	443	117,358
TOTAL		1,371	302,928



## EXHIBIT D: INSURANCE REQUIREMENTS

**A. CERTIFICATE REQUIREMENTS**

The City will be issued a Certificate of Insurance (a Memorandum of Understanding will not be accepted) with the following minimum requirements:

- Certificate(s) will show current policy number(s) and effective dates,
- Coverage and policy limits will meet, or exceed, requirements below,
- The Certificate Holder will be City of Santa Cruz, Risk Management, 877 Cedar St., Suite 100, Santa Cruz, CA 95060,
- Certificate will be signed by an authorized representative,
- An endorsement will be provided to show the City, its officers, officials, employees, and volunteers as additional insureds.

**B. MINIMUM SCOPE AND LIMITS OF INSURANCE**

Consultant acknowledges that the insurance coverage and policy limits set forth in this section constitute the minimum amount of coverage required. The City will be entitled to coverage for the highest limits maintained by Consultant. Coverage will be at least as broad as:

- **COMMERCIAL GENERAL LIABILITY (CGL): \$1,000,000 PER OCCURRENCE**  
Proof of coverage for \$1 Million per occurrence including products and completed operations, property damage, bodily injury, personal and advertising injury will be provided on Insurance Services Office (ISO) Form CG 00 01 covering CGL. If a general aggregate limit applies, either the general aggregate limit will apply separately to this project/location or the general aggregate limit will be at least twice the required occurrence limit.
- **PROFESSIONAL LIABILITY (ERRORS AND OMISSIONS): \$2,000,000 PER OCCURRENCE OR CLAIM, \$2,000,000 AGGREGATE.**  
Consultant will maintain insurance appropriate to Consultant's profession; with limit no less than \$2,000,000 per occurrence or claim, \$2,000,000 aggregate. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after date of completion of the services under this Agreement. If coverage is canceled or non-renewed and not replaced with another claims-made policy form with a Retroactive Date prior to the contract effective date or start of work date, Consultant must purchase "extended reporting" coverage for a minimum of five (5) years after completion of contract work.
- **AUTOMOBILE LIABILITY:**  
Proof of coverage for \$1,000,000 provided on ISO Form Number CA 00 01 covering any auto (Code 1), or if Consultant has no owned autos, hired, (Code 8) and non-owned autos (Code 9), per accident for bodily injury and property damage.
- **WORKERS' COMPENSATION AS REQUIRED BY THE STATE OF CALIFORNIA, WITH STATUTORY LIMITS, AND EMPLOYER'S LIABILITY INSURANCE: \$1,000,000 per accident for bodily injury or disease. **Must include a waiver of subrogation.****

**C. OTHER INSURANCE PROVISIONS**

The insurance policies are to contain, or be endorsed to contain, the following provisions:

- **ADDITIONAL INSURED STATUS**  
The City, its officers, officials, employees and volunteers are to be covered as additional insureds on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of Consultant including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage will be provided in the form of an endorsement to Consultant's insurance at

least as broad as ISO Form CG 20 10 11 85, or if not available, through the addition of both CG 20 10 and CG 20 37 (if a later edition is used).

- **PRIMARY COVERAGE**  
For any claims related to this agreement, Consultant's insurance coverage will be **primary** insurance as respects the City, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers will be excess of Consultant's insurance and will not contribute with it.
- **NOTICE OF CANCELLATION**  
Each insurance policy required above shall state that the coverage shall not be canceled, except with notice to the City.
- **WAIVER OF SUBROGATION**  
Except for Professional Liability, Consultant hereby grants to the City a waiver of any right to subrogation which any insurer of said Consultant may acquire against the City by virtue of the payment of any loss, including attorney's fees under such insurance. Consultant agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer. The Worker's Compensation policy will be endorsed with a waiver of subrogation in favor of the City for all work performed by the Consultant and its employees.
- **DEDUCTIBLES AND SELF-INSURED RETENTIONS**  
Any deductibles or self-insured retentions must be declared to and approved by the City. City may require Consultant to purchase coverage with a lower retention or provide proof of ability to pay losses and related expenses. The policy language shall provide, or be endorsed to provide, that the self-insured retention may be satisfied by either the named insured or City.
- **ACCEPTABILITY OF INSURERS**  
Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the City.
- **CLAIMS MADE POLICIES**  
If any of the required policies provide coverage on a claims-made basis:
  1. The Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work.
  2. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the contract of work.
  3. If coverage is canceled or non-renewed, and not *replaced with another claims-made policy form with a Retroactive Date* prior to the contract effective date, the Consultant must purchase "extended reporting" coverage for a minimum of *five (5)* years after completion of contract work.
- **VERIFICATION OF COVERAGE**  
Consultant will furnish the City with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the City before work commences. However, failure to obtain the required documents prior to the work beginning will not waive the Consultant's obligation to provide them. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time. Information may be redacted in the policies specific to listed additional insured, other than the City and policy premiums.

**D. SUBCONTRACTORS**

Consultant shall require that all subcontractors maintain insurance meeting all the requirements stated herein, including naming the City as an additional insured on insurance required from subcontractors.

**E. SPECIAL RISKS/CIRCUMSTANCES**

City reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.



## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Public Works

SUBJECT: Sewer Lateral Rebate Incentive Program – Budget Adjustment (PW)

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**RECOMMENDATION:** Resolution amending the FY 2020 budget and appropriating funds in the amount of \$60,000 to cover eligible costs and revenue for the Sewer Lateral Incentive Rebate program.

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**BACKGROUND:** In order to protect the environment and local waterways from bacteria-laden human waste coming from undetected sewer leaks or sanitary sewer spills, the City Council adopted changes to the Sanitary Sewer System Ordinance on June 26, 2018.

The Sanitary Sewer System Ordinance:

- Requires property owners to immediately address Sanitary Sewer Overflows by inspecting and repairing broken laterals in a timely fashion.
- Requires property owners to have their sewer laterals inspected prior to the sale of a property and make repairs to substandard laterals.
- Requires operators of private sewer systems to periodically clean and inspect their systems.

As part of the Sanitary Sewer System Ordinance, the incentive program for sewer lateral improvements was created to lower the financial barriers to compliance with the ordinance. The incentive program provides a monetary incentive to encourage property owners to make repairs to their sewer laterals. A rebate of up to \$1,400 can be claimed by property owners who repair or replace their sewer laterals. In most cases, this rebate amounts to about 10% of the cost of repairs. Additionally, the permit/inspection fee for most sewer repair permits is waived.

**DISCUSSION:** The incentive program for sewer lateral improvements has become very popular since its inception. Over 190 rebates have been issued and inspection fees have been waived for over 500 sewer repair permits since the start of the program.

Each sewer lateral repair is inspected by the Public Works inspector to ensure the repaired lateral meets City standards. Money is transferred from the Wastewater Enterprise Fund to the General Fund to cover the cost of these inspection services.

The program was initially funded with \$200,000 for FY 2019 and was reauthorized in the same amount for FY 2020. The permit/inspection fee for sewer repairs has increased to \$423, up from

\$392 at the start of the program. Additional funding is now needed to compensate for the fee increases and the popularity of the program.

FISCAL IMPACT: A \$60,000 increase from Wastewater funding is needed to reimburse the General Fund for permit inspection fees, and to allow Public Works to continue providing rebates through the end of FY 2020. This budget adjustment will be funded by the Wastewater Fund balance. There is a positive impact to the General Fund.

Prepared by:  
Steve Wolfman  
Senior Civil Engineer

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"/> Successor Agency .....	Resolution No. _____
<input type="radio"/> Administrative Approval	

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

TO: FINANCE DIRECTOR  
FROM: Public Works

DATE: 06/02/2020

<u>ACCOUNT</u>	<b>REVENUE</b> EDEN ACCOUNT TITLE	
101-40-62-4102-42421	Sewer lateral work-new development	60,000
<b>TOTAL REVENUE</b>		60,000

<u>ACCOUNT</u>	<b>EXPENDITURE</b> EDEN ACCOUNT TITLE	
721-40-61-7202-56998	Priv sewer lateral imprvmt Incntv rebate	60,000
<b>TOTAL EXPENDITURE</b>		60,000

**NET: \$** \_\_\_\_\_ **0**

Purpose:

Customers are not originally billed for inspection costs related to sewer lateral upgrades. The inspections are performed by the Public Works inspector in the Engineering division. To fully distribute all necessary sewer lateral improvement incentive rebates and pay back the general fund, a budget adjustment is required.

REQUESTED BY	DEPARTMENT HEAD APPROVAL	ACCOUNTING APPROVAL	FINANCE DIRECTOR APPROVAL	CITY MANAGER APPROVAL
Christina Alberti <small>Digitally signed by Christina Alberti DN: cn=Christina Alberti, o=City of Santa Cruz, ou=Public Works, email=calberti@cityofsantacruz.com, c=US Date: 2020.06.02 11:20:14 -0700'</small>	Mark Dettle <small>Digitally signed by Mark Dettle Date: 2020.06.09 10:09:32 -0700'</small>	Tracy Cole <small>Digitally signed by Tracy Cole Date: 2020.06.09 16:08:34 -0700'</small>	Cheryl Fyfe <small>Digitally signed by Cheryl Fyfe DN: cn=Cheryl Fyfe, o=City of Santa Cruz, ou=Finance Department, email=cfyfe@cityofsantacruz.com, c=US Date: 2020.06.10 09:49:06 -0700'</small>	
06/02/20	06/09/20	06/09/20		



## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Public Works

SUBJECT: Consulting Engineering Services for the Resource Recovery Facility –  
Contract Amendment No. 2 (PW)

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**RECOMMENDATION:** Motion to approve Contract Amendment No. 2 with EKI Environment & Water, Inc. (formerly Erler & Kalinowski Inc) for engineering and design services necessary for stormwater compliance at the Resource Recovery Facility in the amount of \$442,000 and authorize the City Manager to execute the amendment in a form acceptable to the City Attorney contingent on approval of the FY 2021 Refuse Fund Capital Investment Fund.

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**BACKGROUND:** In November 2017, the City and EKI Environment & Water, Inc. (formerly Erler & Kalinowski Inc) entered into a contract for engineering services at the Resource Recovery Facility (RRF), providing consultant services and technical support in evaluating existing onsite stormwater control measures, developing a long-term strategic plan for stormwater management, and implementing the State's stormwater permit requirements.

On August 13, 2019, City Council authorized the City Manager to execute Contract Amendment No. 1 for the planning and design of stormwater infrastructure improvements, ongoing engineering support for the stormwater permit requirements and construction planning.

**DISCUSSION:** Based on the previous contract amendment, City staff and EKI performed the necessary site investigations and data analysis to determine appropriate design parameters to evaluate stormwater storage and treatment options for the RRF. One of the drainage areas of focus is the recycling center and yard (also known as a Materials Recycling Facility or MRF). After conducting a feasibility study to evaluate various options to address the MRF stormwater runoff, EKI recommended the installation of an underground stormwater detention basin in the RRF employee parking lot.

Contract Amendment No. 2 is now necessary for the continuation of the basin design to address construction, operational and permitting constraints, preparation of construction drawings and specifications for the completed design, and engineering support throughout the bidding and construction process. This contract amendment will also allow the ongoing support in maintaining the RRF's compliance with the State's stormwater permit requirements, including monitoring, reporting, training, site investigations and communications with regulatory agencies.

Staff recommends approval of Contract Amendment No. 2 to the Agreement with EKI in the amount of \$442,000 to fully fund the continuation of the RRF's Storm Water Compliance and Improvement Projects.

FISCAL IMPACT: The basin design and engineering support work is funded within the proposed FY 2021 Refuse Fund Capital Investment Program (CIP) project (c402111) and the ongoing consulting engineering services is funded in the Refuse Fund. There is no impact to the General Fund.

Prepared by:  
Hoi Yu  
Associate Civil Engineer

Submitted by:  
Mark R. Dettle  
Director of Public Works

Approved by:  
Martin Bernal  
City Manager

ATTACHMENTS:  
Contract Amendment No. 2

## **CONTRACT AMENDMENT NO. 2**

### **TO AGREEMENT FOR ENGINEERING SERVICES BETWEEN THE CITY OF SANTA CRUZ AND EKI ENVIRONMENT & WATER, INC. (FORMERLY ERLER & KALINOWSKI INC) FOR STORMWATER COMPLIANCE AND IMPROVEMENT PROJECT**

THIS SECOND AMENDMENT, effective as of \_\_\_\_\_, 2020 (“Contract Amendment No. 2”) to the Professional Services Agreement dated for Consulting Engineering Services for Storm Water Compliance and Improvement Project dated November 8, 2017 (“Agreement”), is made by and between the City Of Santa Cruz (“City”) and EKI Environment & Water, Inc. (“Consultant”). City and Consultant may be referred to individually as a “Party” and collectively, as the “Parties.”

#### **RECITALS**

1. On November 8, 2017, City and Consultant entered into the above-reference Agreement for the Resource Recovery Facility, incorporated herein by reference.
2. On August 19, 2019, the Agreement for consulting engineering services was amended by Contract Amendment No. 1 to increase the contract in the amount of \$175,000 to allow the continuation of planning and design of stormwater infrastructure for the Resource Recovery Facility, evaluation of onsite drainage conditions, and technical support in meeting the State’s stormwater permit requirements.
3. Contract Amendment No. 2 is now necessary to fully fund the engineering support services required to complete the design and construction of a stormwater detention basin at the Resource Recovery Facility and continue ongoing consulting engineering services to maintaining the facility’s compliance with the State’s stormwater permit requirements.

#### **AGREEMENT**

NOW, THEREFORE, it is agreed between the Parties to incorporate the above Recitals hereto, and that the Agreement is hereby amended as follows:

1. In consideration of the mutual covenant of the Parties thereto, the Agreement is amended as follows:

Section 4, Fees and Payment of the Agreement is hereby amended to add the payments in the amount of \$442,000 as set forth in Attachment 1 “Consulting Engineering Services Associated with Design of a Stormwater Detention Basin and Stormwater Compliance – May 2020 to June 2021” hereunto attached and made a part hereof of this amendment to the agreement.

2. Notwithstanding these amended terms of the original Agreement by this Contract Amendment No. 2, all other applicable terms and conditions of the original Agreement and Contract Amendment No. 1 shall remain in full force and effect. The terms of this Contract Amendment No. 2 shall control if any conflict exists.

3. Each party acknowledges that it has reviewed this Contract Amendment No. 2 and that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Contract Amendment No. 2.
4. The parties may execute this Contract Amendment No. 2 in two or more counterparts, which shall, in the aggregate, be deemed an original but all of which, together, shall constitute one and the same instrument. A scanned, electronic, facsimile or other copy of a party's signature shall be accepted and valid as an original.
5. The signatories to this Contract Amendment No. 2 warrant and represent that each is authorized to execute this Contract Amendment No. 2 and that their respective signatures serve to legally obligate their respective representatives, agents, successors and assigns to comply with the provisions of this Contract Amendment No. 2.

**IN WITNESS WHEREOF**, the Parties hereto have executed this Contract Amendment No. 2 on the dates indicated below.

CITY OF SANTA CRUZ

EKI ENVIRONMENTAL & WATER, INC.

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Approved as to Form: \_\_\_\_\_

ANTHONY P. CONDOTTI  
CITY ATTORNEY

## Attachment 1

### CONSULTING ENGINEERING SERVICES ASSOCIATED WITH DESIGN OF A STORMWATER DETENTION BASIN AND STORMWATER COMPLIANCE – MAY 2020 TO JUNE 2021

This Work Authorization summarizes the consulting engineering services to be provided by EKI Environment & Water, Inc. (EKI) on behalf of the City of Santa Cruz (City or Client) associated with (1) preparation of design documents for a stormwater detention basin and pump station and (2) general stormwater compliance activities through June 2021. These services provided (Project) are intended to comply with the requirements of the California Industrial General Stormwater Permit Order 2014-0057-DWQ, amended by Order 2015-0122-DWQ (General Permit) at the City's Landfill/Resource Recovery Facility (Facility) located at 605 Dimeo Lane in Santa Cruz, California.

In June 2019, the City submitted to the Regional Water Quality Control Board (Water Board) a Level 2 Revised Action Plan (Action Plan) which requested a three-year extension to submit a Level 2 Exceedance Response Action (ERA) Technical Report. The Water Board granted the extension request on 1 July 2019. According to the approved Action Plan, the City must submit a Milestone Report to the Water Board by 1 June 2020 documenting completion of design of the selected approach for addressing stormwater runoff from the Materials Recycling Facility (MRF).

In order to further develop the proposed Exceedance Response Action, EKI conducted a feasibility study to evaluate alternatives for the MRF stormwater. Based on that evaluation, the City requested that EKI prepare design documents for the proposed stormwater detention basin and pump station that are appropriate for public bidding. To meet the Water Board 1 June 2020 milestone requirement, EKI proposes to fast track the preparation of a Preliminary Design Report (PDR) and 30% level design drawings prior to that date. In coordination with City review and comment, EKI will move forward with completing the full design documents.

EKI's proposed scope, schedule, and budget to commence work on the MRF stormwater detention basin are described in Tasks 1 through 7 of the Scope of Services below. EKI will retain TJC and Associates, Inc. (TJCAA) and Geo-Logic Associates (Geo-Logic) as subconsultants to perform certain tasks identified herein.

EKI will also continue to provide the City with ongoing support in maintaining the Facility's compliance with the General Permit requirements, including monitoring, reporting, training, SWPPP updates, site investigations, and communications with regulatory agencies. These regulatory support activities are intended to cover the time period of May 2020 through June 2021, and are described in Tasks 8 through 12 of the Scope of Services below.

The scope of work described in this Work Authorization will be tracked on new EKI Project No. B70095.04.

### SCOPE OF SERVICES

Task descriptions and assumptions are described below. Tasks related to the design and construction of the proposed stormwater detention basin are presented in Tasks 1 through 7. Tasks related to the

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DESIGN OF A STORMWATER DETENTION BASIN AND STORMWATER COMPLIANCE

ongoing support of stormwater compliance with the Facility's General Permit coverage are presented in Tasks 8 through 12.

**Stormwater Detention Basin Design and Construction Tasks**

**Task 1: Project Coordination for Design, Bidding, and Construction Support**

EKI will perform project administration and coordination tasks, which include the following.

- **Basin Concept Development**: EKl will prepare up to three alternate conceptual detention basin configurations for discussion during the kickoff meeting. These configurations consider various constraints including, but not limited to, access to the landfill maintenance building, access to the roadway to the leachate collection plant, and required setback from the edge of the nearby hillside. EKl assumes one of these configurations will be selected by the City at the design kickoff meeting as the selected configuration for further development in the Preliminary Design Report (Task 3) and detailed design (Task 4).
- **Meetings**: EKl will conduct the following meetings during the design phase of the Project (meetings related to bidding and construction are included in Tasks 6 and 7):
  - *Kick-off Meeting/Concept Review Workshop*: Upon receipt of a written Notice to Proceed from the City, EKl will prepare for, attend, and facilitate a kick-off conference call with the City's staff to review the project scope, schedule, and anticipated deliverables. Additionally, EKl, City engineering, and City operations staff will discuss the initial Project concept to establish Project objectives and City preferences. Decisions made at this Concept Review Workshop will serve as the basis for initiating the preliminary design described in Task 2.
  - *Design Review Workshops*: EKl will prepare for, attend, and facilitate design review workshops with the City at the PDR, 65%, 90%, and 100% design milestones. In our experience, a meeting between the design engineer and the client to review the submittal allows the design engineer to respond immediately to the client's questions and comments, typically resulting in fewer review comments on future submittals.

For each meeting, EKl will prepare agendas and compile meeting minutes to memorialize findings and decisions.

- **Budget Monitoring**: EKl will update the City of ongoing expenditures as part of our regular monthly billings. The Project Manager will prepare a Progress Summary Report with each invoice that summarizes progress made during the billing period. The report will be accompanied by a table summarizing current and cumulative project expenditures, total approved budget, and budget remaining. Invoicing will be coordinated with stormwater compliance invoicing in Task 12.
- **General Project Communication and Administration**: EKl's Project Manager will participate in periodic status calls or emails to the City's Project Manager to provide progress updates and discuss issues and interim findings.

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- QA/QC: EKI will also implement quality assurance and quality control (QA/QC) during the Project. As part of our QA/QC tasks, we will conduct an internal Concept and Criteria Review (C&CR) at an early stage of the design process. The C&CR is an important quality control tool that gives the team an early opportunity to review the project concepts with experienced design and construction staff. Costs for QA/QC, including the C&CR, are included in the subsequent tasks.

For the purpose of preparing this Scope of Work, EKI has assumed that this City will coordinate and prepare meeting materials for any public outreach meetings for the project and EKI's assistance in preparation for or attendance at such meetings will not be needed. Should the City desire EKI's assistance, such services can be provided associated with a commensurate adjustment of the scope and budget.

Deliverables: Electronic copies of the project schedule and meeting agendas and minutes (provided within 5 days after the meeting has occurred).

### **Task 2: Site Investigation and Data Collection**

Due to the current COVID-19 public health crisis, EKI and its subconsultants may not be able to perform the site investigations described below prior to preparing the Preliminary Design Report and 30% design drawings (Task 3). However, EKI is familiar with the site and has adequate site-specific information (such as a site survey and record drawings) to proceed with these aspects of design to meet the Water Board deadline (as described above). Prior to detailed design, our team will perform a site investigation and data collection and review to support the design. Specific site investigation and data collection tasks are as follows:

- Record Drawing Data Review: EKI has previously received and reviewed record drawings and other information for the existing landfill facilities and utilities. If additional record drawings are available, EKI will review available documents.
- Site Visit: Engineers from EKI and its electrical and structural engineering subconsultant, TJCAA, will attend a joint site visit to perform a visual inspection of the Site to evaluate existing conditions. To reduce number of site visits, EKI assumes that the site visit would take place when either the utility locating or geotechnical investigation are taking place.
- Utility Locating: EKI will retain a subcontractor to perform potholing of select utilities. EKI assumes that up to five potholes will be performed. Based on the existing site survey and discussions with the City, EKI assumes that there are no utilities in the preliminary storm water basin area that cannot be relocated. Any redesign or additional utility locating resulting from utilities discovered after potholing is complete may require additional budget to complete. Therefore, EKI is including utility locating within the basin area.
- Surveying: The City has previously provided EKI with a topographical site survey that will be used as the basis for existing conditions at the Site. Pothole locations will be field located by EKI staff using a Trimble R10 GPS unit and added to the existing survey file.

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- Geotechnical Investigation: EKI's geotechnical subconsultant, Geo-Logic Associates, will perform a geotechnical investigation and prepare a report that summarizes the nature and extent of the underlying soil and provide recommendations for detention basin construction (including potential for rock that may be encountered), shoring, and differential settlement for piping design. We assume that one (1) geotechnical boring will be required and one draft and final geotechnical report will be prepared for the Project.

Deliverables: An electronic copy (PDF) of the draft and final geotechnical report.

Assumptions: Geotechnical Engineer will use the 2019 California Building Code as the basis for developing recommendations.

### Task 3: Preliminary Design Report

As discussed in Task 1, the EKI Team will convene a Concept Review Workshop with the City engineering and operations staff to establish project objectives and City preferences. Decisions made at this Concept Review Workshop will serve as the basis for initiating the preliminary design.

We propose the following tasks and evaluations, which will be presented in the Preliminary Design Report (PDR):

- Basin Sizing, Orientation, and Configuration: EKI will verify and optimize the basin size, orientation, and configuration based on the volume of the 85<sup>th</sup> percentile 24-hour storm, basin manufacturer's (assumed to be Contech) guidelines, and site location constraints.
- Pump Design Criteria: EKI will develop pumping capacity criteria based on the hydraulics of the sanitary sewer manhole and leachate pipeline that will receive the stormwater. Cut sheets for a pre-packaged pump station will be included in PDR.
- Initial PG&E Coordination: EKI will begin discussions with Pacific Gas & Electric (PG&E) to determine the capacity of the existing service. EKI assumes that the existing service is adequate to meet the power requirements of the proposed pump station; however, if that is not the case EKI will promptly inform the City. EKI has assumed that any permit application development or other fees will be prepared by the City as well as billed to and paid for by the City.
- Drawings: EKI anticipates developing the following PDR-level (i.e., 30% design level) drawings based on the results of the Project Kickoff and Concept Review Workshop:
  - General sheets (title, notes, abbreviations, design criteria),
  - A process flow diagram,
  - A site layout plan,
  - A yard piping plan,
  - Basin cross section, and
  - A single line electrical diagram.
- Sequence of Construction: As part of developing the PDR, EKI will consider potential construction sequencing strategies that (1) keeps the leachate line in service during construction, (2) maintains access to the maintenance building during construction, and 3) limits impacts to landfill operations.

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- Additional PDR Tasks: EKI will also provide the following as part of the PDR:
  - A narrative of the proposed pump station operation.
  - A narrative of the proposed SCADA inputs and outputs and how the design will accommodate future SCADA improvements.
  - A list of preferred suppliers for major equipment.
  - A preliminary opinion of probable capital costs (OPC) of the proposed Project.

As discussed and included in Task 1, EKI will complete the C&CR in this task and will prepare for, attend, and facilitate a PDR Review Meeting with City engineering and operations staff after submitting the PDR. As part of this task, EKI will submit one draft and one final PDR to the City.

EKI understands that the drawings and the project concept presented in the PDR will be used by the City to apply for relevant permits. Any adjustments to the 30% design drawings that are requested by permitting agencies will be performed in the permitting assistance task (Task 5). The PDR will also be the basis of the 1 June 2020 Milestone Report to the Water Board.

Deliverables: An electronic copy (PDF) of the PDR.

#### **Task 4: Detailed Design**

The detailed design tasks include preparation of 65%, 95%, and 100% design submittals. For each submittal, EKI will prepare Contract Drawings, Specifications, and an OPC. Following the PDR Review Meeting and each Design Review Meeting (see Task 1), EKI will prepare and maintain a log of significant City comments and document how each comment has been addressed in the subsequent design submittal.

Descriptions of the anticipated Contract Drawings and Specifications and Subtasks 4a through 4c for each design submittal are included below.

#### Contract Drawings

EKI will prepare construction drawings in AutoCAD version 2017 using EKI's standard title/border sheets. In general, the contract drawings for the Project will include the following:

- General design drawings establishing and documenting the Project location, drawing list, and contractor laydown areas;
- Civil design consisting of site plans, pipeline plans, tie-in connection details, and miscellaneous civil and storm drain details;
- Structural design consisting of plans, sections, elevations, details associated with the headwall structure located at the stormwater detention basin overflow pipeline;
- Mechanical design including plans, sections, and details for the stormwater detention basin, pump station and associated mechanical equipment;
- Electrical design including plans, details, single line diagram, schedules, block; and
- City standard design details, as pertinent.

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The anticipated list of construction drawings for the Project is presented in the table below.

SHEET	TITLE	SHEET	TITLE
G-1	Title Sheet, Vicinity Map, Location Map & Drawing List	GS-1	General Structural Notes
G-2	Abbreviations and General Notes	GS-2	General Structural Notes and Special Inspection
G-3	Design Criteria, Piping Notes, Symbols, & Schedule	GS-3	General Structural Notes and Abbreviations
G-4	Process Flow Diagram	GS-4	Standard Structural Details
C-1	Existing Site Plan and Demolition Plan	S-1	Headwall Plans and Sections
C-2	Proposed Site Plan	GE-1	Electrical Legend and Abbreviations
C-3	Yard Piping Plan	GE-2	Electrical Standard Details
C-4	Civil Details 1	E-1	Single Line Diagram, Load Calculation, and Grounding Schematic
C-5	Civil Details 2	E-2	Lift Station Area Power and Lighting Plan
M-1	Basin Plan and Section	E-3	Lift Station Control Schematic
M-2	Pumping Manhole Plan and Profile	E-4	Electrical Schedules
M-3	Mechanical Details 1	E-5	SCADA System I/O List and Interconnection Diagram

Front End and Technical Specifications

EKI will prepare the specifications utilizing the City’s standard general conditions and front-end specifications. EKI will review pertinent City-supplied front-end specifications and develop supplemental general conditions for the Project based on Engineers Joint Contract Development Committee (EJCDC) general conditions.

Additionally, EKI will develop technical specifications using the Construction Specifications Institute (CSI) 5-digit format.

**Subtask 4A – 65% Design**

Following completion of the PDR Review Meeting, and site investigations (Task 2), EKI will incorporate the City’s review comments and prepare the 65% Design Submittal. Proceeding with the 65% design assumes that the geotechnical investigation confirms that excavation costs for the stormwater detention basin will be reasonable and similar to previously prepared preliminary cost estimates. If the geotechnical investigation reveals that excavation costs will be significantly more than previously estimated, the City may decide to revisit the preliminary design to reduce construction costs. Should the City desire to revisit the preliminary design, such services are not included in this work

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authorization, but can be provided with a commensurate adjustment of the scope and budget. The 65% Design Submittal will update the 30% design submittal included in the PDR and will include:

- Updated design drawings
- Front end and technical specifications
- Updated OPC
- Responses to the City comments on the PDR and 30% design.

EKI will attend the 65% Design Review Workshop and document all comments from the City.

Deliverables: EKl will submit the 65% Design submittal electronically via PDF for the City's review.

**Subtask 4B – 95% Design**

Following completion of the 65% Design Review Meeting, EKl will incorporate the City's review comments and prepare the 95% Design Submittal. EKl assumes that the revisions required in the 95% submittal will be minor and limited to the City comments from the 65% Design Submittal, including any comments from City Council or other parties. The 95% Design Submittal will be a complete set of Contract Documents ready for bid and will include:

- Updated design drawings
- Updated front end and technical specifications
- Updated OPC
- Responses to the City comments on the 65% Design

EKI will attend the 95% Design Review Workshop and document all comments from the City.

Deliverables: EKl will submit the 95% Design submittal electronically via PDF for the City's review.

**Subtask 4C – 100% (Final) Design**

Following completion of the 95% Design Review Meeting, EKl will incorporate the City's review comments and prepare the 100% (final) Design Submittal. EKl assumes that the revisions required in the 95% submittal will be minor and limited to the City comments from the 95% Design Submittal, including any comments from City Council or other parties. The 100% Design Submittal will be a complete set of signed and stamped Contract Documents ready for bid and will include:

- Updated design drawings
- Updated front end and technical specifications
- Updated OPC
- Responses to the City comments on the 95% Design

Deliverables: EKl will submit the 100% Design submittal electronically via PDF for the City's review.

**Task 5: Permitting Assistance**

EKI understands that the City will submit applications for all permits required for the project, including but not limited to a City building permit and a State or Local Coastal Commission permit. However, as

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the exact scope is not known for EKI's level of effort to support these permitting efforts, EKI is including a \$10,000 allowance for minor adjustments to the design drawings and preparation of responses to questions and comments from the permit agencies. It is anticipated that the 30% design drawings will be used to obtain a Coastal Commission permit and the 95% design submittal will be used to obtain a City building permit, if required.

**Task 6: Bid Assistance**

EKI will provide bidding support to assist the City with publicly advertising the project and managing the receipt of bids from qualified contractors to perform the anticipated Project construction work. EKI will attend and conduct a mandatory pre-bid meeting, review bids received from contractors, and will provide a recommendation to the City on selecting the lowest, responsive, responsible bidder. The City will be responsible for issuing contract documents to the contractor including the construction contract, Notice of Award, and Notice to Proceed.

Deliverables:

- Draft and Final Pre-Bid Meeting Agenda and Minutes
- Responses to Bidders Inquiries
- Prepare One Addendum
- Issue Conformed Plans & Specifications

**Task 7: Engineering Services During Construction**

EKI will provide assistance with Engineering Services During Construction (ESDC) to the City on an as-needed basis during Project construction. Note that all deliverables shall be provided in PDF format. Tasks will include:

- Preconstruction Meeting: EKI will prepare for, attend, and facilitate a preconstruction meeting with City and contractor staff. EKI will prepare draft and final meeting agenda and minutes.
- Review of Contractor Submittals and Resubmittals: The EKI Team will review and respond to contractor submittals and resubmittals. The EKI Team anticipates up to thirty-two (32) submittal reviews and up to ten (10) re-submittals (i.e., for a total of 42 submittals and resubmittals).
- Preparation of Responses to Requests for Information: The EKI Team will review and respond to contractor requests for information (RFIs). The EKI Team anticipates assisting with up to fifteen (15) RFI responses.
- Assistance with Contract Change Order Negotiations: EKI will assist the City as needed with up to one (1) contract change order (CCO) negotiations.
- Weekly Conference Calls: EKI will conduct weekly conference calls with the contractor and City during active construction. For each conference call, EKI will prepare draft and final meeting minutes. It is assumed that construction will take up to four weeks.

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- Periodic Site Visits and Inspections: EKI will make periodic visits to the Project site and provide inspections, as needed. For purposes of budgeting, EKI assumes two (2) site visits will be conducted.
- Preparation of Record Drawings: The EKI Team will prepare record drawings based on contractor redlined, as-built drawings. The EKI Team will provide one (1) draft of the record drawings to the City for review and comment. The EKI Team will incorporate one (1) round of City staff comments into the final record drawings.
- Construction Document Log: EKI will track and maintain submittal, RFI, and CCO logs.

EKI assumes the City will provide daily construction observation services; such daily onsite work is not included in EKI's scope.

**Reporting Year 2020-21 Stormwater General Permit Compliance Tasks**

**Task 8: General Stormwater Compliance**

The City must maintain compliance with the requirements of the General Permit, including requirements to submit an annual report, conduct visual observations and sampling of storm events, performing pollutant source assessments, report sampling data to the Water Board's SMARTS online portal, and conduct an annual comprehensive site compliance evaluation. EKI proposes to support the City's compliance efforts by performing the following General Permit-related compliance tasks:

- Discussion and evaluation of facility stormwater monitoring strategy related to changes to drainage areas, landfill operations, and the implementation of the General Permit amendments implemented by Order 2015-0122-DWQ, effective 1 July 2020.
- Review of up to 2 revisions of the Facility's Stormwater Pollution Prevention Plan (SWPPP) for completeness and accuracy. Each SWPPP revision will consist of one round of review comments.
- Provide backup stormwater sampling support services for storm events occurring on days that normal City staff is unable to conduct stormwater sampling. Sampling support includes sampling of all sampling locations identified in the SWPPP for up to 2 storm events. Each sampling event will be conducted by a team of two trained EKI staff members. EKI assumes the City will provide bottles and pay for analyses of samples directly; these costs are not included in this budget.
- Provide quality control review of stormwater sample laboratory analytical reports and sampling result data reported through the SMARTS online portal prior to report certification.
- Provide up to 2 sessions of Facility-specific stormwater compliance training to landfill operations. Training sessions will be led by a certified Qualified Industrial Stormwater Practitioner. It is assumed that both training sessions can be completed in one mutually agreeable date.

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- Complete the Annual Comprehensive Site Compliance Evaluation as described by the General Permit, as well as within context of the progress of the Revised Level 2 Action Plan, upon request from the City. The evaluation is expected to be completed in June 2021.
- Review the checklist and responses to be submitted for the 2019-2020 Reporting Year Annual Report prior to submittal on SMARTS.

Deliverables:

- Comments on SWPPP revision reviews;
- Signed and dated quality control review sheets for each SMARTS report entry reviewed;
- Training materials, such as Microsoft Power Point slides, and training documentation sheets;
- Sampling event and visual observation forms, completed on days EKI sampling support deploys to the Facility;
- A completed Annual Comprehensive Site Compliance Evaluation checklist, anticipated June 2020.

**Task 9: New Level 2 Action Plan Support (COD and pH)**

EKI will support with the Level 2 Exceedance Response Action activities for the Chemical Oxygen Demand (COD) and pH parameters if the end of reporting year stormwater sampling results for the parameters results in an exceedance of the Numeric Action Levels (NALs) described in the General Permit.

The anticipated work associated with Task 9 consists of the following:

- Investigation into the potential industrial, non-industrial, and natural background sources of COD and pH.
- Preparation of a Level 2 ERA Action Plan for the COD and pH.
- Based on the outcome of the site visit and investigation, EKI will recommend additional BMPs to address the NAL exceedance.

If both COD and pH results exceed General Permit NALs, EKI will prepare a single combined Level 2 ERA Report for both parameters.

Deliverables: A Level 2 ERA Action Plan uploaded to SMARTS by 1 January 2021.

**Task 10: Existing Level 2 Action Plan Support (TSS, Zn, Fe, Al, and Cd)**

EKI will continue supporting the implementation of the tasks described in the Level 2 Revised Action Plan.

The anticipated work associated with Task 10 consists of the following:

- Preparation and submittal to the Water Board of a Level 2 Milestone Report due 1 June 2020 describing the design of the stormwater detention basin and connection of the MRF stormwater drainage system to the sanitary sewer system.
- Review of the performance of the Cell 3A sedimentation basins and Triangle Area basins that were resized in Summer 2019. The basins will be evaluated against recorded local precipitation and EKI will assess whether the basins require further resizing based on performance.

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- Review of existing soil data and recommendations for potential need for further soil sampling to establish background levels of common soil metals.
- Review of existing sampling data to evaluate the performance of the implemented vegetated swales and recommendations for modifications and additional sampling.

Assumptions: EKI assumes that an update and revision to the Level 2 Revised Action Plan approved on 1 July 2019 will not be required.

Deliverables:

- A Level 2 Milestone Report uploaded to SMARTS by 1 June 2020;
- One memo to the City summarizing the findings and recommendations from the Level 2 ERA Revised Action Plan evaluations performed for:
  - The Cell 3A sedimentation basin and Triangle Area basin performance in Reporting Year 2019-2020;
  - Investigation into the background levels of common metals and their contribution to stormwater metals parameters; and
  - The observed performance of the upper and lower benches of the vegetated swales and recommendations on improvements to maintain swale functionality.

**Task 11: 2020 Construction Planning**

The City has construction activities planned that will take place in Summer 2020. Anticipated construction activities include the construction of a new deck to the north of Cell 3, the move of the C+D deck to the area south of Cell 3; in addition, the City is in the process of construction and operation of the food waste project. As a result of these activities, changes to the drainage patterns and new areas of industrial activity may need to be captured in the Facility's SWPPP. EKI will support the evaluation of the resultant drainage of the construction activities and assist in maintaining post-construction General Permit compliance.

The work associated with Task 11 consists of the following:

- Conduct a desktop review of the planned construction activities and recommend BMPs targeted to stormwater pollutants anticipated for the construction-affected areas.
- Conduct a one-day site visit to observe post-construction operations and drainage.
- Based on a desktop review of anticipated construction activities and site visit, EKI will identify potential new stormwater monitoring locations to represent any new industrial areas created by the construction and post-construction operations.
- Based on the outcome of the post-construction site visit, evaluate the post-construction site condition and recommend additional BMPs as applicable.
- Work with the City to review and provide comments on one round of the City's SWPPP revisions triggered by General Permit requirements and Facility changes.

Assumptions: EKI assumes that one site visit will be conducted to observe the drainage for both the C+D deck and the post-excavation area in the North Canyon.

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Deliverables: One round of SWPPP revision review comments and recommendations, anticipated October 2020.

### **Task 12: Project Management, Conference Calls, and Meetings**

EKI will participate in weekly conference calls with the City on a mutually agreeable schedule. Additionally, this task encompasses general project management activities, including tracking budgets and expenditures, preparing and submitting invoices, and other similar tasks. These project management tasks are for July 2020 through June 2021.

### **ADDITIONAL PROJECT ASSUMPTIONS**

The scope of work detailed above is based on EKI's current understanding of project requirements and is based on the following additional assumptions:

- Copies of all record drawings of the facility have been provided to EKI for reference.
- Copies of all prior geotechnical reports for the Site have been provided to EKI for reference.
- Disposal of material excavated during construction is assumed to be able to occur at the City landfill, thus no off-haul plans are included in this scope.
- Design will comply with the requirements of the 2019 California Building Code.
- Special foundations systems (e.g., piers/piles) are not required and are not included within the Scope of Work.
- Materials testing, if required, will be performed by the City.
- Basin and pumping manhole equipment/material suppliers will perform buoyancy calculations, if needed.
- Formal City or County permit review, Title 24 energy calculations, and completion of forms will not be required.
- Site security will not be required.
- No connection to backup power is anticipated.
- Monitoring of basic pump station status (running, fail) will be routed to existing City SCADA panel located in the vicinity of the new pump station. Providing new SCADA remote telemetry unit for interfacing to City SCADA system will not be required.
- Electrical equipment will consist of NEMA rated weatherproof sheet metal enclosures only. New building or walk-in enclosures will not be required.
- Upgrade of the existing electrical service will not be required.
- Performing arc-flash or other power analysis studies are not included.
- CEQA documentation is not included.

### **PROJECT SCHEDULE**

The schedule for completion of the Scope of Services shall be determined based upon a mutually agreeable schedule. EKI is prepared to commence services described upon receipt of a fully executed City task order. It is anticipated that this Scope of Services will be performed as follows:

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Task	Estimated Schedule
Task 1 - Project Administration and Coordination	April 2020 – Spring 2021
Task 2 - Site Investigation and Data Collection	Summer 2020
Task 3 - Preliminary Design Report	March 2020 – May 2020
Task 4 - Detailed Design	June 2020 – Spring 2021
Task 5 - Permitting Assistance	May 2020 – Late 2020
Task 6 - Bidding Assistance	Spring 2021
Task 7 - Engineering Services During Construction	Summer 2021
Tasks 8 – 12 - Reporting Year 2020-21 Stormwater General Permit Compliance	Ongoing – deliverable schedule described in scope

### COMPENSATION FOR CONSULTING SERVICES

Inasmuch as the exact level of effort to complete the proposed Scope of Services cannot be identified at this time, we propose that compensation for consulting services by EKI be on a time-and-expense reimbursement basis in accordance with the Schedule of Charges, dated 2 January 2020, which may be updated annually and is included as Attachment 1. Based on the Scope of Services described above, we propose a total, estimated budget of **\$442,000**, which will not be exceeded without additional authorization. The estimated budget for the individual tasks is as follows:

Task	Estimated Budget
Task 1 - Project Administration and Coordination	\$40,000
Task 2 - Site Investigation and Data Collection	\$31,000
Task 3 - Preliminary Design Report	\$34,000
Task 4a – 65% Design	\$42,000
Task 4b – 95% Design	\$31,000
Task 4c – 100% (Final) Design	\$12,000
Task 5 - Permitting Assistance	\$10,000
Task 6 - Bidding Assistance	\$10,000
Task 7 - Engineering Services During Construction	\$56,000
Task 8 - General Stormwater Compliance	\$37,000
Task 9 - New Level 2 Action Plan Support (COD and pH)	\$32,000
Task 10 - Existing Level 2 Action Plan Support (TSS, Zn, Fe, Al, and Cd)	\$43,000
Task 11 - 2020 Construction Planning	\$29,000
Task 12 - Project Management, Conference Calls, and Meetings	\$35,000
<b>Total Initial Estimated Budget</b>	<b>\$442,000</b>

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EKI and the City agree that the estimated, task-level budgets provided above are for informational purposes to help establish the total, anticipated level of effort for the Scope of Services. EKI will track work efforts by task to facilitate determining when work efforts for individual tasks have exceeded the originally anticipated level of effort. However, EKI is not responsible for achieving individual, task-level budgets.

EKI will submit with each invoice a summary of the (1) original, estimated budget, (2) current and previous expenditures, and (3) remaining budget for authorized tasks. If it becomes apparent that remaining level of effort for authorized tasks may exceed EKI's total authorized budget, EKI will inform the City.

Additional tasks beyond the Scope of Services described herein may arise, therefore the budget presented above should be considered EKI's budget based on the City's and EKI's current understanding of the Scope of Services. If additional services outside the Scope of Services are requested by the City, such services can be provided as part of subsequent work authorizations and commensurate adjustments in EKI's scope and budget.

## **ADDITIONAL TERMS AND CONDITIONS**

Work efforts included in these Scope of Services have expanded beyond those originally anticipated in the Agreement, dated 15 March 2017, between City and EKI. Accordingly, the following terms and conditions are added and incorporated into to the terms and conditions of the Agreement.

### **Hazardous Materials**

City shall furnish, or cause to be furnished to Consultant, all documents and information known to City that relate to the identity, location, quantity, nature, or characteristics of any asbestos, PCBs, or any other hazardous materials, substances or waste at, on, under or near the site. In addition, City will furnish or cause to be furnished such reports, data, studies, plans, specifications, documents and other information on surface or subsurface site conditions, e.g., underground tanks, pipelines and buried utilities, required by Consultant for proper performance of its Services. Consultant shall be entitled to rely upon the adequacy and accuracy of documents and information provided by City, City's other consultants and contractors, and other third-parties (collectively City Information) in performing the Services. Consultant assumes no responsibility or liability for the accuracy or completeness of City Information; however, Consultant will advise City if it becomes aware of an error or omission in the City Information. City Information will remain the property of the City; however, Consultant may keep a copy of all City Information for the completion of its records.

City acknowledges that Consultant and its subconsultants and subcontractors have played no part in the creation of any hazardous waste or materials, pollution sources, nuisance, or chemical or industrial disposal problems that may exist at or near the project site, and that Consultant has been retained for the sole purpose of assisting the City in assessing any problem which may exist and in assisting the City in formulating a remedial program, if such is within the Scope of Services that Consultant has assumed. City recognizes that while necessary for investigations, commonly used exploration methods, such as drilling borings or installation of monitoring wells, involve an inherent risk. These exploration methods may penetrate through contaminated material and serve as a connecting passageway between the contaminated material and an uncontaminated aquifer or groundwater, possibly inducing cross contamination. While back-filling with grout, or other means, according to currently accepted practices,

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is intended to provide a seal against such passageway, it is recognized that such a seal may be imperfect and that there is an inherent risk in drilling borings or performing other exploration methods in a hazardous waste site. Therefore, City agrees that Consultant shall have no liability for claims of cross contamination arising out of any investigation of problems at or near the project site.

The City recognizes and agrees that Consultant has assumed responsibility only for making the investigations, reports and recommendations to the City included within the Scope of Services. The responsibility for making any disclosures or reports to any third party and for the taking of corrective, remedial, or mitigation action shall be solely that of the City.

#### **Utilities and Subsurface Conflicts**

Prior to initiation of subsurface investigations, including but not limited to boreholes, probes, trenches, or subsurface sample collection, City will provide Consultant with available information, drawings, and maps regarding potential underground utilities, other potential subsurface conflicts, and overhead conflicts in the proposed areas of investigation. If City is not the property owner, City will contact the property owner and request such information. Consultant will clear the proposed investigation locations for buried utilities by obtaining the services of a utility locating company. Consultant will make reasonable efforts to identify and to avoid damage to disclosed or visually-identified utilities that may exist within the areas of investigation. Consultant, its subconsultants and subcontractors shall have no liability for damages to persons or property, including the cost to repair, which occur during investigative activities performed by Consultant, its subconsultants and subcontractors, and arise out of or relate to undisclosed, unknown, or inaccurately specified utilities or other structures.

#### **Disposal of Contaminated Material**

City understands and agrees that Consultant is not, and has no responsibility as, a generator, operator, treater, storer, transporter or disposer of hazardous materials or toxic substances found or identified at or near the project site, including investigation-derived waste. City shall undertake or arrange for handling, removal, treatment, storage, transportation, and disposal or reuse of such materials. Arrangements and final decisions regarding disposal and/or treatment of hazardous material shall be the sole responsibility of City. Consultant's responsibilities shall be limited to assisting City with its appropriate arrangements, if authorized by City.

#### **Services During Construction**

Any Services, including testing or construction observation, provided by Consultant, during construction of facilities designed by the Consultant or others, is for the purpose of reviewing the construction contractor's general compliance only with the functional provisions of the construction contract documents including project specifications and drawings. The Consultant shall not have control over, charge of, or responsibility for the construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with any construction contractors' work, nor shall the Consultant be responsible for a contractor's failure to perform the work in accordance with the requirements of the construction documents. The Consultant shall be only responsible for the Consultant's negligent acts or omissions, but shall not have control over or charge of, and shall not be responsible for, acts or omissions of contractors or of any other persons or entities performing portions of the work. City agrees that in accordance with generally accepted construction practices, the independent construction contractor(s) selected by City will be required to assume sole and complete responsibility for jobsite conditions during the course of construction of the project, including safety of

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all persons and property, and that this responsibility shall be continuous and not be limited to normal working hours. Consultant's services during construction shall not be construed to waive or otherwise relieve any contractor or subcontractor of their contractual obligations.

### Cost Estimates

Any statements of estimated construction costs or future operation and maintenance costs furnished by Consultant represent the Consultant's judgment as a design professional. However, neither City nor Consultant has control over the fluctuations in construction costs, a contractor's methods of determining bid prices, market and bidding conditions, and other factors. Accordingly, Consultant does not guarantee or warrant that the bids or negotiated prices will not vary from any estimated costs provided by Consultant or from City's budget for the project.

### ATTACHMENTS

Attachment 1: Schedule of Charges dated 2 January 2020

**Client/Address: City of Santa Cruz – Public Works**  
809 Center Street, Room 201  
Santa Cruz, CA 95060



**Proposal/Agreement Date: 2 April 2020**

**EKI Proposal/Project # B70095.04**

**SCHEDULE OF CHARGES FOR EKI ENVIRONMENT & WATER, INC.**

**2 January 2020**

<b><u>Personnel Classification</u></b>	<b><u>Hourly Rate</u></b>
Officer and Chief Engineer-Scientist	290
Principal Engineer-Scientist	280
Supervising I, Engineer-Scientist	270
Supervising II, Engineer-Scientist	260
Senior I, Engineer-Scientist	250
Senior II, Engineer-Scientist	240
Associate I, Engineer-Scientist	230
Associate II, Engineer-Scientist	215
Engineer-Scientist, Grade 1	200
Engineer-Scientist, Grade 2	188
Engineer-Scientist, Grade 3	173
Engineer-Scientist, Grade 4	154
Engineer-Scientist, Grade 5	135
Engineer-Scientist, Grade 6	119
Technician	109
Senior GIS Analyst	140
CADD Operator / GIS Analyst	124
Senior Administrative Assistant	137
Administrative Assistant	108
Secretary	89

**Direct Expenses**

Reimbursement for direct expenses, as listed below, incurred in connection with the work will be at cost plus ten percent (10%) for items such as:

- a. Maps, photographs, reproductions, printing, equipment rental, and special supplies related to the work.
- b. Consultants, soils engineers, surveyors, drillers, laboratories, and contractors.
- c. Rented vehicles, local public transportation and taxis, travel and subsistence.
- d. Special fees, insurance, permits, and licenses applicable to the work.
- e. Outside computer processing, computation, and proprietary programs purchased for the work.

A Communication charge for e-mail access, web conferencing, cellphone calls, messaging and data access, file sharing, local and long distance telephone calls and conferences, facsimile transmittals, standard delivery U.S. postage, and incidental in-house copying will be charged at a rate of 4% of labor charges. Large volume copying of project documents, e.g., bound reports for distribution or project-specific reference files, will be charged as a project expense as described above.

Reimbursement for company-owned automobiles, except trucks and four-wheel drive vehicles, used in connection with the work will be at the rate of sixty cents (\$0.60) per mile. The rate for company-owned trucks and four-wheel drive vehicles will be seventy-five cents (\$0.75) per mile. There will be an additional charge of thirty dollars (\$30.00) per day for vehicles used for field work. Reimbursement for use of personal vehicles will be at the federally allowed rate plus ten percent (10%).

CADD Computer time will be charged at twenty dollars (\$20.00) per hour. In-house material and equipment charges will be in accordance with the current rate schedule or special quotation. Excise taxes, if any, will be added as a direct expense.

Rate for professional staff for legal proceedings or as expert witnesses will be at a rate of one and one-half times the Hourly Rates specified above.

The foregoing Schedule of Charges is incorporated into the Agreement for the Services of EKI Environment & Water, Inc. and may be updated annually.

**TABLE 1**  
**Estimated Costs for Santa Cruz Landfill MRF Design and Stormwater Compliance - May 2020 to June 2021**

TASKS	Estimated Labor Hours	ESTIMATED COSTS (a) (\$)
<b>Task 1 - Project Administration and Coordination</b>	<b>172</b>	<b>\$ 40,000</b>
• Develop up to 3 alternate basin configurations	16	
• Kick-off meeting/Concept review workshop (assume conference call)	10	
• Design workshops	-	
PDR Review Workshop (Assumed to be a Conference Call)	10	
65% Design Review Workshop (Assumed to be a Conference Call)	10	
95% Design Review Workshop (Assumed to be a Conference Call)	10	
• Budget Monitoring and Monthly Progress Reporting (4 hours per month of work)	32	
• General Project Communications and Management	84	
<b>Task 2 - Site Investigation and Data Collection</b>	<b>26</b>	<b>\$ 31,000</b>
• Utility Locating and GPS Locating of Pothole Locations	13	
• Geotechnical Investigation & Report	13	
• Subdynamics Utility Locator	0	
<b>Task 3 - Preliminary Design Report and 30% Design</b>	<b>116</b>	<b>\$ 34,000</b>
• Prepare Draft PDR	56	
• Prepare Final PDR (by 1 June 2020 Milestone Report)	23	
• Prepare 30% Design Drawings (TJC Fee included in PDR line items)	37	
<b>Task 4A - 65% Design</b>	<b>123</b>	<b>\$ 42,000</b>
• Prepare 65% Design Drawings	63	
• Prepare 65% Technical Specifications (TJC Fee included in Drawings line item)	46	
• Prepare 65% Opinion of Probable Cost (TJC Fee included in Drawings line item)	14	
<b>Task 4B - 95% Design</b>	<b>91</b>	<b>\$ 31,000</b>
• Prepare 95% Design Drawings	43	
• Prepare 95% Technical Specifications and Front End (TJC Fee included in Drawings line item)	34	
• Prepare 95% Opinion of Probable Cost (TJC Fee included in Drawings line item)	14	
<b>Task 4C - 100% Design</b>	<b>29</b>	<b>\$ 12,000</b>
• Prepare 100% Design Drawings	13	
• Prepare 100% Technical Specifications and Front End (TJC Fee included in Drawings line item)	8	
• Prepare 100% Opinion of Probable Cost (TJC Fee included in Drawings line item)	8	
<b>Task 5 - Permitting Assistance</b>	<b>45</b>	<b>\$ 10,000</b>
• Allowance for Permitting Assistance	45	
<b>Task 6 - Bidding Assistance</b>	<b>35</b>	<b>\$ 10,000</b>
• Pre-Bid meeting	17	
• General responses to bidders inquiries	6	
• Prepare one addendum	7	
• Conformed Plans and Specs	5	
<b>Task 7 - Engineering Services During Construction</b>	<b>189</b>	<b>\$ 56,000</b>
• Preconstruction Meeting	11	
• Review of Contractor Submittals and Resubmittals (32 submittals and 10 resubmittals)	88	
• Preparation of Responses to Requests for Information (up to 15)	32	
• Assistance with Contract Change Order Negotiations (up to 1)	6	
• Weekly Conference Calls (up to 4)	20	
• Periodic Site Visits and Inspections (up to 2)	16	
• Preparation of Record Drawings	16	

TASKS	Estimated Labor Hours	ESTIMATED COSTS (a) (\$)	
<b>Task 8 - General Stormwater Compliance</b>	<b>160</b>	<b>\$</b>	<b>37,000</b>
• Stormwater Drainage Sampling Strategy	34		
• Lab reports, SMARTS QA/QC, and Data Table updates	22		
• Backup On-site Sampling (2x, w/ site visit)	54		
• Review of SWPPP updates (2x)	12		
• QISP Stormwater Training (w/ site visit)	16		
• Annual Site Compliance Evaluation and 2019-20 Annual Report (w/ site visit)	14		
• Communication with Water Board on compliance	8		
<b>Task 9 - New Level 2 Action Plan Support (COD and pH)</b>	<b>142</b>	<b>\$</b>	<b>32,000</b>
• COD evaluation and additional sampling planning (w/ site visit)	44		
• Level 2 Action Plan Preparation	50		
• Coordination of implementation of additional BMPs	40		
• Communication with Water Board on compliance	8		
<b>Task 10 - Existing Level 2 Action Plan Support (TSS, Zn, Fe, Al, and Cd)</b>	<b>184</b>	<b>\$</b>	<b>43,000</b>
• Level 2 Milestone Report Due 1 June 2020	44		
• Cell 3A and Triangle Area Basins performance review	30		
• Evaluation of metals contribution from landfill soils	24		
• Evaluation of the performance of the vegetated swale	28		
• Memo summarizing evaluation of Level 2 Revised Action Plan BMPs	18		
• MRF - SW coordination and communication	40		
<b>Task 11 - 2020 Construction Planning</b>	<b>130</b>	<b>\$</b>	<b>29,000</b>
• C+D Deck Stormwater (w/ site visit)	58		
• North Canyon Excavation	50		
• Food waste stormwater impacts evaluation	22		
<b>Task 12 - Project Management, Conference Calls, and Meetings</b>	<b>132</b>	<b>\$</b>	<b>35,000</b>
• Weekly Conference Calls	52		
• Coordination / Project Management Communication	50		
• Project Budget Review and Invoicing	30		
<b>Total Labor Hours:</b>	<b>1,574</b>		<b>-</b>
	Design Tasks 1-7 Subtotal:	\$	266,000
	Compliance Tasks 8-12 Subtotal:	\$	176,000
	<b>GRAND TOTAL:</b>	<b>\$</b>	<b>442,000</b>

**Notes:**

(a) Subcontractor costs have been included in Estimated Costs column.



## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Public Works

SUBJECT: San Lorenzo River Lagoon Management (c601403) – Approve Plans, Advertise for Bids and Authorize Execution and Award Contract (PW)

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**RECOMMENDATION:** Motion to approve the plans and specification for the San Lorenzo River Lagoon Management Project (c601403) and authorize staff to advertise for bids, authorize the City Manager to execute a contract in a form acceptable to the City Attorney, and authorize the Director of Public Works to execute change orders within the approved project budget.

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**BACKGROUND:** A number of factors over the past decades have increased the need to develop a comprehensive approach to better manage the flooding, environmental and public safety issues caused by high water levels in the lower San Lorenzo River when the river mouth is shoaled (closed) in the summer and fall seasons.

In the decades since the construction of the Santa Cruz Harbor entrance jetty in 1964, sand has slowly aggraded along the beaches west of the jetty to the extent that sand on both Seabright and Main beaches now reaches the end of San Lorenzo Point. This increase in sand causes the San Lorenzo River mouth to more easily and persistently shoal in the summer and fall when river flows are low, and sand accretion is accelerated by summertime wave action from southerly swells. This sand accretion eventually causes shoaling of the river mouth, and as a result, the water level in the lower river (also referred to at the lagoon when closed) begins to rise.

These high water levels cause periods of significant flooding of adjacent areas, including lower Ocean Street and Beach Flats neighborhoods, basements in the downtown area, as well as public infrastructure. Additionally, when closed, the lagoon's footprint often spreads out to the west over vast portions of Main Beach as well as under the San Lorenzo Point cave onto Seabright Beach. This is highly problematic as it makes unusable large portions of Main Beach during the summer and exacerbates area flooding. More importantly, it creates serious public safety concerns as the lagoon's stagnant waters can create unhealthy water conditions and the lagoon can easily be breached illegally, creating an extremely dangerous fast flowing river on Main Beach at times when there can be thousands of people on the beach. In addition, the lagoon cuts off emergency vehicle access from the access road under the train trestle. When the lagoon reaches extremely high levels, the City has needed to undertake emergency mechanical openings of the lagoon to allow the river to flow and reduce the river's water level. The City is obligated by regulatory agencies to then close the river to ensure the river does not empty below five feet NGVD29 in water surface level height. Due to the involvement of and requirements from four

different regulatory agencies, these opening events are complex to arrange and difficult to schedule. The openings are also quite expensive, as they require the presence of biologists, Public Works and Water Department staff, lifeguards, a geomorphologist, construction contractors and several pieces of rented heavy equipment (two excavators and a bulldozer).

Additionally, when the lagoon reaches high water levels and then breaches, the rapid dewatering of the lagoon is extremely harmful to the habitat that the lagoon provides to many species, including protected species such as juvenile steelhead salmon, and northern tidewater goby and can terminally flush these species to the ocean.

Management of the river mouth is a complex issue due to the overlay of many factors including the number of regulatory agencies involved, the dynamic natural environment, water quality concerns, the significant biological habitat, localized flooding impacts and critical public safety concerns of beach goers. To address these competing factors the City initiated creation of an Interim Management Program (IMP) in 2013 to develop a cohesive and science-based approach to managing the lagoon's water level without the frequent need for mechanical breaching. The IMP was developed by the City in partnership with the regulatory agencies who have interest in and regulatory authority over the lagoon, the river, the surrounding beach area, and the habitat provided by the lagoon. Those agencies are the California Department of Fish and Wildlife, the California Coastal Commission, the Army Corps of Engineers, and the California Regional Water Quality Control Board. The IMP and accompanying Mitigated Negative Declaration in accordance with CEQA was completed and adopted by the City Council at its meeting of June 9, 2015.

The centerpiece of the IMP is installation of a lagoon water height level control system in the form of a head-driven culvert (culvert). The culvert will allow the passive, continual slow draining of the lagoon's water and will maintain a uniform water level during the summer and fall months of 5' NGVD29 – a level which the agencies determined is protective of the habitat provided by the lagoon, but also is low enough as to prevent the majority of the flooding impacts caused by higher lagoon levels. The lagoon management actions and the culvert project received approval and permits from the four regulatory agencies in 2015 and 2016. Some of those permits are currently being revised and renewed to capture the latest project design specifications. The four permitting agencies (as well as consulting partner agencies NOAA National Marine Fisheries and U.S. Fish & Wildlife) uniformly support the culvert project and are invested in its construction, as the culvert will provide fisheries habitat condition improvements by stabilizing the water surface levels and eliminating the need for mechanical breachings of the river lagoon.

At its meeting of March 14, 2017, the Santa Cruz City Council authorized acceptance of a grant from the Wildlife Conservation Board in the amount \$459,000 to fund the San Lorenzo River Lagoon Culvert project (c601403), approved design plans for the project, and authorized staff to bid the project. Subsequently, only one qualifying bid was received, and the bid amount was \$1,464,100. This bid was unexpectedly high due to a number of reasons – primarily current construction market conditions, but also including the uniqueness of the project design and site location, as well as the high cost of some of the materials. As a result, the bid was rejected as the City could not make up the \$1,005,100 funding shortfall and the grant award had to be declined.

The City conducts a monthly project call with the six regulatory agencies in regard to this project. Upon rejection of the bid, the agencies clearly expressed their strong collective desire to see the project implemented, and requested the City to urgently pursue new grant funds sufficient

to fund the project. The City shares the agencies’ desire to implement this project and to this end the Public Works Department submitted a revised grant application to the Wildlife Conservation Board in 2018 in the amount of \$2,215,000. This grant request amount reflects project design improvements and should ensure total funding for the project, including environmental and performance monitoring of the project upon completion of construction.

At its meeting of April 4th, 2019, the Wildlife Conservation Board’s Streamflow Enhancement Program approved the grant application and awarded the City of Santa Cruz the \$2,215,000 grant. This grant award will allow for construction of the culvert project in the summer of 2021, pursuant to the environmental regulatory agencies wishes and permit conditions. At its meeting of May 14, 2019 the City Council authorized the City Manager to accept the grant. The Wildlife Conservation Board was created in 1947 to administer a capital outlay program for wildlife conservation and related public recreation and is a division of the California Department of Fish and Wildlife (CDFW).

DISCUSSION: The head-driven culvert is a lagoon water height level control system. The culvert will allow the passive, continual slow draining of the lagoon’s water and will maintain a uniform water level during the summer and fall months of 5’ NGVD29 – a level which the agencies determined is protective of the habitat provided by the lagoon, but also is low enough as to prevent the majority of the flooding impacts caused by higher lagoon levels.

Plans and specifications for the culvert are attached, as are renderings of the project area both before and after installation of the culvert. Construction is expected to take four to six weeks and will occur only on weekdays. Seven easements are required from owners of the property on East Cliff Drive above the project and those agreements are in process now. Council approved the acquisition of the easements at its November 26, 2019 meeting.

The construction schedule for the project is as follows:

July 2020.....Advertise Bid Package  
Fall 2020.....Award contract  
Late spring-summer 2021.....Construction window

FISCAL IMPACT: The project cost estimate for construction, construction management and installation is \$2,215,000. The project would be funded in full by the grant. This project is included in the approved FY 2020-2024 Capital Investment Program (CIP) San Lorenzo River Lagoon Management Project (c601403) and has been continuously present in the City’s CIP since FY 2014. There is no impact to the General Fund.

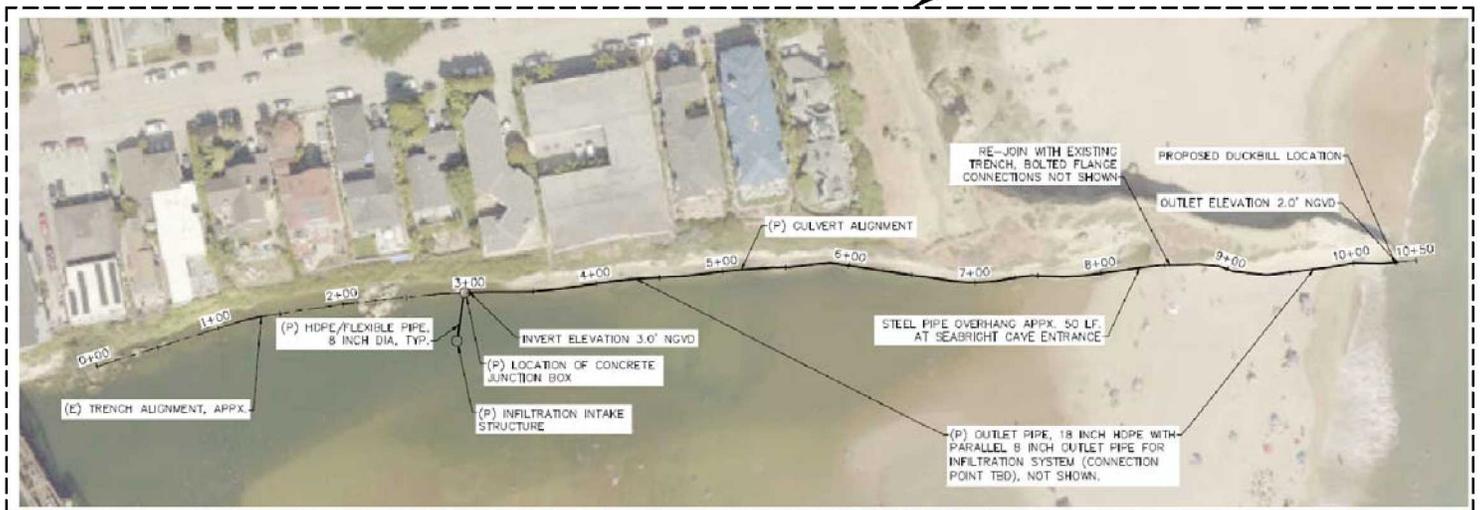
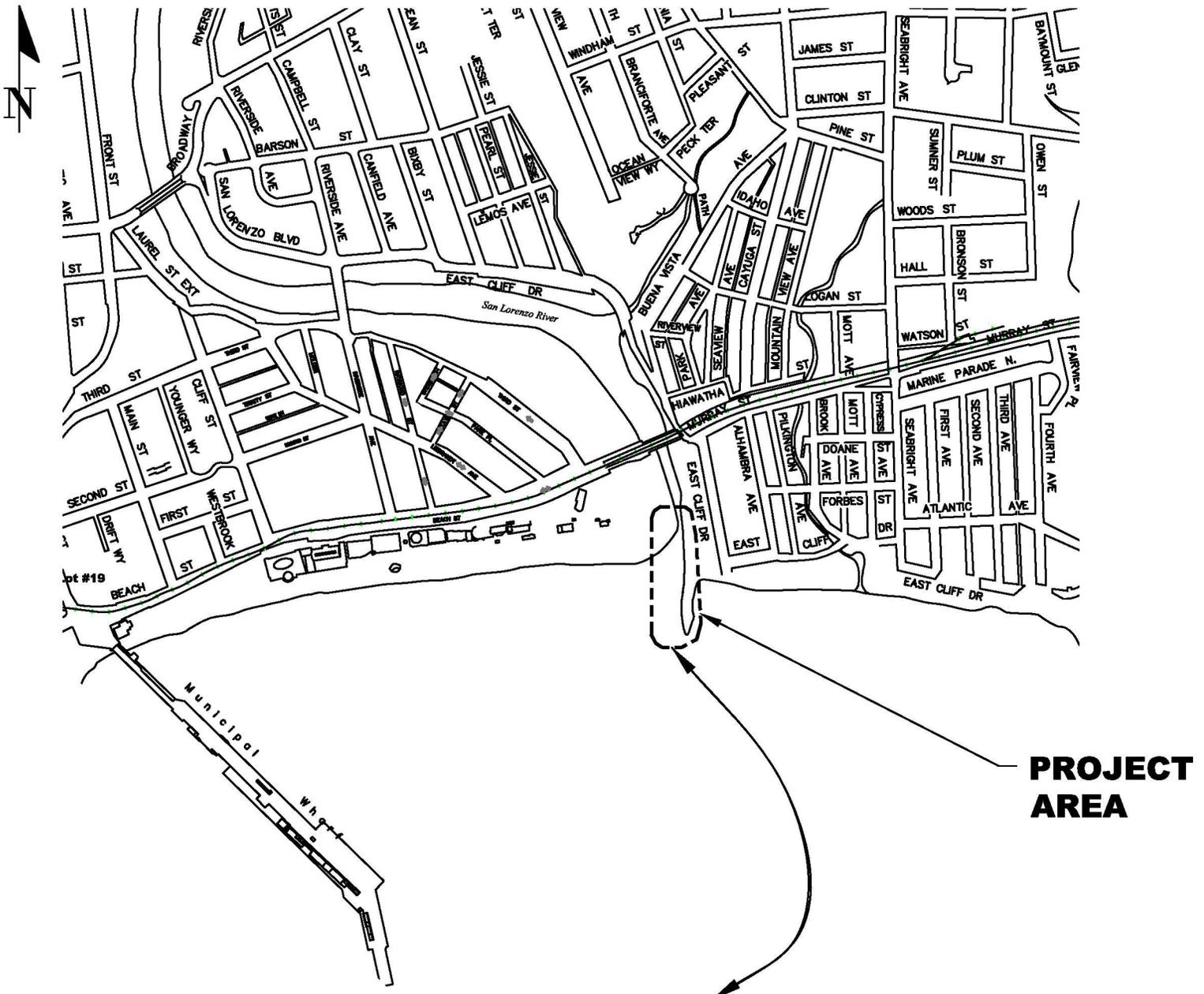
Prepared by:	Submitted by:	Approved by:
Scott Ruble	Mark R. Dettle	Martin Bernal
Principal Management Analyst	Director of Public Works	City Manager

**ATTACHMENTS:**

Project Location Map

Project Renderings

Plans and Specifications can be found at [www.cityofsantacruz.com/publicworksprojects](http://www.cityofsantacruz.com/publicworksprojects)



**Location Map**

**San Lorenzo River Lagoon Culvert**

Prepared By: Ryan Haley

1130 - 1156 East Cliff Drive  
18.4



Existing



Proposed



Existing



Proposed



Water level shown at approximately 5.0 ft (NGVD29)

Existing



Water level shown at approximately 5.0 ft (NGVD29)

Proposed



Existing



Proposed



Existing



Proposed



## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Public Works

SUBJECT: Riverside Avenue Storm Drain Improvements (c401208) – Award Contract (PW)

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**RECOMMENDATION:** Motion to authorize the City Manager to execute an agreement, in a form approved by the City Attorney, with Santa Cruz Underground and Paving (Aptos, CA) in the amount of \$151,750 to provide professional construction services for the installation of new sanitary storm drain improvements (c401208), and authorize the Public Works Director to execute change orders within the approved project budget.

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**BACKGROUND:** A Public Works consultant completed the design of the Riverside Avenue Streetscape and Undergrounding project in the beach area in 2018. The project is currently on hold, as bids last year exceeded the budget and we were not able to resolve funding conflicts with the utility companies. The Courtyard Marriott Hotel project on Riverside is under construction. A portion of the Courtyard Marriott Hotel's design for streetscape frontage improvements is dependent on the City completing the storm drain improvements designed as part of the Riverside Avenue Streetscape Undergrounding Project. Public Works staff propose completing a small section of the Riverside Avenue Streetscape and Undergrounding Project so that the hotel development will be able complete its streetscape frontage improvements which will coexist with the proposed storm drain improvement.

**DISCUSSION:** The existing storm system needs repairs and is not compatible the new development of the Courtyard Marriott Hotel. The City proposes to use Santa Cruz Underground and Paving since they are the contractor on site for the new development. Santa Cruz Underground and Paving is familiar with the current storm system, existing site conditions, and will be able to keep project construction continuity and compatibility. The contractor has already mobilized to the site which will result in cost savings for the City and reduce traffic and parking impacts to Beach Flats neighbors. Additionally, the contractor's cost proposal is consistent with bids received previously for the Riverside Avenue Streetscape Project. Staff recommends awarding the contract in the amount of \$151,750 to Santa Cruz Underground and Paving.

Section 3.08.150 of the Purchasing Ordinance allows the Purchasing Manager to award a contract without competition when there is only one source for the required item/service. The Purchasing Manager concurs with this recommendation.

FISCAL IMPACT: Funds are available in the Riverside Avenue Improvements Phase II Project (c401208) for this purchase order in the amount of \$151,750. There is no impact to the General Fund.

Prepared by:  
Curtis Busenhart  
Engineering Associate

Submitted by:  
Mark R. Dettle  
Director of Public Works

Approved by:  
Martin Bernal  
City Manager

ATTACHMENTS:  
Cost Proposal



Santa Cruz Underground and Paving Inc.

P.O. Box 699

Aptos, CA 95001-0699

Phone: (831) 722-3125

Fax: (831) 722-3127

# PROPOSAL AND CONTRACT

To: City of Santa Cruz DPW Phone: 831-420-5175  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Fax: \_\_\_\_\_

Attention: Curtis

SANTA CRUZ UNDERGROUND & PAVING, INC. ("Contractor") hereby offers to furnish all labor, materials and equipment to complete the work described below.

## PROJECT: Riverside Ave & Leibrandt Ave. Storm Improvements

(Name) (Address)  
A. **Scope of the Work:** See Scope of Work Exhibit "A", attached hereto and incorporated into this contract.

Substantial commencement of the above-described work shall be deemed to be physical performance at the jobsite.

### A. Payment. Schedule of Payments: Exhibit "A"

Total contract price to be \_\_\_\_\_

- The entire amount of the Contract is to be paid upon receipt of invoice.
- Other When \_\_\_\_\_ Amount \_\_\_\_\_

Interest will be charged at the rate of 1.5% per month on all unpaid overdue accounts.

### B. Validity:

This proposal is valid for a period of 30 days from the date of the proposal.

### C. Commencement/Completion of Work:

1. Owner shall have jobsite ready for commencement of the work of improvement no later than 30 days from the date of this contract and so notify the Contractor in writing.
2. The approximate date when work is to be completed will be determined by mutual agreement.

**D. Arbitration of Disputes:** If any dispute arises concerning the project, any provision of this contract, or any provision of a subcontract that is subject to this Contract, the dispute will be settled by arbitration held in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association in effect at the time a demand or arbitration is filed with the Association. Any party to the dispute may file, in the manner provided by the Construction Industry Arbitration Rules of the Association, a demand for arbitration. The written decision of the arbitrator or arbitrators appointed by the Association will be final and conclusive as to all parties to the dispute. If any party fails or refuses to appear or participate in the arbitration proceedings, the arbitrator(s) may decide the dispute on the evidence presented in the proceedings by the other party or parties to the dispute. The arbitrator(s) will have the power to award to any party or parties to the dispute any sums for costs, expenses, and attorneys' fees that the arbitrator(s) deem(s) proper. Judgment may be entered on the award in any court of competent jurisdiction. This provision will be binding on the Owner, Contractor, and any sub-subcontractor who signs this Contract or another contract that incorporates this Contract by reference.

**NOTICE: BY INITIALING IN THE SPACE BELOW YOU ARE AGREEING TO HAVE ANY DISPUTE ARISING OUT OF THE MATTERS INCLUDED IN THE "ARBITRATION OF DISPUTES" PROVISION DECIDED BY NEUTRAL ARBITRATION AS PROVIDED BY CALIFORNIA LAW AND YOU ARE GIVING UP ANY RIGHTS YOU MIGHT POSSESS TO HAVE THE DISPUTE LITIGATED IN A COURT OR JURY TRIAL. BY INITIALING IN THE SPACE BELOW YOU ARE GIVING UP YOUR JUDICIAL RIGHTS TO DISCOVERY AND APPEAL, UNLESS THOSE RIGHTS ARE SPECIFICALLY INCLUDED IN THE "ARBITRATION OF DISPUTES" PROVISION. IF YOU REFUSE TO SUBMIT TO ARBITRATION AFTER AGREEING TO THIS PROVISION, YOU MAY BE COMPELLED TO ARBITRATE UNDER THE AUTHORITY OF THE BUSINESS AND PROFESSIONS CODE OR OTHER APPLICABLE LAWS. YOUR AGREEMENT TO THIS ARBITRATION PROVISION IS VOLUNTARY. WE HAVE READ AND UNDERSTAND THE FOREGOING AND AGREE TO SUBMIT DISPUTES ARISING OUT OF THE MATTERS INCLUDED IN THE "ARBITRATION OF DISPUTES" PROVISION TO NEUTRAL ARBITRATION.**

\_\_\_\_\_ Owner(s) \_\_\_\_\_ Contractor

**E. Attorneys' Fees.** If any legal action or proceeding arising out of or relating to this Contract is brought by either party to this Contract, the prevailing party will be entitled to receive from the other party, in addition to any other relief that may be granted, the reasonable attorneys' fees, cost, and expenses incurred in the action or proceeding by the prevailing party.

**F. Sole and Only Agreement.** This instrument constitutes the sole and only agreement of the parties to this Contract relating to the project and correctly sets forth the rights, duties, and obligations of each to the other as of its date. Any prior agreements, promises, negotiations, or representations not expressly set forth in this Contract are of no force and effect.

**G. Incorporated.** The terms and conditions set forth in Exhibits "A" Scope of Work, Exhibit "B" Terms and Conditions, Exhibit "C" Authorized Signatures, and Exhibit "D" Notice to Owner, are expressly incorporated into this Contract by this reference.

By: \_\_\_\_\_  
Greg Nohrden Contractors License #863687  
SANTA CRUZ UNDERGROUND AND PAVING, INC.

Date: February 3, 2020

**You, the Owner (Buyer), have the right to require that your Contractor have a performance and payment bond, and the expense of the bond may be born by the Owner. You, the Owner (Buyer), may cancel this transaction at any time prior to midnight of the third business day (in the case of disaster repairs, seventh business day) after the date of this transaction, but prior to commencement of the work. See the attached Notice of Cancellation form for an explanation of this right.**

**ACCEPTANCE:** We accept the above proposal. You are authorized to perform the work described herein, and we agree to pay the stated amount in accordance with the terms set forth herein. We further accept all of the scope of work described above, terms and conditions attached as Exhibit "B" and authorized signatures attached as Exhibit "C". This Proposal (Agreement) represents the entire agreement between Buyer and the Contractor and supersedes any and all prior written or oral representations.

By: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_



## EXHIBIT "A" SCOPE OF WORK

### INCLUSIONS: Storm system improvements as per plans:

Item	Description	Quantity	Units	Price	Total
20	RIVERSIDE & LEIBRANDT TRAFFIC CONTROL	1.000	LS	\$11,900.00	\$11,900.00
21	RIVERSIDE & LEIBRANDT DEMOLITION	1.000	LS	\$29,450.00	\$29,450.00
22	18" STORM DRAIN	1.000	LS	\$16,600.00	\$16,600.00
23	DUAL 12" STORM DRAIN	1.000	LS	\$35,600.00	\$35,600.00
24	STORM MANHOLE	1.000	LS	\$6,800.00	\$6,800.00
25	DRAINAGE INLETS	1.000	LS	\$19,800.00	\$19,800.00
26	CONCRETE STREET REPLACEMENTS	1.000	LS	\$31,600.00	\$31,600.00
<b>JOB TOTAL &gt;&gt;&gt;&gt;&gt;</b>					<b>\$151,750.00</b>

### SPECIAL CONDITIONS:

1. This proposal is based on preliminary plans by Bowman & Williams sheet 3.6 , dated 1/21/2020 specifications Our price will be confirmed on receipt of approved plans and a copy of the soils report.
2. Our price is valid only for the work explicitly covered in this proposal. Additional work necessitated by conditions in the field or by requirements of the general contractor or owner not explicitly covered in our proposal will be extra.
3. This proposal is valid for 15 days.
4. Santa Cruz Underground & Paving, Inc. reserves the right to review the contract documents prior to entering into a contract. This proposal is to be included in and made part of any contract agreement.
5. Due to the volatility of liquid asphalt pricing, Santa Cruz Underground & Paving, Inc. will require reimbursement for price increases for liquid asphalt prices from its suppliers.
6. Any work requested by the owner to be performed in inclement weather or under "over-optimum" conditions will result in additional costs and will be billed on a "time and material" basis.
7. This proposal is based on completing the onsite rough grading in one single move-in. This includes all subexcavation, excavation and embankment operations required to build the project. Storm, sewer, water and fire utilities will be installed in one single mobilization. Finish grade operations for building pads and concrete pavement areas will each be constructed in one move-in respectively. Asphalt pavement subgrade, rock or asphalt paving will each be done in a single separate move-in.
8. All earthwork improvements and grades constructed will be certified and/or accepted in writing by the owner/general contractor prior to construction of subsequent improvements. Use made by other trades of our grade will constitute acceptance of our work.
9. Prices are good for all work completed by 10/31/2020. Any work completed after that date is subject to material and labor cost escalations.
10. Santa Cruz Underground & Paving, Inc. does not accept any responsibility for tracking of seal coat material onto concrete surfaces or into homes/offices by animals, children or adults.
11. This proposal is based on a 5 day workweek Monday through Friday @ 8 hours per day minimum. Any overtime work will only be performed if approved by Contractor in advance and paid as extra work.
12. All overhead power lines, utilities or other obstructions which will interfere with the operation of our equipment are to be removed or relocated by others as required by SCUPI.
13. Owner is solely responsible for locating and disclosing the location of all known & unknown subsurface conditions, utilities, appurtenances, obstructions (whether man-made or natural), or any other interference which may be encountered during the prosecution of the Work and fully indemnify and hold Contractor harmless for any damage to same unless, in the sole opinion of the Contractor, the condition, utility, appurtenance, obstruction or interference was properly marked and identified. Work within 5-feet of the building footprint is excluded.
14. Reasonable, unrestricted legal access and staging areas for equipment and material deliveries shall be provided to us, as required for our work at all times.
15. All water required for construction shall be provided to contractor at no cost
16. Contractor does not assume any responsibility or liability for any cracking or settlement of the existing utilities, buildings, pavements, curbs or any other structures which may occur during installation of the Work, or which is caused by access requirements of the equipment
17. All compaction reports and surveying information shall be promptly provided to SCUPI at no cost to SCUPI. Failure to provide compaction reports or survey information on a timely basis as determined by SCUPI may result in demobilization and assessment of a re-mobilization charge.
18. Prices as set forth herein are for the complete and entire Scope of Work.
19. Owner expressly acknowledges that Contractor is licensed and authorized to perform the work as shown herein and that Contractor is not an engineer or design consultant. Proposals made by Contractor are for the sole consideration of the Owner and the Owner's design engineer or consultant who shall be solely responsible for the determination whether said work proposed by the Contractor is, or will be adequate to satisfy the requirements of the Owner, his agents, or any governmental agency. Except as provided herein, no warranty or representation of any kind is made with respect to this proposal or any resulting Contract or Contract Modification. Warranty with respect to fitness for any purpose or use is specifically disclaimed to the fullest extent provided by law.
20. The provisions of this proposal and any resulting agreement are severable, and if any part is found to be unenforceable, the other parts shall remain in full force and effect.
21. Standby time will be charged by the hour.

### EXCLUSIONS:

1. Bonds, permits, engineering, staking, all testing, inspection fees, shop drawings, as-builts, samples.
2. Any work not explicitly included in scope descriptions.
3. Erosion control, repair or maintenance.
4. Removal or relocation of existing utilities.

## EXHIBIT "B" TERMS AND CONDITIONS

- 1. Plans, Specifications, Permits, Fees.** The project will be constructed according to plans and specifications which have been examined by the Owner and which have been or may be signed by the parties hereto. Owner will obtain and pay for all required building permits, inspection fees, soils tests, engineering, staking, assessments and charges required by public bodies and utilities for financing or repaying the cost of sewers, storm drains, water service and other utilities, including sewer and storm drain reimbursement charges, revolving fund charges, hook-up charges, and other such similar items required for the performance of the work hereunder.
- 2. Labor and Material.** Contractor shall pay all valid charges for labor and material incurred by Contractor and used in the construction of the Project, but is excused by Owner from this obligation for bills received in any period during which Owner is in arrears in making progress payments to Contractor.
- 3. Differing Site Conditions.** Expense incurred because of unusual or unanticipated conditions differing materially from those ordinarily encountered in the character of the work, such as unsuitable or over-optimum material, uncompacted fill, hard soil, rock or ground water or other unknown physical conditions, shall be paid for by Owner as extra work.
- 4. Extra Work.** Should Owner, construction lender or any public body or inspector direct any modification or addition to the work covered by this Contract, the cost shall be added to the contract price. For the purpose of this paragraph, "cost" is defined as the cost of extra subcontracts, labor, equipment and materials, plus 10% of "cost" for overhead, plus 15% of the sum of "cost and overhead" for profit. Changes in the contract shall be evidenced by a written change order signed by both parties. No extra or change-order work shall be required to be performed without prior written authorization by Owner. Any change-order forms, for changes or extra work, shall be incorporated in, and become a part of the contract.
- 5. Allowances.** If the contract price includes allowances, and the cost of performing the work covered by the allowance is greater or less than the allowance, then the contract price shall be increased or decreased accordingly. Unless otherwise requested by Owner in writing, Contractor shall use his own judgment in accomplishing work covered by an allowance. If Owner requests that work covered by an allowance be accomplished in such a way that the cost will exceed the allowance, Contractor shall comply with Owner's request, provided that Owner agrees to pay the additional cost in advance.
- 6. Delay.** Contractor shall be excused for any delay in completion of the Contract caused by acts of God, acts of Owner or Owner's agent, adverse weather, labor trouble, acts of public utilities, public bodies or inspectors, extra work, failure of Owner to make progress payments promptly, or other contingencies unforeseen by Contractor and beyond the reasonable control of Contractor.
- 7. Damage to Project and Insurance.** Owner will procure at his own expense and before the commencement of any work hereunder, property insurance on a broad or all-risk policy form and shall insure against the perils of fire and extended coverage and for other physical loss or damage including coverage for theft, vandalism, malicious mischief, collapse and debris removal and shall not contain an exclusion for earth movement or subsidence; such property insurance to be in a sum at least equal to the contract price with loss, if any, payable to any beneficiary under any deed of trust covering the Project, such insurance to name Contractor as an additional insured, and to protect Owner, Contractor and construction lender as their interests may appear; should Owner fail to do so, Contractor may procure such insurance as agent for and at expense of Owner, but is not required to do so. The Owner and Contractor waive all rights against each other for damages caused by perils (and to the extent of insurance for such perils) covered by property insurance obtained pursuant to this Contract or any other property insurance applicable to the Project, except such rights as they have to proceeds of the insurance held by the Owner. If the Project is destroyed or damaged by an accident, disaster or calamity, such as fire, storm, flood, landslide, subsidence or earthquake, or by theft or vandalism, any work done by Contractor by rebuilding or restoring the Project shall be paid for by Owner as extra work under Section 4. Contractor will maintain in full force and effect a workers' compensation insurance policy and a commercial general liability insurance policy in amounts not less than required by the specifications.
- 8. Right to Stop Work.** Contractor shall have the right to stop work if any payment shall not be made to Contractor under this Agreement; Contractor may keep the job idle until all payments due are received.
- 9. Limitations.** No action arising from or related to the Contract, or the performance thereof, shall be commenced by either party against the other more than two years after the completion or cessation of work under this contract. This limitation applies to all actions of any character, whether at law or in equity, and whether sounding in contract, tort or otherwise. This limitation shall not be extended by any negligent misrepresentation or unintentional concealment, but shall be extended as provided by law for willful fraud, concealment or misrepresentation.
- 10. Attorney Fees.** If either party becomes involved in litigation arising out of this Contract or the performance thereof, the court in such litigation, or in a separate suit shall award reasonable costs and expenses, including attorney fees, to the prevailing party. In awarding attorney fees, the court will not be bound by any court fee schedule; but shall, if it is in the interest of justice to do so, award the full amount of costs, expenses and attorney fees paid or incurred in good faith.
- 11. Clean Up.** Upon completion of the work, Contractor will remove its own debris and surplus material from Owner's property and leave it in a neat and clean condition.
- 12. Taxes and Assessments.** Taxes and special assessments of all descriptions will be paid by Owner.
- 13. Notice.** Any notice required or permitted under this Contract may be given by ordinary mail at the address contained in this Contract; but such address may be changed by written notice given by one party to the other from time to time. After a notice is deposited in the mail, postage prepaid, it shall be deemed received in the ordinary course of the mails.
- 14. Commencement.** Contractor's failure, without lawful excuse, to substantially commence work within twenty (20) days from the approximate mutually agreed date when work will begin is a violation of the Contractors State License Law.
- 15. Limitation of Liability.** Owner recognizes and acknowledges that Contractor cannot control or otherwise prevent subsidence or earth movement, including landslide, earth sinking, earth rising and/or earth shifting. In order to protect against this risk of loss or damage, Owner shall procure and maintain property insurance as set forth in paragraph 7, above. Owner further acknowledges and agrees that the Contractor shall have no responsibility or liability for damages of any kind or nature arising out of or in any way resulting from subsidence or earth movement unless the substantial cause of the damage is Contractor's failure to perform the work in accordance with the plans and specifications and any approved revisions or changes thereto or Contractor's negligent performance of the work.
- 16. Damage.** Contractor shall not be liable for damage to underground pipe, conduit, or installations which are not marked on the property, nor for any damage to access roads, bridges and rights-of-way leading to the project from a public road. Owner shall hold Contractor harmless against any such claim.
- 17. Force.** If any provision of this Contract is determined to be illegal or unenforceable for any reason, the same shall be severed from the Contract and the remainder of the Contract shall be given full force and effect.
- 18. Release:** Upon satisfactory payment being made for any portion of the work performed, the Contractor shall, upon request, prior to any further payment being made, furnish a full and unconditional release from any claim or mechanics' lien pursuant to Section 3114 of the Civil Code, for that portion of the work for which payment has been made.



## EXHIBIT "C" AUTHORIZED SIGNATURES

The following persons are authorized by the Owner (Buyer) to initiate and approve daily extra work and contract change orders:

Name (Printed)

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_



## EXHIBIT “D” Notice to Owner

**Licensing and Regulation of Contractors.** Contractors are required by law to be licensed and regulated by the Contractors’ State License Board, which has jurisdiction to investigate complaints against contractors if a complaint regarding a patent act or omission is filed within four years of the date of the alleged violation. A complaint regarding a latent act or omission pertaining to structural defects must be filed with ten years of the date of the alleged violation. Any questions concerning a contractor may be referred to the Registrar, Contractors’ State License Board, PO Box 26000, Sacramento, CA 95826.

**Statutory Notice Regarding Mechanics’ Liens.** The following statutory notice is provided in accordance with Business and Professions Code section 7164:

### MECHANICS’ LIEN WARNING:

Anyone who helps improve your property, but who is not paid, may record what is called a mechanics’ lien on your property. A mechanics’ lien is a claim, like a mortgage or home equity loan, made against your property and recorded with the county recorder.

Even if you pay your contractor in full, unpaid subcontractors, suppliers and laborers who helped to improve your property may record mechanics’ liens and sue you in court to foreclose the lien. If a court finds the lien is valid, you could be forced to pay twice or have a court officer sell your home to pay the lien. Liens can also affect your credit.

To preserve the right to record a lien, each subcontractor and material supplier must provide you with a document called a “20-Day Preliminary Notice”. This notice is not a lien. The purpose of the notice is to let you know that the person who sends you the notice has the right to record a lien on your property if he or she is not paid.

**BE CAREFUL.** The Preliminary Notice can be sent up to 20 days after the subcontractor starts work or the supplier supplies material. This can be a big problem if you pay your contractor before you have received the Preliminary Notices.

You will not get Preliminary Notices from your prime contractor or from laborers who work on your project. The law assumes that you already know they are improving your property.

**PROTECT YOURSELF FROM LIENS.** You can protect yourself from liens by getting a list from your contractor of all the subcontractors and material suppliers that work on your project. Find out from your contractor when these subcontractors started work and when these suppliers delivered good or materials. Then wait 20 days, paying attention to the Preliminary Notices you receive.

**PAY WITH JOINT CHECKS.** One way to protect yourself is to pay with a joint check. When your contractor tells you it is time to pay for the work of a subcontractor or supplier who has provided you with a Preliminary Notice, write a joint check payable to both the contractor and the subcontractor or material supplier.

For other ways to prevent liens visit CSLB’s Web site at [www.cslb.ca.gov](http://www.cslb.ca.gov) or call CSLB at 800-321-CSLG (2752).

**REMEMBER, IF YOU DO NOTHING, YOU RISK HAVING A LIEN PLACED ON YOUR HOME.** This can mean that you have to pay twice, or face the forced sale of your home to pay what you owe.

**Bonds.** OWNER HAS THE RIGHT TO REQUIRE CONTRACTOR TO SECURE A PERFORMANCE BOND AND A PAYMENT BOND. THE EXPENSE OF THESE BONDS MAY BE BORNE BY OWNER.



## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Public Works

SUBJECT: SB 1 Road Maintenance and Rehabilitation Account – FY 2021 (PW)

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**RECOMMENDATION:** Resolution approving the FY 2021 allocation of SB 1 Road Maintenance and Rehabilitation Account funds and authorizing the City Manager to submit the project list to the California Transportation Commission.

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**BACKGROUND:** Senate Bill (SB) 1, the Road Repair and Accountability Act (RMRA), was enacted by the legislature and approved by the governor in April 2017. SB 1 provides the first significant, stable and on-going increase in state transportation funding in more than two decades. Formula funds are provided to cities in Santa Cruz County, the County of Santa Cruz, Santa Cruz Metro, the Regional Transportation Commission, and Caltrans. Guidelines for the use of the different funding categories were developed that year and some will be available to cities and counties on a competitive basis.

SB 1 will generate approximately \$1.5 billion per year to cities and counties statewide and will be distributed based on existing gas tax formulas. Cities and counties are expected to prioritize basic road maintenance and rehabilitation projects for these funds, though other projects are also eligible. They must meet California Constitution Article XIX and other statutory requirements. The California Transportation Commission (CTC) is responsible for monitoring fund allocation and expenditure.

**DISCUSSION:** Based on the CTC approved guidelines, cities and counties are required to adopt a resolution and submit a list of projects annually to the CTC by July 15 to the RMRA program and it must reflect how the agency intends to use the SB 1 funds. The RMRA is estimated to provide an additional \$1,096,070 in gas tax funds to the City of Santa Cruz next fiscal year. This is a post-COVID estimate. Public Works has developed a project list based on the need to fund gas tax eligible projects developed during the FY 2021-2025 Capital Investment Program (CIP) process. Public Works intends to focus the use of RMRA funds on road rehabilitation and storm drain rehabilitation, as in previous years. Staff is developing a list of streets to pave this next fiscal year, which will also include pedestrian and bike infrastructure improvements.

SB 1 also stabilizes the State Transportation Improvement Program (STIP) and State Highway Operation and Protection programs (SHOPP) that will benefit local transportation programs and projects. It also funds several competitive programs such as the Active Transportation Program

(ATP), Transit and Intercity Rail Capital Program (TIRCP), Solutions for Congested Corridors, Local-State Partnership Program, and Caltrans' planning grants.

FISCAL IMPACT: SB 1 has a positive impact on the City's transportation and maintenance budget by providing an estimated \$1,096,070 in new gas tax revenue to the FY 2021 CIP; this revenue projection is post COVID-19. In addition, other SB 1 programs will fund important transportation projects in the City and region.

Prepared by:	Submitted by:	Approved by:
Christophe J. Schneiter	Mark R. Dettle	Martin Bernal
Assistant Director/City Engineer	Director of Public Works	City Manager

ATTACHMENTS:  
Resolution  
CSC S B1 Project List – FY 2020-2021

RESOLUTION NO. NS-29,

RESOLUTION OF THE CITY OF SANTA CRUZ ADOPTING THE FY 2020-2021 LIST OF PROJECTS FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of the City of Santa Cruz are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City of Santa Cruz must adopt a list of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1 by resolution, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City of Santa Cruz will receive an estimated \$1,096,070 in RMRA funding in Fiscal Year 2020-21 from SB 1; and

WHEREAS, the City of Santa Cruz has undergone a thorough public process to ensure public input into our community's transportation and infrastructure priorities through consideration of the City's Capital Improvement program at public meetings before the Transportation and Public Works Commission and, the City Council, and through social media; and

WHEREAS, the City of Santa Cruz uses a variety of tools to develop the Capital Investment Program, such as a Pavement Management System, operational resources and public input to develop the SB 1 projects to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the communities priorities for transportation investment; and

WHEREAS, the FY 2020-2021 funding from SB 1 will help the City of Santa Cruz maintain, rehabilitate and restore the city's infrastructure including street storm drains and catch basins citywide to prevent flooding, storm damage repair projects, rehabilitate arterial streets that include pedestrian and bicycle systems improvements that improve access and safety in Santa Cruz in FY 2020-2021; and that SB 1 will fund many similar and larger projects into the future; and

WHEREAS, the 2016 California Statewide Local Streets and Roads Needs Assessment found that the City of Santa Cruz's streets and roads are in a "Good" condition with a current average PCI of 62 and this revenue will help us increase the overall quality of our road system

RESOLUTION NO. NS-29,

and over the next decade will bring our streets and roads into a “Very Good” condition, PCI goal of over 70 as well as repair other deficiencies and improve our multi-modal transportation system; and

WHEREAS, without revenue from SB 1, the City of Santa Cruz, would otherwise fall further behind in maintaining our street infrastructure, not be able to reduce flooding impacts, and limit our ability to improve access and safety for our community; and

WHEREAS, if the Legislature and Governor failed to act, city streets and county roads would have continued to deteriorate, having many and varied negative impacts on our community; and

WHEREAS, cities and counties own and operate more than 81 percent of streets and roads in California, and from the moment we open our front door to drive to work, bike to school, or walk to the bus station, people are dependent upon a safe, reliable local transportation network; and

WHEREAS, modernizing the local street and road system provides well-paying construction jobs and boosts local economies; and

WHEREAS, the local street and road system is also critical for farm to market needs, interconnectivity, multimodal needs, and commerce; and

WHEREAS, police, fire, and emergency medical services all need safe reliable roads to react quickly to emergency calls and a few minutes of delay can be a matter of life and death; and

WHEREAS, maintaining and preserving the local street and road system in good condition will reduce drive times and traffic congestion, improve bicycle safety, and make the pedestrian experience safer and more appealing, which leads to reduce vehicle emissions helping the City and State achieve its air quality and greenhouse gas emissions reductions goals; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on maintenance and safety, investing in complete streets infrastructure, and using appropriate technology, materials and practices, will have significant positive co-benefits in and for our community.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Santa Cruz that:

1. The foregoing recitals are true and correct.
2. The City of Santa Cruz is adopting the SB 1 Road Maintenance and Rehabilitation Account (RMRA) Project List for FY 2020-21.

RESOLUTION NO. NS-29,

PASSED AND ADOPTED this 23<sup>rd</sup> day of June, 2020 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

**City of Santa Cruz**  
(To City Council for approval June 23, 2020.)

**Road Maintenance and Rehabilitation Account (RMRA) Project List (SB1) - FY2020-21**

**Total Project Costs: \$2,200,000**

**Total RMRA Funds: \$1,096,070**

**20.6**

<b>Project Type</b>	<b>Project Name</b>	<b>Total Project Est. Cost</b>	<b>SB 1 Portion</b>	<b>Estimated Project Start Date</b>	<b>Estimated Project Completion Date</b>	<b>Community Benefit Summary</b>
Pavement, Sidewalk, Access Ramps, Bike Lanes, Storm Drains	Arterial, Collector and Street Reconstruction	\$2,200,000	\$1,096,070	07/01/20	06/30/21	Improve multimodal road conditions for all users including accessibility. Reduce flooding potential



## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Public Works

SUBJECT: Wastewater Treatment Facility Ultraviolet Bypass Valve Repair  
(m409659) – Change Order (PW)

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**RECOMMENDATION:** Motion to approve a change order for the Wastewater Treatment Facility Ultraviolet Bypass Valve Repair project in the amount of \$100,000, authorize the City Manager to execute any change order documents in a form approved by the City Attorney, and authorize the Public Works Director to execute change orders within the approved project budget.

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**BACKGROUND:** In January 2020, a crucial buried service valve at the Wastewater Treatment Facility (WWTF) was rendered inoperable during routine service. This valve is critical for normal operation of the plant and to preparation for the upcoming Ultraviolet (UV) Disinfection Replacement project (c401504). The valve is buried 18 feet underground and has no above-ground access. An emergency project was opened to expose and repair the valve and install a manhole for future access. The project was awarded to Anderson Pacific Engineering (Santa Clara, CA) as a sole source vendor as they were the only available engineering contractor capable of doing deep underground construction work and immediately mobilizing a crew.

**DISCUSSION:** At the start of the project the underground conditions at the site and scope of work were not known. The cost of the project was initially estimated at \$97,000 based on the cost of a standard deep manhole, to be paid on a time and materials basis. During potholing, several concrete encased high voltage electrical banks were encountered above the UV bypass valve. This finding necessitated a much more complex excavation, shoring configuration, and manhole design than was originally anticipated for this site. Additionally, changes were made to the project to improve the accessibility and serviceability of the valve for operations staff. The total cost of the job is now estimated to be approximately \$197,000.

**FISCAL IMPACT:** The cost of this project is funded by the Wastewater Enterprise fund. There are adequate funds in the Public Works FY 2020 Wastewater Enterprise Fund CIP project WWTF Equipment Replacement (m409659) budget for this purchase. The County Sanitation District pays 8/17ths of the cost based on wastewater treatment facility capacity dedicated to the County. There is no impact to the General Fund.

Prepared by:  
Jo Murphy  
Assistant Engineer II

Submitted by:  
Mark R. Dettle  
Director of Public Works

Approved by:  
Martin Bernal  
City Manager

ATTACHMENTS:  
None



## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Public Works

SUBJECT: Citywide Safe Routes to School Crossing Improvement Program (c401617)  
– Budget Adjustment and Contract Change Orders No.1 through No.5  
(PW)

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RECOMMENDATION: Resolution amending the FY 2020 budget and appropriating funds in the amount of \$25,000 to fully fund the Citywide Safe Routes to School Crossing Improvement Program (c401617).

Motion ratifying approval of Contract Change Order No.1 through No.5 in the amount of \$36,619.64 for the Safe Routes to School Crossing Improvement Program project.

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BACKGROUND: In 2015, the City of Santa Cruz applied for an Active Transportation Program (ATP) Cycle 2 Award and on February 8, 2016, was awarded \$1,404,000 for the Citywide Safe Routes to School Crossing Improvement Program (c401617), of which \$225,000 is pass-through funding for a Ecology Action and Santa Cruz County Health Services Agency education program (non-infrastructure component). On May 24, 2015, Council authorized and directed the City Manager to apply for, accept, appropriate and expend funds from the ATP Cycle 2 Award.

On September 17, 2018, the Transportation and Public Works Commission recommended that City Council approve the ATP Cycle 2 Citywide Safe Routes to School Crossing Improvement Program (c401617) and authorize staff to advertise for bids. On June 11, 2019, Council authorized staff to advertise for bids and award the contract.

Staff opened bids for the project on September 4, 2019 and received six qualified bids. The lowest responsible bidder was Norcal Contractor (Salinas, CA) in the amount of \$1,048,683.84, which included a 5% contingency.

DISCUSSION: The project improved 22 crossings adjacent to the eight Santa Cruz City School campuses. These improvements included rectangular rapid flashing beacons (RRFB), radar speed feedback signs, street lighting, curb ramps, and enhanced striping for crosswalks.

As construction proceeded, additional costs were added due to unforeseen conditions and extra work items performed by the contractor (change orders No.1 through No.5 attached). In addition, the costs associated with the PG&E installation and inspection services for the new streetlights were higher than anticipated.

FISCAL IMPACT: The construction cost of the project is approximately \$1,100,000. To fully fund the project a budget adjustment of \$25,000 is needed from the Sidewalk/Access Ramp project (c409452), which is a City-wide sidewalk in-lieu fund to be used on capital improvement projects such as Safe Routes to School. There is no impact to the General Fund.

Prepared by:  
Dan Estranero  
Assistant Engineer

Submitted by:  
Mark R. Dettle  
Director of Public Works

Approved by:  
Martin Bernal  
City Manager

ATTACHMENTS:  
Budget Adjustment  
Contract Change Order No.1 through No.5

**City of Santa Cruz  
BUDGET ADJUSTMENT REQUEST**

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

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

TO: FINANCE DIRECTOR  
FROM: Public Works

DATE: 06/09/2020

<u>ACCOUNT</u>	<b>REVENUE</b> EDEN ACCOUNT TITLE	
<b>TOTAL REVENUE</b>		0

<u>ACCOUNT</u>	<b>EXPENDITURE</b> EDEN ACCOUNT TITLE	
c409452-100-2020-0	Sidewalk/Access Ramp	(25,000)
101-40-64-4220-54307	Maintenance - pedestrian/bike systems	
c401617-100-2020-0	Citywide Safe Routes to School Crossing	25,000
221-40-64-9330-57307	Pedestrian/bike systems	
<b>TOTAL EXPENDITURE</b>		0

**NET: \$** \_\_\_\_\_ **0**

Purpose:

Additional funding for the Citywide Safe Routes to School Crossing Improvement Program due to construction cost increases.

REQUESTED BY	DEPARTMENT HEAD APPROVAL	ACCOUNTING APPROVAL	FINANCE DIRECTOR APPROVAL	CITY MANAGER APPROVAL
Christina Alberti <small>Digitally signed by Christina Alberti DN: cn=Christina Alberti, o=City of Santa Cruz, ou=Public Works, email=calberti@cityofsanacruz.com, c=US Date: 2020.06.09 15:23:53 -0700</small>	Mark Dettle <small>Digitally signed by Mark Dettle Date: 2020.06.09 15:42:14 -0700</small>	Tracy Cole <small>Digitally signed by Tracy Cole Date: 2020.06.10 10:35:07 -0700</small>	Cheryl Fyfe <small>Digitally signed by Cheryl Fyfe Date: 2020.06.10 11:29:22 -0700</small>	
06/09/20	06/09/20	06/10/20		



PUBLIC WORKS DEPARTMENT

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CONTRACT CHANGE ORDER NO. 1  
SAFE ROUTES TO SCHOOL CROSSING IMPROVEMENT PROGRAM

TO: Norcal Contractor

DATE: 12/9/19

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

NOTE: This change order is not effective until approved by the City of Santa Cruz, or until an authorized field order is executed.

CHANGE INITIATED BY CITY

DESCRIPTION OF CHANGES, EXTRA WORK, AND ADJUSTMENT IN CONTRACT AMOUNT:

Increase in Bid Items at Bid Item Prices:

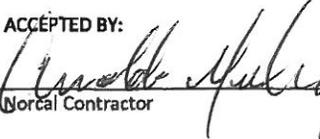
To comply with MUTCD standards, the RRFBs at Bay St./Seaside Ave. and Water St./Seabright Ave. shall be bi-directional. As directed by the engineer, increase the quantity for the for the following bid items:

CCO Item No.	Description	Unit	Existing Qty	Contract Unit Price	Previous Item Total	Additional Working Days	Additional CCO Qty	New Qty	Additional CCO Amount	New Item Total	Federal Participating?
1	Item 23: Install W11-2 Sign (Ped. Crossing) (30"x30")	EA	16	\$639.67	\$10,234.72	0	2	18	\$1,279.34	\$11,514.06	Yes
2	Item 25: Install S1-1 Sign (School Crossing) (30"x30")	EA	24	\$639.67	\$15,352.08	0	2	26	\$1,279.34	\$16,631.42	Yes
3	Item 28: Install W16-7P(R) Sign (Directional Arrow) (30"x12")	EA	12	\$412.50	\$4,950.00	0	4	16	\$1,650.00	\$6,600.00	Yes
4	Item 32: Install RRFB Light Bar	EA	37	\$902.71	\$33,400.27	0	4	41	\$3,610.84	\$37,011.11	Yes

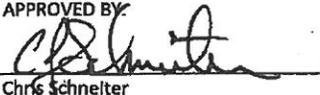
Total Increase/Decrease Amount	\$7,819.52 Increase
Previous Contract Total	\$998,746.50
New Contract Total	\$1,006,566.02

No adjustment to the bid item unit price of Item 28 (Install W16-7P(R) Sign (Directional Arrow) (30"x12")) will be made in accordance with Section 9-1.06B, "Increase of More Than 25 Percent" of the Standard Specifications

ACCEPTED BY:

 12-11-19  
Norcal Contractor Date

APPROVED BY:

 12/10/19  
Chris Schneller Date  
Assistant Director of Public Works/City Engineer  
City of Santa Cruz

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



PUBLIC WORKS DEPARTMENT

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**CONTRACT CHANGE ORDER NO. 2  
SAFE ROUTES TO SCHOOL CROSSING IMPROVEMENT PROGRAM**

TO: Norcal Contractor

DATE: 2/11/2020

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

**NOTE:** This change order is not effective until approved by the City of Santa Cruz, or until an authorized field order is executed.

**CHANGE INITIATED BY CITY**

**DESCRIPTION OF CHANGES, EXTRA WORK, AND ADJUSTMENT IN CONTRACT AMOUNT:**

**Extra Work at Agreed Unit Price:**

In accordance with Section 10.10 "Earthwork" of the Contract Specifications, furnish all labor, materials and equipment to over-excavate unsuitable subgrade materials at the following locations:

- \*Southeast corner of Hanover/Darwin (Sheet 15) = 1.5 CY
- \*East side of Poplar/Hammond (Sheet 19) = 1 CY

A unit price of \$497 per cubic yard measured in accordance with the Contract Specifications will constitute full and complete compensation, including all markups, for demolition and removal beyond the limit lines, including incidentals. The unit price of \$497 per cubic yard shall be used for future over-excavation work.

In accordance with Section 10.04 "Existing Highway Facilities" of the Contract Specifications, furnish all labor, materials and equipment to demolition and remove sidewalk, curb & gutter and AC at the following locations:

- \*Southeast side of Hanover/Darwin (Sheet 15) = 48 SF
- \*North side of Hanover/Darwin (Sheet 15) = 30 SF
- \*East side of Branciforte/Berkeley (Sheet 16) = 32 SF
- \*Southwest corner of Fairmount/Dellview (Sheet 20) = 19.5 SF
- \*Southeast corner of Fairmount/Dellview (Sheet 20) = 12 SF
- \*West side of Branciforte/Berkeley (Sheet 16) = 39 SF
- \*East side of Poplar/Hammond (Sheet 19) = 10 SF

A unit price of \$15.11 per square foot measured in accordance with the Contract Specifications will constitute full and complete compensation, including all markups, for demolition and removal beyond the demolition limit lines, including incidentals. The unit price of \$15.11 per square foot will be used for future demolition and removal beyond the limit lines.

CCO Item No.	Description	Unit	Existing Qty	Contract Unit Price	Previous Item Total	Additional Working Days	Additional CCO Qty	New Qty	Additional CCO Amount	New Item Total	Federal Participating?
1	EW 1: Over-Excavation	CY	0	\$497.00	\$0.00	0	2.5	2.5	\$1,242.50	\$1,242.50	Yes
2	EW 2: Demolition and Removal (Beyond Limits)	SF	0	\$15.11	\$0.00	0	190.5	190.5	\$2,878.46	\$2,878.46	Yes

<b>Total Increase/Decrease Amount</b>	\$4,120.96 Increase
<b>Previous Contract Total</b>	\$1,006,566.02
<b>New Contract Total</b>	\$1,010,686.98

---

ACCEPTED BY:

Arnoldo A. de la Cruz  
Norcal Contractor

Date

2/11/20

APPROVED BY:

Chris Schneiter  
Chris Schneiter

Date

Assistant Director of Public Works/City Engineer  
City of Santa Cruz

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



PUBLIC WORKS DEPARTMENT  
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**CONTRACT CHANGE ORDER NO. 3**  
**SAFE ROUTES TO SCHOOL CROSSING IMPROVEMENT PROGRAM**

TO: Norcal Contractor

DATE: 2/18/2020

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

**NOTE:** This change order is not effective until approved by the City of Santa Cruz, or until an authorized field order is executed.

**CHANGE INITIATED BY CITY**

**DESCRIPTION OF CHANGES, EXTRA WORK, AND ADJUSTMENT IN CONTRACT AMOUNT:**

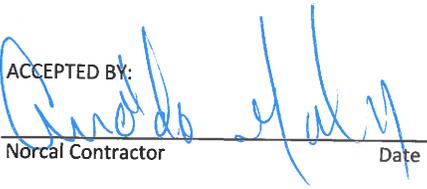
**Extra Work at Agreed Lump Sum Price:**

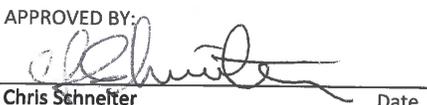
During construction, the contractor discovered that the southeast corner of Seabright Avenue and Effey Street was experiencing significant ponding issues due to a low point at the curb ramp. To resolve the ponding issue, a portion of the valley gutter and the curb and gutter will need to be replaced and re-graded.

In accordance with the contract specifications, furnish all labor, materials and equipment to replace valley gutter and curb and gutter as shown on sheet ESK-1.1.

CCO Item No.	Description	Unit	Existing Qty	Contract Unit Price	Previous Item Total	Additional Working Days	Additional CCO Qty	New Qty	Additional CCO Amount	New Item Total	Federal Participating?
1	EW 3: Valley Gutter	LS	0	\$0.00	\$0.00	0	1	1	\$13,073.44	\$13,073.44	Yes

<b>Total Increase/Decrease Amount</b>	\$13,073.44 Increase
<b>Previous Contract Total</b>	\$1,010,686.98
<b>New Contract Total</b>	\$1,023,760.42

ACCEPTED BY:  2-18-20  
 Norcal Contractor Date

APPROVED BY:   
 Chris Schneller Date  
 Assistant Director of Public Works/City Engineer  
 City of Santa Cruz

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



PUBLIC WORKS DEPARTMENT  
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**CONTRACT CHANGE ORDER NO. 4**  
**SAFE ROUTES TO SCHOOL CROSSING IMPROVEMENT PROGRAM**

TO: Norcal Contractor

DATE: 2/26/2020

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

**NOTE:** This change order is not effective until approved by the City of Santa Cruz, or until an authorized field order is executed.

**CHANGE INITIATED BY CITY**

**DESCRIPTION OF CHANGES, EXTRA WORK, AND ADJUSTMENT IN CONTRACT AMOUNT:**

**Extra Work at Agreed Lump Sum Price:**

During construction, the contractor discovered existing electrical conduit running through the median planter area at the intersection of Morrissey Blvd. and Hammond Ave. The existing conduit is currently in the way of the new streetlight foundation pole. In order to install the new streetlight foundation, the following will need to be modified:

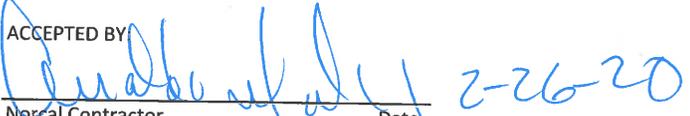
South end of existing conduit: cut existing conduit and trench new PVC conduit to new streetlight box

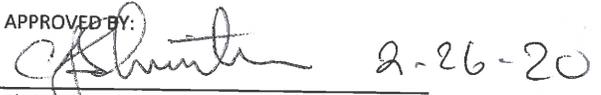
North end of existing conduit: connect existing conduit with new PVC conduit. Trench new PVC Conduit to the new streetlight box

In accordance with Section 10.19 (Streetlights) of the contract specifications, furnish all labor, materials and equipment to modify the existing electrical conduit and conductors.

CCO Item No.	Description	Unit	Existing Qty	Contract Unit Price	Previous Item Total	Additional Working Days	Additional CCO Qty	New Qty	Additional CCO Amount	New Item Total	Federal Participating?
1	EW 4: Electrical Conduit Modification at Morrissey/Hammond	LS	0	\$0.00	\$0.00	0	1	1	\$5,691.60	\$5,691.60	Yes

<b>Total Increase/Decrease Amount</b>	\$5,691.60 Increase
<b>Previous Contract Total</b>	\$1,023,760.42
<b>New Contract Total</b>	\$1,029,452.02

ACCEPTED BY:   
 Norcal Contractor \_\_\_\_\_ Date: 2-26-20

APPROVED BY:   
 Chris Schneider \_\_\_\_\_ Date: 2-26-20  
 Assistant Director of Public Works/City Engineer  
 City of Santa Cruz

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



PUBLIC WORKS DEPARTMENT  
809 Center Street, Room 201, Santa Cruz, CA 95060 • Fax: 831-420-5161 • www.cityofsantacruz.com

**CONTRACT CHANGE ORDER NO. 5**  
**SAFE ROUTES TO SCHOOL CROSSING IMPROVEMENT PROGRAM**

**TO: Norcal Contractor**

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

**NOTE:** This change order is not effective until approved by the City of Santa Cruz, or until an authorized field order is executed.

**CHANGE INITIATED BY CITY**

**DESCRIPTION OF CHANGES, EXTRA WORK, AND ADJUSTMENT IN CONTRACT AMOUNT:**

**Extra Work**

\*Morrissey/Hammond (Sheet 23)- During trench work for RRFB conduit installation, contractor discovered pavement section contains 4" AC over 6" PCC, instead of 6" AC as originally anticipated. As directed by the engineer, remove and replace the pavement in-kind. Concrete removal and placement will be tracked and paid at force account

\*Seabright/Effey (Sheet 13) - During trench work for streetlight conduit installation, contractor discovered pavement section contains 2" AC over 4" PCC, instead of 6" AC as originally anticipated. In addition, existing driveway approach adjacent to conduit installation was in poor condition. As directed by the engineer, replace pavement section and driveway approach in-kind. Concrete work will be tracked and paid at force account

CCO Item No.	Description	New Item Total	Federal Participating?
1	Extra Work at Force Account - Concrete work at Morrissey/Hammond	\$3,872.59	Yes
2	Extra Work at Force Account - Concrete work at Seabright/Effey	\$2,041.53	Yes
<b>TOTAL</b>		<b>\$5,914.12</b>	

<b>Total Increase/Decrease Amount</b>	\$5,914.12	Increase
<b>Previous Contract Total</b>	\$1,029,452.02	
<b>New Contract Total</b>	\$1,035,366.14	

ACCEPTED BY:

Norcal Contractor

5-11-20

Date

APPROVED BY:

Chris Schneider

Assistant Director of Public Works/City Engineer  
City of Santa Cruz

5/7/20

Date

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



## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Water

SUBJECT: Application for U.S. Department of the Interior Bureau of Reclamation Grant Funding for a Decision Support Tool to Inform Development of Water Supply Projects (WT)

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**RECOMMENDATION:** Resolution authorizing the Water Department to apply for U.S. Department of the Interior Bureau of Reclamation grant funding for a decision support tool to inform development of water supply projects in order to increase resiliency to drought and other climate change impacts.

---

**BACKGROUND:** The Water Department is implementing the Council-approved Water Supply Augmentation Strategy finalized by the Water Supply Advisory Committee in 2015. The strategy includes evaluating three water supply alternatives: strengthened water conservation to reduce demand, groundwater storage through water transfers, exchanges and/or aquifer storage and recovery (ASR), and advanced treated recycled water or desalinated water. The targeted timeframe for completing the evaluation of the alternatives and develop an implementation plan that includes development of new water supply is to deliver long term water supply security to the City of Santa Cruz water customers by 2025. (It should be noted that, following several Council actions, the implementation schedule has been modified with simpler projects occurring at the 2020 timeframe and decisions about more complex projects occurring post-2020.)

With pilot work under way for both ASR and water transfers, and a decision in 2018 by City Council to prioritize the ongoing evaluation of recycled water instead of desalination, staff is beginning the work to develop a Water Supply Augmentation Implementation Plan. To this end, at their May 12, 2020 meeting City Council approved a contract with Raucher, LLC and staff from the University of Massachusetts to develop a reliable water supply augmentation strategy for a highly uncertain future with respect to climate change and supply variability. The major tasks as part of the work plan are as follows.

1. Developing a Triple Bottom Line Plus (TBL+) based assessment of the relevant water supply augmentation alternatives, applying relevant evaluation criteria;
2. Guiding, coordinating, and integrating a Decision Scaling analysis of climate change and other critical uncertainties and associated risks for future water supply reliability (to be conducted by Dr. Casey Brown, University of Massachusetts); and

3. Developing an adaptive management-based implementation plan based on the preceding two work items.

DISCUSSION: The U.S. Department of the Interior, Bureau of Reclamation released Funding Opportunity Announcement (FOA) No. BOR-DO-20-F002, WaterSMART Drought Response Program: Drought Resiliency Projects for Fiscal Year 2021. In reviewing the FOA, staff believes this project could be successful as the guidelines specifically identify decision support tools to improve water management as an eligible project. The funding opportunity is up to \$300,000 in Federal funds for projects that will be generally completed in two years. Applicants must be capable of cost sharing 50 percent or more of the total project costs. Having awarded this contract in May, the Water Department has funds available for this project and hence the match. If successful, a contract would be negotiated and signed in early calendar year 2021, although funds can be retroactively accrued back to July 1, 2020.

FISCAL IMPACT: The amount of the grant is up to \$300,000 and includes a 50% match of Water Department funds.

Prepared by:	Submitted by:	Approved by:
Heidi Luckenbach	Rosemary Menard	Martín Bernal
Deputy Director/Engineering Manager	Water Director	City Manager

ATTACHMENTS:  
Resolution

RESOLUTION NO. NS-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ AUTHORIZING THE WATER DEPARTMENT TO APPLY FOR BUREAU OF RECLAMATION FUNDS FOR A DECISION SUPPORT TOOL TO INFORM DEVELOPMENT OF WATER SUPPLY PROJECTS IN ORDER TO INCREASE RESILIENCY TO DROUGHT AND OTHER CLIMATE CHANGE IMPACTS

WHEREAS, the City of Santa Cruz (the “CITY”) desires and intends to finance expenditures to develop a modeling tool to support decision making around water supply planning to increase resiliency to drought and other climate change impacts (Project); and

WHEREAS, the CITY expects to apply for a grant from the U.S. Department of the Interior, Bureau of Reclamation Funding Opportunity Announcement (FOA) No. BOR-DO-20-F002 for the Project; and

WHEREAS, the Water Director or designee is hereby authorized (the “Authorized Representative”), to enter into an agreement under this FOA; and

WHEREAS, the Authorized Representative, or designee, is designated to represent the CITY in carrying out the CITY’s responsibilities under the agreement, including certifying disbursement requests on behalf of the Entity and compliance with applicable state and federal laws; and

WHEREAS, the Water Department has the capability to provide the amount of funding and/or in-kind contributions specified in the funding plan; and

WHEREAS, the CITY will work with Reclamation to meet established deadlines for entering into a grant or cooperative agreement.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Santa Cruz supports submittal of a grant application to the U.S. Department of the Interior Bureau of Reclamation and approves this Authorizing Resolution as required in the FOA.

PASSED AND ADOPTED this 23<sup>rd</sup> day of June, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator



## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Water / Public Works

SUBJECT: Deferral of Planned July 1, 2020 Water and Wastewater Rate Increases (WT/PW)

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**RECOMMENDATION:** Defer the planned July 1, 2020 Water and Wastewater rate increases and approve rescheduling them for implementation on July 1, 2021.

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**BACKGROUND:** The City Council typically authorizes multiple years of rate increases when it takes actions on user rates for its utility services customers. Its most recent action to do so occurred when it approved a five year schedule of annual Wastewater rate increases in the spring of 2019. Prior to that, the Council authorized a five year schedule of annual Water rate increases in the summer of 2016. Both of these actions called for incremental rate increases for Water at 6% and Wastewater at 7% for implementation on July 1, 2020.

**DISCUSSION:** Recognizing the severe impacts to the local economy associated with the coronavirus (COVID-19) pandemic, Water and Public Works staffs have reviewed the financial conditions of the Water and Wastewater utilities and have determined that it is feasible to defer planned July 1, 2020 rate increases. This action is not completely without financial consequences to the utility enterprise funds involved. Nonetheless, it is being recommended by staff to the Council for its consideration as an appropriate response to local economic conditions and as a contribution to assisting the community in its recovery from the COVID-19 pandemic.

Staff further recommends that should the Council approve the recommended deferral of planned Water and Wastewater increases for July 1, 2020, that those planned increases be rescheduled for July 1, 2021. For the Water Department, this action would authorize implementing the final year of the five annual rate increases approved by the Council in the summer of 2016. For the Wastewater Enterprise, the deferral would extend its five year schedule of rate increases approved by the Council in the spring of 2019 through 2024, with its final approved increase being implemented on July 1, 2024 rather than July 1, 2023.

**FISCAL IMPACT:** Fiscal impacts of the recommended deferrals of the planned Water and Wastewater July 1, 2020 rate increases would be dealt with by reducing fund balances.

Specifically, the Water Department has an established reserve, the Rate Stabilization Fund (Fund 713) that would be used to address any material revenue short-fall associated with the deferral of its planned July 1, 2020 rate increase. Council Policy 34.4 provides that prior to any transfer of

funds from any of the Water Department's reserve funds, specific approval from the Council to do so is required. Should a transfer from Fund 713 be necessary, the Water Department would provide a specific request to transfer funds to the Council for consideration and action.

The Wastewater Enterprise would use fund balance from its operating fund to meet any revenue short-fall it may experience.

Submitted by:  
Rosemary Menard  
Water Director

Submitted by:  
Mark Dettle  
Public Works Director

Approved by:  
Martín Bernal  
City Manager

ATTACHMENTS:  
None



## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Water

SUBJECT: Graham Hill Water Treatment Plant Facility Improvements Project:  
Authorization to use Progressive Design Build Project Delivery Method  
(WT)

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RECOMMENDATION: Motion to authorize use of the best value project delivery method, Progressive Design Build, for the Graham Hill Water Treatment Plant Facilities Improvement Project.

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BACKGROUND: Major components of the Water Department's capital investment program are located at the Graham Hill Water Treatment Plant. The Graham Hill Water Treatment Plant (GHWTP) was commissioned in the 1960's as a surface water treatment plant and was last upgraded in the 1980's. The plant is operated continuously, as it is the primary source of treated water for the City. In addition to meeting today's needs the plant will play a prominent role during future droughts and adapting to the effects of climate change, providing more robust treatment process capabilities that are beyond those of the existing plant. This treatment process improvement supports implementation of a central element of the City Council approved Water Supply Advisory Committee 2015 recommendation to capture and treat additional surface water in the winter for storage and later use during drought years. While the existing plant continues to produce water that meets or exceeds water quality standards, aging treatment process equipment and the deteriorating condition of underlying concrete structures necessitate a major reinvestment in the facility to ensure continuing reliable performance.

This reinvestment was begun over the last several years and includes completed and ongoing projects include major maintenance repairs to the flocculation, sedimentation and filtration basins, and planned replacement of three of the four concrete tanks. Simultaneous with these component repair and replacement projects, staff has been developing the Facilities Improvement Project, or FIP, to plan for the rehabilitation of the treatment process and remaining elements of the facility. The FIP is based on a comprehensive evaluation of the facility and identifies the most cost-effective approach to making needed improvements to meet water treatment objectives and improve the overall reliability and resiliency of the plant.

Staff has been working with HDR, Inc. since December 2017 completing a comprehensive condition assessment of the facility, evaluating alternative treatment processes, pilot testing treatment alternatives, and developing a plan for non-treatment plant related problems such as

seismic deficiencies of the Operations Building. Staff is currently working with HDR to finalize the planning report and 10% conceptual drawings.

Water treatment plant upgrades are notoriously complex and challenging projects to design and construct, especially when the plant must remain in service as will be the case for GHWTP. When faced with these challenges, many public agencies in the region have utilized best value project delivery methods to execute projects similar to that anticipated at GHWTP. Best value project delivery methods are typically selected because they use an integrated approach to planning facility design and construction that provides opportunities to more creatively problem solve issues that would come up during construction in the facility design phase.

**DISCUSSION:** In addition to assessing the current plant condition, and recommending process improvements, HDR was tasked with working with staff to evaluate potential delivery methods appropriate for a project of this size and complexity. Through a series of workshops, staff considered and scored over 20 criteria related to cost, schedule, project scope, community impacts, permitting, contracts and risks. This evaluation highlighted and compared the strengths and challenges of the three most common best value delivery methods as well as the traditional design-bid-build delivery methods. After careful consideration of the options evaluated for the FIP, staff is recommending the progressive design build best value approach for this particular project. The primary reasons for proceeding with progressive design instead of other best value methods or design-bid-build are:

- **Cost:** Ability to establish higher degree of cost certainty earlier in the design process and adjust scope if pricing is higher than expected (i.e., design to budget)
- **Schedule:** Flexibility to align project schedule with external funding deadlines, for example those imposed by the federal low interest loan Water Infrastructure Finance and Innovation Program, and other projects at the Water Treatment Plant
- **Risk:** Ability to maintain operations during construction, and equitably negotiate and share risk between City, Designer, and Contractor.

The progressive design build delivery model follows a competitive Request for Proposals process and provides for an integrated design and construction team to be intimately involved from the early design stages of the project, anticipating and mitigating the complex issues related to reconstructing the treatment plant while it remains in operation. Because the treatment plant cannot be taken out of service for more than several hours at a time, the construction team's engagement during the complicated planning for multiple critical process tie-ins to the existing infrastructure, constructability planning during design and cost control during design are all important benefits expected from this delivery approach.

In addition, the most recent FIP construction cost is estimated at \$75–100 million and cost control will be a significant component of the design process. The FIP construction will begin when the design and environmental review are complete, a guaranteed maximum construction cost proposal is accepted by the City, and the other major project planned for the site, the Graham Hill Water Treatment Plant Concrete Tanks Replacement Project, is completed.

On May 12, 2020, through Ordinance No 2020-08, Council adopted changes and updates to section 3.08 of the Purchasing code to address the use of the best value delivery method for construction projects. Municipal Code section 3.08.091 part C states: “The city council shall

authorize use of a best value project delivery method in accordance to this Section prior to or concurrent with the award of contract.”

Given the scale, complexity, and cost of the FIP, staff is seeking Council’s authorization to use the best value progressive design build method at the beginning of the procurement process, and prior to issuance of any procurement documents. Should Council authorize the use of a progressive design build procurement for the FIP, a Request for Qualifications (RFQ), would be advertised in July 2020, and would be the first of the two step process for procuring a design-builder team for the FIP. The RFQ process is intended to shortlist qualified firms, each of which will submit a detailed proposal later this fall in the Request for Proposals (RFP) step. The RFP would be followed by a formal Council award of the progressive design build contract.

The progressive design build approach involves a suite of professionals working on behalf of the City to ensure successful project delivery. The project team includes:

- City Staff: providing overall project management, contract management, and design review
- Legal Counsel: providing legal review of procurement documents and the design build agreement
- HDR: owner’s advisor/Program Manager supporting city staff and providing project management
- Dudek: the environmental and permitting consultant
- The design-build firm: performing the design and then construction of the improvements
- A construction manager: to oversee the construction process

Note that while the City has several formal advisors embedded into the project structure, the design-build contract with one single entity greatly increases accountability to control costs and meet schedule.

Staff has briefed the Water Commission on its work on the FIP several times during the last year including detailed presentations about the project needs in December 2019 and June 2020. Additionally, Water Commissioners have been briefed on the Best Value Procurement methods both prior to initiating the recent Charter Amendment, Measure W, and following voter approval of Measure W. As a large project requiring several Council authorizations, Council actions on the FIP would include:

- June 23, 2020: Approve progressive design build delivery method approach
- May 2021: Award of progressive design build contract (Phase 1- Design Services)
- October 2022: Certification of Final Environmental Impact Report
- December 2023: Approval of construction guaranteed maximum price agreement (Phase 2 Services)

The project will be subject to the State’s prevailing wage and apprentice hire requirements for workers, Davis-Bacon provisions for reporting, as well as the City’s local hire ordinance.

FISCAL IMPACT: None at this time.

Prepared by:  
Heidi Luckenbach  
Deputy Director/Engineering Manager

Submitted by:  
Rosemary Menard  
Water Director

Approved by:  
Martín Bernal  
City Manager

ATTACHMENTS:  
None



## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Water

SUBJECT: Resolution to Apply for United States Environmental Protection Agency Loan for Backbone Water Infrastructure Projects (WT)

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**RECOMMENDATION:** Adopt a resolution authorizing the Water Department to apply for United States Environmental Protection Agency (EPA) Water Infrastructure Finance and Innovation Act (WIFIA) loan for Backbone Water Infrastructure Projects.

---

**BACKGROUND:** The Water Department is undergoing an historic reinvestment in the system's infrastructure, as well as planning for improvements to increase the water system's reliability and resiliency. As part of this effort, the Department is continuing to explore options to fund capital investments at the lowest possible cost to minimize the impact on water rates and our community.

The Environmental Protection Agency established the Water Infrastructure Finance and Innovation Act (WIFIA) loan program in 2017 to accelerate investment in water infrastructure by providing low interest financing for planning/design and construction of large dollar value water and wastewater infrastructure projects. WIFIA works separately from, but in coordination with, the state revolving fund (SRF) programs in each state. The Water Department is in the final stages of approval for two Drinking Water SRF (DWSRF) low interest loans: \$103 million for the Newell Creek Inlet/Outlet Replacement Project and a \$45.9 million for the Graham Hill Water Treatment Plant Concrete Tanks.

**DISCUSSION:** The Water Department intends to apply for approximately \$320 million in WIFIA loan funding for Backbone Water Infrastructure Projects including the following capital improvements: Graham Hill Water Treatment Plant Facilities Improvements and Concrete Tanks projects, Newell Creek Inlet/Outlet Replacement, the Newell Creek Pipeline and other projects that may be identified during the application process. The Department plans to leverage both DWSRF loans as the 51% match.

This is the first in a series of actions and resolutions necessary to apply for and, if approved, accept a WIFIA loan. This action will:

- Authorize the Water Director to sign the WIFIA Letter of Interest and subsequent Application; and,

- Authorize the Water Director as the authorized representative for the City in carrying out the City's responsibilities under the Letter of Interest and Financial Assistance Application including compliance with applicable state and federal laws.

FISCAL IMPACT: There are no financial implications to the Water Operations Fund (Fund 713) resulting from this action. The amount of the potential WIFIA loan will be approximately \$320 million with a required 51% match of \$163.2 million depending on the final costs and compliment of projects included in the loan.

Prepared by:  
Nicole B. Dennis  
Finance Manager (interim)

Submitted by:  
Rosemary Menard  
Water Director

Approved by:  
Martín Bernal  
City Manager

ATTACHMENTS:  
Resolution

RESOLUTION NO. NS-29,

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ AUTHORIZING THE WATER DEPARTMENT TO APPLY FOR UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WATER INFRASTRUCTURE FINANCE AND INNOVATION ACT (WIFIA) FUNDS FOR IMPROVEMENTS TO THE CITY'S BACKBONE WATER INFRASTRUCTURE

WHEREAS, the City of Santa Cruz (the "CITY") desires and intends to finance expenditures for improvements to the City's Backbone Water Infrastructure such as: the Graham Hill Water Treatment Plant Facilities and Concrete Tanks, Newell Creek Inlet/Outlet Replacement and Pipeline, and other capital improvements that meet WIFIA's funding requirements (Projects); and

WHEREAS, the CITY expects to apply for a loan from the US Environmental Protection Agency Water Infrastructure Finance and Innovation Act loan program for the Projects; and

WHEREAS, the Water Director (the "Authorized Representative"), or designee is hereby authorized and directed to sign and file, for and on behalf of the CITY, a Letter of Interest and Financial Assistance Application for a financing agreement from the US Environmental Protection Agency for the planning, design, and construction of the Projects; and

WHEREAS, the Authorized Representative, or designee, is designated to provide the assurances, certifications, and commitments required of the US Environmental Protection Agency for the financial assistance application, and any amendments or changes thereto; and

WHEREAS, the Authorized Representative, or designee, is designated to represent the CITY in carrying out the CITY's responsibilities under the Letter of Interest and Financial Assistance Application including compliance with applicable state and federal laws.

NOW THEREFORE, BE IT RESOLVED that the City Council of the CITY approves this Authorizing Resolution as recommended by the US Environmental Protection Agency.

PASSED AND ADOPTED this 23<sup>rd</sup> day of June, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator



## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Water

SUBJECT: Construction Safety Consultant – Award of Professional Services Agreement (WT)

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**RECOMMENDATION:** Motion authorizing the City Manager to execute an agreement in a form to be approved by the City Attorney with Safety Management Consultation Services, Inc. (Yuba City, CA) in the amount of \$117,100 for safety consultation support services.

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**BACKGROUND:** Over the next ten years, the City of Santa Cruz Water Department plans to execute a number of large and complex capital improvement projects. Several of these projects are located at the Graham Hill Water Treatment Plant which will continue to be staffed and operated during construction. Safe execution of these projects is a top priority. The Water Department has successfully used a safety consultant on a project by project basis to mitigate the risk of accidents or injuries on construction sites and ensure a safe working environment is maintained at all times.

As construction begins on various projects in the Department's Capital Investment Program (CIP), the use of a Construction Safety Consultant will provide staff access to technical knowledge for matters that are outside of the general scope of routinely-executed projects. As these CIP projects vary in scope and size, a Construction Safety Consultant will be able to provide a consistent platform to review, recommend and report on contractor's adherence to the City's safety policies and other safety regulations. Additionally, Water Department staff will benefit from skills transfer during the interaction with the Construction Safety Consultant.

**DISCUSSION:** A request for proposals was issued in October 2019 to provide these safety services. Three consulting firms responded including Carollo Engineers, Inc., Safe-T-Professionals, LLC, and Safety Management Consulting Services, Inc. (A fourth firm, Safety Compliance Management, submitted a late proposal and was therefore not considered in the evaluation.) A review by City staff and a program consultant was performed and Safety Management Consulting Services, Inc. was the highest ranked firm.

The contract will be renewed as appropriate (likely on an annual basis) and amended to meet specific project needs. The work performed under this contract will include project management tasks, monthly visits to each active construction site, monthly reports summarizing field inspections to all active construction sites (noting non-compliance issues, summary of site conditions, highlighted safety compliance and corrective measures), becoming familiar with all

safety documentation including the City's safety policies and Contractor's Health and Safety Plan, and providing technical support on projects that require specialized safety plan review.

The contract is anticipated to begin in late June 2020 and be implemented until July 2021 with the option of extending this contract on a yearly basis thereafter. In this first year three projects (Coast Pump Station 20-inch Raw Water Pipeline Replacement, Graham Hill Water Treatment Plant Flocculator Rehab/Replacement and Graham Hill Water Treatment Plant Concrete Tanks Project) are anticipated to move into the construction phase.

FISCAL IMPACT: Funds are available in the Water Department Capital Improvement Program budget. The first year will be funded by project #c701707 for the Coast Pump Station 20-inch Raw Water Pipeline Replacement, project #c701502 for the Graham Hill Water Treatment Plant Flocculator Rehab/Replacement, and project #c701501 for the Graham Hill Water Treatment Plant Concrete Tanks Project.

Prepared by:  
Heidi Luckenbach  
Deputy Director/Engineering Manager

Submitted by:  
Rosemary Menard  
Water Director

Approved by:  
Martín Bernal  
City Manager

ATTACHMENTS:  
Agreement

PROFESSIONAL SERVICE AGREEMENT FOR  
CONSTRUCTION SAFETY CONSULTANT SERVICES

THIS AGREEMENT for services is made by and between the City of Santa Cruz (“City”) Safety Management Consultation Services Inc. (“Consultant”) (referred to individually as a “Party” and collectively, as the “Parties”) as of \_\_\_\_\_, 2020 (the “Effective Date”).

NOW, THEREFORE, in consideration of each other’s mutual promises, the Parties hereto agree as follows:

SECTION 1: SCOPE OF WORK

Consultant will provide construction safety management services as-needed for various Water Department Capital Improvement Program projects. The Scope of Work per project, including cost and schedule, will be agreed to between the Parties and will be added as a Contract Amendment to this Agreement. The Consultant’s Scope of Work will vary per project and may include the tasks as described in **Exhibit A**.

SECTION 2: RESPONSIBILITIES OF CONSULTANT

All work performed by Consultant, or under Consultant’s direction, shall be rendered in accordance with the generally accepted practices, and to the standards of, Consultant's profession. Consultant represents and warrants that Consultant: (i) is fully experienced and properly qualified to perform the work and services provided for herein, (ii) has the financial capability required for the performance of the work and services, and (iii) is properly equipped and organized to perform the work and services in a competent, timely, and proper manner, in accordance with the requirements of this Agreement.

Consultant shall not undertake any work beyond the **Scope of Work** set forth in **Exhibit A** unless such additional work is approved in advance and in writing by City. The cost of such additional work shall be reimbursed to Consultant by City on the same basis as provided for in Section 4.

If, in the performing the work, it is necessary to conduct field operations, security and safety of the job site will be the Consultant's responsibility excluding, nevertheless, the security and safety of any facility of City within the job site which is not under the Consultant's control.

Consultant shall meet with **ROSEMARY MENARD**, Director of the Water Department, hereinafter called "Director", or other designated and authorized City personnel, or third parties as necessary, on all matters connected with carrying out of Consultant’s services described in **Exhibit A**. Such meetings shall be held at the request of either Party. Review and City approval of completed work shall be obtained monthly, or at other intervals as may be mutually agreed upon during the course of this Agreement.

SECTION 3: RESPONSIBILITIES OF THE CITY

City shall make available to Consultant all necessary data and information in the City's possession and shall actively assist Consultant in obtaining such information from other agencies and individuals as needed.

The Director may authorize a staff person to serve as his or her representative. The work in progress shall be reviewed at such intervals as may be mutually agreed upon between the parties. The City will be the sole judge of acceptable work. If the work is not acceptable, City will inform Consultant of the changes or revisions necessary to secure approval.

SECTION 4: FEES AND PAYMENT

For services actually performed, the City will compensate Consultant at the rates set forth in the **Fee Schedule** detailed in **Exhibit B** and in accordance with the terms set forth therein. Payment for Consultant's services in carrying out the entire the Scope of Work shall be made within the budget limit, or limits shown, upon **Exhibit B**. Such payment shall

be considered the full compensation for all personnel, materials, supplies, and equipment used by Consultant in the Scope of Work. Markups shall not be charged for any approved sub-consultants or subcontractors.

Consultant agrees that the payments to Consultant will constitute full and complete compensation for all obligations assumed by Consultant under this Agreement. Where conflicts regarding compensation may occur, the provisions of this section apply.

Variations from the budget for each task which are justified by statements indicating personnel time expended and submittal of a revised budget are allowed with prior City approval; however, in no event shall the total fee charged for the Scope of Work set forth in the Amendment authorizing such work without advance written City authorization in the form of another Amendment.

Invoices shall detail the time worked by each class of employee on each task and the expenses incurred for which billing is made. Invoices shall indicate the percentage completion of each work task as identified in the Scope of Work in Exhibit A and the overall percentage of completion of the total required services. Unless otherwise specified in the fee schedule, payments shall be made monthly by the City within 30 days based on itemized invoices from the Consultant which list the actual costs and expenses.

All invoices shall contain the following affidavit signed by Consultant (if individual) or by a principal of Consultant's firm (if Consultant is an entity):

"I hereby certify [or as principal of Consultant] that the charge of (Insert invoice amount) as summarized above and shown in detail on the attachments is a fair and reasonable use of public funds, is in accordance with the terms of Agreement dated (Insert Agreement Date), and has not been previously paid."

#### SECTION 5: TRAVEL REIMBURSEMENT POLICY

Travel, meal, and lodging expense reimbursements will not be allowed or accepted by the City for this contract. All such expenses shall be billed into the contractor's cost proposal.

#### SECTION 6: TERM OF CONTRACT AND AGREEMENT RENEWAL

The term of the agreement will commence the effective date and terminate following completion of the final Contract Amendment as approved by the City. At the option of the City, this agreement may be renewed annually under the same contractual terms and conditions.

The Fee Schedule will remain firm for the **first year** of the agreement. One Fee Schedule update may be considered annually, on the anniversary date of the agreement, as a result of:

- Increases in Government or regulatory agency taxes, charges, or fees specific to the Consultant's trade; or
- Increases in the previous 12 month Consumer Price Index (all items, not seasonally adjusted, for all urban consumers) for San Francisco-Oakland-San Jose.

Any request for Fee Schedule increases exceeding the above, must be requested in writing and substantiated with documentation justifying the increase. The City will be the sole judge of acceptable Fee Schedule increases and the City may cancel the agreement if a requested Fee Schedule increase is not acceptable.

SECTION 7: CHANGES IN WORK

The Scope of Work per project, including cost and schedule, will be agreed to between the Parties and will be added as a Contract Amendment to this Agreement. City may negotiate changes in the Scope of Work. No changes in the Scope of Work shall be made without the City's written approval. Any change requiring compensation in excess of the sum specified in the Amendment authorizing such work or **Exhibit B** shall be approved in advance in writing by the City. Only City's authorized representative(s) is authorized to approve changes to this Agreement on behalf of City.

SECTION 8: TIME OF BEGINNING AND SCHEDULE FOR COMPLETION

Consultant shall begin work upon receipt of a written Notice to Proceed. The Notice to Proceed shall not be issued until after this Agreement has been approved and authorized by the City.

The Work Schedule for completion of the work shall be agreed upon by both Parties per Contract Amendment and coordinated monthly.

Neither party will be held responsible for delay or default caused by declared emergencies, natural disasters, or any other cause which is beyond the party's reasonable control. Consultant will, however, make all reasonable efforts to remove or eliminate such a cause of delay or default and will, upon the cessation of the cause, diligently pursue performance of its obligations in this Agreement.

The City reserves the right to obtain the item(s) covered by this Agreement from another source during any on-going suspension of service due to the circumstances outlined above.

SECTION 9: TERMINATION

The City or Consultant may terminate the Agreement for convenience by providing written notice to the other party not less than 30 calendar days prior to an effective termination date.

The City or Consultant may terminate the Agreement for material breach of agreement by providing written notice to the other party not less than 14 calendar days prior to an effective termination date.

Upon notice of termination, the Consultant will immediately take action not to incur any additional obligations, costs or expenses, except as may be reasonably necessary to terminate its activities. The City's only obligation to the Consultant will be just and equitable payment for services authorized by, and received to the satisfaction of, the City up to and including the effective date of termination. All finished or unfinished work or documents procured or produced under the Agreement will become property of the City upon the termination date. The City reserves the right to obtain services elsewhere, and the defaulting Consultant will be liable for the difference between the prices set forth in the terminated Agreement and the actual cost to the City. In no event will the City be liable for any loss of profits on the resulting agreement or portion thereof so terminated. After the effective date of termination, Consultant will have no further claims against the City under the Agreement. Termination of the Agreement pursuant to this paragraph may not relieve the Consultant of any liability to City for damages sustained by City because of any breach of Agreement by Consultant, and City may withhold any payments to Consultant for the purpose of set-off until such time as the exact amount of damages due City from Consultant is determined.

The rights and remedies provided in this section will not be exclusive and are in addition to any other rights and remedies provided by law or under the Agreement.

SECTION 10: INSURANCE

Prior to the beginning of and throughout the duration of the Agreement, Consultant will maintain and comply with the **Insurance Requirements** as set forth in **Exhibit D**. Consultant will insure the City against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work

hereunder and the results of that work by Consultant, Consultant's agents, representatives, employees or subcontractors.

SECTION 11: INDEMNIFICATION

For General Services: To the fullest extent permitted by law, Consultant agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, and volunteers from and against any and all claims, demands, actions, liabilities, damages, judgments, or expenses (including attorneys' fees and costs) arising from the acts or omissions of Consultant's employees or agents in any way related to the obligations or in the performance of services under this Agreement, except for design professional services as defined in Civil Code § 2782.8, and except where caused by the sole or active negligence, or willful misconduct of City.

For Design Professional Services under Civil Code §2782.8: To the fullest extent permitted by law, Consultant agrees to indemnify, defend, and hold harmless City, its officials, officers, employees, and volunteers from and against any and all claims, demands, actions, liabilities, damages, or expenses (including attorneys' fees and costs) arising from the negligence, recklessness, or willful misconduct of the Consultant, Consultant's employees, or agents in any way related to the obligations or in the performance of design professional services under this Agreement as defined in Civil Code §2782.8, except where caused by the sole or active negligence, or willful misconduct of City. The costs to defend charged to the Consultant relating to design professional services shall not exceed the Consultant's proportionate percentage of fault per Civil Code §2782.8.

SECTION 12: EQUAL EMPLOYMENT OPPORTUNITY/NON-DISCRIMINATION POLICIES

City's policies promote a working environment free from abusive conduct, discrimination, harassment, and retaliation; and require equal opportunity in employment for all regardless of race, religious creed (including religious dress and grooming practices), color, national origin (including language use restrictions), ancestry, religion, disability (mental and physical), medical condition, sex, gender (including gender identity and gender expression), physical characteristics, marital status, age, sexual orientation, genetic information (including family health history and genetic test results), organizational affiliation, and military or veteran status, or any other consideration made unlawful by local, State or Federal law. City requires Consultant to be in compliance with all applicable Federal and State and local equal employment opportunity acts, laws, and regulations and Consultant is responsible for ensuring that effective policies and procedures concerning the prevention of abusive conduct, discrimination, harassment, and retaliation exist in Consultant's business organization. The City's current Equal Employment Opportunity and Non-Discrimination policies to which this Section applies may be viewed at <http://www.codepublishing.com/CA/SantaCruz/?SantaCruz09/SantaCruz0983.html> and <http://www.cityofsantacruz.com/home/showdocument?id=59192>.

SECTION 13: LEGAL ACTION/ATTORNEYS' FEES

If any action at law or in equity is brought to enforce or interpret the provisions of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief. The laws of the State of California, with jurisdiction in the Santa Cruz County Superior Court, shall govern all matters relating to the validity, interpretation, and effect of this Agreement and any authorized or alleged changes, the performance of any of its terms, as well as the rights and obligations of Consultant and the City.

SECTION 14: AMENDMENTS

This Agreement may not be amended in any respect except by way of a written instrument which expressly references and identifies this particular Agreement, which expressly states that its purpose is to amend this particular Agreement, and which is duly executed by the City and Consultant. Consultant acknowledges that no such amendment shall be effective until approved and authorized by the Director. No representative of the City is authorized to obligate the City to pay the cost or value of services beyond the scope of services set forth in Exhibit A. Such authority is retained solely by the Director. Unless expressly authorized by the Director, Consultant's compensation shall be limited to that set forth in Exhibit B, Fee Schedule.

## SECTION 15: MISCELLANEOUS PROVISIONS

1. Project Manager. Director reserves the right to approve the project manager assigned by Consultant to said work. No change in assignment may occur without prior written approval of the City.
2. Consultant Services Only. Consultant is employed to render professional services only and any payments made to Consultant are compensation solely for such professional services.
3. Independent Contractor. In the performance of its work, it is expressly understood that Consultant, including Consultant's agents, servants, employees, and subcontractors, is an independent contractor solely responsible for its acts and omissions, and Consultant shall not be considered an employee of the City for any purpose.
4. Consultant Not an Agent. Except as City may specify in writing, Consultant shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Consultant shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.
5. Subcontractors. Subcontracting of work without prior approval of the City, may result in contract termination. If at any time, the City determines any subcontractor is incompetent or unqualified, Consultant will be notified and will be expected to immediately cancel the subcontract. Consultant shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein, and Consultant shall ensure that City of Santa Cruz, its officers, officials, employees, agents, and volunteers are additional insureds on insurance required from subcontractors.
6. Assignment. This Agreement shall not be assigned without first obtaining the express written consent of the Director or after approval of the City Council. Neither party may assign this Agreement unless this Agreement is amended in accordance with its terms.
7. Conflicts of Interest. Consultant owes City a duty of undivided loyalty in performing the work and services under this Agreement. Consultant on behalf of itself, its employees and subcontractors, covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required to be performed under this Agreement. Consultant acknowledges that it is aware of and agrees to comply with the provisions of the Political Reform Act, Section 1090 of the Government Code, and the City's conflict of interest code. Consultant will immediately advise City if Consultant learns of a conflicting financial interest of Consultant's during the term of this Agreement. Consultant owes City a duty of undivided loyalty in performing the work and services under this Agreement.
8. City Property. The work, or any portion, of Consultant in performing this Agreement shall become the property of City. The Consultant shall be permitted to retain copies or such work for information and reference in connection with the City's use. All materials and work product, whether finished or unfinished, shall be delivered to City upon completion of contract services or termination of this Agreement for any reason. Consultant agrees that all copyrights which arise from creation of project-related documents and materials pursuant to this Agreement shall be vested in the City and Consultant waives and relinquishes all claims to copyright or other intellectual property rights in favor of City. Any work product related to this Agreement shall be confidential, not to be used by the Consultant on other projects or disclosed to any third party, except by agreement in writing by the City.
9. Consultant's Records. Consultant shall maintain accurate accounting records and other written documentation pertaining to the costs incurred for this project. Such records and documentation shall be kept available at Consultant's office during the period of this Agreement, and after the term of this Agreement for a period of three years from the date of the final City payment for Consultant's services.

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10. Compliance with Laws. All activities of Consultant, its employees, subcontractors and/or agents will be carried out in compliance with all applicable federal, state and local laws.
11. Licensure. Consultant warrants that Consultant, its subcontractors and/or agents (if any) has/have complied with any and all federal, state, and local licensing requirements and agrees to provide proof of a current City of Santa Cruz Business Tax Certificate if:
- Consultant, its subcontractor(s) and agent(s) is/are located in the City of Santa Cruz;
  - Will perform physical work in the City of Santa Cruz for 6 or more days annually; or
  - Will use company vehicles to deliver within the City of Santa Cruz for 6 or more days annually.
- For additional information and licensing requirements, view the City's [Business Licenses and Permits webpage](#) or call the Revenue and Taxation division at 831/420-5070.
12. Living Wage. Every contract for services to the City for \$10,000 or more, is subject to City of Santa Cruz Living Wage Ordinance number 2000-25. The requirements of the Living Wage ordinance are provided in Santa Cruz Municipal Code Chapter 5.10. Compliance with Prevailing Wage provisions fulfills the requirements of the Living Wage Ordinance.
13. Prevailing Wage. To the extent that the work or services to be performed under this Agreement may be considered a "public work" pursuant and subject to Labor Code section 1720 *et seq.*, Consultant (and any subconsultant performing the work or services) shall conform to any and all prevailing wage requirements applicable to such work/and or services under this Agreement. Consultant (and any subconsultant) shall adhere to the prevailing wage determinations made by the Director of Industrial Relations (DIR) pursuant to California Labor Code Part 7, Chapter 1, Article 2, applicable to the work, if any. All workers employed in the execution of a public works contract (as such term is defined California Labor Code section 1720 *et seq.* and section 1782(d)(1)) must be paid not less than the specified prevailing wage rates for the type of work performed. Reference: California Labor Code sections 1720, 1774 and 1782.
- Consultant agrees to be bound by the prevailing wage requirements to the extent applicable to the scope of work and services under this Agreement, including, but not limited to, the following:
- a. If a worker is paid less than the applicable prevailing wage rate owed for a calendar day (or any portion thereof), Consultant shall pay the worker the difference between the prevailing wage rate and the amount actually paid for each calendar day (or portion thereof) for which the worker(s) was paid less than the prevailing wage rate, as specified in Labor Code section 1775;
  - b. Consultant shall maintain and make available payroll and worker records in accordance with Labor Code sections 1776 and 1812;
  - c. If Consultant employs (and/or is legally required to employ) apprentices in performing the work and/or services under this Agreement, Consultant shall ensure compliance with Labor Code section 1777.5;
  - d. Consultant is aware of the limitations imposed on overtime work by Labor Code sections 1810 *et seq.* and shall be responsible for any penalties levied in accordance with Labor Code section 1813 for failing to pay required overtime wages;
  - e. Consultant shall post a copy of the applicable wage rates at each jobsite at a location readily available to its workers.

Any failure of Consultant and/or its subconsultant to comply with the above requirements relating to a public work project shall constitute a breach of this Agreement that excuses the City's performance of this Agreement at the City's sole and absolute option, and shall be at the sole risk of Consultant. Consultant on behalf of itself, any subconsultant, agree to indemnify, defend and hold harmless the City and its officials, officers, employees, and agents from and against any and all claims, liabilities, losses, costs, expenses, attorney's fees, damages, expenses, fines, financial consequences, interest, and penalties, of any kind or nature, arising from or relating

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to any failure (or alleged failure) of the Consultant and any subconsultant to pay prevailing wages or to otherwise comply with the requirements of prevailing wage law relating to a public work.

14. Registration with DIR. Consultant acknowledges that it and/ any subconsultant shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, unless currently registered with the DIR and qualified to perform public work pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)]. A bid shall not be accepted nor any contract or subcontract entered into without proof of the Consultant or subconsultant's current registration to perform public work. Labor Code section 1771.1(b).
15. Dispute Resolution. The Parties agree to attempt in good faith to resolve through negotiation any dispute, claim or controversy arising out of or relating to this Agreement. Either party may initiate negotiations by providing written notice in letter form to the other party, setting forth the subject of the dispute and the relief requested. Promptly upon such notification, the Parties shall meet at a mutually agreeable time and place in order to exchange relevant information and perspective, and to attempt to resolve the dispute. In the event that no resolution is achieved, and if, but only if, the parties mutually agree, then prior to pursuing formal legal action, the parties shall make a good faith effort to resolve the dispute by non-binding mediation or negotiations between representatives with decision-making power, who, to the extent possible, shall not have had substantive involvement in the matters of the dispute. To the extent that the dispute involves or relates to a public works project, the Parties agree to attempt to resolve the dispute by complying with the claims process as set forth in Public Contract Code section 9204(e).
16. Force Majeure. Neither party hereto shall be considered in default in the performance of its obligation hereunder to the extent that the performance of any such obligation, except the payment of money, is prevented or delayed by any cause, natural disaster, or other peril, existing or future, which is beyond the reasonable control of the affected party. Each party hereto shall give notice promptly to the other of the nature and extent of any Force Majeure claimed to delay, hinder or prevent performance of the services under this Agreement. In the event either party is prevented or delayed in the performance of its respective obligation by reason of such Force Majeure, there may be an equitable adjustment of the schedule and Consultant compensation based on City's sole discretion.
17. Complete Agreement. This Agreement, along with any attachments, is the full and complete integration of the parties' agreement with respect to the matters addressed herein, and that this Agreement supersedes any previous written or oral agreements between the parties with respect to the matters addressed herein.
18. Severability. The unenforceability, invalidity or illegality of any provision(s) of this Agreement shall not render the other provisions unenforceable, invalid or illegal.
19. Waiver. Waiver by any party of any portion of this Agreement shall not constitute a waiver of the same or any other portion hereof.
20. Governing Law. This Agreement shall be governed by and interpreted in accordance with California law.
21. Contract Interpretation. Each party acknowledges that it has reviewed this Agreement and that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement.
22. MacBride Principles/Peace Charter. City of Santa Cruz Resolution NS-19,378 (7/24/90) encourages all companies doing business in Northern Ireland to abide by the MacBride Principles and Peace Charter.

23. Storm Water Requirements. To the extent applicable to the Scope of Work under this Agreement, Consultant, and all subcontractors, are required to abide by the applicable City of Santa Cruz Storm Water Best Management Practices (BMPs) for the duration of the work. The City’s mandatory Storm Water BMPs, which are listed according to the type of work, operations, or business, are located on the City website at: <http://www.cityofsantacruz.com/index.aspx?page=138>.

24. Notices. If either party shall desire or is required to give notice to the other such notice shall be given in writing, via email or facsimile and concurrently by prepaid U.S. certified or registered postage, addressed to recipient as follows:

**To CITY:**  
Water Department  
Rosemary Menard  
212 Locust Street, Suite A  
Santa Cruz, CA 95060  
831/420-5200

**To CONSULTANT:**  
Safety Management Consultation Services  
1469 Butte House Rd., Ste B  
Yuba City, CA 95993  
Phone: 530.790.0432  
Cell: 530.218.1064  
Fax: 530.790.0951

Changes to the above information shall be given to the other party in writing ten (10) business days before the change is effective.

25. Counterparts. The parties may execute this Agreement in two or more counterparts, which shall, in the aggregate, be deemed an original but all of which, together, shall constitute one and the same instrument. A scanned, electronic, facsimile or other copy of a party’s signature shall be accepted and valid as an original.

26. Warranty of Authority. The signatories to this Agreement warrant and represent that each is authorized to execute this Agreement and that their respective signatures serve to legally obligate their respective representatives, agents, successors and assigns to comply with the provisions of this Agreement.

SECTION 16: SPECIAL PROVISIONS FOR FEDERALLY FUNDED PROJECTS

1. Byrd Anti-Lobbying Amendment Certification. Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. The Contractor certifies to the City and every subcontractor certifies to the Contractor that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining the Contract if it is covered by 31 U.S.C. 1352. The contractor and every subcontractor must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the City. Necessary certification and disclosure forms are included as Exhibit E.

2. Clean Air Act.

- a. The Contractor agrees to comply with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act, as amended, 42 CFR § 7401 et seq.
- b. The Contractor agrees to report each violation to the City and understands and agrees that the City will, in turn, report each violation as required to assure notification to the Federal Emergency Management Agency and the appropriate EPA Regional Office.

3. Contract Work Hours and Safety Standards Act.

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- a. Overtime requirements: No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty (40) hours in such workweek.
  - b. Violation, Liability for Unpaid Wages and Liquidated Damages: In the event of any violation of the clause set forth in this section, the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in this section, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in this section.
  - c. Withholding for Unpaid Wages and Liquidated Damages: The City shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contractor, or any other Federally assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in this Section.
  - d. Subcontracts: The contractor or subcontractor shall insert in any subcontracts the clauses set forth in this Section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in this Section.
4. Copeland Anti-Kickback Act.
- a. Contractor: The contractor shall comply with 18 CFR § 874, 40 CFR § 3145, and the requirements of 29 CFR Part 3 as may be applicable, which are incorporated by reference into the contract.
  - b. Subcontracts: The contractor or subcontractor shall insert in any subcontracts the clause above and such other clauses as may by appropriate instructions require, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all of these contract clauses.
  - c. Breach: A breach of the contract clauses above may be grounds for termination of the contract, and for debarment as a contractor and subcontractor as provided in 29 CFR § 5.12.
5. Davis-Bacon Act.
- a. Minimum wages:
    - (i) All laborers and mechanics employed or working upon the site of the work (or under the United States Housing Act of 1937 or under the Housing Act of 1949 in the construction or development of the project), will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3)), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates

not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics. Contributions made or costs reasonably anticipated for bona fide fringe benefits under the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3)). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, that the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under this section) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

- (ii)
- (A) The contracting officer shall require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. The contracting officer shall approve an additional classification and wage rate and fringe benefits therefore only when the following criteria have been met:
    - (1) The work to be performed by the classification requested is not performed by a classification in the wage determination; and
    - (2) The classification is utilized in the area by the construction industry; and
    - (3) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.
  - (B) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by the contracting officer to the Administrator of the Wage and Hour Division, U.S. Department of Labor, Washington, DC 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.
  - (C) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer shall refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Administrator for determination. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.
  - (D) The wage rate (including fringe benefits where appropriate) determined pursuant to paragraphs (a)(1)(ii) (B) or (C) of this section, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.
- (iii) Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the

benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

- (iv) If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.
- b. Withholding: The City shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld from the contractor under this contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee, or helper, employed or working on the site of the work (or under the United States Housing Act of 1937 or under the Housing Act of 1949 in the construction or development of the project), all or part of the wages required by the contract, the City may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.
- c. Payrolls and basic records:
  - (i) Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work (or under the United States Housing Act of 1937, or under the Housing Act of 1949, in the construction or development of the project). Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in section 1(b)(2)(B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs.
  - (ii)
    - (A) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to the City if the agency is a party to the contract, but if the agency is not such a party, the contractor will submit the payrolls to the applicant, sponsor, or owner, as the case may be, for transmission to the (write in name of agency). The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i), except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at <http://www.dol.gov/esa/whd/forms/wh347instr.htm> or its successor site. The prime contractor is

- responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to the City if the agency is a party to the contract, but if the agency is not such a party, the contractor will submit them to the applicant, sponsor, or owner, as the case may be, for transmission to the City, the contractor, or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this section for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to the sponsoring government agency (or the City).
- (B) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:
- (1) That the payroll for the payroll period contains the information required to be provided under § 5.5 (a)(3)(ii) of Regulations, 29 CFR part 5, the appropriate information is being maintained under § 5.5 (a)(3)(i) of Regulations, 29 CFR part 5, and that such information is correct and complete;
  - (2) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in Regulations, 29 CFR part 3;
  - (3) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.
- (C) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by this section.
- (D) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under section 1001 of title 18 and section 231 of title 31 of the United States Code.
- (iii) The contractor or subcontractor shall make the records required under paragraph (a)(3)(i) of this section available for inspection, copying, or transcription by authorized representatives of the City or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, the Federal agency may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.
- d. Apprentices and trainees:
- (i) Apprentices: Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice. The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at

an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractors' registered program shall be observed. Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination. In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

- (ii) Trainees. Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration. The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration. Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.
  - (iii) Equal employment opportunity. The utilization of apprentices, trainees and journeymen under this part shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR part 30.
- e. Compliance with Copeland Act requirements: The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract.
  - f. Subcontracts: The contractor or subcontractor shall insert in any subcontracts the clauses contained in 29 CFR 5.5(a)(1) through (10) and such other clauses as the (write in the name of the Federal agency) may by appropriate instructions require, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in 29 CFR 5.5.

- g. Contract termination, debarment: A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.
- h. Compliance with Davis-Bacon and Related Act requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract.
- i. Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.
- j. Certification of eligibility.
  - (i) By entering into this contract, the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).
  - (ii) No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).
  - (iii) The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

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6. Davis-Bacon Act Relationship to California Prevailing Wage Requirements.
- a. State-Mandated Minimum Prevailing Wage Rates:
    - (i) Pursuant to Section 1773 of the California Labor Code, the general prevailing wage rates of construction workers employed on public work in the county, or counties, in which the Site is located have been determined by the California Department of Industrial Relations (DIR). Contractor and Subcontractors of any tier shall pay workers not less than the minimum prevailing wage rates determined by DIR (“state-mandated minimum prevailing wage rates”).
    - (ii) State-mandated minimum prevailing wage rates in effect at the time the Bidding Documents were issued for pricing are bound into the original Contract Documents. Such state-mandated minimum prevailing wage rates may change during the Project. Contractor shall (a) immediately become aware of any and all changes in state-mandated minimum prevailing wage rates, and (b) as applicable, change the wage rates paid to workers employed on the Project to be not less than any revisions to the state-mandated minimum prevailing wage rates. There will be no change in the Contract Price for any adjustments in the state-mandated minimum prevailing wage rates.
    - (iii) Contractor and Subcontractors are subject to DIR enforcement of state-mandated minimum prevailing wage rates and related Laws and Regulations.
  - b. Federal-Mandated Minimum Prevailing Wage Rates:
    - (i) Federal funding and/or financing has been obtained by the City for the Project. Accordingly, federal Davis-Bacon Act minimum prevailing wage rates also apply to the Work. Contractor and Subcontractors of any tier shall pay workers employed on the Project not less than the federal Davis-Bacon Act wage rates (“federal-mandated minimum prevailing wage rates”).
    - (ii) The federal-mandated minimum prevailing wage rates in effect at the time the Bidding Documents were issued for pricing are bound into the original Contract Documents. Such federal-mandated minimum prevailing wage rates may change during the Project. Contractor shall (a) immediately become aware of any and all changes in federal-mandated minimum prevailing wage rates, and (b) as applicable, change the wage rates paid to workers employed on the Project to be not less than any revisions to the federal-mandated minimum prevailing wage rates. There will be no change in the Contract Price for any adjustments in the federal-mandated minimum prevailing wage rates.
  - c. Contractor and Subcontractors are responsible for being aware of changes in the state-mandated and federal-mandated minimum prevailing wage rates. Neither City, Program Manager, Construction Manager, Engineer, nor anyone for whom they are responsible, be responsible for advising or notifying Contractor of changes in applicable minimum prevailing wage rates. No Contract modification will be issued for changes in the applicable minimum prevailing wage rates.
  - d. When a labor classification is included in both the state-mandated and federal-mandated minimum prevailing wage rate determinations, Contractor and Subcontractors shall pay the higher of the two minimum prevailing wage rates for that labor classification.
7. Debarment and Suspension.
- a. The contract is a covered transaction for purposes of 2 CFR Part 180 and 2 CFR Part 3000. As such, the Contractor is required to verify that none of the Contractors, its principals (defined at 2 CFR § 180.995), or its affiliates (defined at 2 CFR § 180.905) are excluded (defined at 2 CFR § 180.940) or disqualified (defined at 2 CFR § 180.935).
  - b. The Contractor must comply with 2 CFR Part 180, Subpart C and 2 CFR Part 3000, Subpart C and must include a requirement to comply with these regulations in any subcontract.

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- c. If it is later determined that the Contractor did not comply with 2 CFR Part 180, Subpart C and 2 CFR Part 3000, Subpart C, in addition to remedies available to the City, the Federal Government may pursue available remedies, including, but not limited to, suspension and/or debarment.
  - d. The bidder or proposer agrees to comply with the requirements of 2 CFR Part 180, Subpart C and 2 CFR Part 3000, Subpart C while this offer is valid and throughout the period of any contract that may arise from this offer. The bidder or proposer further agrees to include a provision requiring such compliance in its subcontracts.
8. Equal Employment Opportunity.
- a. The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.
  - b. The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, or national origin.
  - c. The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the Contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
  - d. The Contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.
  - e. The Contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
  - f. In the event of the Contractor's noncompliance with the nondiscrimination clauses of the contract or with any of the said rules, regulations, or orders, the contract may be canceled, terminated, or suspended in whole or in part and the Contractor may be declared ineligible for further government contracts or Federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions as may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
  - g. The Contractor will include this provisions in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or Contractor. The Contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance provided; however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or Contractor as a result of such direction by the administering agency the Contractor may request the United States to enter into such litigation to protect the interests of the United States.
9. Federal Water Pollution Control Act.
- a. The Contractor agrees to comply with all applicable standards, orders, or regulations issued pursuant to the Federal Water Pollution Control Act, as amended, 33 CFR § 1251 et seq.

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- b. The Contractor agrees to report each violation to the City and understands and agrees that the City will, in turn, report each violation as required to assure notification to the appropriate EPA Regional Office.

10. Procurement of Recovered Materials.

- a. In the performance of the contract, the Contractor shall make maximum use of products containing recovered materials that are EPA-designated items unless the product cannot be acquired competitively within a timeframe providing for compliance with the contract performance schedule;
  - (i) Meeting contract performance requirements; or
  - (ii) At a reasonable price.
- b. Information about this requirement, along with the list of EPA-designated items, is available at EPA's Comprehensive Procurement Guidelines website, <https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program>.

11. Rights to Inventions Made Under a Contract or Agreement.

- a. The Contractor shall report any discovery or invention that arises during the course of the contract to the non-Federal entity. The Contractor shall promptly report inventions to the contracting officer (within two months) after the inventor discloses it in writing to Contractor personnel responsible for patent matters. The awarding agency shall determine how rights in the invention/discovery shall be allocated consistent with Government Patent Policy and Title 37 CFR § 401.

12. Termination for Cause and Convenience.

- a. Termination and Remedies for Breach of Contract: The following provisions concerning remedies for breach of contract and termination apply to contracts between the City and the City's contractor.
  - (i) Remedies for Breach of Contract: If the contractor violates or breaches the contract, the City may avail itself of any or all of the remedies provided for elsewhere in the contract. If there are no remedies provided for elsewhere in the contract, the City may avail itself of any or all of the following remedies. After declaring the contractor in default pursuant to the procedures below, the City may (i) withhold payment for unsatisfactory services, (ii) suspend or terminate the contract in whole or in part; and/or (iii) have the services under the contract completed by such means and in such manner, by contract procured with or without competition, or otherwise, as the City may deem advisable in accordance with all applicable contract provisions and law. After completion of the services under the contract, the City shall certify the expense incurred in such completion, which shall include the cost of procuring that contract. Should the expense of such completion, as certified by the City, exceed the total sum which would have been payable under the contract if it had been completed by the contractor, any excess shall be promptly paid by the contractor upon demand by the City. The excess expense of such completion, including any and all related and incidental costs, as so certified by the City may be charged against and deducted out of monies earned by the contractor.
- (A) Termination: The City shall have the right to terminate the contract in whole or in part for cause, for convenience, due to a Force Majeure Event. If the contract does not include termination provisions elsewhere, the following termination provisions apply:
  - (1) Termination for Cause: The City shall have the right to terminate the contract, in whole or in part, for cause upon a determination that the contractor is in default of the contract. Unless a shorter time is determined by the City to be necessary, the City shall effect termination according to the following procedure:
    - (i) Notice to Cure: The City shall give written notice of the conditions of default signed by the City Manager, setting forth the ground or grounds upon which such default is declared

(Notice to Cure). The contractor shall have ten (10) days from receipt of the Notice to Cure or any longer period that is set forth in the Notice to Cure to cure the default. The City Manager may temporarily suspend services under the contract pending the outcome of the default proceedings pursuant to this section.

- (ii) Opportunity to be Heard: If the conditions set forth in the Notice to Cure are not cured within the period set forth in the Notice to Cure, the City Manager may declare the contractor in default. Before the City Manager may exercise his or her right to declare the contractor in default, the contractor must be given an opportunity to be heard upon not less than five (5) business days' notice. The City Manager may, in his other discretion, provide for such opportunity to be in writing or in person. Such opportunity to be heard shall not occur prior to the end of the cure period, but notice of such opportunity to be heard may be given prior to the end of the cure period and may be given contemporaneously with the Notice to Cure.
- (iii) Notice of Termination: After an opportunity to be heard, the City Manager may terminate the contract, in whole or in part, upon finding the contractor in default. The City Manager shall give the contractor written notice of such termination (Notice of Termination), specifying the applicable provision(s) under which the contract is terminated and the effective date of termination. If no date is specified in the Notice of Termination, the termination shall be effective either ten (10) calendar days from the date the notice is personally delivered or fifteen (15) calendar days from the date Notice of Termination is sent by another method. The Notice of Termination shall be personally delivered, sent by certified mail return receipt requested, or sent by fax and deposited in a post office box regularly maintained by the United States Postal Service in a postage prepaid envelope.
- (iv) Grounds for Default: The City shall have the right to declare the contractor in default:
  - 1. Upon a breach by the contractor of a material term or condition of the contract, including unsatisfactory performance of the services;
  - 2. Upon insolvency or the commencement of any proceeding by or against the contractor, either voluntarily or involuntarily, under the Bankruptcy Code or relating to the insolvency, receivership, liquidation, or composition of the contractor for the benefit of creditors;
  - 3. If the contractor refuses or fails to proceed with the services under the contract when and as directed by the City Manager;
  - 4. If the contractor or any of its officers, directors, partners, five percent (5%) or greater shareholders, principals, or other employee or person substantially involved in its activities are indicted or convicted after execution of the contract under any state or federal law of any of the following:
    - a. a criminal offense incident to obtaining or attempting to obtain or performing a public or private contract;
    - b. fraud, embezzlement, theft, bribery, forgery, falsification or destruction of records, or receiving stolen property; a criminal offense incident to obtaining or attempting to obtain or performing a public or private contract;
    - c. fraud, embezzlement, theft, bribery, forgery, falsification or destruction of records, or receiving stolen property;
    - d. a criminal violation of any state or Federal antitrust law;
    - e. violation of the Racketeer Influence and Corrupt Organization Act, 18 CFR § 1961 et seq., or the Mail Fraud Act, 18 CFR § 1341 et seq., for acts in connection with the submission of bids or proposals for a public or private contract;

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- f. conspiracy to commit any act or omission that would constitute grounds for conviction or liability under any statute described in Subparagraph (d) above; or
  - g. an offense indicating a lack of business integrity that seriously and directly affects responsibility as a City Contractor.
- 5. If the contractor or any of its officers, directors, partners, five percent (5%) or greater shareholders, principals, or other employee or person substantially involved in its activities are subject to a judgment of civil liability under any state or federal antitrust law for acts or omissions in connection with the submission of bids or proposals for a public or private contract; or
  - 6. If the contractor or any of its officers, directors, partners, five percent (5%) or greater shareholders, principals, or other employee or person substantially involved in its activities makes or causes to be made any false, deceptive, or fraudulent material statement, or fail to make a required material statement in any bid, proposal, or application for the City of Santa Cruz or other government work.
- (v) Basis of Settlement: The City shall not incur or pay any further obligation pursuant to the contract beyond the termination date set by the City in its Notice of Termination. The City shall pay for satisfactory services provided in accordance with the contract prior to the termination date. In addition, any obligation necessarily incurred by the contractor on account of the contract prior to receipt of Notice of Termination and falling due after the termination date shall be paid by the City in accordance with the terms of the contract. In no event shall such obligation be construed as including any lease or other occupancy agreement, oral or written, entered into between the contractor and its landlord.
- (2) Termination for Convenience: The City shall have the right to terminate the contract for convenience, by providing written notice (Notice of Termination) according to the following procedure. The Notice of Termination shall specify the applicable provision(s) under which the contract is terminated and the effective date of termination, which shall be not less than ten (10) calendar days from the date the notice is personally delivered or fifteen (15) days from the date the Notice of Termination is sent by another method. The Notice of Termination shall be personally delivered, sent by certified mail return receipt requested, or sent by fax and deposited in a post office box regularly maintained by the United States Postal Service in a postage prepaid envelope. The basis of settlement shall be as provided for in Subparagraph (v) of Paragraph (a) of Subdivision (2) of the section (B), above.
- (3) Termination Due to Force Majeure Event
- (i) For purposes of the contract, a Force Majeure Event is an act or event beyond the control and without any fault or negligence of the contractor (Force Majeure Event). Force Majeure Events may include, but are not limited to, fire, flood, earthquake, storm or other natural disaster, civil commotion, war, terrorism, riot, and labor disputes not brought about by any act or omission of the contractor.
  - (ii) In the event the contractor cannot comply with the terms of the contract (including any failure by the contractor to make progress in the performance of the services) because of a Force Majeure Event, then the contractor may ask the City Manager to excuse the nonperformance and/or terminate the contract. If the City Manager, in his or her reasonable discretion, determines that the contractor cannot comply with the terms of the contract because of a Force Majeure Event, then the City Manager shall excuse the nonperformance and may terminate the contract. Such a termination shall be deemed to be without cause.
- (iii) If the City terminates the contract due to a Force Majeure Event, the basis of settlement shall be as provided for above.

13. Disadvantaged Business Enterprise (DBE) and Small Business Enterprise (SBE) Participation and Obligation.  
The City of Santa Cruz has adopted a Disadvantaged Business Enterprise approach to promote the participation of disadvantaged business enterprises (DBEs) in all areas of City of Santa Cruz contracting to the maximum extent practicable. Consistent with the DBE approach, the contractor shall take all necessary and reasonable steps to ensure that DBE firms have the maximum practicable opportunity to participate in the performance of this project and any subcontracting opportunities thereof. Contractor will complete **Exhibit F** prior to contract execution.

Technical Review:

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Heidi Luckenbach, P.E.  
Deputy Water Director/Engineering Manager

Approved As To Form:

By: \_\_\_\_\_ Date: \_\_\_\_\_  
City Attorney

CONSULTANT

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Printed: \_\_\_\_\_ Title: \_\_\_\_\_

WATER DEPARTMENT

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Rosemary Menard, Water Director

CITY OF SANTA CRUZ

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Martín Bernal  
City Manager

## EXHIBIT A: SCOPE OF WORK

The Consultant's Scope of Work will vary per project and may include the following tasks:

- A. Plan and coordinate with the client. To include a schedule of activities, defining reporting practices and report distributions. To include specifics of procedures and practices. Four basic service areas would include:

- Review and written comment process for General Contractors project HASP and related safety program documents and processes.
- Monthly project safety surveys. To include coordination with client representative, General Contractor's site management, general methods for surveying and working on site with contractor personnel and resulting reporting.
- Technical support for client representative and other project personnel as authorized.
- Monthly reporting to the client. To include inspection reports with observations of non-compliance issues, acknowledgements of sound conditions or practices, a summary of site conditions and other technical observations and recommendations for corrective actions.

Prior to activities, how they are to be conducted and reported would be coordinated with and agreed upon with the client. We have available examples of these process elements for client consideration.

Coordinate and agree upon monthly invoice activity reporting.

Define and agree upon means to constructively and in a timely manner resolve observations of high hazards with poor or no commitment for action by the General Contractor.

- B. Establish client and individual project management and staff contacts to include project, names, titles, email and phone contacts.
- C. Obtain access to client safety policies, contract language related to safety performance and other related documents to review.
- D. Obtain project specific Health and Safety Plans for each project prior to mobilization (when feasible) for review and comment to the client. Submit written recommendations to the client for consideration and action.
- E. Obtain and review General Contractor's Illness and Injury Prevention Program and their company's Safety Program Manual or other similar documentation. Review and comment to the client. Establish a short reference of key construction safety processes and activities they require for use on their project based upon their company guidance as a field reference when surveying their site and programming.
- F. Participate in project pre-mobilization coordination meetings with the client and general contractors.
- G. With client concurrence, propose and develop a short client project safety overview for use in pre-construction meetings.
- H. Conduct monthly project site safety inspections using forms and a process agreed upon with the client. Specific elements of the inspection process would include:
- A multiple page narrative form for noting observations, as a survey is conducted, is proposed. This document would also serve as the basis for an exit debriefing with the General Contractor prior to departure from the field. Report would include photos of select observations and recommendations. Photos to include brief narration and reference to the project and date.
  - • Scheduling the inspection date and coordinating with the client and General Contractor in a manner jointly agreed upon.

- It is proposed that site surveys be done jointly with a representative of each General Contractor knowledgeable of the work, personnel and with authority to take corrective actions. At the General Contractor's option, they may include their safety representative and/or representatives from subcontractor firms, and they may elect.
- It is proposed and upon agreement with the client representative, a copy of this field report be provided to General Contractors at the conclusion of inspections. This serves an accurate and timely communication of observations requiring action or follow up.
- It is proposed that an added short list of key safety program elements be established for use initially on each project with each General Contractor and periodically during longer duration projects to audit and report upon programming as conducted in the field.

It is proposed that after initial site inspections conducted by the senior safety consultant, a safety representative employed by SMCS Inc. be introduced to projects to conduct the routine monthly inspections. Such personnel would hold as a minimum a CHST certification and be under the supervision of the senior safety consultant. This would be with the concurrence of the client representative. This is intended to be a cost saving practice without impacting service quality.

- I. Provide technical construction safety support for as requested by the client or otherwise authorized. May include assistance with response to incidents, regulatory authority actions, or client construction management concerns.
- J. Obtain, as authorized and as may be required, outside technical assistance for Certified Industrial Hygienist technical support, Tunnel Safety specialist, or another technical specialist.
- K. Provide monthly service reports. To include:
  - Letter of transmittal noting items that are included and an executive summary.
  - Site inspections with summary statement of programming status, observed issues of non-compliance, acknowledgements of sound conditions and practices, and corrective actions recommended.
  - It is proposed that these be done by project to facilitate communications and accountability.
- L. Provision of monthly invoice with detailed activity and time reporting by project and by activity type. To be submitted one or more weeks after each monthly report.

The first-year budget and Scope of Work is provided below. Subsequent years shall be agreed upon by both Parties in the form of a Contract Amendment.

**City of Santa Cruz Water Department Safety Services Plan Summary & Estimated Costs**

**Activities**

**Plan Item (See attached for details)**

**Cost per Project**

**Total Est. Costs All 3 Projects**

	All		
A. Plan, coordinate, agree upon processes, agree upon reporting practices.	10hrs x \$190 = \$1900 2hrs x \$40 = \$80		\$1900 \$80
B. Establish contacts lists.	1hr x \$190 = \$190		\$190
C. Obtain and review CSCWD policies, project contract language, and other applicable client construction safety requirements.	2hrs x \$190 = \$180 1hrs x \$40 = \$40		\$380 \$40
Numbers below represent hours, rates and a total for each project for 12 months			
D. Obtain, review and comment in writing on General Contractor's HASP. (Project Health and Safety Plan)		2hrs x \$190 = \$380 each x 3 \$1hr x \$40 = \$40 each x 3	\$1140 \$120
E. Obtain, review and comment in writing on General Contractor's IIPP, Safety Program and other related program documents.		2hrs x \$190 = \$380 each x 3 \$1hr x \$40 = \$40 each x 3	\$1140 \$120
F. Participate in project pre-mobilizations meetings with Client and General Contractors.		8hrs x \$190 = \$1520 each x 3	\$4,560
G. Provide a pre-mob meeting project safety overview presentation. Coordinate with client for agreed process for reviewing client project requirements and processes.	6hrs x \$90 = \$940 2hrs x \$40 = \$80		\$940 \$80
			Pre-Construction Total Estimated Cost w/20% Contingency \$10,690 + \$2,138 = \$12,828
H. Conduct monthly project safety surveys, review with General Contractor, and provide documented reports. Provide and coordinate with client on agreed upon process, practices and documentation.		8hrs x \$190 = \$1520 x 3 120hrs x \$150 = \$18000 x 3 160hrs x \$40 = \$6400 x 3	\$4560 \$54000 \$19200
I. Provide technical support to client. As authorized by client, provide tech support to General Contractors.	As Authorized		
J. As authorized, obtain and coordinate the services of outside technical support such as for Certified Industrial Hygienist, Tunnel Safety Specialist, etc.	As Authorized		
K. Provide Monthly safety service report to include a summary of activities, recommendations and attached reports.	24hrs x \$190 = \$4560 12hrs x \$40 = \$480		\$4560 \$480
			Construction Total Estimated Cost w/20% Contingency \$85,560 + \$17,112 = \$102,672
L. Provide detailed monthly service activity report and invoice.	12hrs x \$190 = \$2280 12hrs x \$40 = \$480		\$2280 \$480
M. Post Construction "Lesson Learned" report	8hrs x \$190 = \$1520 2hrs x \$40 = \$80		\$1,600
			Lessons Learned Report Cost = \$1600

A-G represents one time hours of activity, hourly rate and estimated total costs. Not incurred after 1<sup>st</sup> year for existing projects.

H, K & L represent reoccurring annual costs. Total Cost: \$117,100.00

EXHIBIT B: FEE SCHEDULE

Fee Schedule provided in Section 4 (page 7) of Consultant Proposal, dated January 9, 2020, is hereby referenced and attached herein as Exhibit B.

#### 4. Construction Safety Consultant Services Cost Proposal.

Services will be billed on a time and materials basis using the following rates.

Items noted below are at the hourly rates indicated.

Senior Safety Consultant	190.00/hr.
Lead Safety Consultant	150.00/hr.
Safety Consultant	105.00/hr.
Clerical services	40.00/hr.
Outside technical support or services	at cost, as charged.

- Activities and service time will be reported by date, service type and project in detail unless otherwise requested.
- Clerical and desk top publishing services are used to the extent practical for aiding in cost controls.
- Travel time and expenses for fuel and vehicles within Northern California are embedded within hourly rates and are not charged unless you specifically authorize and instruct activities to include long distance service-related trips.
- Rates are effective for the calendar year 2020 for seventeen months. They are subject to change upon extension of the agreement and by mutual agreement.
- Invoices would be payable thirty days from receipt unless otherwise agreed.
- Invoices include detailed activity reporting.
- You may require our use of electronic invoicing and/or payment practices as you elect.
- Certificates of insurance with appropriate language will be provided upon award of a services agreement. Required language and limits will be complied with.

Safety Management Consultation Services, Inc.

EIN # 83-1557364

EXHIBIT C: WORK SCHEDULE

Not Used.

## EXHIBIT D: INSURANCE REQUIREMENTS

**A. CERTIFICATE REQUIREMENTS**

The City will be issued a Certificate of Insurance (a Memorandum of Understanding will not be accepted) with the following minimum requirements:

- Certificate(s) will show current policy number(s) and effective dates,
- Coverage and policy limits will meet, or exceed, requirements below,
- The Certificate Holder will be City of Santa Cruz, Risk Management, 877 Cedar St., Suite 100, Santa Cruz, CA 95060,
- Certificate will be signed by an authorized representative,
  - An endorsement will be provided to show the City, its officers, officials, employees, and volunteers as additional insureds.

**B. MINIMUM SCOPE AND LIMITS OF INSURANCE**

Consultant acknowledges that the insurance coverage and policy limits set forth in this section constitute the minimum amount of coverage required. The City will be entitled to coverage for the highest limits maintained by Consultant. Coverage will be at least as broad as:

- **COMMERCIAL GENERAL LIABILITY (CGL): \$1,000,000 PER OCCURRENCE**  
Proof of coverage for \$1 Million per occurrence including products and completed operations, property damage, bodily injury, personal and advertising injury will be provided on Insurance Services Office (ISO) Form CG 00 01 covering CGL. If a general aggregate limit applies, either the general aggregate limit will apply separately to this project/location or the general aggregate limit will be at least twice the required occurrence limit.
- **PROFESSIONAL LIABILITY (ERRORS AND OMISSIONS): \$2,000,000 PER OCCURRENCE OR CLAIM, \$2,000,000 AGGREGATE.**  
Consultant will maintain insurance appropriate to Consultant's profession; with limit no less than \$2,000,000 per occurrence or claim, \$2,000,000 aggregate. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after date of completion of the services under this Agreement. If coverage is canceled or non-renewed and not replaced with another claims-made policy form with a Retroactive Date prior to the contract effective date or start of work date, Consultant must purchase "extended reporting" coverage for a minimum of five (5) years after completion of contract work.
- **AUTOMOBILE LIABILITY:**  
Proof of coverage for \$1,000,000 provided on ISO Form Number CA 00 01 covering any auto (Code 1), or if Consultant has no owned autos, hired, (Code 8) and non-owned autos (Code 9), per accident for bodily injury and property damage.
  - **WORKERS' COMPENSATION AS REQUIRED BY THE STATE OF CALIFORNIA, WITH STATUTORY LIMITS, AND EMPLOYER'S LIABILITY INSURANCE: \$1,000,000 per accident for bodily injury or disease. Must include a waiver of subrogation.**

**C. OTHER INSURANCE PROVISIONS**

The insurance policies are to contain, or be endorsed to contain, the following provisions:

- **ADDITIONAL INSURED STATUS**  
The City, its officers, officials, employees and volunteers are to be covered as additional insureds on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of Consultant including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage will be provided in the form of an endorsement to Consultant's insurance at least as broad as ISO Form CG 20 10 11 85, or if not available, through the addition of both CG 20 10 and CG 20 37 (if a later edition is used).
- **PRIMARY COVERAGE**  
For any claims related to this agreement, Consultant's insurance coverage will be **primary** insurance as respects the City, its officers, officials, employees, and volunteers. Any insurance or self-insurance

maintained by the City, its officers, officials, employees, or volunteers will be excess of Consultant's insurance and will not contribute with it.

- NOTICE OF CANCELLATION

Each insurance policy required above shall state that the coverage shall not be canceled, except with notice to the City.

- WAIVER OF SUBROGATION

Consultant hereby grants to the City a waiver of any right to subrogation which any insurer of said Consultant may acquire against the City by virtue of the payment of any loss, including attorney's fees under such insurance. Consultant agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer. The Worker's Compensation policy will be endorsed with a waiver of subrogation in favor of the City for all work performed by the Consultant and its employees.

- DEDUCTIBLES AND SELF-INSURED RETENTIONS

Any deductibles or self-insured retentions must be declared to and approved by the City. City may require Consultant to purchase coverage with a lower retention or provide proof of ability to pay losses and related expenses. The policy language shall provide, or be endorsed to provide, that the self-insured retention may be satisfied by either the named insured or City.

- ACCEPTABILITY OF INSURERS

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the Entity.

- CLAIMS MADE POLICIES

If any of the required policies provide coverage on a claims-made basis:

1. The Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work.
2. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the contract of work.
3. If coverage is canceled or non-renewed, and not *replaced with another claims-made policy form with a Retroactive Date* prior to the contract effective date, the Consultant must purchase "extended reporting" coverage for a minimum of *five (5) years* after completion of contract work.

- VERIFICATION OF COVERAGE

Consultant will furnish the City with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the City before work commences. However, failure to obtain the required documents prior to the work beginning will not waive the Consultant's obligation to provide them. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

#### D. SUBCONTRACTORS

Consultant shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein, and Contractor shall ensure that City is an additional insured on insurance required from subcontractors.

#### E. SPECIAL RISKS/CIRCUMSTANCES

City reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances, including but not limited to requiring the following:

- Data Breach Risk - Cyber Liability Insurance of limits no less than \$5 Million per occurrence and \$10 Million in the aggregate.

- Risk of Loss in Transporting Money - Cash In Transit Policy Insurance covering all risks of physical loss or damage while in transit or at premises for limits no less than \$10 Million per occurrence and \$20 Million in the aggregate.
- Financial Breach Risk - Financial Crime Coverage for limits no less than \$5 Million per occurrence and \$10 Million in the aggregate.
- Risk in Transporting People or Goods in a Vehicle - Common Carrier Liability Insurance of limits no less than \$10 Million per occurrence and \$20 Million in the aggregate.
- Risk in Storing Vehicles – Garage-keeper’s Liability Insurance of limits no less than \$2 Million per occurrence and \$4 Million in the aggregate.
- Construction Risks - Builder’s Risk (Course of Construction) Insurance utilizing an “All Risk” (Special Perils) coverage form, with limits equal to the completed value of the project and no coinsurance penalty provisions, and name the City as loss payee.
- Environmental Hazard - Pollution Legal Liability Insurance with limits no less than \$1 Million per occurrence or claim, and \$2 Million in the aggregate.

EXHIBIT E - CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents of all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, United States Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Organization: \_\_\_\_\_

Street address: \_\_\_\_\_

\_\_\_\_\_

City, State, Zip: \_\_\_\_\_

CERTIFIED BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

EXHIBIT F – DBE PARTICIPATION FORM

Name of Firm

Street /Mailing Address

City /State / Zip

Federal Tax ID Number

**1. PRIME CONTRACTOR**

The bidder is a Caltrans-certified DBE under the Caltrans Uniform Certification Program.

Certification No. \_\_\_\_\_

The bidder has applied for DBE status through the Caltrans Uniform Certification Program.

Application Date \_\_\_\_\_ Status of application \_\_\_\_\_

The bidder is not a Caltrans-certified DBE under the Caltrans Uniform Certification Program.

**2. SUBCONTRACTOR (if proposed in bid or proposal)**

Attach a separate sheet for each subcontractor to be used in the performance of services under a bid, specifying the subcontractor DBE status as stated under section I listed above. If not already registered, subcontractors should access the following web site: [http://www.dot.ca.gov/hq/bep/documents/Roster\\_of\\_Certifying\\_Agencies.pdf](http://www.dot.ca.gov/hq/bep/documents/Roster_of_Certifying_Agencies.pdf) for a list of DBE-certifying government agencies to contact for information on how to become a certified DBE business. A W-9 (Request for Taxpayer Identification Number) and Certification is required to complete the process.

Prime contractors are requested to explain the DBE program and encourage subcontractors to apply for certification.

\_\_\_\_\_  
Prime Signature Date

\_\_\_\_\_  
(Position/Title)





## CITY COUNCIL AGENDA REPORT

DATE: 6/15/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Water

SUBJECT: Resolution Authorizing Approval of a Construction Installment Sale Agreement with the California State Water Resources Control Board for the Newell Creek Inlet/Outlet Replacement Project (WT)

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**RECOMMENDATION:** Resolution authorizing the Water Director to sign a Construction Installment Sale Agreement with the California State Water Resources Control Board for the Newell Creek Inlet/Outlet Replacement Project in a form approved by the City Attorney.

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**BACKGROUND:** Over the last several years, the Water Department has taken a number of steps to establish and maintain a solid financial foundation to prepare for significant investment in the utility's infrastructure. The Council approved the 2016 Long Range Financial Plan that laid out a financing strategy involving issuing debt for 75% of the capital investment in the system planned for the coming decade. The planned sources of debt financing would be made up of a mix of water revenue bonds, low interest funding from the Drinking Water State Revolving Fund (DWSRF), and the low interest Water Infrastructure Finance and Innovation Act (WIFIA) funding.

To obtain lower cost financing for some of its larger eligible projects, the Water Department has completed a two year process to secure a DWSRF loan for the funding for the Newell Creek Inlet/Outlet Pipeline Replacement Project. In 2018, the City Council authorized a number of resolutions required by the State to secure this funding: an Authorizing Resolution to apply for funding (5-8-2018), a Reimbursement Resolution (11-13-2018) which allows the Water Department to receive reimbursement from the DWSRF for the project, and a Pledged Revenue Resolution (12-11-2018) dedicating water rate revenue (Fund 711) to repay the loan.

**DISCUSSION:** This agenda item asks the City Council to approve a Resolution authorizing the Water Director to sign the attached Newell Creek Inlet/Outlet Replacement Project Construction Installment Sale Agreement. In addition, the State Water Resources Control Board requires an opinion from both the City Attorney and Bond Council. All items required by the State are attached to this report.

The State Water Resources Control Board requires the following language be included in any document, written report, or brochure prepared in whole or in part pursuant to this Agreement: Funding for this project has been provided in full or in part through an agreement with the State Water Resources Control Board. California's Drinking Water State Revolving Fund is

capitalized through a variety of funding sources, including grants from the United States Environmental Protection Agency and state bond proceeds. The contents of this document do not necessarily reflect the views and policies of the foregoing, nor does mention of trade names or commercial products constitute endorsement or recommendation for use.

FISCAL IMPACT: The final loan amount for the Newell Creek Inlet/Outlet Replacement project is \$103,453,000. The interest rate for the DWSRF loan is 1.4 % which results in substantial saving to rate payers over the life of the loan. The Department's long range financial model includes repayment of this DWSRF loan. Interest payments are due by October 1st each year and principal payments will begin one year after the project is completed.

Prepared by:  
Nicole B. Dennis  
Acting Finance Manager

Submitted by:  
Rosemary Menard  
Water Director

Approved by:  
Martín Bernal  
City Manager

**ATTACHMENTS:**

Resolution  
Newell Creek Inlet/Outlet Replacement Project Construction Installment Sale Agreement  
Template of City Attorney Opinion  
Template of Bond Counsel Opinion

RESOLUTION NO. NS-29,

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ APPROVING AS TO FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A CONSTRUCTION FINANCING AGREEMENT FOR THE NEWELL CREEK INLET/OUTLET REPLACEMENT PROJECT

Intent of the Parties and Findings

WHEREAS, the City of Santa Cruz (the "City") owns and operates a water system (such system, including all additions, improvements and extensions thereto, is referred to herein as the "Water System"); and

WHEREAS, the City has determined that the existing Newell Creek Inlet/Outlet pipeline is no longer in compliance with State regulations, and is a critical project and the solitary connection between Loch Lomond reservoir, the City only raw water storage facility, with the Graham Hill Water Treatment Plant; and

WHEREAS, the City Council of the City of Santa Cruz (the "City Council") adopted its Resolutions Nos. NS-29,400, NS-29,460, and NS-29,475 authorizing certain actions relating to the planning, design, financing, and construction of the Newell Creek Inlet/Outlet Replacement project at Loch Lomond Reservoir, including but not limited to application for, and execution of, a financial assistance agreement from the California State Water Resources Control Board (the "State Water Board") to reimburse the City for such planning and design costs and to finance such construction costs in a maximum principal amount not to exceed \$103,453,000, and the pledge of net water revenues of the Water System and the City's Water Operations Fund to payment of such financing from the State Water Board; and

WHEREAS, the City staff has completed the entitlement, environmental, preparation of final plans and specifications for the construction of the Newell Creek Inlet/Outlet Replacement; and

WHEREAS, the proposed execution form of the financing agreement, titled "Construction Installment Sale Agreement," for the City's construction costs of the Newell Creek Inlet/Outlet Replacement project; and

WHEREAS, the City Council desires to approve the form of, and authorize the Water Director to sign, execute the Construction Installment Sale Agreement;

NOW, THEREFORE, the City Council of the City of Santa Cruz hereby finds, determines and resolves as follows:

Section 1 Recitals. The above recitals, and each of them, are true and correct.

RESOLUTION NO. NS-29,

Section 2 Construction Installment Sale Agreement. The Construction Installment Sale Agreement proposed to be entered into by the City and the State Water Board, is hereby approved. The City Manager or the Water Director (each an “Authorized Officer”) are hereby authorized and directed, for and in the name of the City, to execute and deliver the Construction Installment Sale Agreement in substantially the form hereby approved, with such additions thereto and changes therein as the Authorized Officer executing the same may require or approve in consultation with the City Attorney, such requirement or approval to be conclusively evidenced by the execution of the Construction Financing Agreement by such Authorized Officer, provided that the maximum principal amount authorized under the Construction Financing Agreement shall not exceed \$16,500,000.

Section 3 Additional Actions. The City Manager or the Water Director is hereby authorized and directed to take any actions, to execute and deliver any and all documents and instruments, and to do and cause to be done any and all acts and things necessary or proper to accomplish the transactions contemplated by the Construction Installment Sale Agreement, comply with the Construction Installment Sale Agreement and effectuate the purpose and intent of this Resolution, including, but not limited to, the execution and delivery of any documents required by the State Water Board in order to complete the transactions contemplated by the Construction Financing Agreement. Whenever in this Resolution any officer of the City is authorized to execute or countersign any document or take any action, such execution, countersigning or action may be taken on behalf of such officer by any person designated in writing by such officer to act on his or her behalf in the case such officer is absent or unavailable.

Section 4 Ratification of Prior Actions. All actions heretofore taken by the City Council City Manager, and the Water Director, and other officers and agents of the City with respect to the Construction Financing Agreement, or in connection with or related to any of the agreements or documents referenced herein, are hereby approved, confirmed, and ratified.

Section 5 Effectiveness. This Resolution shall take effect immediately upon adoption.

Section 6 Certification. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED this 23<sup>rd</sup> day of June, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator



**DRINKING WATER**

---

CITY OF SANTA CRUZ

AND

CALIFORNIA STATE WATER RESOURCES CONTROL BOARD



**CONSTRUCTION  
INSTALLMENT SALE AGREEMENT**

**NEWELL CREEK INLET – OUTLET REPLACEMENT PROJECT**

**PROJECT NO. 4410010-002C**

**AGREEMENT NO. SWRCB0000000000D1902049**

**PROJECT FUNDING AMOUNT: \$103,453,000**

**ELIGIBLE WORK START DATE: OCTOBER 14, 2015**

**ELIGIBLE CONSTRUCTION START DATE: MARCH 4, 2020**

**CONSTRUCTION COMPLETION DATE: OCTOBER 31, 2022**

**FINAL DISBURSEMENT REQUEST DATE: APRIL 30, 2023**

**FINAL PAYMENT DATE: OCTOBER 31, 2052**

**RECORDS RETENTION END DATE: OCTOBER 31, 2058**

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## AGREEMENT

### 1. AUTHORITY.

- (a) The State Water Resources Control Board (State Water Board) is authorized, and implements its authority, to provide financial assistance under this Agreement pursuant to Section 116760 et seq. of the Health and Safety Code, and Resolution Nos. 2019-0032 and 2019-0065.
- (b) The Recipient is authorized to enter into this Installment Sale Agreement (Agreement) pursuant to Authorized Rep Resolution No. NS-29, 400.

### 2. INTENTION.

- (a) The Recipient desires to receive financial assistance for and undertake work required for the drinking water construction Project according to the terms and conditions set forth in this Agreement.
- (b) The State Water Board proposes to assist in providing financial assistance for eligible costs of the Project in the amount set forth in Exhibit B, according to the terms and conditions set forth in this Agreement, with the expectation that the Recipient shall repay all of the financial assistance to the State Water Board.
- (c) The Recipient intends to evidence its obligation to submit Payments to the State Water Board and secure its obligation with Net Revenues of its water enterprise, as set forth in Exhibit B, according to the terms and conditions set forth in this Agreement.
- (d) The Recipient intends to certify and evidence its compliance with the Tax Covenants set forth in Exhibit F.

### 3. AGREEMENT, TERM, DOCUMENTS INCORPORATED BY REFERENCE.

In consideration of the mutual representations, covenants and agreements herein set forth, the State Water Board and the Recipient, each binding itself, its successors and assigns, do mutually promise, covenant, and agree to the terms, provisions, and conditions of this Agreement.

- (a) The Recipient hereby sells to the State Water Board and the State Water Board hereby purchases from the Recipient the Project. Simultaneously therewith, the Recipient hereby purchases from the State Water Board, and the State Water Board hereby sells to the Recipient, the Project in accordance with the provisions of this Agreement. All right, title, and interest in the Project shall immediately vest in the Recipient on the date of execution and delivery of this Agreement by both parties without further action on the part of the Recipient or the State Water Board.
- (b) Subject to the satisfaction of any condition precedent to this Agreement, this Agreement shall become effective upon the signature of both the Recipient and the State Water Board. Conditions precedent are not limited to the following:
- i. The Recipient must deliver to the Division a resolution authorizing this Agreement.
  - ii. The Recipient must deliver an opinion of bond counsel and general counsel satisfactory to the State Water Board's counsel dated on or after the date that the Recipient signs this Agreement.

(c) Upon execution, the term of the Agreement shall begin on the Eligible Work Start Date and extend through the Final Payment Date.

(d) This Agreement includes the following exhibits and attachments thereto:

- i. EXHIBIT A – SCOPE OF WORK
- ii. EXHIBIT B – FUNDING TERMS
- iii. EXHIBIT C – GENERAL & PROGRAMMATIC TERMS & CONDITIONS
- iv. EXHIBIT D – SPECIAL CONDITIONS
- v. EXHIBIT E – PAYMENT SCHEDULE
- vi. EXHIBIT F – TAX CERTIFICATE

(e) This Agreement includes the following documents incorporated by reference:

- i. the Final Plans & Specifications, dated December 20, 2019, which are the basis for the construction contract to be awarded by the Recipient;
- ii. the Drinking Water System Permit No. 02-92-020;
- iii. the Recipient’s Reimbursement Resolution No. NS-29, 460 dated November 13, 2018;
- iv. the Recipient’s Tax Questionnaire dated September 24, 2018.
- v. the Davis-Bacon requirements found at:  
[https://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/srf/docs/davisbacon/2019\\_dwsrf\\_governmental\\_entities.pdf](https://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/docs/davisbacon/2019_dwsrf_governmental_entities.pdf);

4. PARTY CONTACTS

State Water Board		City of Santa Cruz	
Section:	Division of Financial Assistance		
Name:	Tatiana Guillen, Project Manager	Name:	Rosemary Menard, Water Director
Address:	1001 I Street, 16th Floor	Address:	212 Locust Street, Suite A
City, State, Zip:	Sacramento, CA 95814	City, State, Zip:	Santa Cruz, CA 95060
Phone:	(916) 449-5295	Phone:	(831) 420-5205
Fax:		Fax:	
Email:	Tatiana.Guillen@waterboards.ca.gov	Email:	rmenard@cityofsantacruz.com

The Recipient may change its contact upon written notice to the Division, which notice shall be accompanied by authorization from the Recipient’s Authorized Representative. The State Water Board will notify the Recipient of any changes to its contact.

While the foregoing are contacts for day-to-day communications regarding Project work, the Recipient shall provide official communications and events of Notice as set forth in Exhibit C to the Division’s Deputy Director.

5. DEFINITIONS.

Unless otherwise specified, each capitalized term used in this Agreement has the following meaning:

“Additional Payments” means the reasonable extraordinary fees and expenses of the State Water Board, and of any assignee of the State Water Board’s right, title, and interest in and to this Agreement, in connection with this Agreement, including all expenses and fees of accountants, trustees, staff, contractors, consultants, costs, insurance premiums and all other extraordinary costs reasonably incurred by the State Water Board or assignee of the State Water Board.

“Allowance” means an amount based on a percentage of the accepted bid for an eligible project to help defray the planning, design, and construction engineering and administration costs of the Project.

"Agreement" means this agreement, including all exhibits and attachments hereto.

"Authorized Representative" means the duly appointed representative of the Recipient as set forth in the certified original of the Recipient's authorizing resolution that designates the authorized representative by title.

"Bank" means the California Infrastructure and Economic Development Bank.

"Bond Funded Portion of the Project Funds" means any portion of the Project Funds which was or will be funded with Bond Proceeds.

"Bond Proceeds" means original proceeds, investment proceeds, and replacement proceeds of Bonds.

"Bonds" means any series of bonds issued by the Bank, the interest on which is excluded from gross income for federal tax purposes, all or a portion of the proceeds of which have been, are, or will be applied by the State Water Board to fund all or any portion of the Project Costs or that are secured in whole or in part by Payments paid hereunder.

"Charge In Lieu of Interest" means any fee or charge in lieu of some or all of, but not to exceed, the interest that would otherwise be owed under this Agreement, as set forth in Exhibit E.

"Code" as used in Exhibit F of this Agreement means the Internal Revenue Code of 1986, as amended, and any successor provisions and the regulations of the U.S. Department of the Treasury promulgated thereunder.

"Completion of Construction" means the date, as determined by the Division after consultation with the Recipient, that the work of building and erection of the Project is substantially complete, and is identified in Exhibit A of this Agreement.

"Cover Page" means the front page of this Agreement.

"Days" means calendar days unless otherwise expressly indicated.

"Debt Service" means, as of any date, with respect to outstanding System Obligations and, in the case of the additional debt tests in Exhibit B of this Agreement, any System Obligations that are proposed to be outstanding, the aggregate amount of principal and interest scheduled to become due (either at maturity or by mandatory redemption), together with any Charge In Lieu of Interest on this Obligation or other System Obligations to the State Water Board, calculated with the following assumptions:

- a. Principal payments (unless a different subdivision of this definition applies for purposes of determining principal maturities or amortization) are made in accordance with any amortization schedule published for such principal, including any minimum sinking fund payments;
- b. Interest on a variable rate System Obligation that is not subject to a swap agreement and that is issued or will be issued as a tax-exempt obligation under federal law, is the average of the SIFMA Municipal Swap Index, or its successor index, during the 24 months preceding the date of such calculation;
- c. Interest on a variable rate System Obligation that is not subject to a swap agreement and that is issued or will be issued as a taxable obligation under federal law, is the average of LIBOR, or its successor index, during the 24 months preceding the date of such calculation;

- d. Interest on a variable rate System Obligation that is subject to a swap agreement is the fixed swap rate or cap strike rate, as appropriate, if the variable rate has been swapped to a fixed rate or capped pursuant to an interest rate cap agreement or similar agreement;
- e. Interest on a fixed rate System Obligation that is subject to a swap agreement such that all or a portion of the interest has been swapped to a variable rate shall be treated as variable rate debt under subdivisions (b) or (c) of this definition of Debt Service;
- f. Payments of principal and interest on a System Obligation are excluded from the calculation of Debt Service to the extent such payments are to be paid from amounts then currently on deposit with a trustee or other fiduciary and restricted for the defeasance of such System Obligations;
- g. If 25% or more of the principal of a System Obligation is not due until its final stated maturity, then principal and interest on that System Obligation may be projected to amortize over the lesser of 30 years or the Useful Life of the financed asset, and interest may be calculated according to subdivisions (b)-(e) of this definition of Debt Service, as appropriate.

"Deputy Director" means the Deputy Director of the Division.

"District Office" means District Office of the Division of Drinking Water of the State Water Board.

"Division" means the Division of Financial Assistance of the State Water Board or any other segment of the State Water Board authorized to administer this Agreement.

"Division of Drinking Water" means the Division of Drinking Water of the State Water Board.

"Eligible Construction Start Date" means the date set forth on the Cover Page of this Agreement, establishing the date on or after which construction costs may be incurred and eligible for reimbursement hereunder.

"Eligible Work Start Date" means the date set forth on the Cover Page of this Agreement, establishing the date on or after which any non-construction costs may be incurred and eligible for reimbursement hereunder.

"Enterprise Fund" means the enterprise fund of the Recipient in which Revenues are deposited.

"Event of Default" means the occurrence of any of the following events:

- a) Failure by the Recipient to make any payment required to be paid pursuant to this Agreement, including Payments;
- b) A representation or warranty made by or on behalf of the Recipient in this Agreement or in any document furnished by or on behalf of the Recipient to the State Water Board pursuant to this Agreement shall prove to have been inaccurate, misleading or incomplete in any material respect;
- c) A material adverse change in the condition of the Recipient, the Revenues, or the System, which the Division reasonably determines would materially impair the Recipient's ability to satisfy its obligations under this Agreement.
- d) Failure by the Recipient to comply with the additional debt test or reserve fund requirement, if any, in Exhibit B or Exhibit D of this Agreement;
- e) Failure to operate the System or the Project without the Division's approval;
- f) Failure by the Recipient to observe and perform any covenant, condition, or provision in this Agreement, which failure shall continue for a period of time, to be determined by the Division;

- g) The occurrence of a material breach or event of default under any System Obligation that results in the acceleration of principal or interest or otherwise requires immediate prepayment, repurchase or redemption;
- h) Initiation of proceedings seeking arrangement, reorganization, or any other relief under any applicable bankruptcy, insolvency, or other similar law; the appointment of or taking possession of the Recipient's property by a receiver, liquidator, assignee, trustee, custodian, conservator, or similar official; the Recipient's entering into a general assignment for the benefit of creditors; the initiation of resolutions or proceedings to terminate the Recipient's existence, or any action in furtherance of any of the foregoing;
- i) A determination pursuant to Gov. Code section 11137 that the Recipient has violated any provision in Article 9.5 of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code; or
- j) Loss of the Recipient's rights, licenses, permits, or privileges necessary for the operation of the System or the Project, or the occurrence of any material restraint on the Recipient's enterprise by a government agency or court order.

"Final Budget Approval (FBA)" means the Division-approved final budget for the Project, as set forth in Exhibit B.

"Final Disbursement Request Date" means the date set forth as such on the Cover Page of this Agreement, after which date, no further Project Funds disbursements may be requested.

"Final Payment Date" is the date by which all principal and accrued interest due under this Agreement is to be paid in full to the State Water Board and is specified on the Cover Page of this Agreement.

"Fiscal Year" means the period of twelve (12) months terminating on June 30 of any year, or any other annual period selected and designated by the Recipient as its Fiscal Year in accordance with applicable law.

"Force Account" means the use of the Recipient's own employees, equipment, or resources for the Project.

"GAAP" means generally accepted accounting principles, the uniform accounting and reporting procedures set forth in publications of the American Institute of Certified Public Accountants or its successor, or by any other generally accepted authority on such procedures, and includes, as applicable, the standards set forth by the Governmental Accounting Standards Board or its successor, or the Uniform System of Accounts, as adopted by the California Public Utilities Commission for water utilities.

"Initiation of Construction" means the date that notice to proceed with work is issued for the Project, or, if notice to proceed is not required, the date of commencement of building and erection of the Project.

"Listed Event" means, so long as the Recipient has outstanding any System Obligation subject to Rule 15c2-12, any of the events required to be reported with respect to such System Obligation pursuant to Rule 15c2-12(b)(5).

"Material Obligation" means an obligation of the Recipient that is material to this transaction other than a System Obligation.

"Maximum Annual Debt Service" means the maximum amount of Debt Service due on System Obligations in a Fiscal Year during the period commencing with the Fiscal Year for which such calculation is made and within the next five years in which Debt Service for any System Obligations will become due.

"Net Revenues" means, for any Fiscal Year, all Revenues received by the Recipient less the Operations and Maintenance Costs for such Fiscal Year.

"Obligation" means the obligation of the Recipient to make Payments (including Additional Payments) as provided herein, as evidenced by the execution of this Agreement, proceeds of such obligations being used to fund the Project as specified in the Project Description in Exhibit A and Exhibit B and in the documents thereby incorporated by reference.

"Operations and Maintenance Costs" means the reasonable and necessary costs paid or incurred by the City for maintaining and operating the Water System, determined in accordance with generally accepted accounting principles, including but not limited to (a) all reasonable expenses of management and repair and other expenses necessary to maintain and preserve the Water System in good repair and working order, and (b) all administrative costs of the City that are charged directly or apportioned to the operation of the Water System, such as salaries and wages of employees, overhead, taxes (if any) and insurance. "Operation and Maintenance Costs" do not include (i) administrative costs of the Bonds which the City is required to pay under the Indenture, (ii) payments of debt service on bonds, notes or other obligations issued by the City with respect to the Water System, (iii) depreciation, replacement and obsolescence charges or reserves therefor, and (iv) amortization of intangibles or other bookkeeping entries of a similar nature.

"Parity Obligations" means System Obligations payable or secured by a lien on a parity basis to this Obligation, and includes the following:

- Installment Sale Agreement by and between the City of Santa Cruz, as purchaser, and the California Infrastructure and Economic Development Bank ("IBank"), as seller, dated as of August 1, 2016;
- \$11,260,000 original principal amount of City of Santa Cruz 2014 Water Revenue Refunding Bonds, issued under an Indenture of Trust dated as of July 1, 2014, between the City of Santa Cruz and MUFG Union Bank, N.A., as trustee; and
- \$20,925,000 original principal amount of City of Santa Cruz 2019 Water Revenue Bonds, issued under an Indenture of Trust dated as of December 1, 2019, between the City of Santa Cruz and MUFG Union Bank, N.A., as trustee.

The Recipient represents that it has no other Parity Obligations.

"Payment" means any payment due to the State Water Board from the Recipient pursuant to this Agreement.

"Policy" means the State Water Board's "Policy for Implementing the Drinking Water State Revolving Fund," as amended from time to time, including the Intended Use Plan in effect as of the execution date of this Agreement.

"Project" means the Project financed by this Agreement as described in Exhibits A and B and in the documents incorporated by reference herein.

"Project Completion" means the date, as determined by the Division after consultation with the Recipient, that operation of the Project is initiated or is capable of being initiated, whichever comes first.

"Project Costs" means the incurred costs of the Recipient which are eligible for financial assistance under this Agreement, which are allowable costs as defined under the Policy, and which are reasonable, necessary and allocable by the Recipient to the Project under GAAP, and may include capitalized interest.

"Project Funds" means all moneys disbursed to the Recipient by the State Water Board for eligible Project Costs pursuant to this Agreement.

“Recipient” means City of Santa Cruz.

“Records Retention End Date” means the last date that the Recipient is obligated to maintain records and is set forth on the Cover Page of this Agreement.

“Reimbursement Resolution” means the Recipient’s reimbursement resolution identified and incorporated by reference in this Agreement.

“Reserve Fund” means the reserve fund required pursuant to Exhibit B of this Agreement.

“Revenues” means all gross income and revenue received by the City from the ownership and operation of the System, including, without limiting the generality of the foregoing: (a) all amounts levied by the City as a fee for connecting to the System, as such fee is established from time to time under the applicable laws of the State of California; (b) all income, rents, rates, fees, capital improvement fees (including facilities capacity and pump zone fees), charges or other moneys derived from the services, facilities and commodities sold, furnished or supplied through the facilities of the System, (c) the earnings on and income derived from the investment of such income, rents, rates, fees, charges or other moneys to the extent that the use of such earnings and income is limited by or under applicable law to the System, and (d) the proceeds derived by the City directly or indirectly from the sale, lease or other disposition of a part of the System as permitted hereunder.

Revenues does not include (i) customers' deposits or any other deposits subject to refund until such deposits have become the property of the City, (ii) the proceeds of any ad valorem property taxes levied to pay general obligation bond indebtedness of the City with respect to the System, and (iii) special assessments or special taxes levied upon real property within any improvement district for the purpose of paying special assessment bonds or special tax obligations of the City relating to the System.

“Rule 15c2-12(b)(5)” means Rule 15c2-12(b)(5) promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended.

“Senior Obligation” means a System Obligation payable or secured by a lien on a senior basis to this Obligation. The Recipient represents that it has no Senior Obligations.

“SRF” means the Drinking Water State Revolving Fund.

“State” means State of California.

“State Water Board” means the State Water Resources Control Board.

“Subordinate Obligation” means a System Obligation payable or secured by a lien on a subordinate basis to this Obligation, and includes the Credit Agreement dated as of June 19, 2018 by and between City of Santa Cruz and Bank of America, N.A. Relating to \$25,000,000 Aggregate Principal Amount of City of Santa Cruz Water Revenue Revolving Obligation. The Recipient represents that it has no other Subordinate Obligations.

“System” means all drinking water collection, transport, treatment, storage, and delivery facilities, including land and easements thereof, owned by the Recipient, including the Project, and all other properties, structures, or works hereafter acquired and constructed by the Recipient and determined to be a part of the System, together with all additions, betterments, extensions, or improvements to such facilities, properties, structures, or works, or any part thereof hereafter acquired and constructed.

“System Obligation” means any obligation of the Recipient payable from the Revenues, including but not limited to this Obligation, any Parity Obligation, any Subordinate Obligation, and such additional obligations as may hereafter be issued in accordance with the provisions of such obligations and this Agreement.

“Useful Life” means the economically useful life of the Project beginning at Completion of Construction and is set forth in Exhibit A.

“Year” means calendar year unless otherwise expressly indicated.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CITY OF SANTA CRUZ:

By: \_\_\_\_\_  
Name: Rosemary Menard  
Title: Water Director

Date: \_\_\_\_\_

STATE WATER RESOURCES CONTROL BOARD:

By: \_\_\_\_\_  
Name: Leslie Laudon  
Title: Deputy Director  
Division of Financial Assistance

Date: \_\_\_\_\_

## EXHIBIT A – SCOPE OF WORK

### A.1. PROJECT DESCRIPTION, USEFUL LIFE, AND SCOPE OF WORK.

- (a) The Project is the project set forth on the Cover Page of this Agreement.
- (b) The Useful Life of this Project is at least 100 years.
- (c) Scope of Work.

The purpose of this Project is to address the deteriorating conduit problem without fully dewatering the reservoir. These improvements will improve the Recipient's overall operational efficiency, system performance, and provide a long-term reliable storage for the Recipient's drinking water supply.

#### Scope of Work

This construction project will consist of replacing the inlet and outlet of the Newell Creek Dam. This project will provide the Recipient with reliable drinking water during seasonal drinking water demands. The proposed pipeline replacement currently extends under the dam and connects to the City's Graham Hill Water Treatment Plant. This project will not consist of any reinforcement or rehabilitation of the Dam itself.

### A.2. STANDARD PROJECT REQUIREMENTS.

#### A.2.1 Acknowledgements.

The Recipient shall include the following acknowledgement in any document, written report, or brochure prepared in whole or in part pursuant to this Agreement:

"Funding for this project has been provided in full or in part through an agreement with the State Water Resources Control Board. California's Drinking Water State Revolving Fund is capitalized through a variety of funding sources, including grants from the United States Environmental Protection Agency and state bond proceeds. The contents of this document do not necessarily reflect the views and policies of the foregoing, nor does mention of trade names or commercial products constitute endorsement or recommendation for use."

#### A.2.2 Reports

##### A.2.2.1 Progress Reports.

- (a) The Recipient must provide a progress report to the Division each quarter, beginning no later than 90 days after execution of this Agreement.
- (b) The Recipient must provide a progress report with each disbursement request. Failure to provide a complete and accurate progress report may result in the withholding of Project Funds, as set forth in Exhibit B.
- (c) A progress report must contain the following information:
  - i. A summary of progress to date including a description of progress since the last report, percent construction complete, percent contractor invoiced, and percent schedule elapsed;

- ii. A description of compliance with environmental requirements;
- iii. A listing of change orders including amount, description of work, and change in contract amount and schedule; and
- iv. Any problems encountered, proposed resolution, schedule for resolution, and status of previous problem resolutions.

#### A.2.2.2 Project Completion Report

(a) The Recipient must submit a Project Completion Report to the Division with a copy to the appropriate District Office on or before the due date established by the Division and the Recipient at the time of final project inspection. The Project Completion Report must include the following:

- i. Description of the Project,
- ii. Description of the water quality problem the Project sought to address,
- iii. Discussion of the Project's likelihood of successfully addressing that water quality problem in the future, and
- iv. Summary of compliance with applicable environmental conditions.

(b) If the Recipient fails to submit a timely Project Completion Report, the State Water Board may stop processing pending or future applications for new financial assistance, withhold disbursements under this Agreement or other agreements, and begin administrative proceedings.

#### A.2.2.3 As Needed Reports.

The Recipient must provide expeditiously, during the term of this Agreement, any reports, data, and information reasonably required by the Division, including but not limited to material necessary or appropriate for evaluation of the funding program or to fulfill any reporting requirements of the state or federal government.

#### A.2.2.4 Reserved.

#### A.2.2.5 DBE Reports for SRF Projects.

The Recipient must report DBE utilization to the Division on the DBE Utilization Report, State Water Board Form DBE UR334. The Recipient must submit such reports to the Division annually within ten (10) calendar days following October 1 until such time as the "Notice of Completion" is issued. The Recipient must comply with 40 CFR § 33.301 and require its contractors and subcontractors on the Project to comply.

#### A.2.3 Signage.

The Recipient shall place a sign at least four feet tall by eight feet wide made of ¾ inch thick exterior grade plywood or other approved material in a prominent location on the Project site and shall maintain

the sign in good condition for the duration of the construction period. The sign must include the following disclosure statement and color logos (available from the Division):



- a.
- b. "Funding for this project has been provided in full or in part by the Drinking Water State Revolving Fund through an agreement with the State Water Resources Control Board. California's Drinking Water State Revolving Fund is capitalized through a variety of funding sources, including grants from the United States Environmental Protection Agency and state bond proceeds."
- c. The Project sign may include another agency's required promotional information so long as the above logos and disclosure statement are equally prominent on the sign. The sign shall be prepared in a professional manner.

#### A.2.4 Commencement of Operations.

Upon Completion of Construction of the Project, the Recipient must expeditiously initiate Project operations.

#### A.3 DATES & DELIVERABLES.

- (a) Time is of the essence.
- (b) The Recipient must expeditiously proceed with and complete construction of the Project.
- (c) The following dates are established as on the Cover Page of this Agreement:
  - i. Eligible Work Start Date
  - ii. Eligible Construction Start Date
  - iii. Completion of Construction Date
  - iv. Final Disbursement Request Date
  - v. Records Retention End Date
  - vi. Final Payment Date
- (d) The Recipient must award the prime construction contract timely.
- (e) The Recipient agrees to start construction no later than May 31, 2020.
- (f) The Recipient must deliver any request for extension of the Completion of Construction date no less than 90 days prior to the Completion of Construction date.
- (g) The undisbursed balance of this Agreement will be deobligated if the Recipient does not provide its final Disbursement Request to the Division on or before the Final Disbursement Request Date, unless prior approval has been granted by the Division.

EXHIBIT B – FUNDING TERMS

B.1. FUNDING AMOUNTS AND DISBURSEMENTS

B.1.1 Funding Contingency and Other Sources.

(a) If this Agreement’s funding for any fiscal year expires due to reversion or is reduced, substantially delayed, or deleted by the Budget Act, by Executive Order, or by order or action of the Department of Finance, the State Water Board has the option to either cancel this Agreement with no liability accruing to the State Water Board, or offer an amendment to the Recipient to reflect the reduced amount.

(b) If funding for Project Costs is made available to the Recipient from sources other than this Agreement, the Recipient must notify the Division. The Recipient may retain such funding up to an amount which equals the Recipient’s share of Project Costs. To the extent allowed by requirements of other funding sources, excess funding must be remitted to the State Water Board to be applied to Payments due hereunder, if any.

B.1.2 Estimated Reasonable Cost.

The estimated reasonable cost of the total Project, including associated planning and design costs is one hundred three million four hundred fifty-three thousand dollars and no cents (\$103,453,000.00).

B.1.3 Project Funding Amount.

Subject to the terms of this Agreement, the State Water Board agrees to provide Project Funds not to exceed the amount of the Project Funding Amount set forth on the Cover Page of this Agreement.

B.1.4 Reserved.

B.1.5 Budget Costs.

(a) Estimated budget costs are contained in the Summary Project Cost Table below:

LINE ITEM	TOTAL ESTMATED COST	PROJECT FUNDING AMOUNT
Construction	\$69,677,835	\$69,677,835
Contingency	\$9,897,493	\$9,897,493
Allowances (Soft Costs)	\$23,877,672	\$23,877,672
Pre-Purchased Materials	\$0	\$0
Purchase of Land	\$0	\$0
<b>TOTAL</b>	<b>\$103,453,000</b>	<b>\$103,453,000</b>

The Division’s Final Budget Approval and related Form 259 and Form 260 will document a more detailed budget of eligible Project Costs and Project funding amounts.

Upon written request by the Recipient, the Division may adjust the line items of the Summary Project Cost Table at the time of Division’s Final Budget Approval. Upon written request by the Recipient, the Division may also adjust the line items of the Summary Project Cost Table as well as the detailed budget at the time of Recipient’s submittal of its final claim. Any line item adjustments to the Summary Project Cost Table that are due to a change in scope of work will require an Agreement amendment. The sum of adjusted line items in both the Summary Project Cost Table and the detailed budget must not exceed the Project Funding Amount. The Division may also propose budget adjustments.

(b) Under no circumstances may the sum of line items in the Final Budget Approval exceed the Project Funding Amount.

#### B.1.6 Contingent Disbursement.

(a) The State Water Board's disbursement of funds hereunder is contingent on the Recipient's compliance with the terms and conditions of this Agreement.

(b) The State Water Board's obligation to disburse Project Funds is contingent upon the availability of sufficient funds to permit the disbursements provided for herein. If sufficient funds are not available for any reason, including but not limited to failure of the federal or State government to appropriate funds necessary for disbursement of Project Funds, the State Water Board shall not be obligated to make any disbursements to the Recipient under this Agreement. This provision shall be construed as a condition precedent to the obligation of the State Water Board to make any disbursements under this Agreement. Nothing in this Agreement shall be construed to provide the Recipient with a right of priority for disbursement over any other entity. If any disbursements due the Recipient under this Agreement are deferred because sufficient funds are unavailable, it is the intention of the State Water Board that such disbursement will be made to the Recipient when sufficient funds do become available, but this intention is not binding.

(c) Construction costs and disbursements are not available until after the Division has approved the final budget form submitted by the Recipient.

(d) No costs incurred prior to the Eligible Work Start Date are eligible for reimbursement.

(e) Construction costs incurred prior to the Eligible Construction Start Date are not eligible for reimbursement.

(f) Failure to proceed according to the timelines set forth in this Agreement may require the Recipient to repay to the State Water Board all disbursed Project Funds.

(g) The Recipient agrees to ensure that its final Disbursement Request is received by the Division no later than the Final Disbursement Request Date, unless prior approval has been granted by the Division. If the final Disbursement Request is not received timely, the undisbursed balance of this Agreement will be deobligated.

(h) The Recipient is not entitled to interest earned on undisbursed funds.

#### B.1.7 Disbursement Procedure.

Except as may be otherwise provided in this Agreement, disbursement of Project Funds will be made as follows:

1. Upon execution and delivery of this Agreement by both parties, the Recipient may request immediate disbursement of any eligible incurred planning and design allowance costs through submission to the State Water Board of the Disbursement Request Form 260 and Form 261, or any amendment thereto, duly completed and executed.
2. The Recipient must submit a disbursement request for costs incurred prior to the date this Agreement is executed by the State Water Board no later than ninety (90) days after this Agreement is executed by the State Water Board. Late disbursement requests may not be honored.

3. The Recipient may request disbursement of eligible construction and equipment costs consistent with budget amounts approved by the Division in the Final Budget Approval.
4. Additional Project Funds will be promptly disbursed to the Recipient upon receipt of Disbursement Request Form 260 and Form 261, or any amendment thereto, duly completed and executed by the Recipient for incurred costs consistent with this Agreement, along with receipt of progress reports due under Exhibit A.
5. The Recipient must not request disbursement for any Project Cost until such cost has been incurred and is currently due and payable by the Recipient, although the actual payment of such cost by the Recipient is not required as a condition of disbursement request. Supporting documentation (e.g., receipts) must be submitted with each Disbursement Request. The amount requested for administration costs must include a calculation formula (i.e., hours or days worked times the hourly or daily rate = total amount claimed). Disbursement of Project Funds will be made only after receipt of a complete, adequately supported, properly documented, and accurately addressed Disbursement Request. Disbursement Requests submitted without supporting documents may be wholly or partially withheld at the discretion of the Division.
6. The Recipient must spend Project Funds within 30 days of receipt. If the Recipient earns interest earned on Project Funds, it must report that interest immediately to the State Water Board. The State Water Board may deduct earned interest from future disbursements.
7. The Recipient shall not request a disbursement unless that Project Cost is allowable, reasonable, and allocable.
8. Notwithstanding any other provision of this Agreement, no disbursement shall be required at any time or in any manner which is in violation of or in conflict with federal or state laws, policies, or regulations.
9. No work or travel outside the State of California is permitted under this Agreement unless the Division provides prior written authorization. Failure to comply with this restriction may result in termination this Agreement, pursuant to Exhibit C. Any reimbursement for necessary travel and per diem shall be at rates not to exceed those set by the California Department of Human Resources at <http://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx>, as of the date costs are incurred by the Recipient.

#### B.1.8 Withholding of Disbursements.

Notwithstanding any other provision of this Agreement, the State Water Board may withhold all or any portion of the Project Funds upon the occurrence of any of the following events:

- (a) The Recipient's failure to maintain reasonable progress on the Project as determined by the Division;
- (b) Placement on the ballot or passage of an initiative or referendum to repeal or reduce the Recipient's taxes, assessments, fees, or charges levied for operation of the System or payment of debt service on System Obligations;
- (c) Commencement of litigation or a judicial or administrative proceeding related to the Project, System, or Revenues that the State Water Board determines may impair the timely satisfaction of Recipient's obligations under this Agreement;
- (d) Any investigation by the District Attorney, California State Auditor, Bureau of State Audits, United States Environmental Protection Agency's Office of Inspector General, the Internal Revenue Service, Securities and Exchange Commission, a grand jury, or any other state or

- federal agency, relating to the Recipient's financial management, accounting procedures, or internal fiscal controls;
- (e) A material adverse change in the condition of the Recipient, the Revenues, or the System, that the Division reasonably determines would materially impair the Recipient's ability to satisfy its obligations under this Agreement, or any other event that the Division reasonably determines would materially impair the Recipient's ability to satisfy its obligations under this Agreement;
  - (f) The Recipient's material violation of, or threat to materially violate, any term of this Agreement;
  - (g) Suspicion of fraud, forgery, embezzlement, theft, or any other misuse of public funds by the Recipient or its employees, or by its contractors or agents regarding the Project or the System;
  - (h) An event requiring Notice as set forth in Exhibit C;
  - (i) An Event of Default or an event that the Division determines may become an Event of Default.

#### B.1.9 Fraud and Misuse of Public Funds.

All requests for disbursement submitted must be accurate and signed by the Recipient's Authorized Representative under penalty of perjury. All costs submitted pursuant to this Agreement must only be for the work or tasks set forth in this Agreement. The Recipient must not submit any invoice containing costs that are ineligible or have been reimbursed from other funding sources unless required and specifically noted as such (i.e., match costs). Any eligible costs for which the Recipient is seeking reimbursement shall not be reimbursed from any other source. Double or multiple billing for time, services, or any other eligible cost is improper and will not be compensated. Any suspected occurrences of fraud, forgery, embezzlement, theft, or any other misuse of public funds may result in suspension of disbursements and, notwithstanding any other section in this Agreement, the termination of this Agreement requiring the repayment of all Project Funds disbursed hereunder. Additionally, the Deputy Director of the Division may request an audit and refer the matter to the Attorney General's Office or the appropriate district attorney's office for criminal prosecution or the imposition of civil liability.

### B.2 RECIPIENT'S PAYMENT OBLIGATION, PLEDGE, AND RESERVE

#### B.2.1 Project Costs.

The Recipient must pay any and all costs connected with the Project including, without limitation, any and all Project Costs and Additional Payments. If the Project Funds are not sufficient to pay the Project Costs in full, the Recipient must nonetheless complete the Project and pay that portion of the Project Costs in excess of available Project Funds, and shall not be entitled to any reimbursement therefor from the State Water Board.

#### B.2.2 Estimated Principal Payment Due.

The estimated amount of principal that will be due to the State Water Board from the Recipient under this Agreement is one hundred three million four hundred fifty-three thousand dollars and no cents (\$103,453,000.00).

#### B.2.3 Interest Rate and In-Lieu of Interest Charges.

(a) The Recipient agrees to make all Payments according to the schedule in Exhibit E, and as otherwise set forth herein, at an interest rate of one point 4 percent (1.4%) per annum.

(b) Interest will accrue beginning with each disbursement.

(c) In lieu of, and not to exceed, interest otherwise due under this Agreement, the Recipient agrees to pay the following charge(s), as further set forth in Exhibit E:

- an Administrative Service Charge
- a Drinking Water Small Community Emergency Grant Fund Charge

B.2.4 Reserved.

B.2.5 Obligation Absolute.

The obligation of the Recipient to make the Payments and other payments required to be made by it under this Agreement, from the Net Revenues and/or other amounts legally available to the Recipient therefor, is absolute and unconditional, and until such time as the Payments and Additional Payments have been paid in full, the Recipient must not discontinue or suspend any Payments or other payments required to be made by it hereunder when due, whether or not the Project, or any related part thereof is operating or operable or has been completed, or its use is suspended, interfered with, reduced or curtailed or terminated in whole or in part, and such Payments and other payments shall not be subject to reduction whether by offset or otherwise and shall not be conditional upon the performance or nonperformance by any party of any agreement for any cause whatsoever.

B.2.6 Payment Timing.

(a) The Recipient must pay interest annually, by October 1 of each year, until one year after Completion of Construction. Beginning no later than one year after Completion of Construction, the Recipient must make annual Payment of the principal of the Project Funds, together with all interest accruing thereon by October 1. The Recipient must make Payments fully amortizing the total principal of the Project by the Final Payment Date. Payments are based on a standard fully amortized assistance amount with equal annual payments.

(b) The remaining balance is the previous balance, plus the disbursements, plus the accrued interest on both, plus any Charge In Lieu of Interest, less the Payment. Payment calculations will be made beginning one (1) year after Completion of Construction. Exhibit E is a payment schedule based on the provisions of this Exhibit and an estimated disbursement schedule. Actual payments will be based on actual disbursements.

(c) Upon Completion of Construction and submission of necessary reports by the Recipient, the Division will prepare an appropriate payment schedule and supply the same to the Recipient. The Division may amend this schedule as necessary to accurately reflect amounts due under this Agreement. The Division will prepare any necessary amendments to the payment schedule and send them to the Recipient. The Recipient must make each Payment on or before the due date therefor. A ten (10) day grace period will be allowed, after which time a penalty in the amount of costs incurred by the State Water Board will be assessed for late payment. These costs may include, but are not limited to, lost interest earnings, staff time, bond debt service default penalties, if any, and other related costs. For purposes of penalty assessment, payment will be deemed to have been made if payment is deposited in the U.S. Mail within the grace period with postage prepaid and properly addressed. Any penalties assessed will not be added to the assistance amount balance, but will be treated as a separate account and obligation of the Recipient. The interest penalty will be assessed from the payment due date.

(d) The Recipient is obligated to make all payments required by this Agreement to the State Water Board, notwithstanding any individual default by its constituents or others in the payment to the Recipient of fees, charges, taxes, assessments, tolls or other charges ("Charges") levied or imposed by the Recipient. The Recipient must provide for the punctual payment to the State Water Board of all amounts which become due under this Agreement and which are received from constituents or others in the payment to the Recipient. In the event of failure, neglect or refusal of any officer of the Recipient to levy or cause to be

Exhibit B

levied any Charge to provide payment by the Recipient under this Agreement, to enforce or to collect such Charge, or to pay over to the State Water Board any money collected on account of such Charge necessary to satisfy any amount due under this Agreement, the State Water Board may take such action in a court of competent jurisdiction as it deems necessary to compel the performance of all duties relating to the imposition or levying and collection of any of such Charges and the payment of the money collected therefrom to the State Water Board. Action taken pursuant hereto shall not deprive the State Water Board of, or limit the application of, any other remedy provided by law or by this Agreement.

(e) Each Payment must be paid in lawful money of the United States of America by check or other acceptable form of payment set forth at [www.waterboards.ca.gov/make\\_a\\_payment](http://www.waterboards.ca.gov/make_a_payment). The Recipient must pay Payments and Additional Payments from Net Revenues and/or other amounts legally available to the Recipient therefor.

#### B.2.7 Pledged Revenues.

##### B.2.7.1 Establishment of Enterprise Fund and Reserve Fund.

In order to carry out its System Obligations, the Recipient covenants that it shall establish and maintain or shall have established and maintained the Enterprise Fund. All Revenues received shall be deposited when and as received in trust in the Enterprise Fund. As required in this Exhibit, the Recipient must establish and maintain a Reserve Fund.

##### B.2.7.2 Pledge of Net Revenues, Enterprise Fund, and Reserve Fund.

The Obligation hereunder shall be secured by a lien on and pledge of the Enterprise Fund, Net Revenues, and any Reserve Fund on parity with the Parity Obligations and subordinate to the Senior Obligations. The Recipient hereby pledges and grants such lien on and pledge of the Enterprise Fund, Net Revenues, and any Reserve Fund to secure the Obligation, including payment of Payments and Additional Payments hereunder. The Net Revenues in the Enterprise Fund, shall be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the Recipient.

##### B.2.7.3 Application and Purpose of the Enterprise Fund.

Subject to the provisions of any outstanding System Obligation, money on deposit in the Enterprise Fund shall be applied and used first, to pay Operations and Maintenance Costs, and thereafter, all amounts due and payable with respect to the System Obligations in order of priority. After making all payments hereinabove required to be made in each Fiscal Year, the Recipient may expend in such Fiscal Year any remaining money in the Enterprise Fund for any lawful purpose of the Recipient.

#### B.2.8 No Prepayment.

The Recipient may not prepay any portion of the principal and interest due under this Agreement without the written consent of the Deputy Director of the Division.

#### B.2.9 Reserve Fund.

Prior to Completion of Construction, the Recipient must establish a restricted Reserve Fund, held in its Enterprise Fund, equal to one year's Debt Service on this Obligation. The Recipient must maintain the Reserve Fund throughout the term of this Agreement. The Reserve Fund is subject to lien and pledged as security for this Obligation, and its use is restricted to payment of this Obligation during the term of this Agreement.

### B.3 RATES, FEES AND CHARGES.

a) The Recipient must, to the extent permitted by law, fix, prescribe and collect rates, fees and charges for the System during each Fiscal Year which are reasonable, fair, and nondiscriminatory and which will be sufficient to generate Revenues in the amounts necessary to cover Operations and Maintenance Costs, and must ensure that Net Revenues are equal to the sum of (i) at least 120% of the Maximum Annual Debt Service with respect to all outstanding System Obligations senior to and on parity with the Obligation and (ii) at least 100% of the Maximum Annual Debt Service with respect to all outstanding System Obligations subordinate to the Obligation.

(b) The Recipient may make adjustments from time to time in such fees and charges and may make such classification thereof as it deems necessary, but shall not reduce the rates, fees and charges then in effect unless the Net Revenues from such reduced rates, fees, and charges will at all times be sufficient to meet the requirements of this section.

(c) Upon consideration of a voter initiative to reduce Revenues, the Recipient must make a finding regarding the effect of such a reduction on the Recipient's ability to satisfy the rate covenant set forth in this Section. The Recipient must make its findings available to the public and must request, if necessary, the authorization of the Recipient's decision-maker or decision-making body to file litigation to challenge any such initiative that it finds will render it unable to satisfy the rate covenant set forth in this Agreement and its obligation to operate and maintain the Project for its Useful Life. The Recipient must diligently pursue and bear any and all costs related to such challenge. The Recipient must notify and regularly update the State Water Board regarding the status of any such challenge.

### B.4 ADDITIONAL DEBT.

(a) The Recipient's future debt that is secured by Revenues pledged herein may not be senior to this Obligation, except where the new senior obligation refunds or refinances a senior obligation with the same lien position as the existing senior obligation, the new senior obligation has the same or earlier repayment term as the refunded senior debt, the new senior debt service is the same or lower than the existing debt service, and the new senior debt will not diminish the Recipient's ability to satisfy its SRF obligation(s).

(b) The Recipient may issue additional parity or subordinate debt only if all of the following conditions are met:

- i. Net Revenues in the most recent Fiscal Year, excluding transfers from a rate stabilization fund, if any, meet the ratio for rate covenants set forth in this Exhibit and with respect to any outstanding and proposed additional obligations;
- ii. The Recipient is in compliance with any reserve fund requirement of this Obligation.

### B.5 NO LIENS.

The Recipient must not make any pledge of or place any lien on the Project, System, or Revenues except as otherwise provided or permitted by this Agreement.

## EXHIBIT C – GENERAL & PROGRAMMATIC TERMS & CONDITIONS

### C.1 REPRESENTATIONS & WARRANTIES.

The Recipient represents, warrants, and commits to the following as of the Eligible Work Start Date and continuing thereafter for the term of this Agreement.

#### C.1.1 Application and General Recipient Commitments.

The Recipient has not made any untrue statement of a material fact in its application for this financial assistance, or omitted to state in its application a material fact that makes the statements in its application not misleading.

The Recipient agrees to comply with all terms, provisions, conditions, and commitments of this Agreement, including all incorporated documents.

The Recipient agrees to fulfill all assurances, declarations, representations, and commitments in its application, accompanying documents, and communications filed in support of its request for funding under this Agreement.

#### C.1.2 Authorization and Validity.

The execution and delivery of this Agreement, including all incorporated documents, has been duly authorized by the Recipient. Upon execution by both parties, this Agreement constitutes a valid and binding obligation of the Recipient, enforceable in accordance with its terms, except as such enforcement may be limited by law.

#### C.1.3 No Violations.

The execution, delivery, and performance by Recipient of this Agreement, including all incorporated documents, do not violate any provision of any law or regulation in effect as of the date set forth on the first page hereof, or result in any breach or default under any contract, obligation, indenture, or other instrument to which Recipient is a party or by which Recipient is bound as of the date set forth on the Cover Page.

#### C.1.4 No Litigation.

There are, as of the date of execution of this Agreement by the Recipient, no pending or, to Recipient's knowledge, threatened actions, claims, investigations, suits, or proceedings before any governmental authority, court, or administrative agency which materially affect the financial condition or operations of the Recipient, the System, the Revenues, and/or the Project.

There are no proceedings, actions, or offers by a public entity to acquire by purchase or the power of eminent domain the System or any of the real or personal property related to or necessary for the Project.

#### C.1.5 Property Rights and Water Rights.

The Recipient owns or has sufficient property rights in the Project property for the longer of the Useful Life or the term of this Agreement, either in fee simple or for a term of years that is not subject to third-party revocation during the Useful Life of the Project.

The Recipient possesses all water rights necessary for this Project.

C.1.6 Solvency and Insurance.

None of the transactions contemplated by this Agreement will be or have been made with an actual intent to hinder, delay, or defraud any present or future creditors of Recipient. The Recipient is solvent and will not be rendered insolvent by the transactions contemplated by this Agreement. The Recipient is able to pay its debts as they become due. The Recipient maintains sufficient insurance coverage considering the scope of this Agreement, including, for example but not necessarily limited to, general liability, automobile liability, workers compensation and employer liability, professional liability.

C.1.7 Legal Status and Eligibility.

The Recipient is duly organized and existing and in good standing under the laws of the State of California. Recipient must at all times maintain its current legal existence and preserve and keep in full force and effect its legal rights and authority. The Recipient acknowledges that changes to its legal or financial status may affect its eligibility for funding under this Agreement and commits to maintaining its eligibility. Within the preceding ten years, the Recipient has not failed to demonstrate compliance with state or federal audit disallowances.

C.1.8 Financial Statements and Continuing Disclosure.

The financial statements of Recipient previously delivered to the State Water Board as of the date(s) set forth in such financial statements: (a) are materially complete and correct; (b) present fairly the financial condition of the Recipient; and (c) have been prepared in accordance with GAAP. Since the date(s) of such financial statements, there has been no material adverse change in the financial condition of the Recipient, nor have any assets or properties reflected on such financial statements been sold, transferred, assigned, mortgaged, pledged or encumbered, except as previously disclosed in writing by Recipient and approved in writing by the State Water Board.

The Recipient is current in its continuing disclosure obligations associated with its material debt, if any.

C.1.9 System Obligations.

The Recipient has no System Obligations other than those defined in this Agreement.

C.1.10 No Other Material Debt.

The Recipient has no Material Obligations other than those set forth in Exhibit D.

C.1.11 Compliance with State Water Board Funding Agreements.

The Recipient represents that it is in compliance with all State Water Board funding agreements to which it is a party.

C.2 DEFAULTS AND REMEDIES

In addition to any other remedy set forth in this Agreement, the following remedies are available under this Agreement.

C.2.1 Return of Funds; Acceleration; and Additional Payments.

Notwithstanding any other provision of this Agreement, if the Division determines that an Event of Default has occurred, the Recipient may be required, upon demand, immediately to do each of the following:

- i. return to the State Water Board any grant or principal forgiveness amounts received pursuant to this Agreement;
- ii. accelerate the payment of any principal owed under this Agreement, all of which shall be immediately due and payable;
- iii. pay interest at the highest legal rate on all of the foregoing; and
- iv. pay any Additional Payments.

C.2.2 Reserved.

C.2.3 Judicial remedies.

Whenever the State Water Board determines that an Event of Default shall have occurred, the State Water Board may enforce its rights under this Agreement by any judicial proceeding, whether at law or in equity. Without limiting the generality of the foregoing, the State Water Board may:

- i. by suit in equity, require the Recipient to account for amounts relating to this Agreement as if the Recipient were the trustee of an express trust;
- ii. by mandamus or other proceeding, compel the performance by the Recipient and any of its officers, agents, and employees of any duty under the law or of any obligation or covenant under this Agreement, including but not limited to the imposition and collection of rates for the services of the System sufficient to meet all requirements of this Agreement; and
- iii. take whatever action at law or in equity as may appear necessary or desirable to the State Water Board to collect the Payments then due or thereafter to become due, or to enforce performance of any obligation or covenant of the Recipient under this Agreement.

C.2.4 Termination.

Upon an Event of Default, the State Water Board may terminate this Agreement. Interest shall accrue on all amounts due at the highest legal rate of interest from the date that the State Water Board delivers notice of termination to the Recipient.

C.2.5 Damages for Breach of Tax-Exempt Status.

In the event that any breach of any of the provisions of this Agreement by the Recipient results in the loss of tax-exempt status for any bonds of the State or any subdivision or agency thereof, or if such breach results in an obligation on the part of the State or any subdivision or agency thereof to reimburse the federal government by reason of any arbitrage profits, the Recipient must immediately reimburse the State or any subdivision or agency thereof in an amount equal to any damages paid by or loss incurred by the State or any subdivision or agency thereof due to such breach.

C.2.6 Damages for Breach of Federal Conditions.

In the event that any breach of any of the provisions of this Agreement by the Recipient results in the failure of Project Funds to be used pursuant to the provisions of this Agreement, or if such breach results in an obligation on the part of the State or any subdivision or agency thereof to reimburse the federal government, the Recipient must immediately reimburse the State or any subdivision or agency thereof in an amount equal to any damages paid by or loss incurred by the State or any subdivision or agency thereof due to such breach.

Exhibit C

C.2.7 Remedies and Limitations.

None of the remedies available to the State Water Board shall be exclusive of any other remedy, and each such remedy shall be cumulative and in addition to every other remedy given hereunder or now or hereafter existing at law or in equity. The State Water Board may exercise any remedy, now or hereafter existing, without exhausting and without regard to any other remedy.

Any claim of the Recipient is limited to the rights and remedies provided to the Recipient under this Agreement and is subject to the claims procedures provided to the Recipient under this Agreement.

C.2.8 Non-Waiver.

Nothing in this Agreement shall affect or impair the Recipient's Obligation to pay Payments as provided herein or shall affect or impair the right of the State Water Board to bring suit to enforce such payment. No delay or omission of the State Water Board in the exercise of any right arising upon an Event of Default shall impair any such right or be construed to be a waiver of any such Event of Default. The State Water Board may exercise from time to time and as often as shall be deemed expedient by the State Water Board, any remedy or right provided by law or pursuant to this Agreement.

C.2.9 Status Quo.

If any action to enforce any right or exercise any remedy shall be brought and either discontinued or determined adversely to the State Water Board, then the State Water Board shall be restored to its former position, rights and remedies as if no such action had been brought.

C.3 STANDARD CONDITIONS

C.3.1 Access, Inspection, and Public Records.

The Recipient must ensure that the State Water Board, the Governor of the State, the United States Environmental Protection Agency, the Office of Inspector General, any member of Congress, or any authorized representative of the foregoing, will have safe and suitable access to the Project site at all reasonable times during Project construction and thereafter for the term of the Agreement. The Recipient acknowledges that, except for a subset of information regarding archaeological records, the Project records and locations are public records, including but not limited to all of the submissions accompanying the application, all of the documents incorporated into this Agreement by reference, and all reports, disbursement requests, and supporting documentation submitted hereunder.

C.3.2 Accounting and Auditing Standards; Financial Management Systems; Records Retention.

(a) The Recipient must maintain project accounts according to GAAP as issued by the Governmental Accounting Standards Board (GASB) or its successor. The Recipient must maintain GAAP-compliant project accounts, including GAAP requirements relating to the reporting of infrastructure assets.

(b) The Recipient must comply with federal standards for financial management systems. The Recipient agrees that, at a minimum, its fiscal control and accounting procedures will be sufficient to permit preparation of reports required by the federal government and tracking of Project funds to a level of expenditure adequate to establish that such funds have not been used in violation of federal or state law or the terms of this Agreement. To the extent applicable, the Recipient is bound by, and must comply with, the provisions and requirements of the federal Single Audit Act of 1984 and 2 CFR Part 200, subpart F, and updates or revisions, thereto.

(c) Without limitation of the requirement to maintain Project accounts in accordance with GAAP, the Recipient must:

- i. Establish an official file for the Project which adequately documents all significant actions relative to the Project;
- ii. Establish separate accounts which will adequately and accurately depict all amounts received and expended on the Project, including all assistance funds received under this Agreement;
- iii. Establish separate accounts which will adequately depict all income received which is attributable to the Project, specifically including any income attributable to assistance funds disbursed under this Agreement;
- iv. Establish an accounting system which will accurately depict final total costs of the Project, including both direct and Indirect Costs;
- v. Establish such accounts and maintain such records as may be necessary for the State to fulfill federal reporting requirements, including any and all reporting requirements under federal tax statutes or regulations; and
- vi. If Force Account is used by the Recipient for any phase of the Project, other than for planning, design, and construction engineering and administration provided for by allowance, accounts will be established which reasonably document all employee hours charged to the Project and the associated tasks performed by each employee. Indirect Costs from Force Account are not eligible for funding.

(d) The Recipient must maintain separate books, records and other material relative to the Project. The Recipient must also retain such books, records, and other material for itself and for each contractor or subcontractor who performed or performs work on this project for a minimum of thirty-six (36) years after Completion of Construction. The Recipient must require that such books, records, and other material are subject at all reasonable times (at a minimum during normal business hours) to inspection, copying, and audit by the State Water Board, the California State Auditor, the Bureau of State Audits, the United States Environmental Protection Agency (USEPA), the Office of Inspector General, the Internal Revenue Service, the Governor, or any authorized representatives of the aforementioned. The Recipient must allow and must require its contractors to allow interviews during normal business hours of any employees who might reasonably have information related to such records. The Recipient agrees to include a similar duty regarding audit, interviews, and records retention in any contract or subcontract related to the performance of this Agreement. The provisions of this section survive the term of this Agreement.

### C.3.3 Amendment.

No amendment or variation of the terms of this Agreement shall be valid unless made in writing and signed by both the Recipient and the Deputy Director or designee. Requests for amendments must be in writing and directed to the contact listed in Section 4 and to the Division's Chief of Loans and Grants Administration Section.

### C.3.4 Assignability.

This Agreement is not assignable by the Recipient, either in whole or in part, without the consent of the State Water Board in the form of a formal written amendment to this Agreement.

### C.3.5 Audit.

(a) The Division may call for an audit of financial information relative to the Project if the Division determines that an audit is desirable to assure program integrity or if an audit becomes necessary because of state or federal requirements. If an audit is called for, the audit must be performed by a

certified public accountant independent of the Recipient and at the cost of the Recipient. The audit must be in the form required by the Division.

(b) Audit disallowances must be returned to the State Water Board.

#### C.3.6 Bonding.

Where contractors are used, the Recipient must not authorize construction to begin until each contractor has furnished a performance bond in favor of the Recipient in the following amounts: faithful performance (100%) of contract value; labor and materials (100%) of contract value. This requirement shall not apply to any contract for less than \$25,000.00.

#### C.3.7 Competitive Bidding

Recipient must adhere to any applicable state law or local ordinance for competitive bidding and applicable labor laws.

#### C.3.8 Compliance with Applicable Laws, Rules, and Requirements.

The Recipient must, at all times, comply with and require its contractors and subcontractors to comply with all applicable federal and state laws, rules, guidelines, regulations, and requirements. Without limitation of the foregoing, to the extent applicable, the Recipient must:

- (a) Comply with the provisions of the adopted environmental mitigation plan, if any, for the term of this Agreement;
- (b) Comply with the Policy; and
- (c) Comply with and require compliance with the state and federal requirements set forth elsewhere in this Agreement.

#### C.3.9 Computer Software.

The Recipient certifies that it has appropriate systems and controls in place to ensure that state funds will not be used in the performance of this Agreement for the acquisition, operation or maintenance of computer software in violation of copyright laws.

#### C.3.10 Conflict of Interest.

The Recipient certifies that its owners, officers, directors, agents, representatives, and employees are in compliance with applicable state and federal conflict of interest laws.

#### C.3.11 Continuous Use of Project; No Lease, Sale, Transfer of Ownership, or Disposal of Project.

The Recipient agrees that, except as provided in this Agreement, it will not abandon, substantially discontinue use of, lease, sell, transfer ownership of, or dispose of all or a significant part or portion of the Project during the Useful Life of the Project without prior written approval of the Division. Such approval may be conditioned as determined to be appropriate by the Division, including a condition requiring repayment of all disbursed Project Funds or all or any portion of all remaining funds covered by this Agreement together with accrued interest and any penalty assessments that may be due.

#### C.3.12 Data Management.

The Recipient will undertake appropriate data management activities so that Project data can be incorporated into statewide data systems.

#### C.3.13 Disputes.

(a) The Recipient may appeal a staff decision within 30 days to the Deputy Director of the Division or designee, for a final Division decision. The Recipient may appeal a final Division decision to the State Water Board within 30 days. The Office of the Chief Counsel of the State Water Board will prepare a summary of the dispute and make recommendations relative to its final resolution, which will be provided to the State Water Board's Executive Director and each State Water Board Member. Upon the motion of any State Water Board Member, the State Water Board will review and resolve the dispute in the manner determined by the State Water Board. Should the State Water Board determine not to review the final Division decision, this decision will represent a final agency action on the dispute.

(b) This clause does not preclude consideration of legal questions, provided that nothing herein shall be construed to make final the decision of the State Water Board, or any official or representative thereof, on any question of law.

(c) Recipient must continue with the responsibilities under this Agreement during any dispute.

(d) This section relating to disputes does not establish an exclusive procedure for resolving claims within the meaning of Government Code sections 930 and 930.4.

#### C.3.14 Reserved.

#### C.3.15 Environmental Clearance.

(a) Notwithstanding any other provision, the State Water Board has no binding obligation to provide funding under this Agreement except for activities excluded from, not subject to, or exempt under the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA). No work that is subject to CEQA or NEPA may proceed under this Agreement until the State Water Board has provided approval to proceed. Upon receipt and review of the Recipient's environmental documents, the State Water Board shall make the appropriate environmental findings before determining whether to approve construction or implementation funding for the Project under this Agreement. Providing approval for such construction or implementation funding is fully discretionary. The State Water Board may require changes in the scope of work or additional mitigation as a condition to providing construction or implementation funding under this Agreement. Recipient shall not perform any work subject to CEQA and/or NEPA before the State Water Board completes its environmental review and specifies any changes in scope or additional mitigation that may be required. Proceeding with work subject to CEQA and/or NEPA without approval by the State Water Board shall constitute a breach of a material provision of this Agreement.

(b) If this Project includes modification of a river or stream channel, the Recipient must fully mitigate environmental impacts resulting from the modification. The Recipient must provide documentation that the environmental impacts resulting from such modification will be fully mitigated considering all of the impacts of the modification and any mitigation, environmental enhancement, and environmental benefit resulting from the Project, and whether, on balance, any environmental enhancement or benefit equals or exceeds any negative environmental impacts of the Project.

#### C.3.16 Governing Law.

This Agreement is governed by and shall be interpreted in accordance with the laws of the State of California.

### C.3.17 Income Restrictions.

The Recipient agrees that any refunds, rebates, credits, or other amounts (including any interest thereon) accruing to or received by the Recipient under this Agreement must be paid by the Recipient to the State Water Board, to the extent that they are properly allocable to costs for which the Recipient has been reimbursed by the State Water Board under this Agreement.

### C.3.18 Indemnification and State Reviews.

The parties agree that review or approval of Project plans and specifications by the State Water Board is for administrative purposes only, including conformity with application and eligibility criteria, and expressly not for the purposes of design defect review or construction feasibility, and does not relieve the Recipient of its responsibility to properly plan, design, construct, operate, and maintain the Project. To the extent permitted by law, the Recipient agrees to indemnify, defend, and hold harmless the State Water Board, the Bank, and any trustee, and their officers, employees, and agents for the Bonds, if any (collectively, "Indemnified Persons"), against any loss or liability arising out of any claim or action brought against any Indemnified Persons from and against any and all losses, claims, damages, liabilities, or expenses, of every conceivable kind, character, and nature whatsoever arising out of, resulting from, or in any way connected with (1) the System or the Project or the conditions, occupancy, use, possession, conduct, or management of, work done in or about, or the planning, design, acquisition, installation, or construction, of the System or the Project or any part thereof; (2) the carrying out of any of the transactions contemplated by this Agreement or any related document; (3) any violation of any applicable law, rule or regulation, any environmental law (including, without limitation, the Federal Comprehensive Environmental Response, Compensation and Liability Act, the Resource Conservation and Recovery Act, the California Hazardous Substance Account Act, the Federal Water Pollution Control Act, the Clean Air Act, the Toxic Substances Control Act, the Occupational Safety and Health Act, the Safe Drinking Water Act, the California Hazardous Waste Control Law, and California Water Code Section 13304, and any successors to said laws), rule or regulation or the release of any toxic substance on or near the System or the Project; or (4) any untrue statement or alleged untrue statement of any material fact or omission or alleged omission to state a material fact necessary to make the statements required to be stated therein, in light of the circumstances under which they were made, not misleading with respect to any information provided by the Recipient for use in any disclosure document utilized in connection with any of the transactions contemplated by this Agreement, except those arising from the gross negligence or willful misconduct of the Indemnified Persons. The Recipient must also provide for the defense and indemnification of the Indemnified Parties in any contractual provision extending indemnity to the Recipient in any contract let for the performance of any work under this Agreement, and must cause the Indemnified Parties to be included within the scope of any provision for the indemnification and defense of the Recipient in any contract or subcontract. To the fullest extent permitted by law, the Recipient agrees to pay and discharge any judgment or award entered or made against Indemnified Persons with respect to any such claim or action, and any settlement, compromise or other voluntary resolution. The provisions of this section survive the term of this Agreement.

### C.3.19 Independent Actor.

The Recipient, and its agents and employees, if any, in the performance of this Agreement, shall act in an independent capacity and not as officers, employees, or agents of the State Water Board.

### C.3.20 Integration.

This Agreement constitutes the complete and final agreement between the parties. No oral or written understanding or agreement not incorporated in this Agreement shall be binding on either party.

### C.3.21 Leveraging Covenants.

(a) Notwithstanding any other provision hereof, the Recipient covenants and agrees that it will comply with the Tax Covenants set forth in Exhibit F of this Agreement.

(b) The Recipient covenants to furnish such financial, operating and other data pertaining to the Recipient as may be requested by the State Water Board to: (i) enable the State Water Board to cause the issuance of Bonds and provide for security therefor; or (ii) enable any underwriter of Bonds issued for the benefit of the State Water Board to comply with Rule 15c2-12(b)(5). The Recipient further covenants to provide the State Water Board with copies of all continuing disclosure documents or reports that are disclosed pursuant to (i) the Recipient's continuing disclosure undertaking or undertakings made in connection with any outstanding System Obligation, (ii) the terms of any outstanding System Obligation, or (iii) a voluntary disclosure of information related to an outstanding System Obligation. The Recipient must disclose such documents or reports to the State Water Board at the same time such documents or reports are submitted to any dissemination agent, trustee, nationally recognized municipal securities information repository, the Municipal Securities Rulemaking Board's Electronic Municipal Market Access (EMMA) website or other person or entity.

#### C.3.22 No Discrimination.

(a) The Recipient must comply with Government Code section 11135 and the implementing regulations (Cal. Code Regs, tit. 2, § 11140 et seq.), including, but not limited to, ensuring that no person is unlawfully denied full and equal access to the benefits of, or unlawfully subjected to discrimination in the operation of, the Project or System on the basis of sex, race, color, religion, ancestry, national origin, ethnic group identification, age, mental disability, physical disability, medical condition, genetic information, marital status, or sexual orientation as such terms are defined under California law, for as long as the Recipient retains ownership or possession of the Project.

(b) If Project Funds are used to acquire or improve real property, the Recipient must include a covenant of nondiscrimination running with the land in the instrument effecting or recording the transfer of such real property.

(c) The Recipient must comply with the federal American with Disabilities Act of 1990 and implementing regulations as required by Government Code section 11135(b).

(d) The Recipient's obligations under this section shall survive the term of this Agreement.

(e) During the performance of this Agreement, Recipient and its contractors and subcontractors must not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, sexual orientation, physical disability (including HIV and AIDS), mental disability, medical condition (cancer), age (over 40), marital status, denial of family care leave, or genetic information, gender, gender identity, gender expression, or military and veteran status.

(f) The Recipient, its contractors, and subcontractors must ensure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment.

(g) The Recipient, its contractors, and subcontractors must comply with the provisions of the Fair Employment and Housing Act and the applicable regulations promulgated thereunder. (Gov. Code, §12990, subds. (a)-(f) et seq.; Cal. Code Regs., tit. 2, § 7285 et seq.) Such regulations are incorporated into this Agreement by reference and made a part hereof as if set forth in full.

(h) The Recipient, its contractors, and subcontractors must give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

(i) The Recipient must include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under this Agreement.

#### C.3.23 No Third Party Rights.

The parties to this Agreement do not create rights in, or grant remedies to, any third party as a beneficiary of this Agreement, or of any duty, covenant, obligation, or undertaking established herein.

#### C.3.24 No Obligation of the State.

Any obligation of the State Water Board herein contained shall not be an obligation, debt, or liability of the State and any such obligation shall be payable solely out of the moneys encumbered pursuant to this Agreement.

#### C.3.25 Notice.

Upon the occurrence of any of the following events, the Recipient must provide notice as set forth below.

- (a) Within 24 hours of the following, the Recipient must notify the Division by phone at (916) 327-9978 and by email to [Tatiana.Guillen@waterboards.ca.gov](mailto:Tatiana.Guillen@waterboards.ca.gov) and [Uyen.trinh-le@waterboards.ca.gov](mailto:Uyen.trinh-le@waterboards.ca.gov) and [DrinkingWaterSRF@waterboards.ca.gov](mailto:DrinkingWaterSRF@waterboards.ca.gov):
- i. The seizure of, or levy on, any Revenues securing this Agreement;
  - ii. Any discovery of any potential tribal cultural resource and/or archaeological or historical resource. Should a potential tribal cultural resource and/or archaeological or historical resource be discovered during construction or Project implementation, the Recipient must ensure that all work in the area of the find will cease until a qualified archaeologist has evaluated the situation and made recommendations regarding preservation of the resource, and the Division has determined what actions should be taken to protect and preserve the resource. The Recipient must implement appropriate actions as directed by the Division.
- (b) Within five (5) business days, the Recipient must notify the Division by phone at (916) 327-9978; by email to [Lance.Reese@waterboards.ca.gov](mailto:Lance.Reese@waterboards.ca.gov), [Tatiana.Guillen@waterboards.ca.gov](mailto:Tatiana.Guillen@waterboards.ca.gov) and [Uyen.trinh-le@waterboards.ca.gov](mailto:Uyen.trinh-le@waterboards.ca.gov) and [DrinkingWaterSRF@waterboards.ca.gov](mailto:DrinkingWaterSRF@waterboards.ca.gov); and by mail to the contact address set forth in Section 4 of this Agreement of the occurrence of any of the following events:
- i. Bankruptcy, insolvency, receivership or similar event of the Recipient, or actions taken in anticipation of any of the foregoing;
  - ii. Change of ownership of the Project or the System or change of management or service contracts, if any, for operation of the System;
  - iii. Loss, theft, damage, or impairment to Project, the Revenues or the System;
  - iv. Failure to meet any debt service coverage test in Exhibit B of this agreement;
  - v. Draws on the Reserve Fund;
  - vi. Listed Events and Events of Default, except as otherwise set forth in this section;
  - vii. Failure to observe or perform any covenant or comply with any condition in this Agreement.
  - viii. An offer from a public entity to purchase the Project or the System or any portion thereof, or any of the real or personal property related to or necessary for the Project;
  - ix. A proceeding or action by a public entity to acquire the Project or the System by power of eminent domain;
  - x. Incurrence of a System Obligation or Material Obligation by the Recipient; or

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- xi. A default, event of acceleration, termination event, modification of terms, or other similar event under the terms of a System Obligation or Material Obligation of the Recipient, any of which reflect financial difficulties.
- (c) Within ten (10) business days, the Recipient must notify the Division by phone at (916) 327-9978, by email to [Tatiana.Guillen@waterboards.ca.gov](mailto:Tatiana.Guillen@waterboards.ca.gov) and [Uyen.trinh-le@waterboards.ca.gov](mailto:Uyen.trinh-le@waterboards.ca.gov) and [DrinkingWaterSRF@waterboards.ca.gov](mailto:DrinkingWaterSRF@waterboards.ca.gov), and by mail to the contact address set forth in Section 4 of this Agreement of the following events:
- i. Material defaults on Material Obligations, other than this Obligation;
  - ii. Unscheduled draws on material debt service reserves or credit enhancements, reflecting financial difficulties;
  - iii. Substitution of credit or liquidity providers, if any or their failure to perform;
  - iv. Any litigation pending or threatened with respect to the Project or the Recipient's technical, managerial or financial capacity to operate the System or the Recipient's continued existence,
  - v. Circulation of a petition to repeal, reduce, or otherwise challenge the Recipient's rates for services of the System,
  - vi. Consideration of dissolution, or disincorporation, or any other event that could materially impair the Revenues;
  - vii. Adverse tax opinions, the issuance by the Internal Revenue Service or proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices of determinations with respect to the tax status of any tax-exempt bonds;
  - viii. Rating changes on outstanding System Obligations, if any;
  - ix. Issuance of additional Parity Obligations;
  - x. Enforcement actions by or brought on behalf of the State Water Board or Regional Water Board; or
  - xi. Any investigation by the District Attorney, California State Auditor, Bureau of State Audits, United States Environmental Protection Agency's Office of Inspector General, the Internal Revenue Service, Securities and Exchange Commission, a grand jury, or any other state or federal agency, relating to the Recipient's financial management, accounting procedures, or internal fiscal controls;
- (d) The Recipient must notify the Division promptly by phone at (916) 327-9978, by email to [Tatiana.Guillen@waterboards.ca.gov](mailto:Tatiana.Guillen@waterboards.ca.gov) and [Uyen.trinh-le@waterboards.ca.gov](mailto:Uyen.trinh-le@waterboards.ca.gov) and [DrinkingWaterSRF@waterboards.ca.gov](mailto:DrinkingWaterSRF@waterboards.ca.gov), and by mail to the contact address set forth in Section 4 of this Agreement of any of the following events:
- i. The discovery of a false statement of fact or representation made in this Agreement or in the application to the Division for this financial assistance, or in any certification, report, or request for disbursement made pursuant to this Agreement, by the Recipient, its employees, agents, or contractors;
  - ii. Any substantial change in scope of the Project. The Recipient must undertake no substantial change in the scope of the Project until prompt written notice of the proposed change has been provided to the Division and the Division has given written approval for the change;
  - iii. Cessation of all major construction work on the Project where such cessation of work is expected to or does extend for a period of thirty (30) days or more;
  - iv. Any circumstance, combination of circumstances, or condition, which is expected to or does delay Completion of Construction for a period of ninety (90) days or more;

- v. Discovery of any unexpected endangered or threatened species, as defined in the federal Endangered Species Act. Should a federally protected species be unexpectedly encountered during construction of the Project, the Recipient agrees to promptly notify the Division. This notification is in addition to the Recipient's obligations under the federal Endangered Species Act;
- vi. Any Project monitoring, demonstration, or other implementation activities required in Exhibit A or Exhibit D of this Agreement, if any;
- vii. Any public or media event publicizing the accomplishments and/or results of this Agreement and provide the opportunity for attendance and participation by state representatives with at least ten (10) working days' notice to the Division;
- viii. allegation of research misconduct involving research activities that are supported in whole or in part with EPA funds under this Project, as required by Exhibit C.4.3(xxvii).
- ix. Any events requiring notice to the Division pursuant to the provisions of this Agreement;
- x. Completion of Construction of the Project, and actual Project Completion;
- xi. The award of the prime construction contract for the Project;
- xii. Initiation of construction of the Project.

#### C.3.26 Operation and Maintenance; Insurance.

The Recipient agrees to sufficiently and properly staff, operate and maintain all portions of the System during the Useful Life of the Project in accordance with all applicable state and federal laws, rules, and regulations.

The Recipient will procure and maintain or cause to be maintained insurance on the System with responsible insurers, or as part of a reasonable system of self-insurance, in such amounts and against such risks (including damage to or destruction of the System) as are usually covered in connection with systems similar to the System. Such insurance may be maintained by a self-insurance plan so long as such plan provides for (i) the establishment by the Recipient of a separate segregated self-insurance fund in an amount determined (initially and on at least an annual basis) by an independent insurance consultant experienced in the field of risk management employing accepted actuarial techniques and (ii) the establishment and maintenance of a claims processing and risk management program.

In the event of any damage to or destruction of the System caused by the perils covered by such insurance, the net proceeds thereof shall be applied to the reconstruction, repair or replacement of the damaged or destroyed portion of the System. The Recipient must begin such reconstruction, repair or replacement as expeditiously as possible, and must pay out of such net proceeds all costs and expenses in connection with such reconstruction, repair or replacement so that the same must be completed and the System must be free and clear of all claims and liens. If such net proceeds are insufficient to reconstruct, repair, or restore the System to the extent necessary to enable the Recipient to pay all remaining unpaid principal portions of the Payments, if any, in accordance with the terms of this Agreement, the Recipient must provide additional funds to restore or replace the damaged portions of the System.

Recipient agrees that for any policy of insurance concerning or covering the construction of the Project, it will cause, and will require its contractors and subcontractors to cause, a certificate of insurance to be issued showing the State Water Board, its officers, agents, employees, and servants as additional insured; and must provide the Division with a copy of all such certificates prior to the commencement of construction of the Project.

#### C.3.27 Permits, Subcontracting, and Remedies.

Recipient must procure all permits, licenses and other authorizations necessary to accomplish the work contemplated in this Agreement, pay all charges and fees, and give all notices necessary and incidental to the due and lawful prosecution of the work. Signed copies of any such permits or licenses must be submitted to the Division before any construction begins.

The Recipient must not contract or allow subcontracting with excluded parties. The Recipient must not contract with any party who is debarred or suspended or otherwise excluded from or ineligible for participation in any work overseen, directed, funded, or administered by the State Water Board program for which this funding is authorized. For any work related to this Agreement, the Recipient must not contract with any individual or organization on the State Water Board's List of Disqualified Businesses and Persons that is identified as debarred or suspended or otherwise excluded from or ineligible for participation in any work overseen, directed, funded, or administered by the State Water Board program for which funding under this Agreement is authorized. The State Water Board's List of Disqualified Businesses and Persons is located at [http://www.waterboards.ca.gov/water\\_issues/programs/enforcement/fwa/dbp.shtml](http://www.waterboards.ca.gov/water_issues/programs/enforcement/fwa/dbp.shtml)

#### C.3.28 Professionals.

The Recipient agrees that only licensed professionals will be used to perform services under this Agreement where such services are called for. All technical reports required pursuant to this Agreement that involve planning, investigation, evaluation, design, or other work requiring interpretation and proper application of engineering, architectural, or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to Business and Professions Code, sections 5536.1, 6735, 7835, and 7835.1. To demonstrate compliance with California Code of Regulations, title 16, sections 415 and 3065, all technical reports must contain a statement of the qualifications of the responsible registered professional(s). As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.

#### C.3.29 Prevailing Wages.

The Recipient agrees to be bound by all applicable provisions of State Labor Code regarding prevailing wages. The Recipient must monitor all agreements subject to reimbursement from this Agreement to ensure that the prevailing wage provisions of the State Labor Code are being met.

In addition, the Recipient agrees to comply with the Davis-Bacon provisions incorporated by reference in Section 3 of this Agreement.

#### C.3.30 Public Funding.

This Project is publicly funded. Any service provider or contractor with which the Recipient contracts must not have any role or relationship with the Recipient, that, in effect, substantially limits the Recipient's ability to exercise its rights, including cancellation rights, under the contract, based on all the facts and circumstances.

#### C.3.31 Recipient's Responsibility for Work.

The Recipient shall be responsible for all work and for persons or entities engaged in work performed pursuant to this Agreement, including, but not limited to, contractors, subcontractors, suppliers, and providers of services. The Recipient shall be responsible for responding to any and all disputes arising out of its contracts for work on the Project. The State Water Board will not mediate disputes between the Recipient and any other entity concerning responsibility for performance of work.

#### C.3.32 Related Litigation.

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Under no circumstances may the Recipient use funds from any disbursement under this Agreement to pay costs associated with any litigation the Recipient pursues against the State Water Board or any Regional Water Quality Control Board. Regardless of the outcome of any such litigation, and notwithstanding any conflicting language in this Agreement, the Recipient agrees to repay all of the disbursed funds plus interest in the event that Recipient does not complete the project.

#### C.3.33 Rights in Data.

The Recipient agrees that all data, plans, drawings, specifications, reports, computer programs, operating manuals, notes, and other written or graphic work produced in the performance of this Agreement are subject to the rights of the State as set forth in this section. The State shall have the right to reproduce, publish, and use all such work, or any part thereof, in any manner and for any purposes whatsoever and to authorize others to do so. If any such work is copyrightable, the Recipient may copyright the same, except that, as to any work which is copyrighted by the Recipient, the State reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, and use such work, or any part thereof, and to authorize others to do so, and to receive electronic copies from the Recipient upon request.

#### C.3.34 State Water Board Action; Costs and Attorney Fees.

Any remedy provided in this Agreement is in addition to and not in derogation of any other legal or equitable remedy available to the State Water Board as a result of breach of this Agreement by the Recipient, whether such breach occurs before or after completion of the Project, and exercise of any remedy provided by this Agreement by the State Water Board shall not preclude the State Water Board from pursuing any legal remedy or right which would otherwise be available. In the event of litigation between the parties hereto arising from this Agreement, it is agreed that each party shall bear its own costs and attorney fees.

#### C.3.35 Timeliness.

Time is of the essence in this Agreement.

#### C.3.36 Unenforceable Provision.

In the event that any provision of this Agreement is unenforceable or held to be unenforceable, then the parties agree that all other provisions of this Agreement have force and effect and shall not be affected thereby.

#### C.3.37 Venue.

Any action arising out of this Agreement shall be filed and maintained in the Superior Court in and for the County of Sacramento, California.

#### C.3.38 Waiver and Rights of the State Water Board.

Any waiver of rights by the State Water Board with respect to a default or other matter arising under this Agreement at any time shall not be considered a waiver of rights with respect to any other default or matter. Any rights and remedies of the State Water Board provided for in this Agreement are in addition to any other rights and remedies provided by law.

### C.4 MISCELLANEOUS STATE AND FEDERAL REQUIREMENTS

#### C.4.1 Reserved.

#### C.4.2 State Cross-Cutters.

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Recipient represents that, as applicable, it complies and covenants to maintain compliance with the following for the term of the Agreement:

- i. The California Environmental Quality Act (CEQA), as set forth in Public Resources Code 21000 et seq. and in the CEQA Guidelines at Title 14, Division 6, Chapter 3, Section 15000 et seq.
- ii. Water Conservation requirements, including regulations in Division 3 of Title 23 of the California Code of Regulations.
- iii. Monthly Water Diversion Reporting requirements, including requirements set forth in Water Code section 5103.
- iv. Public Works Contractor Registration with Department of Industrial Relations requirements, including requirements set forth in Sections 1725.5 and 1771.1 of the Labor Code.
- v. Volumetric Pricing & Water Meters requirements, including the requirements of Water Code sections 526 and 527.
- vi. Urban Water Management Plan requirements, including the Urban Water Management Planning Act (Water Code, § 10610 et seq.).
- vii. Urban Water Demand Management requirements, including the requirements of Section 10608.56 of the Water Code.
- viii. Delta Plan Consistency Findings requirements, including the requirements of Water Code section 85225 and California Code of Regulations, title 23, section 5002.
- ix. Agricultural Water Management Plan Consistency requirements, including the requirements of Water Code section 10852.
- x. Charter City Project Labor Requirements, including the requirements of Labor Code section 1782 and Public Contract Code section 2503.

#### C.4.3 Federal Requirements and Cross-Cutters for SRF Funding.

The Recipient acknowledges, warrants compliance with, and covenants to continuing compliance with the following federal terms and conditions for the Useful Life of the Project:

- i. Unless the Recipient has obtained a waiver from USEPA on file with the State Water Board or unless this Project is not a project for the construction, alteration, maintenance or repair of a public water system or treatment work, the Recipient shall not purchase "iron and steel products" produced outside of the United States on this Project. Unless the Recipient has obtained a waiver from USEPA on file with the State Water Board or unless this Project is not a project for the construction, alteration, maintenance or repair of a public water system or treatment work, the Recipient hereby certifies that all "iron and steel products" used in the Project were or will be produced in the United States. For purposes of this section, the term "iron and steel products" means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials. "Steel" means an alloy that includes at least 50 percent iron, between .02 and 2 percent carbon, and may include other elements.

- ii. The Recipient must include in full the Wage Rate Requirements (Davis-Bacon) language incorporated by reference in Section 3 of this Agreement in all construction contracts and subcontracts.
- iii. The Recipient must comply with the signage requirements set forth in Exhibit A.
- iv. The Recipient shall notify the State Water Board and the USEPA contact of public or media events publicizing the accomplishment of significant events related to this Project and provide the opportunity for attendance and participation by federal representatives with at least ten (10) working days' notice.
- v. The Recipient shall comply with applicable EPA general terms and conditions found at <http://www.epa.gov/ogd>.
- vi. No Recipient may receive funding under this Agreement unless it has provided its DUNS number to the State Water Board.
- vii. The Recipient represents and warrants that it and its principals are not excluded or disqualified from participating in this transaction as such terms are defined in Parts 180 and 1532 of Title 2 of the Code of Federal Regulations (2 CFR). If the Recipient is excluded after execution of this Agreement, the Recipient shall notify the Division within ten (10) days and shall inform the Division of the Recipient's exclusion in any request for amendment of this Agreement. The Recipient shall comply with Subpart C of Part 180 of 2 CFR, as supplemented by Subpart C of Part 1532 of 2 CFR. Such compliance is a condition precedent to the State Water Board's performance of its obligations under this Agreement. When entering into a covered transaction as defined in Parts 180 and 1532 of 2 CFR, the Recipient shall require the other party to the covered transaction to comply with Subpart C of Part 180 of 2 CFR, as supplemented by Subpart C of Part 1532 of 2 CFR.
- viii. To the extent applicable, the Recipient shall disclose to the State Water Board any potential conflict of interest consistent with USEPA's Final Financial Assistance Conflict of Interest Policy at <https://www.epa.gov/grants/epas-final-financial-assistance-conflict-interest-policy>. A conflict of interest may result in disallowance of costs.
- ix. USEPA and the State Water Board have the right to reproduce, publish, use and authorize others to reproduce, publish and use copyrighted works or other data developed under this assistance agreement.
- x. Where an invention is made with Project Funds, USEPA and the State Water Board retain the right to a worldwide, nonexclusive, nontransferable, irrevocable, paid-up license to practice the invention owned by the Recipient. The Recipient must utilize the Interagency Edison extramural invention reporting system at <http://iEdison.gov> and shall notify the Division when an invention report, patent report, or utilization report is filed.
- xi. The Recipient agrees that any reports, documents, publications or other materials developed for public distribution supported by this Agreement shall contain the Disclosure statement set forth in Exhibit A.
- xii. The Recipient acknowledges that it is encouraged to follow guidelines established under Section 508 of the Rehabilitation Act, codified at 36 CFR Part 1194, with respect to enabling individuals with disabilities to participate in its programs supported by this Project.
- xiii. The Recipient, its employees, contractors and subcontractors and their employees warrants that it will not engage in severe forms of trafficking in persons, procure a commercial sex act during

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the term of this Agreement, or use forced labor in the performance of this Agreement. The Recipient must include this provision in its contracts and subcontracts under this Agreement. The Recipient must inform the State Water Board immediately of any information regarding a violation of the foregoing. The Recipient understands that failure to comply with this provision may subject the State Water Board to loss of federal funds. The Recipient agrees to compensate the State Water Board for any such funds lost due to its failure to comply with this condition, or the failure of its contractors or subcontractors to comply with this condition. The State Water Board may unilaterally terminate this Agreement if the Recipient that is a private entity is determined to have violated the foregoing.

- xiv. The Recipient certifies to the best of its knowledge and belief that:
- a. No federal appropriated funds have been paid or will be paid, by or on behalf of the Recipient, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
  - b. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this Agreement, the Recipient shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions, and notify the State Water Board.

The Recipient shall require this certification from all parties to any contract or agreement that the Recipient enters into and under which the Recipient incurs costs for which it seeks disbursements under this Agreement.

- xv. The Recipient must comply with the following federal non-discrimination requirements:
- a. Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, and national origin, including limited English proficiency (LEP).
  - b. Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination against persons with disabilities.
  - c. The Age Discrimination Act of 1975, which prohibits age discrimination.
  - d. Section 13 of the Federal Water Pollution Control Act Amendments of 1972, which prohibits discrimination on the basis of sex.
  - e. 40 CFR Part 7, as it relates to the foregoing.
- xvi. If the Project relates to construction of a publicly owned treatment works, where the Recipient contracts for program management, construction management, feasibility studies, preliminary engineering, design, engineering, surveying, mapping, or architectural related services, the Recipient shall ensure that any such contract is negotiated in the same manner as a contract for architectural and engineering services is negotiated under chapter 11 of title 40, United States Code, or an equivalent State qualifications-based requirement as determined by the State Water Board.
- xvii. If the Project relates to construction of a publicly owned treatment works, the Recipient certifies that it has developed and is implementing a fiscal sustainability plan for the Project that includes an inventory of critical assets that are a part of the Project, an evaluation of the condition and performance of inventoried assets or asset groupings, a certification that the recipient has evaluated and will be implementing water and energy conservation efforts as part of the plan, and a plan for maintaining, repairing, and, as necessary, replacing the Project and a plan for funding such activities.

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- xviii. Executive Order No. 11246. The Recipient shall include in its contracts and subcontracts related to the Project the following provisions:

*"During the performance of this contract, the contractor agrees as follows:"(a) The contractor will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.*

*"(b) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, or national origin.*

*"(c) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.*

*"(d) The contractor will comply with all provisions of Executive Order No. 11246 of Sept. 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.*

*"(e) The contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.*

*"(f) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be cancelled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of Sept 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.*

*"(g) The contractor will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of Sept. 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, That in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States."*

Exhibit C

- xix. The Recipient agrees to comply with the requirements of USEPA's Program for Utilization of Small, Minority and Women's Business Enterprises as set forth in Exhibit A.
- xx. Procurement Prohibitions under Section 306 of the Clean Air Act and Section 508 of the Clean Water Act, including Executive Order 11738, Administration of the Clean Air Act and the Federal Water Pollution Control Act with Respect to Federal Contracts, Grants, or Loans; 42 USC § 7606; 33 USC § 1368. Except where the purpose of this Agreement is to remedy the cause of the violation, the Recipient may not procure goods, services, or materials from suppliers excluded under the federal System for Award Management: <http://www.sam.gov/>.
- xxi. Uniform Relocation and Real Property Acquisition Policies Act, Pub. L. 91-646, as amended; 42 USC §§4601-4655. The Recipient must comply with the Act's implementing regulations at 49 CFR 24.101 through 24.105.
- xxii. The Recipient agrees that if its network or information system is connected to USEPA networks to transfer data using systems other than the Environmental Information Exchange Network or USEPA's Central Data Exchange, it will ensure that any connections are secure.
- xxiii. All geospatial data created pursuant to this Agreement that is submitted to the State Water Board for use by USEPA or that is submitted directly to USEPA must be consistent with Federal Geographic Data Committee endorsed standards. Information on these standards may be found at [www.fgdc.gov](http://www.fgdc.gov).
- xxiv. If the Recipient is a water system that serves 500 or fewer persons, the Recipient represents that it has considered publicly-owned wells as an alternative drinking water supply.
- xxv. The Recipient represents that it is not a corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; and it is not a corporation that was convicted of a felony criminal violation under a Federal law within the preceding 24 months.
- xxvi. The Recipient agrees to immediately notify the Project Manager in writing about any allegation of research misconduct involving research activities that are supported in whole or in part with EPA funds under this Project, including fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results, or ordering, advising, or suggesting that subordinates engage in research misconduct.
- xxvii. The Recipient agrees to comply with, and require all contractors and subcontractors to comply with, EPA's Scientific Integrity Policy, available at <https://www.epa.gov/osa/policy-epa-scientific-integrity>, when conducting, supervising, and communicating science and when using or applying the results of science. For purposes of this condition scientific activities include, but are not limited to, computer modelling, economic analysis, field sampling, laboratory experimentation, demonstrating new technology, statistical analysis, and writing a review article on a scientific issue.

The Recipient shall not suppress, alter, or otherwise impede the timely release of scientific findings or conclusions; intimidate or coerce scientists to alter scientific data, findings, or professional opinions or exert non-scientific influence on scientific advisory boards; knowingly misrepresent, exaggerate, or downplay areas of scientific uncertainty; or otherwise violate the EPA's Scientific Integrity Policy. The Recipient must refrain from acts of research misconduct, including publication or reporting, as described in EPA's Policy and Procedures for Addressing Research Misconduct, Section 9.C, and must ensure scientific findings are generated and

Exhibit C

disseminated in a timely and transparent manner, including scientific research performed by contractors and subcontractors.

- xxviii. The Recipient agrees to comply with the Animal Welfare Act of 1966 (7 USC 2131-2156). Recipient also agrees to abide by the "U.S. Government Principles for the Utilization and Care of Vertebrate Animals used in Testing, Research, and Training," available at <http://grants.nih.gov/grants/olaw/references/phspol.htm#USGovPrinciples>.

EXHIBIT D – SPECIAL CONDITIONS

Technical:  
None

Environmental:

The documents identified below are incorporated by reference and the Recipient shall comply with the conditions and recommendations therein:

- a. The letter dated December 18, 2019, from Alecia Van Atta of the National Marine Fisheries Service to James Mazza of the United States Army Corps of Engineers.
- b. The Mitigation Monitoring and Reporting Program adopted by the City of Santa Cruz on May 14, 2019 for the Project. The Recipient shall implement all mitigation measures therein

In the Recipient's Quarterly Reports submitted pursuant to this Agreement, the Recipient shall include a discussion of the status of its compliance with environmental measures identified in this Exhibit D, with separate sections clearly labeled and titled, discussing the status of Recipient's compliance.

In the Recipient's Project Completion Report submitted pursuant to this Agreement, the Recipient shall include a discussion of its compliance with environmental measures identified in this Exhibit D, with separate sections clearly labeled and titled, discussing the status of Recipient's compliance.

Financial:

1. The City shall pledge the net revenues of the City's water system and the Water Enterprise Fund, for repayment of the proposed DWSRF financing agreement. This pledged revenue fund (source) shall be subject to lien and pledge as security for the Obligation.
2. Recipient shall establish and maintain rates and charges sufficient to generate Revenues in the amounts necessary to cover Operations and Maintenance Costs and shall ensure that Net Revenues are equal to at least 1.20 times the annual debt service in each Fiscal Year.
3. Recipient shall establish a restricted Reserve Fund, held in its Water Enterprise Fund, equal to one year's debt service on this Obligation prior to Completion of Construction. The restricted Reserve Fund shall be maintained for the full term of the Agreement and shall be subject to lien and pledge as security for this Obligation, and its use shall be restricted to payment of this obligation during the term of this Agreement.
4. The Recipient shall, to the extent permitted by law, fix, prescribe and collect rates, fees, and charges for the System during each Fiscal Year which are reasonable, fair, and nondiscriminatory and which will be sufficient to generate Revenues in the amounts necessary to cover Operations and Maintenance Costs, and in an amount necessary to meet its obligations under this Agreement.

EXHIBIT E – PAYMENT SCHEDULE

See the attached preliminary Payment Schedule. The final Payment Schedule will be forwarded to the Recipient after all disbursements have been paid and construction of the Project has been completed.

## EXHIBIT F – TAX CERTIFICATE

### F.1 Purpose.

The purpose of this Exhibit F is to establish the reasonable expectations of the Recipient regarding the Project and the Project Funds, and is intended to be and may be relied upon for purposes of Sections 103, 141 and 148 of the Code and as a certification described in Section 1.148-2(b)(2) of the Treasury Regulations. This Exhibit F sets forth certain facts, estimates and circumstances which form the basis for the Recipient's expectation that neither the Project nor the Bond Funded Portion of the Project Funds is to be used in a manner that would cause the Bonds to be classified as "arbitrage bonds" under Section 148 of the Code or "private activity bonds" under Section 141 of the Code.

### F.2 Tax Covenant.

The Recipient agrees that it will not take or authorize any action or permit any action within its reasonable control to be taken, or fail to take any action within its reasonable control, with respect to the Project which would result in the loss of the exclusion of interest on the Bonds from gross income for federal income tax purposes under Section 103 of the Code.

### F.3 Governmental Unit.

The Recipient is a state or local governmental unit as defined in Section 1.103-1 of the Treasury Regulations or an instrumentality thereof (a "Governmental Unit") and is not the federal government or any agency or instrumentality thereof.

### F.4 Financing of a Capital Project.

The Recipient will use the Project Funds to finance costs it has incurred or will incur for the construction, reconstruction, installation or acquisition of the Project. Such costs shall not have previously been financed with the proceeds of any other issue of tax-exempt obligations.

### F.5 Ownership and Operation of Project.

The Recipient exclusively owns and, except as provided in Section F.12 hereof, operates the Project.

### F.6 Temporary Period.

The Recipient reasonably expects that at least eighty-five percent (85%) of the Bond Funded Portion of the Project Funds will be allocated to expenditures for the Project within three (3) years of the earlier of the effective date of this Agreement or the date the Bonds are issued ("Applicable Date"). The Recipient has incurred, or reasonably expects that it will incur within six (6) months of the Applicable Date, a substantial binding obligation (i.e., not subject to contingencies within the control of the Recipient or a related party) to a third party to expend at least five percent (5%) of the Bond Funded Portion of the Project Funds on Project Costs. The completion of acquisition, construction, improvement and equipping of the Project and the allocation of the Bond Funded Portion of the Project Funds to Project Costs will proceed with due diligence.

### F.7 Working Capital.

No operational expenditures of the Recipient or any related entity are being, have been or will be financed or refinanced with Project Funds.

### F.8 Expenditure of Proceeds.

The Bond Funded Portion of the Project Funds shall be used exclusively for the following purposes: (i) Reimbursement Expenditures (as defined in Section F.20 below), (ii) Preliminary Expenditures (as defined in

Section F.20 below) in an aggregate amount not exceeding twenty percent (20%) of the Bond Funded Portion of the Project Funds, (iii) capital expenditures relating to the Project originally paid by the Recipient on or after the date hereof, (iv) interest on the Obligation through the later of three (3) years after the Applicable Date or one (1) year after the Project is placed in service, and (v) initial operating expenses directly associated with the Project in the aggregate amount not more than five percent (5%) of the Bond Funded Portion of the Project Funds.

#### F.9 Private Use and Private Payments.

No portion of the Project Funds or the Project is being, has been or will be used in the aggregate for any activities that constitute a Private Use (as defined below). No portion of the principal of or interest with respect to the Payments will be secured by any interest in property (whether or not the Project) used for a Private Use or in payments in respect of property used for a Private Use, or will be derived from payments in respect of property used for a Private Use. "Private Use" means any activity that constitutes a trade or business that is carried on by persons or entities, other than a Governmental Unit. The leasing of the Project or the access by or the use of the Project by a person or entity other than a Governmental Unit on a basis other than as a member of the general public shall constitute a Private Use. Use by or on behalf of the State of California or any of its agencies, instrumentalities or subdivisions or by any local Governmental Unit and use as a member of the general public will be disregarded in determining whether a Private Use exists. Use under an arrangement that conveys priority rights or other preferential benefits is generally not use on the same basis as the general public. Arrangements providing for use that is available to the general public at no charge or on the basis of rates that are generally applicable and uniformly applied do not convey priority rights or other preferential benefits. For this purpose, rates may be treated as generally applicable and uniformly applied even if (i) different rates apply to different classes of users, such as volume purchasers, if the differences in rates are customary and reasonable; or (ii) a specially negotiated rate arrangement is entered into, but only if the user is prohibited by federal law from paying the generally applicable rates, and the rates established are as comparable as reasonably possible to the generally applicable rates. An arrangement that does not otherwise convey priority rights or other preferential benefits is not treated, nevertheless, as general public use if the term of the use under the arrangement, including all renewal options, is greater than 200 days. For this purpose, a right of first refusal to renew use under the arrangement is not treated as a renewal option if (i) the compensation for the use under the arrangement is redetermined at generally applicable, fair market value rates that are in effect at the time of renewal; and (ii) the use of the financed property under the same or similar arrangements is predominantly by natural persons who are not engaged in a trade or business.

#### F.10 No Sale, Lease or Private Operation of the Project.

The Project (or any portion thereof) will not be sold or otherwise disposed of, in whole or in part, to any person who is not a Governmental Unit prior to the final maturity date of the Obligation. The Project will not be leased to any person or entity that is not a Governmental Unit prior to the final maturity date of the Obligation. Except as permitted under Section F.12 hereof, the Recipient will not enter any contract or arrangement or cause or permit any contract or arrangement to be entered with persons or entities that are not Governmental Units if that contract or arrangement would confer on such persons or entities any right to use the Project on a basis different from the right of members of the general public. The contracts or arrangements contemplated by the preceding sentence include but are not limited to management contracts, take or pay contracts or put or pay contracts, and capacity guarantee contracts.

#### F.11 No Disproportionate or Unrelated Use.

No portion of the Project Funds or the Project is being, has been, or will be used for a Private Use that is unrelated or disproportionate to the governmental use of the Project Funds.

#### F.12 Management and Service Contracts.

The Recipient represents that, as of the date hereof, it is not a party to any contract, agreement or other arrangement with any persons or entities engaged in a trade or business (other than Governmental Units) that involve the management or operation of property or the provision of services at or with respect to the Project that does not comply with the standards of the Treasury Regulations, Revenue Procedure 97-13, as modified by Revenue Procedure 2001-39 and IRS Notice 2014-67, or Revenue Procedure 2017-13, as applicable. The

Recipient represents that it will not be party to any such contract, agreement or arrangement with any person or entity that is not a Governmental Unit for the management of property or the provision of services at or with respect to the Project, while the Obligation (including any obligation or series thereof issued to refund the Obligation, as the case may be) is outstanding, except: (a) with respect to any contract, agreement or arrangement that does not constitute "private business use" of the Project under Code §141(b), or (b) with respect to any contract, agreement or arrangement that complies with (i) Revenue Procedure 97-13, 1997-1 C.B. 632, as amended by Revenue Procedure 2001-39, 2001-2 C.B. 38, and as amplified by Notice 2014-67, with respect to contracts entered into before August 18, 2017 and not materially modified or extended after August 18, 2017, or (ii) Revenue Procedure 2017-13, with respect to contracts entered into or materially modified or extended on or after August 18, 2017, or (c) with respect to any contract, agreement or arrangement that does not give rise to use of the Bond Funded Portion of the Project Funds or the Project by a non-Governmental Unit of more than the amount of such non-qualified use permitted by the Code, or (d) in the event that the Recipient receives an opinion of counsel, satisfactory to the State Water Board and the Bank and expert in the issuance of state and local government bonds the interest on which is excluded from gross income under Section 103 of the Code ("Nationally-Recognized Bond Counsel"), that such contract, agreement or arrangement will not adversely affect the exclusion of the interest on the Bonds from gross income for federal income taxation purposes.

F.13 No Disposition of Financed Property.

As of the date hereof, the Recipient does not expect to sell or otherwise dispose of any portion of the Project, in whole or in part, prior to the final maturity date of the Obligation.

F.14 Useful Life of Project.

As of the date hereof, the Recipient reasonably expects that the economic useful life of the Project, commencing at Project Completion, will be at least equal to the term of this Agreement, as set forth in Exhibit A hereto.

F.15 Payments.

Payments generally are expected to be derived from assessments, taxes, fees, charges or other current Revenues of the Recipient in each year, and such current Revenues are expected to equal or exceed the Payments during each payment period. Any amounts accumulated in a sinking fund or bona fide debt service fund to pay Payments (whether or not deposited to a fund or account established by the Recipient) will be disbursed to pay Payments within thirteen months of the initial date of accumulation or deposit. Any such fund used for the payment of Payments will be depleted once a year except for a reasonable carryover amount not exceeding the greater of earnings on such fund or one-twelfth of the Payments in either case for the immediately preceding year.

F.16 No Other Replacement Proceeds.

The Recipient will not use any of the Bond Funded Portion of the Project Funds to replace or substitute other funds of the Recipient that were otherwise to be used to finance the Project or which are or will be used to acquire securities, obligations or other investment property reasonably expected to produce a yield that is materially higher than the yield on the Bonds.

F.17 No Sinking or Pledged Fund.

Except as set forth in Section F.18 below, the Recipient will not create or establish any sinking fund or pledged fund which will be used to pay Payments on the Obligation within the meaning of Section 1.148-1(c) of the Treasury Regulations. If any sinking fund or pledged fund comes into being with respect to the Obligation before the Obligation has been fully retired which may be used to pay the Payments, the Recipient will invest such sinking fund and pledged fund moneys at a yield that does not exceed the yield on the Bonds.

F.18 Reserve Amount.

The State Water Board requires that the Recipient maintain and fund a separate account in an amount equal to one (1) year of debt service with respect to the Obligation (the "Reserve Amount") as set forth in Exhibit B. The

Recipient represents that the Reserve Amount is and will be available to pay debt service with respect to the Obligation, if and when needed. The Reserve Amount consists solely of revenues of the Recipient and does not include any proceeds of any obligations the interest on which is excluded from gross income for federal income tax purposes or investment earnings thereon. The aggregate of the Reserve Amount, up to an amount not exceeding the lesser of (i) ten percent of the aggregate principal amount of the Obligation, (ii) the maximum annual debt service with respect to the Obligation, or (iii) 125 percent of the average annual debt service with respect to the Obligation, will be treated as a reasonably required reserve fund.

F.19 Reimbursement Resolution.

The "reimbursement resolution" adopted by the Recipient is incorporated herein by reference.

F.20 Reimbursement Expenditures.

Reimbursements are disallowed, except as specifically authorized in Exhibit B or Exhibit D of this Agreement. To the extent so authorized, a portion of the Bond Funded Portion of the Project Funds may be applied to reimburse the Recipient for Project Costs paid before the date hereof, so long as the Project Cost was (i) not paid prior to sixty (60) days before the Recipient's adoption of a declaration of official intent to finance the Project, (ii) not paid more than eighteen (18) months prior to the date hereof or the date the Project was placed-in-service, whichever is later, and (iii) not paid more than three (3) years prior to the date hereof (collectively, "Reimbursement Expenditures"), unless such cost is attributable to a "preliminary expenditure." Preliminary expenditure for this purpose means architectural, engineering, surveying, soil testing and similar costs incurred prior to the commencement of construction or rehabilitation of the Project, but does not include land acquisition, site preparation and similar costs incident to the commencement of acquisition, construction or rehabilitation of the Project. Preliminary expenditures may not exceed 20% of the Bond Funded Portion of the Project Funds.

F.21 Change in Use of the Project.

The Recipient reasonably expects to use all of the Bond Funded Portion of the Project Funds and the Project for the entire stated term to maturity of the Obligation. Absent an opinion of Nationally-Recognized Bond Counsel to the effect that such use of the Bond Funded Portion of the Project Funds will not adversely affect the exclusion from federal gross income of interest on the Bonds pursuant to Section 103 of the Code, the Recipient will use the Bond Funded Portion of the Project Funds and the Project solely as set forth in this Agreement.

F.22 Rebate Obligations.

If the Recipient satisfies the requirements of one of the spending exceptions to rebate specified in Section 1.148-7 of the Treasury Regulations, amounts earned from investments, if any, acquired with the Bond Funded Portion of the Project Funds will not be subject to the rebate requirements imposed under Section 148(f) of the Code. If the Recipient fails to satisfy such requirements for any period, it will notify the State Water Board and the Bank immediately and will comply with the provisions of the Code and the Treasury Regulations at such time, including the payment of any rebate amount calculated by the State Water Board or the Bank.

F.23 No Federal Guarantee.

The Recipient will not directly or indirectly use any of the Bond Funded Portion of the Project Funds in any manner that would cause the Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Code, taking into account various exceptions including any guarantee related to investments during an initial temporary period until needed for the governmental purpose of the Bonds, investments as part of a bona fide debt service fund, investments of a reasonably required reserve or replacement fund, investments in bonds issued by the United States Treasury, investments in refunding escrow funds or certain other investments permitted under the Treasury Regulations.

F.24 No Notices or Inquiries from IRS.

Within the last 10 years, the Recipient has not received any notice of a final action of the Internal Revenue Service that determines that interest paid or payable on any debt obligation of the Recipient is or was includable in the gross income of an owner or beneficial owner thereof for federal income tax purposes under the Code.

F.25 Amendments.

The provisions in this Exhibit may be amended, modified or supplemented at any time to reflect changes in the Code upon obtaining written approval of the State Water Board and the Bank and an opinion of Nationally-Recognized Bond Counsel to the effect that such amendment, modification or supplement will not adversely affect the exclusion from federal gross income of interest on the Bonds pursuant to Section 103 of the Code.

F.26 Reasonable Expectations.

The Recipient warrants that, to the best of its knowledge, information and belief, and based on the facts and estimates as set forth in the tax covenants in this Exhibit, the expectations of the Recipient as set forth in this Exhibit are reasonable. The Recipient is not aware of any facts or circumstances that would cause it to question the accuracy or reasonableness of any representation made in the provisions in this Exhibit.

F.27 Assignment.

The Recipient consents to any pledge, sale, or assignment to the Bank or a trustee for the benefit of the owners of the Bonds, if any, at any time of any portion of the State Water Board's estate, right, title, and interest and claim in, to and under this Agreement and the right to make all related waivers and agreements in the name and on behalf of the State Water Board, as agent and attorney-in-fact, and to perform all other related acts which are necessary and appropriate under this Agreement, if any, and the State Water Board's estate, right, title, and interest and claim in, to and under this Agreement to Payments (but excluding the State Water Board's rights to Additional Payments and to notices, opinions and indemnification under each Obligation).

**[FORM OF OPINION OF GENERAL COUNSEL]**

**[DATE]**

State Water Resources Control Board  
Division of Financial Assistance  
Attn: Anabel Ruiz  
1001 I St., 16<sup>th</sup> floor  
Sacramento, CA 95814

Re: [Insert Name of Applicant ](“City/County/District”) – [Name of Project] –Project No. [xxxxxxxxxxx] (“Project”) – Agreement No. [XXXXXXXXXXXXXXXXXX] (“Agreement”)

Ladies and Gentlemen:

This firm serves as General Counsel to the [City/County/District] in connection with the Project. This opinion is delivered to the State Water Resources Control Board (“State Water Board”) at the request of the [City/County/District]. In connection therewith, I have examined the laws pertaining to the [City/County/District], originals of the Agreement, between the [City/County/District] and the State Water Board (“Agreement”), the [City/County/District]’s authorizing resolution [xxx] adopted on [date], the [City/County/District]’s reimbursement resolution [number] adopted on [DATE], the [City/County/District]’s rate-setting resolution [number] adopted on [DATE], (collectively, “the Resolutions”), the [City/County/District]’s debt management policy, documents related to each of the Material Obligations as set forth in the Agreement, and such other documents, legal opinions, instruments and records, and have made such investigation of law, as I have considered necessary or appropriate for the purpose of this opinion.

Based on the foregoing, it is my opinion that:

- a. The [City/County/District], a [general law city/charter city/county/special district/joint powers authority] of the State of California duly organized, validly existing under the laws of the State of California pursuant to [INSERT SPECIFIC LEGAL AUTHORITY], has the requisite legal right, power, and authority to execute and deliver the Agreement and carry out and consummate all transactions contemplated therein.

[and if charter city] [The [City/County/District] is a charter city, the governing board of which is not prohibited, limited or constrained in any way from adopting, requiring, or utilizing a project labor agreement that includes all taxpayer protection provisions of Public Contract Code section 2500.]

[AND IF JOINT POWERS AUTHORITY][None of the [City/County/District]’s member charter cities is prohibited, limited or constrained in any way from adopting, requiring, or utilizing a project labor agreement that includes all taxpayer protection provisions of Public Contract Code section 2500.]

- b. The Resolutions have been duly adopted at meetings of the [City/County/District] which were called and held pursuant to law with all public notice required by law and at which a quorum was present and acting when the Resolutions were adopted. The Resolutions are in full force and effect and have not been amended, modified, supplemented, or rescinded, nor has the rate-setting resolution been challenged or the rates become subject of a referendum or initiative or other similar process.
- c. To the best of my knowledge and based upon a reasonable investigation, all proceedings required by law or under the ordinances or bylaws of the [City/County/District] to be taken by the [City/County/District] in connection with the authorization of the Agreement and the transactions contemplated by and related thereto, and all such approvals, authorizations, consents or other orders of or filings or registrations with such public boards or bodies, if any, as may be legally required to be obtained by the [City/County/District] prior to the date hereof with respect to all or any of such matters have been taken or obtained and are in full force and effect, except that no opinion is expressed as to any approvals, obligations or proceedings which may be required under any federal securities laws or state blue sky or securities laws.
- d. To the best of my knowledge and based upon a reasonable investigation, the execution and delivery of the Agreement and the consummation of the transactions therein will not conflict with or constitute a breach of or default (with due notice or the passage of time or both) under (i) the statutes creating the [City/County/District] or any amendments thereto, (ii) the ordinances or by laws of the [City/County/District], (iii) any bond, debenture, note or other evidence of indebtedness, or any material contract, agreement or lease to which the [City/County/District] is a party or by which it or its properties are otherwise subject or bound or (iv) any applicable law or administrative regulation or any applicable court or administrative decree or order.
- e. To the best of my knowledge and based upon a reasonable investigation, the [City/County/District] has sufficient property rights in the Project property for the purposes contemplated in the Agreement and has complied with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601) with respect to any property acquired for the purposes of the Project. Project property rights extend/s in perpetuity/until [date].
- f. To the best of my knowledge and based upon a reasonable investigation, there is no action, suit, proceeding, inquiry or investigation before or by any court of federal, state, municipal or other governmental authority pending or threatened against or affecting the [City/County/District]'s System, as defined in the Agreement, or the assets, properties or operations of the [City/County/District] relating to its System which, if determined adversely to the [City/County/District] or its interests would result in any material change in the assets or financial condition of the [City/County/District], the [City/County/District]'s System or the financial condition thereof, and the [City/County/District] is not in default with respect to any order or decree of any court or any order, regulation, or demand of any federal, state, municipal, or other governmental agency which default might have consequences that would materially and adversely affect the financial condition of the [City/County/District] or its System.
- g. No facts have come to my attention which lead me to believe that the [City/County/District]'s authorized representative has made any untrue statement of a material fact or omitted or omits to state a material fact or has made misleading statements in the Agreement.

- h. The Agreement has been duly authorized, executed, and delivered, and assuming due authorization, execution and delivery of the Agreement by the State Water Board, constitutes legal, valid, and binding obligation of the [City/County/District] enforceable against the [City/County/District] in accordance with its terms, subject to the laws relating to bankruptcy, insolvency, reorganization, or creditors' rights generally and to the application of equitable principles, if equitable remedies are sought.

Sincerely,

General Counsel  
[City/County/District]

**FORM OF OPINION OF BOND COUNSEL]  
[DATE]**

State Water Resources Control Board  
Division of Financial Assistance  
Attn: Anabel Ruiz  
1001 I St., 16<sup>th</sup> floor  
Sacramento, CA 95814

Re: [Insert Name of Applicant ](“City/County/District”) – [Name of Project] –Project No. [xxxxxxxxxxxx] (“Project”) – Agreement No. [XXXXXXXXXXXXXXXX] (“Agreement”)

Ladies and Gentlemen:

This firm serves as Bond Counsel to the [City/County/District] in connection with the Project. This opinion is delivered to the State Water Resources Control Board (“State Water Board”) at the request of the [City/County/District]. In connection therewith, I have reviewed originals of the Agreement between the [City/County/District] and the State Water Board, the [City/County/District]’s authorizing resolution [xxx] adopted on [date], the [City/County/District]’s reimbursement resolution [xxx] adopted on [date], documents related to each of the Material Obligations as set forth in the Agreement, the [City/County/District]’s tax questionnaire dated [date], and such other documents, legal opinions, instruments and records, and have made such investigation of law, as I have considered necessary or appropriate for the purpose of this opinion.

To the best of my knowledge and based upon a reasonable investigation, the execution and delivery of the Agreement and the consummation of the transactions therein will not conflict with or constitute a breach of or default (with due notice or the passage of time or both) under any bond, debenture, note or other evidence of indebtedness, or any material contract, agreement or lease to which the [City/County/District] is a party or by which it or its properties are otherwise subject or bound.

The Agreement has been duly authorized, executed, and delivered, and assuming due authorization, execution and delivery of the Agreement by the State Water Board, constitutes a legal, valid and binding obligation of the [City/County/District] enforceable against the [City/County/District] in accordance with its terms.

Sincerely,



## CITY COUNCIL AGENDA REPORT

DATE: 6/15/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Water

SUBJECT: Contract Amendment No. 2021-01 with HDR, Inc. for Program Management Services for Water System Capital Improvement Projects (WT)

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RECOMMENDATION: Motion authorizing the City Manager to execute Contract Amendment No. 2021-01 with HDR, Inc. for Service Order No. 6 in the amount of \$7,010,373 in a form to be approved by the City Attorney.

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BACKGROUND: At their December 5, 2017 meeting, the City Council authorized the execution of a multi-year agreement with HDR, Inc. for Program Management Services. As described in that agenda item, a significant portion of the City of Santa Cruz water system is approaching the end of its service life and will require major improvements over the next two decades. In that same timeframe, the Department is managing two other large projects: the evaluation, selection, and construction of a supplemental water supply project as outlined by the Council approved recommendations of the Water Supply Advisory Committee; and, as required by a state regulatory requirement, the replacement of the inlet/outlet infrastructure at the Newell Creek Dam. The resulting Capital Investment Program (CIP) is approximately \$500 million in today's dollars. Delivering these critical improvements requires a commensurate expansion in the Department's managerial, technical, analytical and administrative support.

As described below in more detail and reiterated in part from prior-year reports, the Department adopted a program management approach to deliver the CIP with the most notable benefit being the addition of professional staff that can increase and decrease as required by the scope and schedule of the projects themselves. The Department has very capable, but relatively small engineering and operations groups who would be insufficient in size to deliver this magnitude of capital work. For example, the Water Department has 12 full time equivalent (FTE) positions supporting the capital program and a recently completed staffing analysis estimates that over 20 total FTEs will be required to manage and support a capital program of this magnitude over the next five years.

Water Department staff evaluated several staffing models to respond to the increased workload including: (1) no change to staffing levels, (2) hiring additional permanent City staff, and (3) using a Program Management consultant. The Department determined that a program management model, provided through consultant services, is the best response to the increased project load.

A Program Management approach provides access to the right expertise at the right time to assist with the highly varied technical and managerial requirements and needs of delivering a complex, diverse infrastructure program. While the near-term approach is to use the Program Management consultants to augment staff to make it possible to complete the planned volume of work, City staff will continue to evaluate the need for new City staff positions, with an overall goal of maintaining the right balance of consultants and City staff to implement the capital program and maintain and operate the water system. Integration of HDR staff with City staff has the added benefit of skills transfer that will provide ongoing opportunity for growth and development.

HDR has been contracted to provide services to the City as described in the December 2017 Professional Services Agreement and Master Scope of Services. The Master Scope of Services includes the broadest scope of services contemplated at the time, with the intention that annual Service Orders would be issued through contract amendments to define specific scopes of services, fee estimates, and schedules as the program is developed and priority projects approved for implementation. A Master Scope/Service Order contract model is commonly used for Program Management Services where it is not possible at the outset to define the exact scope of work that will be required over a multi-year period.

The Master Scope is organized into six discrete tasks as listed below; each Service Order follows this task numbering system.

Task 1 Mobilization: Establish a fully functioning Program Management Office. (This task is complete.)

Task 2 Design Management: Manage or support the management of study and design activities performed by others.

Task 3 Program Administration: Implement program structures, policies, and systems, such as risk management, quality assurance, and program controls.

Task 4 Planning and Preliminary Engineering: HDR self-performs planning and preliminary engineering work.

Task 5 Construction Management: Provide constructability reviews, inspection, and commissioning.

Task 6 Support Services: Assist with ancillary project requirements such as CEQA, right of way, surveying, geotechnical, and project funding.

Below is a summary of the previously approved service orders.

Service Order No. 1

Council Approval Date: December 5, 2017

Amount: \$603,185

Summary of Major Activities: Work performed under this first service order focused on organizing the processes and procedures and developing a staffing plan needed to successfully accomplish the CIP. To this end, HDR worked closely with staff to develop financial tools needed to forecast and track project costs; took a detailed look at water department infrastructure

and defined capital projects following standardized approaches to scoping, budgeting and prioritizing; and identified integrated teams for each project.

#### Service Order No. 2

Council Approval Date: January 23, 2018

Amount: \$1,296,420

Summary of Major Activities: Under service order 2, staff and HDR began to work much more collaboratively as integrated project teams to advance a number of large projects. This included the development of the plans, specifications and contract documents for the Newell Creek Dam Inlet/Outlet Replacement Project and the Coast Pump Station Pipeline Replacement Project. Work also continued on the development of internal processes to standardize and streamline our work including the development of design guidelines, updates to the department's standard specifications, and broad implementation of newly-developed Health and Safety, Construction Management, Risk Management and Document Management guidelines.

#### Service Order No. 3

Council Approval Date: January 23, 2018 (same agenda item as Service Order No. 2)

Amount: \$1,309,873

Summary of Major Activities: The major project initiated during this service order was the Graham Hill Water Treatment Plant Facilities Improvement Project (FIP) that included a comprehensive condition assessment followed by recommended facility improvements. Other activities included the development of a CEQA strategy document that is being used to consistently approach CEQA and other regulatory and project permitting requirements.

#### Service Order No. 4

Council Approval Date: August 14, 2018

Amount: \$7,699,106

Summary of Major Activities: This service order marks the first significant increase in terms of advancement of the CIP. Efforts included completion of planning-level studies for the Newell Creek Pipeline and North Coast Diversions; ongoing design work on the FIP (by performing pilot testing on a potential replacement treatment technology) and the Concrete Tanks Replacement Project; completing the design of the Coast Pump Station 20-inch pipe Replacement project; prequalifying and bidding the Newell Creek Dam Inlet/Outlet Replacement Project; starting construction on the Graham Hill Water Treatment Plant tube settler and the University 5 Tank Replacement projects; and, completing construction on the Newell Creek Dam Spillway Bridge replacement.

#### Service Order No. 5

Council Approval Date: June 11, 2019

Amount: \$5,226,000

Summary of Major Activities: Notable activities and milestones for this fiscal year have included development of an asset management database, finalizing the design of the Concrete Tanks Replacement Project, and starting construction of the Newell Creek Dam Inlet/Outlet Project, Coast Pump Station 20-inch Pipe Replacement, and Flocculator Replacement Projects. Construction was completed on the University 5 Reservoir project. Other supporting activities included: quarterly risk register reviews, monthly project quality checks, completion of an initial asset management assessment, implementation of a construction management information

system, and finalized program health and safety guidelines. Several staff development trainings were held including a workshop on scheduling, and claims management.

DISCUSSION: Service Order No. 6 (SO 6) covers all program management activities planned for FY 2021, providing for a continuation of planning, design management, and program administration services that were initiated through prior service orders. Notable activities and milestones for the upcoming fiscal year include: solicit for and hire design engineers for the Brackney Landslide Area Risk Reduction Project, and the Newell Creek Pipeline segment between Felton to Graham Hill Water Treatment Plant; complete design of the Laguna Diversion retrofits; advertise, select and award a progressive design build contract for the FIP; continue construction on the Newell Creek Dam Inlet/Outlet Project; complete construction on the Coast Pump Station 20” Pipeline Replacement and Flocculator Projects. Supporting project activities include completion of planning on the next generation of the Supervisory, Control, Data Acquisition Program, selection of a new work order and asset management software for buried assets, support of various project level right of way and permit acquisition efforts.

SO 6 is very detailed so as to direct the work of HDR in an efficient, clear and transparent manner, including clearly identified assumptions and deliverables. To facilitate the review and understanding of the Service Order, staff has worked with HDR to develop an “Annual Work Plan.” The Annual Work Plan (Attachment 1) is a summary of work that describes the projects, resources, and planned activities over the next year, a summary program schedule, and the program management fee apportioned to each project managed within the program. The summary of work is intended to provide sufficient detail to fully understand the scope, schedule, budget and benefits provided to the city. Contract Amendment No. 2021-01, (Attachment 2) includes Service Order No. 6, describing all services, deliverables, assumptions, and associated fee. The program management services contract is funded through the respective capital projects- which are financed through a mixture of pay as you go and debt financing. The exact effects of COVID-19 and City staff furloughs on capital project delivery are still being analyzed. This contract is not sized to make up for anticipated reductions in City staff hours, or to shift additional work to HDR.

FISCAL IMPACT: The cost for Service Order No. 6 is \$7,010,373. Funds are available in the FY 2021 Water Department’s Capital Investment Project budget.

Prepared by:  
Kevin Crossley  
Senior Professional Engineer

Submitted by:  
Rosemary Menard  
Water Director

Approved by:  
Martín Bernal  
City Manager

**ATTACHMENTS:**

Fiscal Year 2021-Annual Work Plan  
Contract Amendment No. 2021-01/Service Order No. 6

# Fiscal Year 2021-Annual Work Plan

## Santa Cruz Water Program



### Introduction

The City of Santa Cruz’s Water Department is implementing the Santa Cruz Water Program (Program) to address a number of critical needs for backbone infrastructure rehabilitation or replacement and to develop supplemental supply that would improve the reliability of the Santa Cruz water system. In the fall of 2017, the Water Department selected HDR to provide program management services to support implementation of the Program, and in December 2017, The City Council approved a five year Master Services Agreement that is the basis for developing specific task or service orders. This Annual Work Plan (AWP) summarizes Service Order 6 and covers HDR’s anticipated program management activities, staffing, schedule, and fees in fiscal year 2021 (FY 2021), which covers the period of July 1, 2020 to June 30, 2021.

### Overview of Work Performed during FY 2020

Over the past fiscal year, the Program team of city and HDR staff engaged in Program implementation in the areas of design and planning project management, program administration and controls, planning and preliminary engineering, construction management, and other program support areas such as environmental and right of way services. Table 1 summarizes the Program wide, and project level activities for fiscal year 2020.

**Table 1 –Project Work Completed (Fiscal Year 2020)**

No.	Projects	Phase	Key Work Completed
1.1	Laguna Creek Diversion Retrofit	Design	<ul style="list-style-type: none"> <li>Design firm procurement</li> <li>10% Conceptual Design</li> <li>30% Design</li> <li>60% Design</li> <li>CEQA Notice of Preparation of EIR</li> </ul>
1.3.1	Tait Diversion Rehab / Replacement Project	Planning	<ul style="list-style-type: none"> <li>Planning firm procurement</li> <li>Project definition</li> <li>Alternatives analysis for screening and fish passage</li> </ul>
1.4	Felton Diversion and Pump Station Assessment	Planning	<ul style="list-style-type: none"> <li>Surge Analysis Report finalization</li> </ul>
1.5	Newell Creek Dam Inlet/Outlet Replacement Project	Design, Construction	<ul style="list-style-type: none"> <li>100% Design</li> <li>Authorization to Bid and Award</li> <li>Contractor Prequalification and Bid Phase</li> <li>Funding planning: SRF and WIFIA loans</li> <li>Construction NTP, Mobilization</li> <li>Obtained Key Permits/Approvals (Division of Safety of Dams Division of Drinking of Water, Army Corp, CA Fish and Wildlife)</li> </ul>
1.5.1	Newell Creek Dam - Electric Gate	Construction	<ul style="list-style-type: none"> <li>Construction COMPLETE</li> </ul>
2.2	Newell Creek Pipeline Rehab/ Replacement	Planning	<ul style="list-style-type: none"> <li>Finalized Newell Creek Pipeline Improvements Report</li> <li>Funding planning: SRF and WIFIA loans</li> <li>Initiated CEQA process, retained consultant</li> </ul>
2.2.1	Newell Creek Pipeline Felton/Graham Hill	Design	<ul style="list-style-type: none"> <li>Project Definition</li> <li>Initiation of Design firm procurement</li> </ul>

No.	Projects	Phase	Key Work Completed
2.2.3	Brackney Landslide Area Pipeline Risk Reduction	Design	<ul style="list-style-type: none"> <li>Project Definition</li> <li>Initiation of Design firm procurement</li> </ul>
2.3	Coast Pump Station Raw Water Pipeline Replacement	Design, Construction	<ul style="list-style-type: none"> <li>Constructability review</li> <li>100% Design</li> <li>Authorization to Bid and Award</li> <li>Contractor Bid Phase</li> <li>Construction NTP and Mobilization</li> <li>Initial Study and Mitigated Negative Declaration</li> <li>Obtain 1602 Lake and Stream Bed Alt. Permit, completed tribal consultation under Assembly Bill 52, and executed monitoring agreement with the Amah Mutsun Land Trust</li> </ul>
3.1	Water Supply Augmentation	Planning	<ul style="list-style-type: none"> <li>In lieu water transfer pilot testing</li> <li>Progressed approach for supply planning, including demand re-assessment and phasing of ASR planning by basin (Mid County and Santa Margarita).</li> <li>Progressed development of Phase two of recycled water study</li> </ul>
3.2	Recycled Water Feasibility Study	Planning	<ul style="list-style-type: none"> <li>Initiated Phase 2 contract</li> </ul>
3.3	ASR Planning	Planning	<ul style="list-style-type: none"> <li>Pilot testing at Beltz 12 wells</li> <li>Pilot testing at Beltz 8 wells</li> <li>Conceptual planning for pipeline infrastructure (Santa Margarita Groundwater Basin)</li> <li>Split ASR implementation into multiple sub-projects (3.3.1 - 3.3.4)</li> </ul>
3.6	In-Lieu Transfers & Exchanges	Operation	<ul style="list-style-type: none"> <li>Transferred 33 Million Gallons to Soquel Ck Water District- Transfers were discontinued in January 2020 due to dry conditions.</li> </ul>
4.1	Graham Hill WTP Tube Settlers Replacement	Post-Construction	<ul style="list-style-type: none"> <li>Construction complete</li> </ul>
4.2	Graham Hill WTP Flocculators Replacement	Construction	<ul style="list-style-type: none"> <li>Design complete</li> <li>Construction 30% complete</li> </ul>
4.3	Graham Hill WTP Concrete Tanks	Design	<ul style="list-style-type: none"> <li>Value Engineering</li> <li>Constructability reviews</li> <li>100% Design</li> <li>Contractor Prequalification</li> <li>Authorization to Bid and Award</li> <li>Funding planning: SRF and WIFIA loans</li> </ul>
4.4	Graham Hill WTP Upgrades (Facility Improvement Plan)	Design	<ul style="list-style-type: none"> <li>Conceptual (10%) design complete</li> <li>Risk workshop</li> <li>Delivery Method selection (Progressive Design Build)</li> <li>Procurement planning; Design – Builder outreach</li> <li>Funding: WIFIA loan application</li> <li>Traffic Analysis: Graham Hill Rd. at WTP entrance</li> <li>Soil survey</li> </ul>
4.5	Riverbank Filtration Study	Planning	<ul style="list-style-type: none"> <li>Continued evaluation of site suitability for RBF</li> <li>Hydrogeological field investigation of sites (borings, monitoring wells)</li> </ul>
6.1	University Tank No. 4 Rehab / Replacement	Planning	<ul style="list-style-type: none"> <li>Approved Project Definition</li> <li>Identified alternatives for analysis</li> </ul>

No.	Projects	Phase	Key Work Completed
6.2	University Tank No. 5 Replacement	Post - Construction	<ul style="list-style-type: none"> <li>Construction COMPLETE</li> </ul>
N/A	Asset Management	Planning	<ul style="list-style-type: none"> <li>Asset onboarding prototype</li> <li>Defined data requirements through database population with project information</li> <li>Data management tools; Users guide</li> <li>RFP and user requirements for CMMS</li> </ul>
N/A	Main Replacement Model	Planning	<ul style="list-style-type: none"> <li>Main replacement analysis</li> <li>Water main break data collection tools</li> <li>Documentation of data management procedures and opportunity condition assessment process</li> </ul>
N/A	System – Wide SCADA Planning	Planning	<ul style="list-style-type: none"> <li>Current System Assessment and Cybersecurity Review</li> <li>SCADA Communication Block Diagram</li> <li>SCADA Software and Programming Standards Development</li> <li>Instrumentation Standards Development</li> </ul>
N/A	Distribution System Water Quality Improvements Study	Planning	<ul style="list-style-type: none"> <li>Completed pre-study activities including alignment of results from the Distribution System Water Age assessment with historic water quality data to confirm focus areas for study.</li> <li>Initiated hydraulic modeling</li> </ul>
N/A	Program Wide Items	All / Ongoing	<ul style="list-style-type: none"> <li>Risk management: quarterly reviews; risk quantification workshop</li> <li>Quality Management: quarterly reviews/reports</li> <li>Monthly Program reporting</li> <li>Updates to Program Management Plan <ul style="list-style-type: none"> <li>Cost estimating guidelines</li> <li>Project Cost Estimate template</li> <li>Change Management templates</li> <li>Procurement guidelines</li> </ul> </li> <li>Delivery method amendment to City Charter</li> <li>Workforce development trainings including design standards (Instrumentation &amp; Controls), risk management, and construction management.</li> <li>Program controls implementation: schedule format updates, cost management system updated, document mgt., key performance indicators (KPIs)</li> <li>Program safety reporting</li> <li>Design Review (Bluebeam) software training materials development, users manual, and initiation of implementation</li> <li>Supported source water data management needs assessment for Production group</li> <li>Contract “front end” standard template</li> </ul>



Figure 1 – University Tank 5 Roof Construction



Figure 2 – University Tank 5 Stair Construction



Figure 3 – University Tank 5 Interior Roof Coating



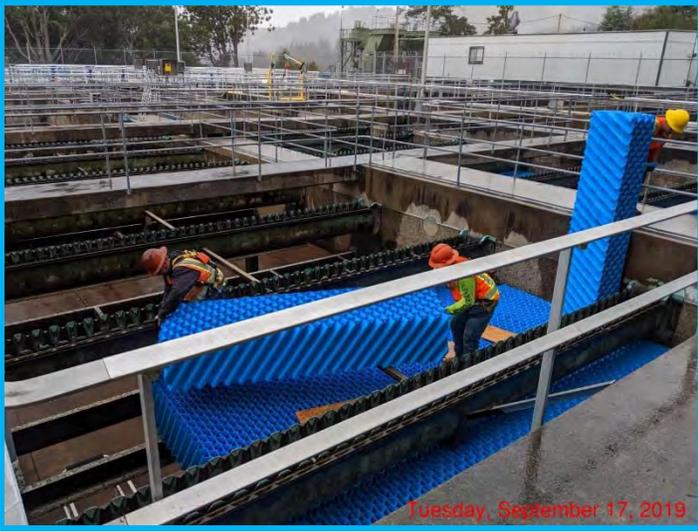
Figure 4 – University Tank 5 Final Paint



Figure 5 –Coast Pump Station Pipeline Replacement Project Pre-Bid Meeting



Figure 6 –Risk Management Training



**Figure 7 – GHWTP Tube Settler Installation**



**Figure 8 – GHWTP Tube Settler Installation**



**Figure 9 – GHWTP Tube Settler Installation**



**Figure 10 – Riverbank Filtration Field Investigation Drilling Site**



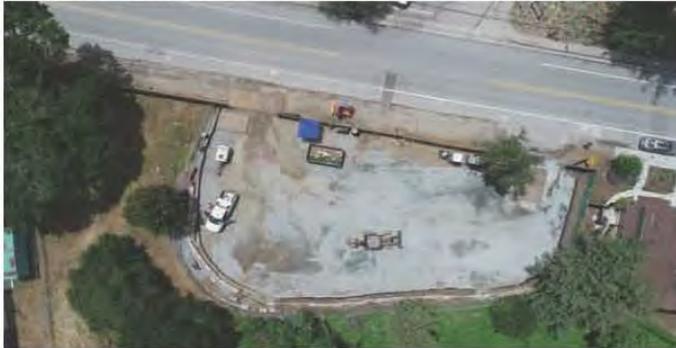
**Figure 11 – Newell Creek Dam Inlet / Outlet Project Bid Opening**



**Figure 12 – ASR Pilot Testing at Beltz Well 8**



Graham Hill Water Treatment Plant



Coast Pump Station boneyard



Riverbank Filtration drilling site.

Figure 13 – Aerial Drone Photos of Project Sites – Pre-Construction



## Notification of Lake or Streambed Alteration

Coast Pump Station Raw Water Pipeline Replacement Project

Prepared for the City of Santa Cruz Water Department

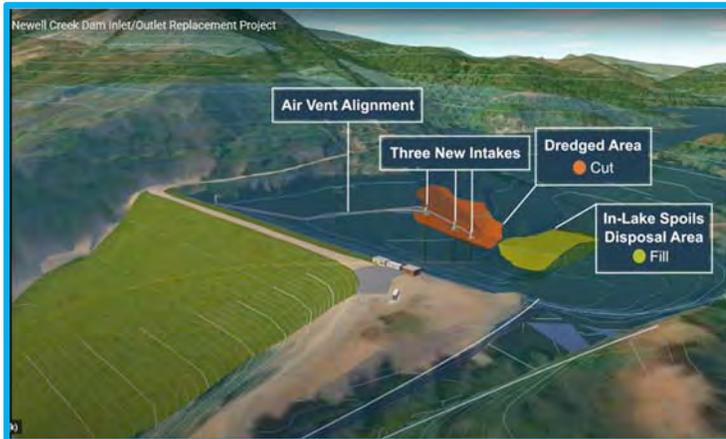
Santa Cruz, California

October 8, 2019

Figure 14 – Coast Pump Station Pipeline - Obtained 1602 Permit for Streambed Alteration



Figure 15 (left), Figure 16 (above) – Newell Creek Dam Inlet/Outlet – Images from Virtual Project Site Flyover



# Newell Creek Dam Inlet/Outlet Replacement Project

Ensuring public health and safety by providing a clean, safe, reliable supply of water



## Project Objectives

- Improve the City's overall operational efficiency
- Improve system performance
- Long-term reliable storage of drinking water supply
- Meet DSOD drawdown requirements
- Improve inspection and maintenance access
- Maintain uninterrupted beneficial flow releases during construction

## Loch Lomond Reservoir Facts

- 2.8** Billion gallons capacity
- 17%** Supplied water demand
- 43"** Average annual rainfall

## Current Deficiencies

- Inlet/outlet conduit deterioration
- Inoperable and partially closed plug valve at the toe of the dam

## Tunnel & Shafts

- Approx. 1,500 feet of tunneling
- Three vertical inlets and 60-inch vertical shafts connected to tunnel via dry taps
- Up to approx. 22,600 cubic yards of spoils from tunnel and portal development

## Dredging

- Approx. 23,000 to 34,000 cubic yards of submerged spoils

Constructed in approx. 120 ft of water

## Operations

- Intake control building on dam crest

## Access

- Construction platform
- Culvert crossing at spillway plunge pool
- Road improvements including addition of retaining walls

## Outlet Structure

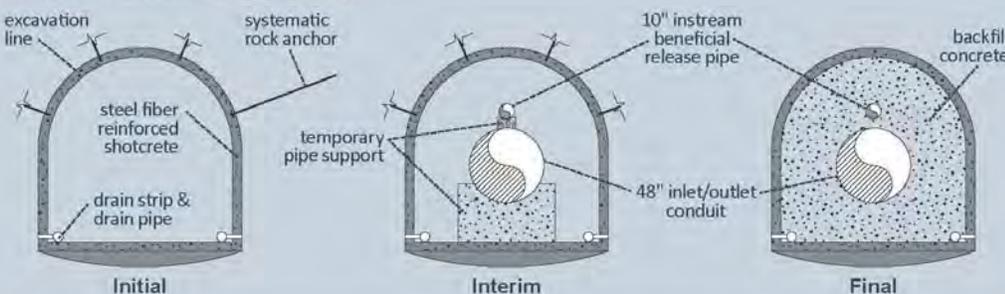
- Valves and controls
- Dam seepage collection and monitoring system
- Decommissioning of existing inlet/outlet

## Pipeline

- Approx. 2,000 feet of 30-inch raw water pipeline

## Tunneling Sequence Schematic

(subject to Contractor means and methods)



Excavated using conventional tunneling methods with 10-ft minimum and 14-ft maximum diameter.

Figure 17 – Newell Creek Dam Inlet/Outlet Project Summary Sheet for Contractor Outreach

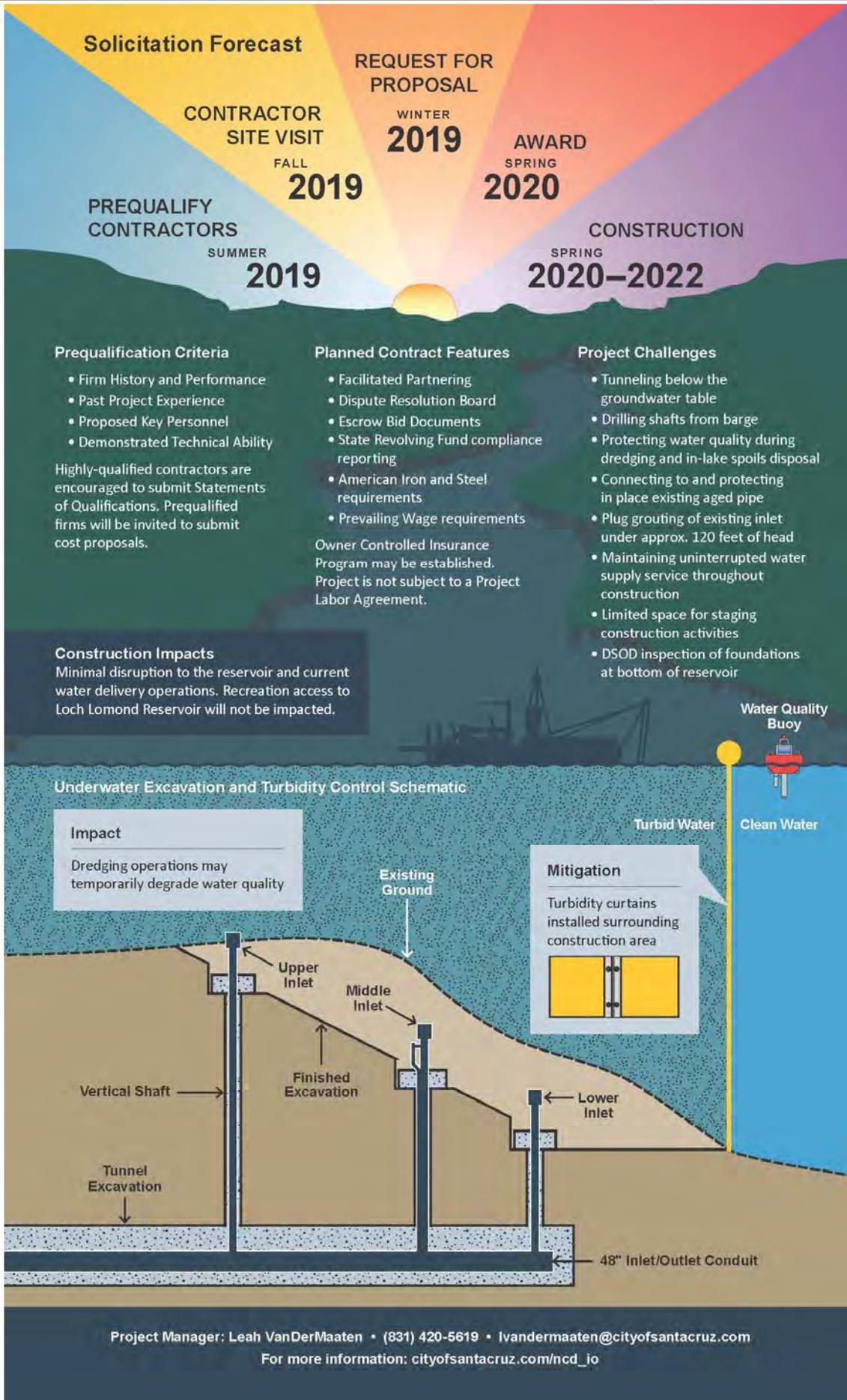


Figure 18 – Newell Creek Dam Inlet/Outlet Project Summary Sheet for Contractor Outreach

## Overview of Planned Work during FY 2021

During FY 2020 of the Santa Cruz Water Program, the Program team of city and HDR staff implemented the Program Management Plan, an organizational framework with processes for managing and staffing individual capital projects that are at different stages of development. This work will be continued in FY 2021 as projects continue progress from planning to design and from design to construction and through the construction phase. Table 2 lists the Program projects starting or ongoing in FY 2021 and divides them into their current phase of work: Planning Projects, Projects in Design and Projects in Construction.

**Table 2 –Program and Project Work Planned by Phase<sup>a</sup> (Fiscal Year 2021)**

Program Wide		
<ul style="list-style-type: none"> <li>Risk management: quarterly reviews, risk model update</li> <li>Technical expert support and deliverable reviews</li> <li>Quality management implementation</li> <li>Design Review software implementation – ongoing support</li> <li>Source Water Data Management – software implementation support</li> </ul>	<ul style="list-style-type: none"> <li>Program controls implementation: schedule, cost, document mgt., key performance indicators (KPIs)</li> <li>Monthly Program reporting</li> <li>Change management</li> <li>Department finance support</li> <li>Program CM Oversight</li> <li>Program Env'tl. Advisory</li> <li>General electrical staff support</li> </ul>	<ul style="list-style-type: none"> <li>Workforce development trainings (regular, refresher, and extended)</li> <li>Asset Management (Asset Onboarding and CMMS Implementation support</li> <li>Main Replacement Model Data Management support</li> <li>Right of Way support</li> <li>Constructability reviews</li> </ul>
Planning Projects	Projects in Design	Projects in Construction
1.3.1 – Tait Diversion Rehab/ Replacement 1.4 – Felton Diversion and Pump Station Assessment 2.1 – North Coast System Pipeline Repair / Replacement 3.1 – Water Supply Augmentation 3.2 – Recycled Water Feasibility Study 3.3 – Aquifer Storage & Recovery Planning (Mid County, Santa Margarita) 4.5 - River Bank Filtration Study (ongoing, complete 12/2020) 6.1 – University Tank No. 4 Rehab / Replacement 7.1 - Water Rights (ongoing) 7.2 - Habitat Conservation Plans (ongoing) N/A - Distribution System Water Quality Improvements (ongoing, complete 12/20) N/A - Program Projects Design Criteria Summary (ongoing, complete 10/20)	1.1 - Laguna Creek Diversion Retrofit 2.2.1- Newell Creek Pipeline Rehab/ Replacement (Felton/Graham Hill) 2.2.3 – Brackney Landslide Area Pipeline Risk Reduction 4.4 - Graham Hill WTP Facilities Improvement Project	1.1 - Laguna Creek Diversion Retrofit 1.5 - Newell Creek Dam Inlet/Outlet Replacement 2.3 - Coast Pump Station 20-inch Raw Water Pipeline Replacement 4.2 - Graham Hill WTP Flocculator Replacement 4.3 - Graham Hill WTP Concrete Tanks

a) Projects may be shown twice if they transition between phases, for example from design to construction.

This AWP includes a wide range of services focused on progressing each of the projects forward. Table 3 summarizes the types of services for each of the three categories of services that HDR will be providing during FY 2021 as part of Service Order 6.

**Table 3 –Types of Services for each Project Phase (Fiscal Year 2021)**

HDR Planning Services	HDR Design Management Services	HDR Construction Services
<ul style="list-style-type: none"> <li>• Provide Planning lead.</li> <li>• Review and document existing information and identify data gaps.</li> <li>• Conduct planning level studies to define technical feasibility and cost.</li> <li>• Perform preliminary engineering, and the identification and analysis of alternatives.</li> <li>• Prepare reports, presentations, and briefing materials to support decision making processes and stage gate meeting approvals.</li> <li>• Develop implementation and sequencing plans and schedules for recommendations.</li> <li>• Facilitate planning meetings and workshops for Water Department Staff to discuss alternatives and coordinate with stakeholders.</li> <li>• Perform business case evaluations and document recommendations.</li> <li>• Support Water Department Staff in the development and calibration of hydraulic models.</li> <li>• Support Water Department Staff in the test data management integration into the laboratory information management system.</li> <li>• Perform infrastructure condition assessments to support planning.</li> <li>• Assist the Department in financial analysis associated with program funding efforts, including providing support in applying for grants and low interest loans.</li> <li>• Support the Department’s implementation of asset management system onboarding for capital projects.</li> <li>• Based on SCADA planning, prioritize future SCADA related projects and develop planning level project cost estimates.</li> <li>• Augment the city staff by providing PMs, and project engineers for various projects including: University 4 Tank, Felton Diversion, North Coast Pipeline System, GHWTP Facility Improvement</li> </ul>	<ul style="list-style-type: none"> <li>• Provide Design Management lead.</li> <li>• Provide general electrical engineering and operations specialist staff augmentation support.</li> <li>• Support PMs in management of consultants and alignment with program reporting and processes.</li> <li>• Support implementation of design management and cost estimating guidelines.</li> <li>• Augment the City staff by providing PMs and/or project engineers for various projects including: Concrete Tanks, GHWTP Facility Improvement Project, and Newell Creek Pipeline Rehab/Replacement Projects.</li> <li>• Assist in hiring design consultants, reviewing consultant deliverables, conducting value engineering (VE) efforts or cost estimating, as requested.</li> <li>• Support ROW acquisition activities and obtaining permits-to-enter for planning (North Coast System Pipeline) and design (Newell Creek Pipeline projects (Felton/Graham Hill, Brackney)).</li> <li>• Provide designated environmental lead for permitting efforts associated with: Coast Pump Station Pipeline Replacement and Newell Creek Pipeline Rehab/Replacement.</li> <li>• Provide environmental compliance management services</li> <li>• Assist with other environmental technical support, including CEQA, NEPA, technical study, field surveys, or permit application.</li> <li>• Support Department Staff in the development and implementation of communications and community engagement plans.</li> <li>• Provide technical expert input as requested.</li> <li>• Support ongoing implementation and use of collaborative design review software on projects.</li> </ul>	<ul style="list-style-type: none"> <li>• Implement Program Construction Management Guidelines</li> <li>• Implement Construction Management software for new construction projects.</li> <li>• Augment the City staff by providing PMs and/or project engineers for construction phase projects including: Newell Creek Dam Inlet/Outlet Pipeline, Concrete Tanks, and Coast Pump Station Pipeline Replacement projects.</li> <li>• Provide Construction Management project manager, resident engineer, document manager, lead and special inspector(s), as required, for the GHWTP Flocculator Replacement project, GHWTP Concrete Tanks Pipeline Replacement project, and the Coast Pump Station Pipeline Replacement project.</li> <li>• Provide post construction start-up commissioning and operations support.</li> <li>• Provide monthly Program reporting of CM activities.</li> <li>• Provide workforce development training in areas of Construction Management</li> <li>• Assist with environmental mitigation, monitoring and/or procurement of such services.</li> </ul>

HDR Planning Services	HDR Design Management Services	HDR Construction Services
Project, Water Supply Augmentation, ASR and Recycled Water feasibility projects. <ul style="list-style-type: none"> <li>• Assist in reviewing of planning consultant deliverables</li> <li>• Provide environmental advisory support, program-wide</li> </ul>		

Figure 19 shows the schedule of activities planned for each project, with work broken down into several phases: planning, design, bidding, construction and project close out.



## Staffing

The major resources being provided through the HDR Program Management Contract involves staffing services. These services are necessary because, on average, the Water Department’s annual capital program expenditures are rising nearly five-fold over spending levels during the last decade. The Water Department’s Engineering Section currently includes around 12 full time equivalent (FTE) positions supporting the capital program in various capacities, and recruitment for one vacant Planner position, is ongoing. The staffing analysis completed in 2018 during the Program Validation effort estimated total staffing needs required to manage and support the Program projects in peak years at 20 FTEs. Staff augmentation for project management (including project managers, engineers, environmental leads, but not including program administration or construction management, for example) is estimated at 6.8 FTEs for FY21.

The staffing augmentation plan for FY21 was developed to support the implementation plans and schedules for each Program project. The staffing plan integrates the Water Department’s available staff in Engineering and Operations and Maintenance and supplements resource needs with compatible HDR staff. A key focus of both City and HDR administrative and operating personnel who are part of the Program is the consistent and efficient delivery of project from planning through construction, while maintaining the Department’s ability to produce and deliver a reliable supply of high quality drinking water to its customers throughout project construction. Achieving this goal requires ongoing planning and coordination by all members of the team.

Part of the ongoing work on the Program to date has been to identify, integrate, and maintain HDR Program team members. Table 4 identifies HDR key staff in each of the three major Service Order 6 work areas.

**Table 4 – Key Staffing for Planned HDR Program Management Services (Fiscal Year 2021)**

HDR Planning Services	HDR Planning and Design Management Services	HDR Construction Services
John Nelson Stephanie Shamblin – Grey Allison McReynolds Allan Scott Tom McCormack Uriel Shelby Rich Stratton Leslie Tice	Greg Bradshaw Dave Kremer Holly Burles Kevin Calderwood Lock Kwan Brian Watanabe Morgan Abbett Shane Clements Jillian Brown Ray Genato Larry Johnson Jim Hestad	Roger Hatton Mitch Kyotani Shane Clements [Construction Manager]

Ongoing Program management and administration will be led by Karen Pappas (Program Manager), Paul Karsen (Controls Manager), and Rachel Rosenblum (Scheduling). Implementation of the Santa Cruz Water Program also involves a range of ongoing administrative and quality control services including, for example:

- Monthly progress reporting including cost and schedule tracking, risk management and quality assurance;
- Document management and SharePoint site maintenance and updates; and
- Application and updating the Program Management Plan, implement health and safety plan.

All personnel to support the Program are identified in writing and authorized by the City’s Program Director. The personnel and labor hours for the FY 2021 Work Plan represent the Program Team’s best understanding of the strategic, technical, and administrative requirements for delivering the planned services. Actual requirements may vary and the City and HDR will work together to adjust the staffing and distribution of labor hours within this AWP to maintain progress toward delivery of the Program.

## Estimated Fees

Table 5 presents the FY 2021 HDR fees for services for the work to be done on each project during the coming year. The fee estimate is also presented by task and total hours as an attachment to Contract Amendment 2021-01.

**Table 5 –Project Budget and Associated HDR Fee**

#	Project	HDR FY21 Service Order Budget	Planning	Design	Bid	Construction
1.1	Laguna Creek Diversion Retrofit	\$20,792		X	X	X
1.3.1	Tait Diversion Rehab / Retrofit	\$3,450	X			
1.4	Felton Diversion and Pump Station Assessment	\$0	X			
1.5	Newell Creek Dam Inlet-Outlet Pipeline Replacement Project	\$215,430				X
2.1	North Coast System Repair / Replacement	\$53,144	X			
2.2.1	Newell Creek Pipeline Rehab/Replacement – Felton / Graham Hill	\$250,091		X		
2.2.3	Newell Creek Pipeline – Brackney Landslide Area Pipeline Risk Reduction	\$216,484		X		
2.3	Coast Pump Station 20" Raw Water Pipeline Replacement	\$294,066				X
3.1	Water Supply Augmentation	\$28,677	X			
3.2	Recycled Water Feasibility	\$25,643	X			
3.3	Aquifer Storage & Recovery (ASR)	\$171,562	X			
4.2	Graham Hill WTP Flocculator Rehab/Replacement	\$85,922				X
4.3	Graham Hill WTP Concrete Tanks Project	\$960,619			X	X
4.4	Graham Hill WTP Facility Improvements Project	\$1,042,990		X	a	
4.5	Riverbank Filtration Study	\$2,068	X			
6.1	University Tank No. 4 Rehab/Replacement	\$2,068	X			
N/A	Source Water Data Management – software implementation	\$0	X			
N/A	Asset Management: On Boarding and Computerized Maintenance Mgt. System Implementation Support	\$267,296	X			
N/A	Main Replacement Model - Data Management support	\$52,169	X			
N/A	Program Administration <sup>b</sup>	\$1,978,779				
N/A	Other Program-Wide Work <sup>c</sup>	\$1,339,124				
	<b>Total HDR FY21 Service Order 6 Budget</b>	<b>\$7,010,373</b>				

<sup>a</sup> Includes selection of Design-Builder and initiation of Phase 1 Professional Services through a Progressive Design Build Delivery Method.

<sup>b</sup> Includes General Program Administration, Risk Management, Document Management, Procurement & Contract Administration Implementation support, SH&E Plan documentation, Quality Assurance Implementation, Project Delivery Model Implementation, Program Controls (Schedule, Cost Management, Program Monthly Report), Annual Work Plan, Workforce Development Trainings, Program staffing and resource management, Invoice preparation.

<sup>c</sup> Includes Staff Augmentation (Planning & Design Management, Project Management, Project Engineering support, Environmental Leads, Environmental Advisory, Electrical support, Operations support), Design Review Software Implementation, Asset Management, Main Replacement Program, General Construction Management oversight, Construction Management information system procurement, and support for Right of Way, Communication & Public Outreach, Project Funding, and Program Technical (general).

**Funding Source:**

Funding for all activities planned as part of Service Order 6, including the program management fee, is included in the Water Department's FY 2021 Capital Investment Program. Additional work planned for FY 2021 includes continuation of minimal activities pre-authorized and funded within the prior Service Order 5. As many of the projects included in Water Program are large and will occur over multiple years, the Department developed the 2016 Long Range Financial Plan to identify the steps needed to fund these investments in rehabilitating or replacing existing water system infrastructure and developing a supplemental supply to improve the reliability of the Santa Cruz water system. That plan was approved by the City Council on June 14, 2016 and is guiding the Department's approach to planning for and funding this decade long capital reinvestment cycle.

Over the last year, the Water Department made progress towards executing two low-interest loans through the State Revolving Fund (SRF). In the summer of 2020, the Department will also apply to the Water Infrastructure Finance and Innovation Act (WIFIA) loans for four projects, with a total estimated cost of \$250 million. Both the State (SRF) and Federal (WIFIA) loan programs reimburse for design, construction, and program management costs-to implement a project. Finally, the City has secured FEMA Hazard Mitigation Program grant funding for one project (2.2.3).

AMENDMENT 2021-01 TO PROFESSIONAL SERVICES AGREEMENT FOR  
**PROGRAM MANAGEMENT SERVICES FOR THE  
CITY OF SANTA CRUZ WATER DEPARTMENT**

THIS AMENDMENT No. 2021-01, dated \_\_\_\_\_, 2020, TO THE PROFESSIONAL SERVICES AGREEMENT dated December 22, 2017, is made by and between the City of Santa Cruz (“City”) and HDR Inc. (“Consultant”).

**RECITALS**

**WHEREAS**, City and Consultant have previously entered into that certain Professional Services Agreement (“Agreement”) dated December 22, 2017 and incorporated by this reference, and

**WHEREAS**, City and Consultant desire to amend the Agreement as specified herein.

**AGREEMENT**

NOW, THEREFORE, it is agreed between the Parties to incorporate the above Recitals hereto, and that the Agreement is hereby amended as follows:

- A. Add The Scope of Work for Service Order No. 6 and amend Exhibit A of the Master Service Agreement as follows:

Add Service Order 6 Tasks 2 through 6 per the attached 73 page scope of work referenced as Attachment A and titled: “Service Order 6 – Program Activities (FY 2021)” dated June 9, 2020.

- B. Add Fee Schedule for Service Order No. 6 as follows:

The attached one page table titled “Estimated Work Effort and Fee Estimate” presents a breakdown of the total fee for all Fiscal Year 2021 Services. The Authorized total fee for Fiscal Year 2021 services is not to exceed \$7,010,373.

Notwithstanding these amended terms of the original Agreement by this Amendment 2021-01, all other terms and conditions of the original Professional Services Agreement shall remain in full force and effect.

Each party acknowledges that it has reviewed this Amendment 2021-01 and that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Amendment 2021-01.

The parties may execute this Amendment 2021-01 in two or more counterparts, which shall, in the aggregate, be deemed an original but all of which, together, shall constitute one and the same instrument. A scanned, electronic, facsimile or other copy of a party’s signature shall be accepted and valid as an original.

The signatories to this Amendment 2021-01 warrant and represent that each is authorized to execute this Amendment 2021-01 and that their respective signatures serve to legally obligate their respective representatives, agents, successors and assigns to comply with the provisions of this Amendment 2021-01.

IN WITNESS WHEREOF, the City and the Consultant have executed this First Amendment effective as of the date shown above.

Technical Review By:

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Heidi Luckenbach, Deputy Water Director / Engineering Manager

Approved As To Form:

By: \_\_\_\_\_ Date: \_\_\_\_\_  
City Attorney

CONSULTANT

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Printed: \_\_\_\_\_ Title: \_\_\_\_\_

CITY OF SANTA CRUZ

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Rosemary Menard, Water Director



# **SCOPE OF WORK**

## **Service Order 6—Program Activities (FY 2021)**

The City of Santa Cruz Water Department (City) has taken a Program management approach to implementing its capital improvement Program (the Program). It has contracted with HDR, under a Master Services Agreement (MSA), to provide Program management services. This service order falls under the MSA and covers ongoing Program activities and Program deliverables that will occur in FY 2021 (July 1, 2020 - June 30, 2021). Unless specifically noted, it is assumed that the scope and fee refer to work planned for completion in FY 2021.

As with all service orders, this service order follows the structure of the MSA in terms of major tasks:

- Task 1 – Program Mobilization (complete-not used)
- Task 2—Design and Planning Management
- Task 3—Program Administration
- Task 4—Planning and Preliminary Engineering
- Task 5—Construction Management
- Task 6—Program Support

The tasks of the MSA were created to allow the Program to transition from the initial stages of defining the Program projects, structure and procedures, through the planning and design of capital projects and department processes and protocols, to project construction and start-up of almost two dozen capital projects. Each service order utilizes tasks from the MSA as appropriate with the expectation that the planning and administrative tasks will be utilized less over time with design and construction tasks being used more in the future.

### **Task 1 – Program Mobilization (not used)**

Task 1 will no longer be used. Program mobilization was completed in June 2018 as part of Service Order 1.

### **Task 2—Design and Planning Management**

This task covers coordination and management of planning and design activities by design consultants. As an integrated team, HDR will work with staff to develop, and consistently apply, project management tools to Program projects. This includes the planning and design activities of outside consultants, as well as designs prepared by City staff. For the purposes of estimating the labor requirements for this task, HDR assumes it will provide or support design and planning management services as indicated on the Design and Planning Management project activity matrix shown in Table 1.

**Table 1. Design and Planning Management Key Activities by Project Task and Staff Augmentation**

No.	Project Name	Duration in FY 2021 (Months)	PE/PM/CM Augmentation	Activity A Support Best Value Delivery Methods Implementation	Activity B Select Final Design Consultants	Activity C Monitor Project Progress and Changes	Activity D Review Plans and Specs (#)	Activity D Review Planning Reports, Memos (#)	Activity E Conduct/Support Project Certification Process	Activity F Facilitate Bidding Process	Activity G Conduct VE	Activity H Cost Est. Support
1.1	Laguna Creek Diversion Retrofit Project	12	none			X	2 (90%, 100%)		X	X		
1.3.1	Tait Diversion Rehab/Replacement Project	2	none			X	-	1				
1.4	Felton Diversion and Pump Station Assessment	9	none			X						
1.5	Newell Creek Dam Inlet/Outlet Replacement Project	12	PE/CM lead @ 0.05-1 FTE 2 EIT @0.33 FTE ea			X						
2.1	North Coast System Repair and Replacement Project	12	None			X		2				
2.2	Newell Creek Pipeline Rehab/Replacement	12	None			X						
2.2.1	Newell Creek Pipeline Felton/Graham Hill	12	Sr. PE @ 0.2 FTE PE @ 0.2 FTE		X	X	2 (10%, 30%)					
2.2.3	Newell Creek Pipeline Brackney	12	Sr. PE @ 0.1 FTE PE @ 0.3 FTE		X	X	3 (30, 60, 90%)	1				
2.3	Coast Pump Station 20-inch Raw Water Pipeline Replacement	6	PM @ 0.2 FTE (6mo)			X						
3.1	Water Supply Augmentation	12	PE @ 0.1 FTE			X						
3.2	Recycled Water Feasibility Study	9	PM @ 0.1 FTE			X		2				
3.3.1	ASR Mid County Existing Infrastructure	12	PM @ 0.25 FTE Advisor @ 0.05 FTE			X		4				
3.3.2	ASR Mid County New Wells	6	PM @ 0.1 FTE			X						
3.3.3	ASR Santa Margarita Groundwater	6	PM @ 0.1 FTE			X						
3.6	In-Lieu Transfers & Exchanges	12	None			X						
4.1	Graham Hill WTP Tube Settlers Replacement	complete	--			X						
4.2	Graham Hill WTP Flocculator Rehab/Replacement	12	none (in construction)			X						
4.3	Graham Hill WTP Concrete Tanks Project	12	PM @0.2-0.3 FTE EIT @ 0.2-0.5 FTE			X			X	X		
4.4	Graham Hill WTP Facility Improvement Plan	12	PM @ 0.5 FTE PE @ 1.25 FTE Technical Advisor @ 0.1 – 0.2 FTE	X	X	X	<del>1 (30%)</del>	1		<del>X</del>		
4.5	River Bank Filtration Study	3	none			X		1				
6.1	University Tank No. 4 Rehab/Replacement	12	None			X						
7.1	Water Rights Amendments	12	None	-	-	<del>X</del>	-	-	-	-	-	-
7.2	Habitat Conservation Plans	12	None	-	-	<del>X</del>	-	-	-	-	-	-

29.23

Design and planning management teams may include a package manager, project manager(s), project engineer(s), O&M lead, and environmental lead, and may be composed of either City or HDR staff. CM support is described in Task 5.

The package manager's role includes, but is not limited to:

- Oversight of project managers for projects within their package
- Coordination and information transfer across projects within the package, as well as with other packages. Identification and facilitation of resolution on overlaps and interfaces between adjacent projects

The project manager's role includes, but is not limited to:

- Coordination and implementation of activities A through H, as applicable to the project type and phase.
- Lead project reporting efforts to Program controls and department leadership.

The project engineer's role is to support the project manager in design and planning management activities. Typical tasks may include performing technical analyses, responding to data requests from the consultant, coordinating and scheduling meetings, implementing the project's document management via Sharepoint.

The O&M lead coordinates the necessary and appropriate level of input for the Operations staff on a project. O&M lead roles may include meeting participation, review of deliverables, and coordination with site visits or on-site construction activities.

The environmental lead coordinates the environmental planning and permitting process for a project. This role is scoped in Task 6.1.

The design and planning management task consists of the following general and project specific subtasks:

- Task 2 – 0.0 General Planning and Design Administration
- Task 2 – 1.1. Laguna Creek Diversion Retrofit Project
- Task 2 – 1.2. North Coast System Majors Diversion Rehab [Not Used]
- Task 2 – 1.3.1. Tait Diversion Rehab/Replacement
- Task 2 – 1.3.2. Coast Pump Station Rehab [Not Used]
- Task 2 – 1.4. Felton Diversion Pump Station Assessment
- Task 2 – 1.5. Newell Creek Dam Inlet/Outlet Pipeline Replacement
- Task 2 – 2.1. North Coast System Repair and Replacement
- Task 2 – 2.2.1. Newell Creek Pipeline Felton/Graham Hill
- Task 2 – 2.2.2. Newell Creek Pipeline Felton/Loch Lomond [Not Used]
- Task 2 – 2.2.3. Newell Creek Pipeline Brackney
- Task 2 – 2.3. Coast Pump Station Raw Water Pipeline Replacement
- Task 2 – 3.1. Water Supply Augmentation
- Task 2 – 3.2. Recycled Water Study
- Task 2 – 3.3.1. ASR Mid County Existing Infrastructure
- Task 2 – 3.3.2. ASR Mid County New Wells
- Task 2 – 3.3.3. ASR Santa Margarita Groundwater
- Task 2 – 3.3.4. ASR New Pipelines [Not Used]
- Task 2 – 3.6. In-Lieu Transfers & Exchanges [Not Used]
- Task 2 – 4.1. GHWTP Tube Settlers Replacement [Not Used]
- Task 2 – 4.2. GHWTP Flocculators Replacement [Not Used]

- Task 2 – 4.3. GHWTP Concrete Tanks
- Task 2 – 4.4. GHWTP Facility Improvement Project
- Task 2 – 4.5. Riverbank Filtration [Not Used]
- Task 2 – 6.1. University Tank No. 4 [Not Used]

Each project subtask may include the following key activities. The number of projects and expected durations are noted accordingly.

- Activity A – Support for Alternative Delivery Method Implementation (1 project; 12-month duration)
- Activity B – Select Final Design Consultants (2 projects expected during FY 2021)
- Activity C – Manage Design and Planning Progress and Changes (6 projects, up to 12-month duration)
- Activity D – Review Reports, Plans and Specifications (11 design submittals and 7 planning deliverables; 12-month duration)
- Activity E – Conduct Project Certification Process (6 projects expected during FY 2021)
- Activity F – Facilitate Bidding Process (6 projects expected during FY 2021)
- Activity G – Conduct VE Process (0 projects expected during FY 2021)
- Activity H – Cost Estimate support (0 projects assumed during FY 2021)

For the purposes of defining scope and labor requirements for this task, it is assumed that the projects managed are/will be delivered through a design-bid-build delivery method, except for project 4.4 (GHWTP Facility Improvement Project) which will be delivered through a progressive design-build delivery method.

## **Task 2 – 0. General Planning and Design Administration**

This task includes the planning lead and the design management lead. The hours associated with the major tasks for each role are also shown.

1. Planning Lead: Oversees at the Program level all projects and project managers in the planning phase, including project status reporting, change management, support of mitigation planning for schedule and budget variances, program technical support coordination, regular meetings with project managers.
  - Manage program resources: Estimated one hour per planning project per month
  - Project status reporting review (schedule, budget, staffing): Estimated two hour per project per month
  - Support of mitigation planning and schedule and budget variances: Estimated 8 hours per month
  - Program technical review support coordination: Estimated 8 hours per project/package
  - Meetings with project managers: Estimated 1 hour per month per project manager
  - Review reports and studies: Estimated 8 hours QA/QC per report / deliverable
  - Program leadership coordination: Estimated 8 hours per month
2. Design Management Lead: Oversees at the Program level design management staff, delivery method selection, design phase project delivery, including the selection of design consultants through bid phase, program technical support coordination, and regular meetings

with project managers. Monitors design progress and changes at the program level, reviews of plans and specifications, oversees the project certification process, and the value engineering process (as needed).

- Manage program resources: Estimated one hour per design project per month (6 projects anticipated)
  - Project status reviews: Estimated one hour per design project per month (6 projects)
  - Select final design consultants: Estimated 12 hours per project (3 projects anticipated)
  - Monitor design progress and changes: Estimated 4 hours per project per month (6 projects anticipated)
  - Review plans and specifications: Estimated 8-16 hours per deliverable per reviewer (10 deliverables anticipated)
  - Conduct project certification (approval to bid and construct) process: Estimated 8 hours per project (2 projects anticipated)
  - Facilitate bidding process: Estimated 16 hours per project (3 projects anticipated)
  - Value engineering: (none anticipated this service order)
  - Program leadership coordination: Estimated 8 hours per month
3. O&M Liaison Support: Supports the implementation of the Project Delivery Model for various planning, design, and construction projects focusing on the interaction and information transfer between the Operation and Maintenance Group, the Engineering Group and the Design Engineers. One objective of the O&M Liaison is to support the City's O&M needs being met during these projects, while streamlining deliverable reviews. The O&M Liaison will become familiar with City O&M standards and preferences and prepare and execute design deliverable review with O&M staff. Another objective of this role is to facilitate development of operations plans related to planned outages, construction phase operational risk mitigation, and start-up and commissioning. Time assumed for FY21 is 0.5 FTE. Specific task allocation will be approved by the Program Director in advance.
4. Electrical, Instrumentation and Controls (E, I&C) support: At the request of the City and in response to the City being understaffed in the area of E, I&C, PgM will provide general support to the Operations Group during FY21. Support will be provided through up to two monthly on-site visits, as required, and interim follow on actions support. Activities for E, I&C support may include:
- Site visits to project or City facility locations
  - Support of City led GHWTP SCADA related projects, resulting from the SCADA planning effort
  - Technical reviews outside of the planned deliverable reviews
  - Support of reviews and implementation of startup and commissioning plans
  - Troubleshooting of existing facilities, as requested
  - Other, as needed

This support role (24 hours per month for FY2021) is in addition to the budgeted technical reviews of project deliverables. The City's needs may increase upon initiation of the design for the GHWTP FIP, at which time the need for an amendment will be reassessed.

## **Sub-Task Activities**

This section describes each of the key activities that may occur during FY21 for a specific project, as indicated by Table 1. Where HDR staff serve in project manager staff augmentation roles, HDR will lead these activities. Where City staff serve in PM roles, HDR will support these activities through planning and design management or supplemental (non PM) staff augmentation.

### **Activity A – Support Best Value Delivery Methods Implementation**

As part of Service Orders 4 and 5, HDR facilitated the identification and evaluation of collaborative delivery methods for consideration on Program projects. During Service Order 6, HDR will continue to support the implementation of the City’s preferred delivery method (traditional or alternative) for each project. Support services associated with best value delivery implementation may include:

1. Coordination and/or support of the City’s legal department to develop an approach for method approval and subsequent use.
2. Coordination and/or support of procurement and contract document development (including RFQ, RFP, and contract) necessary for use of delivery method.
3. Development and/or review of a delivery method implementation schedule for specific project(s).
4. Coordination and/or support of SOQ review and shortlist selection.
5. Coordination and/or support of proposal review, interview, award, and contract finalization.
6. Implementation oversight of delivery method contract.

#### *Deliverables:*

1. Draft and final contract, as needed
2. Draft and final RFQ, as needed
3. Draft and final RFP, as needed

#### *Assumptions:*

1. This scope assumes implementation of Progressive Design Build delivery for the GHWTP Facility Improvements project. Project delivery for the GHWTP Concrete Tanks project, Laguna Diversion project, Newell Creek Pipeline (Felton/Graham Hill) project, and Newell Creek Pipeline (Brackney) is assumed as traditional design-bid-build with two step procurement: pre-qualification followed by low bid.
2. Use of procurement templates are assumed for RFQ, RFP, and Design Build Agreement (DBA) as provided by the Water Design Build Council.
3. Up to 5 meetings with the City’s attorneys are assumed.

### **Activity B – Select Final Design (or other) Consultants**

In accordance with the MSA, HDR may perform preliminary engineering, but will not perform final design services on Program projects. In alignment with City procurement policies and procedures, the Program’s procurement guidelines, and together with the integrated team involved with the

specific project, HDR will assist the City in selecting design (or other) consultant(s) by leading or assisting with the following, as appropriate per project:

1. Conduct a meeting with City staff to confirm the recommended process for selecting the final design consultants.
2. Prepare draft RFP(s) for retaining final design consultants for each solicitation and submit to the City for their review and approval.
3. Conduct pre-proposal meetings for each proposed final design contract. Record attendance and questions, and issue answers to questions and modifications to the selection process if appropriate in addendum format.
4. Receive final design consultant proposals in accordance with the City procedures. Review the proposals in accordance with the approved selection process. Meet with City staff to provide input and receive comments on the proposals. Summarize in writing the City's recommendations on what firms should be selected for interview. Review of up to six proposals is assumed per RFP.
5. Conduct interviews, as appropriate, with up to three shortlisted firms in accordance with the authorized selection process. Prepare written comments on the firm interviews to support the City's decision process on firm to be awarded the design consultant contract.
6. Using the City designated contract terms and conditions, negotiate the scope, level of effort, and schedule for each final design contract with the selected firm. Prepare cost analysis metrics for evaluation of levels of effort associated with various professional services contracts. Prepare independent cost of services estimates, if needed. Prepare backup materials for City Council action and other procurement requirements and document selection processes. Coordinate discussions with the City and consultant's legal counsel, if required. Prepare final contract for signature by the City and the final design consultant.

*Deliverables:*

Where HDR is PM on projects:

1. City meeting agenda and minutes to confirm final design consultant lists, selection process, schedule, and draft RFP development
2. Draft and final design RFP(s)
3. Written recommendation for selection of final design consultant
4. City Council agenda package (attachments to staff reports) for final design contracts

*Assumptions:*

1. Budget for independent cost of services estimate(s) is not included in this fee. If determined to be needed, this will be added via contract change amendment.
2. HDR will support the City in preparation of the City Council agenda package for submitting each final design contract to the City Council for their review and approval. It is assumed that HDR will not attend City Council meetings in FY 2021.
3. Level of Effort to support this activity is included in the staff augmentation FTE in Table 1.

### **Activity C – Manage Design and Planning Progress and Changes**

HDR, where augmenting City staff as project manager, will monitor the progress of the planning work, final designs, and also manage the process for making changes to those scoped efforts. Where augmenting City staff as project engineer, HDR will support the project manager. Where HDR is not augmenting staff at the project level, general support and oversight will be provided via the Design and Planning management Task 2-0. Project management tasks include:

1. As part of the project kick-off meeting with the consultants, project manager will provide information (as applicable) regarding the program or design guidelines, standard details, design review process, quality control procedures and quality assurance procedures.
2. Attend progress meetings lead by the consultants on a bi-weekly basis. These meetings will cover items such as progress to date, major issues, contract compliance, deliverables, QA/QC, and impacted agencies and utilities.
3. Lead planning and design coordination and deliverable review meetings and workshops.
4. Address questions and issues from the planning and design consultants. Interface with City staff and receive feedback when necessary. Issues and their status will be discussed at the bi-weekly team meeting.
5. Implement project specific change management, including documentation of change log items with associated analysis to support approvals for proposed changes during a project that impact cost or schedule.
6. Work with package manager, as applicable, to identify and facilitate resolution on overlaps and interfaces between adjacent projects.
7. Review the monthly project progress report and invoice submitted by the final design consultant. Provide invoice recommendations to City staff for their final action.
8. Provide the status of project activities, deliverables, and cost accruals to Program controls and Program Design and Planning Manager for reporting.
9. Participate in meetings with regulatory agencies, as needed, regarding planning or design activities and document reviews and approvals.
10. Manage preparation of permit submittal packages by final designers to meet regulatory requirements. Monitor permit submittals and coordinate modifications, as required and requested by the permit lead. Coordinate CEQA, as applicable.
11. Manage survey, geotechnical, and Right-of-Way (ROW) efforts.
12. Prepare or direct the modification of Division 0 and Division 1 specification templates.
13. Lead the implementation of construction management strategy and guidelines on the project, including constructability review during design.
14. Procure and manage technical advisors for project, as applicable.
15. Identify, together with City staff, which bid packages require contractor pre-qualification.
16. Develop, administer, and maintain contractor pre-qualification criteria and solicitation documents. Manage and coordinate the pre-qualifications process.

*Deliverables:*

1. Meeting agendas, presentations, and minutes from planning and design coordination and review meetings
2. Change log entries, as required
3. Monthly project status reports
4. Permit applications (prepared by others)

*Assumptions:*

1. The labor hours in the budget table are based on HDR's understanding of the level of effort for the listed projects as per Table 1.
2. Two (2) bid packages are assumed to require pre-qualification within this Service Order (Laguna Diversion and GHWTP Facility Improvements project)

**Activity D – Technical Review of Deliverables, Plans and Specifications**

HDR will augment City staff to support review of planning studies, design submittals, and design and constructability review of the final designs, including facility design elements, equipment vendor selection, configuration, and process control. In doing so, HDR will supplement the City's technical resources and confirm that Program design guidelines and standards are integrated. Specifically, HDR will:

1. As needed and requested by the project manager, HDR will conduct a review of project's plans and specifications at the 30%, 60%, 90% and 100% completion point. The detailed check of each design submittal will remain the design consultant's responsibility and will be completed prior to providing the submittal to the Program team for review.
2. As needed and requested by the project manager, HDR will conduct a review and comment on the cost estimate and schedule provided in the 30%, 60%, 90% and 100% submittals.
3. Provide a constructability review, likely on the 60% submittal.
4. Where HDR is project manager, HDR will document and track the action taken by designer on items noted during each review.
5. Operability reviews will be provided by the City's O&M staff. HDR, where project manager, will conduct workshops on 60%, and 90% final design consultant submittals for City O&M staff to provide comments.
6. As project manager, HDR will conduct "plan in hand" field walk and checklist with O&M lead at 60% deliverable, to verify adequacy and completeness of design documents.
7. As project manager, HDR will work with the final designer to identify long lead procurement items, and develop an approach to address those issues.

*Deliverables:*

1. Review comments at 30%, 60%, 90% and 100% final design completion, including constructability review at 60%
2. Agenda and minutes of the meetings for City O&M staff reviews at 60% and 90% final design consultant submittals

3. Spreadsheet to document and track design review comments and actions taken.

*Assumptions:*

1. Design reviews are assumed to include up to three HDR technical reviewers (i.e. electrical, mechanical, structural) to support City review on each project deliverable.

**Activity E – Conduct Project Certification Process**

The certification process is done once per project. It will be presented at the “D5—Authorization to Bid and Award” stage gate meeting. HDR’s Design Manager or designee will support the Project Manager in preparation of a Project certification containing a list of requirements necessary to bid, award, and issue Notice-to-Proceed for each construction project. Each certification will follow the template provided in the Program Management Plan, including:

1. Status of:
  - a. ROW acquisition or special requirements negotiated with property owner and accepted by the City
  - b. Utility permits and relocation agreements
  - c. Environmental permits
  - d. Design and contract documents
2. Estimated dates for bidding, award, and the notice-to-proceed
3. Log of decision meetings held, and attendees

HDR will coordinate and facilitate one project certification meeting with the City management on each project. It is assumed that the final design consultant will conduct a final walk with the ROW team. The project certification meeting may be integrated into the D5 Stage Gate meeting.

*Deliverables:*

1. Project certification sheet for each construction project
2. Project certification meetings (one per project)

**Activity F – Facilitate Bidding Process**

During the construction bidding process, the project manager will perform the services below. HDR’s level of effort associated with this scope applies to projects where HDR is the project manager (to lead these activities) and to support these activities where HDR is support staff augmentation.

1. Prepare for and participate in pre-bid or pre-proposal conferences in support of procurement.
2. Facilitate review of bids and formal recommendations of award.
3. Assist with the procurement of long-lead time and pre-purchased equipment and materials, as needed. 40 hours are allocated for support of equipment/materials procurement.
4. Coordinate the assembly of construction bid packages with designers and City staff.
5. Monitor the distribution of construction bid packages (plans and specifications) to prospective bidders.
6. Participate in pre-bid meetings and possible site visits for each of the construction packages.

7. Manage and facilitate pre-bid geotechnical condition demonstration activities.
8. Oversee the addenda development process. Up to two (2) addenda are assumed per bid package.
9. Evaluate construction bids for completeness, develop bid tabulations, and consult with the final design engineers and City staff to recommend award of each contract.
10. Develop and maintain an overall comprehensive bid tab for the Program, including unit price information, lump sum, and other bid cost data items and reference to appropriate construction cost index.
11. Work with City staff to execute construction contracts and obtain performance bonds and insurance documents.
12. Coordinate with final designers and construction contractors to confirm that they obtain required construction permits prior to proceeding with construction.

*Deliverables:*

1. Agenda and minutes from pre-bid meetings
2. Contractor pre-qualification solicitation documents
3. Bid tabulations

**Activity G – Conduct Value Engineering (VE) [None scoped for FY21].**

HDR will work with the City to implement a VE study effort for selected projects at either the 30% or 60% design level. VE may be considered for implementation on projects where cost estimates at milestone deliverables vary substantially from prior milestone estimates maintained by the Program. The goal of the VE process is to identify alternative design solutions that increase project value, reduce project lifecycle cost, or both, while maintaining essential project objectives. The steps below will be executed for VEs that are conducted within the Program:

1. Incorporate the VE into the Program and Project schedules.
2. Organize the VE team. Identify VE team members, and review with the City.
3. Preparation and Kick-off Meeting. HDR will organize and participate in a Kick-off Meeting between Project Team and the VE facilitator. The purpose of the meeting is to determine goals and objectives of the VE Study, determine what information is available for the study team, and confirm technical experts required for the study. One Kickoff Meeting up to two (2) hours attended by one HDR team member via conference call. In addition, HDR will:
  - Develop detailed master agenda for the VE Study workshop
  - Issue instructions to VE team members to guide and direct their preparations for the workshop.
4. Prepare VE Workshop package. Work with the final designer to prepare an advanced package for VE participants, and distribute.

5. Value Engineering Study. HDR will organize, participate in and facilitate the VE study(ies), in accordance with the SAVE International® Value Methodology. The objective of the VE is to verify or improve upon the proposed design and subsequent construction by reviewing the Design documents. Specific elements of focus will be determined during the kick-off meeting (Conference call). The Project Team will provide or arrange for a project overview briefing by the design team(s) to the VE team at the start of the VE. The VE Team will conduct a report-out presentation at the conclusion of the VE.
6. Draft and Final Report. The objective of this task is to prepare a draft and final report that documents the study activities and results.
7. Recommendations. Meet with City staff to discuss the VE recommendations and their impact on the project's cost and schedule. Develop recommendations on which ideas should be adopted. Summarize recommendations in a directive document to the final designer.
8. Meet with the final designer to review the directive document. If necessary, negotiate changes in scope, schedule and budget.

*Deliverables:*

1. Cost model to be used during the study
2. Workshop reports
3. Draft VE Report documenting assumptions and results (Electronic - docx)
4. Final VE Report (Electronic – pdf)
5. Directive document to final designer

*Assumptions:*

1. The number of VEs included in this Service Order budget are in accordance with Table 1.
2. A VE Workshop will last one week.
3. The VE effort will occur in the Program office with the VE team (assume on average five participants) provided by HDR, or City of Santa Cruz will provide and reserve the meeting facility.
4. Each final design consultant firm will provide needed review materials and initial briefings to the VE team.
5. The Project Team will transmit cost estimate, project schedule, current plans and project reports, including any project constraints, for the project to the VE Facilitator no later than two weeks prior to the start of the VE Study.
6. The roles and responsibilities of the VE Facilitator are to communicate scope and schedule with team members, review project data prior to study, prepare study materials for the VE team, lead/facilitate the VE team in the Value Methodology process (Job Plan) draft and final report.
7. The roles and responsibilities of the Workshop Assistant are to document activities during the workshop, assist in the preparation of the VE Report out presentation, draft report, and final report.
8. HDR will provide the following team members for the workshop that are independent from the Project Team: Team Leader, CVS®; Workshop Assistant; up to four other VE team members (TBD).
9. City of Santa Cruz will identify and invite audience participants for the VE report-out presentation.

10. HDR will deliver an electronic copy of the Draft VE Report within 10 working days after the workshop.
11. HDR will deliver an electronic copy of the Final VE Report within 10 working days after all the comments are received from the Draft VE Report.

**Activity H – Develop Cost Estimating Support [None scoped for FY21].**

HDR will provide independent construction cost estimating services, as requested, during the project design phase. An independent cost estimate is intended to provide validation of the estimate provided by the design engineer.

HDR will provide summary and detailed reports along with a written narrative basis of estimate (BOE) document. Detailed take offs will be performed. The PM will provide process mechanical equipment and specialty Sub equipment quotes as discussed.

*Deliverables:*

1. Cost Estimate and basis of estimate document.

*Assumptions:*

1. One meeting with the City to review the deliverable (by phone).
2. The City will request from the design engineer and provide vendor budget quotations for equipment.
3. A placeholder budget of 240 hours is allocated for each estimate. Budget will be refined and confirmed upon selection of project and deliverable and prior to initiating this task.
4. Reconciliation to a contractor or other's estimate is not included.

## Task 3—Program Administration

Task 3 covers the ongoing implementation of the Program structures, policies, procedures and systems that were developed initially during Program mobilization and have in many cases continued to evolve and improve. Over the course of the Program management services contract, the implementation of program administration activities (including program risk management, safety, quality, project delivery, and schedule and budget tracking) described within this section will be completed in close association with the City's Program leadership team. This task consists of the following subtasks, each over a 12-month duration:

- Task 3.1 – General Program Administration
- Task 3.2 – Risk Management
- Task 3.3 – Document Management
- Task 3.4 – Training and Workforce Development
- Task 3.5 – Safety, Health & Environmental Plan Implementation
- Task 3.6 – Quality Assurance Implementation
- Task 3.7 – Information Technology (IT) and SharePoint Administration
- Task 3.8 – Program Controls
  - Task 3.8.1 – Program Controls Management
  - Task 3.8.2 – Program Schedule
  - Task 3.8.3 – Program Cost / Estimating,
  - Task 3.8.4 – Program Change Management
- Task 3.9 – Miscellaneous Support for Water Finance / Accounting Department
- Task 3.10 – Design Drawing Review Software

### Task 3.1 – General Program Administration

HDR will complete the following general Program administration tasks:

1. Update Program workflow policies and procedures, as determined needed by the integrated City/HDR Program team, and implement following submission to and approval by City. Incorporate these updates in the Program Management Plan (PgMP).
2. Manage Program resources and make available technical, management, and support resources to meet the goals and objectives of the City. Implement staff approval policy and maintain approved staff matrix list and resume library. Revisit project and program staffing assumptions and future needs on twice annual (or more often as needed) basis.
3. Attend Water Commission, City Council, and other meetings as requested. Support preparation for presentations given at these meetings, as requested by Program Director.
4. Conduct bi-weekly Program review meetings with Program Director and monthly progress meetings with Program Executive Team.
5. Work with the Program Director to maintain the overall Program management organization chart and related roles and responsibilities.
6. Prepare an Annual Work Plan to provide the City staff with information needed for the City's annual budgeting cycle and to support council review and approval of next year's Program management service order.

7. Manage the program management contract, including preparation of monthly invoices and associated invoice activity progress reports, maintain the program management contract change log to track and document interim scope changes and subsequent contract amendments, review and update of HDR contract schedule, and development of annual work order including scope of work and associated budget.

The key Program roles supported in this task are described below. The hours associated with the *major* tasks for each role are also shown.

1. Program Manager: Overall leadership of the Program activities and Program leadership team, leads reporting to executive staff, leads the ongoing development and implementation of the Program Management Plan. (approximately 1 FTE)
  - a. Manage program resources, including:
    - i. Leading annual service order kick off
    - ii. Leading monthly project managers meeting
    - iii. Meeting regularly with HDR program core leadership to assess and respond to resource needs
    - iv. Meeting monthly with wider HDR team and individually with local core HDR team
    - v. Developing and managing hiring requisitions in response to Program needs
    - vi. Coordination of technical expertise to support the Program.
    - vii. Coordination of resource needs and availability with Program Director and other City leadership.
    - viii. Lead staff approval process
    - ix. Estimated 32 hours per month
  - b. Track project and program progress and completion: half hour per project per month (10 hours per month)
  - c. Facilitate continued development and progression of the implementation of the overall risk analysis and management strategy; (eight (8) hours per month)
  - d. Support general communication about, preparation for, and participate in stage gate meetings: Up to three (3) hours for each stage gate meeting (8 hours per month on average).
  - e. Review of Program costs, schedule, change management log, quality review reports, support development of monthly Program report: four (4) hours *each* per month (40 hours per month on average)
  - f. Identify, coordinate, and schedule trainings (up to 4 hours per month)
  - g. Review meetings with Program Director and Program Executive Team (20 hours per month)
  - h. Update Program Management policies and procedures: eight (8) hours per month
  - i. Manage Program Management contract (8 hours per month)
2. Construction Management (CM) Lead: Maintains CM strategy document; coordinates program CM activities, supports City staff where City is CM and HDR staff where HDR is CM. *CM Lead scope and level of effort is described in Task 5, CM.*
3. Program Controls Lead: Oversees Program administration activities, including risk, document management, safety, quality, administration of the Program SharePoint site, and controls, including change management. The Controls Lead has scope in several Program

Administration subtasks. Scope and effort associated with Tasks 3.2 through 3.8 is included in each respective task. The hours associated with this task (General Program Administration) are estimated at 35 hours per month (0.25 FTE):

- a. Participate in various Program meetings including, executive, leadership and PM meetings, as well as other miscellaneous meetings and workshops. (15 hours per month)
- b. Support Program Director and Program Manager as requested (8 hours per month)
- c. Participate in and provide training for various Program processes and tools. (2 hours per month, plus additional hours in Task 3.4 Training).
- d. Oversee preparation of the Program Monthly Report (8 hours per month)

*Deliverables:*

1. Draft and final Service Order scope, fee, and Annual Work Plan
2. Monthly Program Progress Report
3. Monthly invoice(s), one per service order, including summary table, invoice activity status report, earned value report.
4. Contract amendments, as applicable.
5. Staff approval requests, as applicable.
6. PgMP updates, as applicable.

### **Task 3.2 – Risk Management**

HDR will administer and manage the Risk Management Plan (RMP), and support associated activities as follows:

1. Develop, maintain, and improve processes, tools, and templates, including updating the PgMP document as appropriate
2. Review and manage Program Risk Register. Coordinate with risk item owners to support the development and implementation of mitigation activities.
3. Quarterly risk review meetings. Coordinate and facilitate the risk review meetings for the purpose of communicating progress, challenges, and successful mitigations associated with the Program risk register (and establish new risks, as applicable).
4. Facilitate risk planning discussions, including assessment and use of management reserves. Incorporate identified risks and mitigations into cost and schedule reporting.
5. Coordinate with the PMs to conduct a risk assessment workshop and perform qualitative and/or quantitative risk analysis with risk specialist for a TBD project before construction contract award.
6. Support project managers in their implementation of risk management at the project level, including progression of project risk register documentation, and associated mitigation activities.
7. Support the program director on project and program risk contingency management.

*Deliverables:*

1. Quarterly (or as needed) Program Risk Register updates
2. Quarterly Risk review meeting materials, meeting minutes
3. Draft and Final risk workshop report (one project or one Program-wide)

*Assumptions:*

1. As appropriate, one qualitative and/or quantitative risk workshop for the Program will be performed in this Service Order 6, assuming up to 110 total hours with input from the risk specialist, construction, and environmental staff.

### **Task 3.3 – Document Management**

HDR will implement the Document Management Plan, per the PgMP. Specific activities within this task include:

1. Develop, maintain, and improve processes, tools, and templates, including updating the PgMP document, as appropriate.
2. Oversee and manage the administration, maintenance and continuous improvements of the document management system, including terminology, metadata, structure and user functionality.
3. In collaboration with City staff, review, evaluate and support the development of City improvements to align City's network (Ex P: drive) and SharePoint Folder structures.
4. Develop options and facilitate decision making regarding long term storage and repository of project files.
5. Monitor placement of documents into the document management system for proper naming convention, etc. Monitor whether Program management team members are using the system, and intervene to rectify situations of inadequate use.
6. Maintain project files for reference, retrieval, and storage in electronic format. Maintain hard copies for those documents that the City deems necessary, according to the PgMP. Contractual related or contract change documents are to be finalized in hard copy.
7. Provide communication and training for Program team members on how to access and use the system, and improvements or changes that have been implemented.

*Deliverables:*

1. Document management processes and tool updates as appropriate

*Assumptions:*

1. Twenty-five (25) hours per month are assumed for document management. Depending on the actual needs to support items 1-7 above, hours may be adjusted through a future amendment.

### **Task 3.4 –Training / Workforce Development**

Continue to support the Water Department's workforce development objectives and efforts by providing direct training on project management and Program management processes to City staff

through day-to-day interactions with the Program Management team, short monthly refresher trainings, one-hour topical seminars, extended workshops, and ongoing refinement of project management tools. Update the workforce development TM in the PgMP, as required, to reflect changes and input from the Program leadership team. Coordinate and plan for training topics with Program leadership.

*Deliverables:*

1. Presentation materials for all training sessions and seminars
2. Updates to the PgMP, as appropriate

*Assumptions:*

1. Twelve (12) monthly ten minute “refresher” trainings during the PM monthly meeting at 3 hours each.
2. Four to Six (4-6) hour long trainings at 16 hours each. Assume three (3) of these are performed by core program staff and three (3) are performed by others travelling to Santa Cruz.
3. Four (4) half-day trainings at 40 hours per each for planning, execution, and trainer travel.

### **Task 3.5 – Safety, Health & Environmental Plan Implementation**

HDR will implement the Program Safety, Health, & Environmental (SHE) guidelines by performing the following:

1. Summarize and consolidate safety reports from contractors, including Occupational Safety and Health Administration (OSHA) required reporting or status, and submit with monthly safety status report.
2. For individual significant safety items, communicate with City staff by implementing the Incident Communication Plan per the PgMP.
3. Train new Program team members on SHE guideline requirements. Communicate safety status to wider team through periodic SHE guideline training refreshers
4. Coordinate with the City’s safety consultant for review of Contractor’s site-specific safety plans (when HDR is CM on a project).
5. Coordinate with the City’s safety consultant regarding information to report out through the Program.

*Deliverables:*

1. Monthly safety status summary report, as part of the Program Monthly Report.

*Assumptions:*

1. Contractor safety plan submittals for construction projects during the FY21 will be reviewed by the City’s third-party safety consultant.
2. Contractor safety data is submitted to the Program by the CM for each respective project.

### **Task 3.6 – Quality Management**

HDR will administer and manage the Quality Management Plan, per the PgMP. The primary objective of the Quality Management Plan is to assist project teams in the compliance with Program

and Project standards. As such, the management of quality covers the four general categories, below:

- **Process Quality:** Covers the implementation of the processes and procedures established for the Program.
- **Project Quality Plan:** Covers the preparation and implementation of a Project Quality Plan by each project team, primarily by the consultants preparing deliverables.
- **Business Delivery:** Covers how well each project is delivering to business metrics—cost, schedule, change and risk management.
- **Technical Delivery:** Covers the overall technical quality of the work being done, primarily associated with deliverables.

HDR's scope for this task includes:

1. Develop, maintain, and improve processes, tools, and templates, including updating the PgMP document, as appropriate.
2. On a monthly basis, perform a quality check at the Program and Project levels, identifying areas of compliance as well as areas for improvement, and report the results in the Program quality report card and the Program Monthly Report. Example areas include: monthly project reporting, risk registers, safety, and Program tools, such as project quality checklist and project quality plans. Summarize in the monthly Quality Report Card and program overview table.
3. Quality Management Reviews are performed and reported on a quarterly basis via a Report delivered to the Program Director. The report covers four general categories including: Process Quality, Project Quality Plan, Business Delivery, and Technical Delivery.
4. Review and evaluate Key Performance Indicators (KPI's) for continuing development and refinement to support Program tracking.

*Deliverables:*

1. Updates to the PgMP, and other processes and tools, as appropriate
2. Monthly quality reports, including Project Overview and Quality Report Card
3. Quarterly review reports
4. 2 KPI's developed (TBD)

### **Task 3.7 – Information Technology (IT) System and SharePoint Administration**

HDR will provide ongoing administration, maintenance, and continuous improvements to support the SharePoint site, and ensure system functionality and end-user experience.

#### **3.7.1 SharePoint Administration**

- Develop, maintain, and improve processes, tools, and templates, including updating the PgMP document, as appropriate.
- Add new users, removed old users, perform trouble-shooting, and updates to individual access and permissions.

### **3.7.2 SharePoint Maintenance, Configuration and Improvements**

- Provide on-going configuration and maintenance support throughout the year to keep SharePoint current as the Program progresses.
- Provide on-going necessary tasks during the year such as creating new lists, adding libraries and landing pages, editing metadata, etc.
- Support continuous (TBD) improvements, such as adding security groups, dashboards, workflows, etc.

#### *Deliverables:*

1. Updates to SharePoint processes and tools, as appropriate.

#### *Assumptions:*

2. 12 hours per month are assumed for the SharePoint administrator
3. 24 hours per month are allocated for SharePoint maintenance, configuration and improvements, including management oversight of 7 hours per month.

### **Task 3.8 – Program Controls**

This task includes services required to implement the Program Controls Plan, per the PgMP.

#### **Task 3.8.1 Program Controls Management**

HDR will administer and manage the Program Controls (PC) scope and team resources. PC provides support in a variety of areas including cost/estimating, schedule, change management, and reporting. HDR will:

- Oversee the development, maintenance, and improvement of processes, tools, and templates, including updating the PgMP document, as appropriate, for cost, schedule and change management.
- Manage PC staff assigned to cost, schedule and change management.
- Participate in individual PM monthly project update meetings.

#### *Assumptions:*

1. For projects in construction, it is currently assumed that PC will have minimal involvement and will primarily be a “receiver” of information regarding cost, schedule and change management. Any project specific controls support needs will be funded and managed within the CM task.

#### **Task 3.8.2 – Program Schedule**

Program and Project schedules will continue to be developed and maintained in P6, by the designated P6 scheduler. Schedules will be updated with Project Managers during recurring individual monthly project update meetings and will be posted monthly to the SharePoint site for review and use by the Program team. The following five types of schedules are anticipated for posting monthly during FY2021.

- Level 1 - Single Line schedule
  - Consolidated, high level, showing “key” WBS phase durations
- Level 2a - WBS Phases
  - Expanded to show summary bars for all WBS phase durations

- Level 2b - Major Deliverables
  - Expanded to show summary bars, milestones, WBS phases, and major deliverables
- Level 3 - Activity Detail
  - Expanded to show all detailed activities, this is the lowest level schedule
- Level 3 - 60 Day Look Ahead
  - A layout showing detailed activities that have been finished in the previous 30 days, activities in progress, and activities starting within the next 60 days.

In addition, at the request of Program team members, the P6 scheduler will support producing specific schedule reports (such as variance reports), filtered schedules, and custom layouts. HDR will perform schedule re-baselining per the PgMP and in coordination with the Program Director.

*Assumptions:*

1. This task assumes no hours for reviewing construction contractors' schedules or construction progress reporting. Where needed, effort for construction schedule review is included in Task 5: CM.

*Deliverables:*

1. Updated monthly schedules, as indicated above.
2. Updated scheduling processes, tools as part of PgMP updates, as appropriate.

**Task 3.8.3 – Program Cost / Estimating**

HDR will perform estimating, cost collection, analysis, forecasting and reporting of Program and Project costs. Specific activities include:

- Develop, maintain, and improve processes, tools, and templates, including review and updating the PgMP document, as appropriate.
- Support Project Managers in the updates of their Project Cost Estimate (PCE) throughout the project lifecycle, as defined by the PDM.
- Update the Program level estimate, which “rolls up” from project PCEs, adding program administration, contingencies and management reserves to maintain overall Program estimate totals.
- Review and evaluate Program and project estimates and budgets during each monthly update cycle and presented for review and approval by the City as part of the Program Monthly Report.
- In coordination with the City Finance team, collect actual Program costs on a monthly basis. Analyze variances and evaluate forecasts. Report cost performance thru a variety of tables, dashboards, graphs and reports with appropriate levels of detail for various audiences.
- Develop cost and cash flows from the P6 schedule and PCE documents
- Maintain the Cost Management System (CMS), an Excel based tool, which is the primary Program tool for managing costs.
- Support Program Director on the approach, development, monitoring, and use of Program and project contingencies, and management reserves.

Deliverables:

1. Monthly Cost Performance Report, (included in Program Monthly Report), Cost and Cash Flows, Program Estimate Summary.
2. Updated cost and estimating processes, tools as part of PgMP updates, as appropriate.

**Task 3.8.4 –Program Change Management**

Program Controls will administer and manage the Change Management process, according to the PgMP. The Change Management process facilitates the identification, tracking, and resolution of changes that impact project or Program cost or schedule. Specific activities include:

- Maintain and improve processes, tools, and templates related to change management, including updating the PgMP document, as appropriate. Communicate updates to the Program team in a timely manner.
- Coordinate with project managers to efficiently prepare and submit appropriate documentation of proposed changes for recommendation and approval by Program leadership.
- Administer and maintain the Program Change Log that resides on SharePoint.

Deliverables:

1. Updates to Section 2 (Change Management) of the PgMP, as appropriate.

**Task 3.9 Water Finance / Accounting Support to the Water Department**

As requested by the City, HDR will provide miscellaneous support in the areas of finance and accounting to assist the Water Department in capital planning, annual budgeting, or similar tasks. This scope is intended to reflect work that is beyond the scope of Task 3.8 which may include, but is not limited to, the following:

- Additional reporting for Program CIP and Non-Program CIP projects
- Support for development of annual budgets, additional cost/cash flows and forecasting alternatives, coordination with the City's pro forma consultant
- Support associated with project funding options

*Assumptions:*

1. An allowance of 12 hours per month is allocated for this task.

**Task 3.10 – Design Drawing Review Software**

The City Water Department is completing their implementation of Bluebeam as a collaborative design drawing review tool that enables multiple reviews edit and comment on a common document. At the completion of implementation, the Department will need to continue to provide training, enhance the use of Bluebeam and support the review work processes. This task provides additional support for the Bluebeam collaborative review processes. The anticipated work includes:

- Project support for the different projects moving forward/going into design. Staff will engage the Department subject matter expert as the first resource, but HDR will provide additional support as needed.
- Continuity in Bluebeam Training – Incorporate progressive training (short demos, required bits of training to keep staff aware and knowledgeable regarding Bluebeam Design Review throughout the City

- Project Manager Monthly Trainings – Training refreshers specific to Project Managers for creating Studio Sessions and leading Design Reviews
- Update training documentation – This will include modification of existing training materials applied after implementation and incorporation of lessons learned

*Meetings:*

1. Twelve (12), two-hour training sessions for on-going project teams
2. Twelve (12), one-hour manager workshops

*Deliverables:*

1. Updated training materials
2. Meeting agenda and presentation materials

*Assumptions:*

1. Assume four (4) projects will use Bluebeam for design drawing review during the fiscal year and will require up to 20 hours of project support
2. Assume two (2) hours a month of additional Bluebeam training for 12 months
3. Assume one (1) hour a month of project management training

## Task 4—Planning and Preliminary Engineering

In general, Task 4 covers activities critical to the planning of Program projects. This task involves planning and preliminary engineering efforts by HDR that would be performed during this Service Order. It includes the following subtasks:

### Task 4.1 – Planning Efforts

Task 4.1.1 – Water Supply Augmentation Planning and Implementation [Not used].

Task 4.1.2 – GHWTP Facility Improvement Plan

Task 4.1.3 – Infrastructure Planning Package

Task 4.1.4 – North Coast Pipeline Planning

Task 4.1.5 – Source Water Data Collection and Management [Not used].

Task 4.1.6 – Distribution System Water Quality Improvements [Not used].

Task 4.1.7 – SCADA Planning [Not used - Complete SO5].

Task 4.1.8 – Design Criteria Table [Not used - Complete SO5].

Task 4.1.9 – GHWTP Soil Delineation Survey [Not used - Complete SO5].

Task 4.1.10 – GHWTP Traffic Study [Not used - Complete SO5].

Task 4.1.11 – Felton Diversion Intake Condition Assessment [Optional, not planned for FY21]

Task 4.1.12 – Felton Diversion Pump Station Condition Assessment [Optional, not planned for FY21]

### Task 4.2 – Preliminary Engineering Efforts [Not used].

### Task 4.3 – Asset Management

Task 4.3.1 – Development of Initial Asset Management Specifications and Templates [Not used - completed in SO4]

Task 4.3.2 – Expansion of Asset Management Specifications, Tools, and Processes [Not used - completed in SO4]

Task 4.3.3 – Development of Electronic Operations and Maintenance Manual [Not used]

Task 4.3.4 – Development of Asset On-Boarding Database and Tools [Not used - completed in SO5]

Task 4.3.5 – Selection of a Computerized Maintenance Management System to Support Distribution [Not used – completed in SO5]

Task 4.3.6 – Asset On-boarding Support

Task 4.3.7 – Computerized Maintenance Management System Implementation Support

### Task 4.4 – Main Replacement Program Support

Task 4.4.1 – Data Management Support

Task 4.4.2 – Opportunity Condition Assessment [Not used – completed in SO5]

## **Task 4.1 – Planning Efforts**

### ***Task 4.1.1 – Water Supply Augmentation Planning and Implementation [Not used].***

### ***Task 4.1.2 – Graham Hill Water Treatment Plant (GHWTP) Facilities Improvement Plan***

The Facilities Improvement Plan (FIP) was completed as part of a prior service order. The work in the service order provides supplemental testing to support the refinement of design criteria, in advance of procurement of the Design-Builder.

#### ***4.1.2.12 Supplemental Jar Testing***

##### *Understanding and Approach*

Review of the following background data gives strong indication that DBP goals can be met without PAC addition:

- 2010 HDR alternatives analysis jar testing
- 2018 Trussell Technologies jar testing
- Kruger 2018 jar testing
- 2018 HDR alternatives analysis (including Kruger pilot testing)

This conclusion is based on considering the added DBP reductions from intermediate ozonation, biological filtration, and post-filter chlorination for disinfection.

Bench scale jar testing is proposed for source waters to the GHWTP to accomplish the following objectives:

- Determine the effectiveness of acid addition to reduce pH to as low as 6.0, and various alum doses for reducing levels of TOC, DOC and UV254 in the settled water.
- Determine the potential benefits of intermediate ozonation on reduction of TTHMs and HAA5 based on 7-day simulated distribution system (SDS) testing with post filter chlorination practice. The intermediate ozone testing should be performed on a range of settled water DOC concentrations to establish the needed enhanced coagulation chemical dosing to meet both distribution system and ASR well DBP objectives.
- Verify that enhanced coagulation with intermediate ozonation, biological filtration and post filter chlorination will provide compliance with DBP water quality goals without the need for PAC addition.
- As an option, perform pre-ozonation testing to determine if there is are water quality or operations cost savings benefits.

##### *Jar Testing Plan Overview*

The following assumptions pertain to the proposed jar testing plan:

- Previous jar and pilot testing showed that alum and ferric chloride achieved similar results for TOC/DOC removal with only slightly better performance in some cases with ferric. Testing with only alum will be performed due to its lower cost and due to the operating challenges associated with ferric chloride.

- Most of the jar testing will be done on Newell Creek (NC) raw water because it has the most challenging TOC to remove. A lesser number of jar tests will be done with typical raw water blend with turbidity (<10 NTU).
- Various runs of enhanced coagulation will be performed in Phase 1 to obtain settled water samples with DOC in the range 1.8 to 3.0 mg/L.
- The estimated further reduction of DBPs due to biological filtration will conservatively assumed to be 10% in addition to what is achieved by enhanced coagulation, and intermediate ozonation with post filter chlorination.
- A jar test run will be considered “passing” if the 7-day SDS test results indicate DBP levels less than 80% of the MCL when taking into account a 10% reduction in TOC from biofiltration.
- Pre-ozonation will be based on a dose of 1.0 mg/L of ozone and a contact time of 20 seconds with zero residual at the end.

## **Scope of Work**

HDR's proposed scope of work includes:

### **1. Project Management, QA/QC, Meetings and Calls**

This subtask includes the management activities associated with time, schedule, and project completion, as well as addressing project concerns. HDR will prepare invoices and progress reports on a monthly basis. Other activities include scheduling of staff, and coordinating the quality assurance effort.

HDR will institute and maintain a QA/QC program for the work performed on this project. For objectivity, senior technical staff, including Dr. Chance Lauderdale and Dr. Pete D'Adamo, will perform internal QA/QC upon completion of the contract documents before they are submitted to the City.

#### *Meetings:*

1. Kickoff meeting teleconference (1) with GHWTP staff to discuss objectives, strategies, schedule and approach, including logistics of transport of samples to the lab where the jar testing will be done.
2. Teleconference meetings (2) with City to review draft jar test protocols and receive feedback from City.
3. Workshop to review results of the Phase 1 and 2 testing and recommendations.

#### *Deliverables:*

1. Project management plan, and monthly invoices and progress reports.
2. Meeting agendas and meeting minutes

### **Phase 1 Jar Testing**

Representative samples of NC and SLR raw water (RW) will be collected either at the plant or at the River to perform bench scale jar testing using the EPA Enhanced Coagulation and Enhanced Precipitative Softening Guidance Manual as a primary reference. The turbidity, alkalinity, pH and TOC will be measured for each RW source. Jar testing will simulate conventional flocculation and sedimentation based on the knowledge that the HRC and plate settler processes mimic the performance of conventional floc/sed in regards to TOC removal. Polymer dosing will stay within

80% of max allowed MCL or NSF-60 maximum allowed dose when considering the overall plant polymer dosing.

Phase 1 of the testing will involve testing various doses of alum at pHs ranging from 6.0 to 7.0. Each of the jars will be tested for turbidity and TOC then filtered through 0.45 micron filter paper prior to testing for DOC, and UVA. The testing will be done for the following source waters:

- 100% NC
- Typical RW Blend

The desired outcome of Phase 1 testing is to:

- Establish TOC and UVA removal versus alum dose curves for various pHs.
- Calculate costs of alum only versus alum and acid/caustic needed to meet DBP goals in order to establish the optimum dosing strategy for each source water.
- Determine recommended acid, and alum doses to obtain SW samples with TOCs in the range of 1.8 to 3.0 mg/L.

The preliminary list of jar tests to be performed for Phase 1 are presented in Table 2. The time needed to complete Phase 1 testing is estimated to be 2 weeks, to allow time for the TOC testing and other laboratory analyses.

**Table 2. Preliminary Schedule of Jar Tests for Phase 1**

Test No.	Water Source	Alum Dose, mg/L	Acid Dose, mg/L	Target pH	SW Turb, NTU	SW UV254	SW TOC, mg/L	TOC % Removal
1	RW Blend	40		7.0				
2	RW Blend	40		6.5				
3	RW Blend	60		6.5				
4	RW Blend	60		6.0				
5	RW Blend	80		6.5				
6	RW Blend	80		6.0				
7	RW Blend	100		6.5				
8	RW Blend	100		6.0				
9	NC	40		7				
10	NC	40		6.0				
11	NC	60		7				
12	NC	60		6.0				
13	NC	80		6.5				
14	NC	80		6.0				
15	NC	100		6.5				
16	NC	100		6.0				

*Deliverables:*

1. Results of jar testing and establishing recommended acid, and coagulant doses to achieve settled water TOC in the range of 1.8 to 3.0 mg/L.
2. Lab notes documenting observations of the jar testing and suggested changes to the protocol, if warranted.

3. Summary draft and final TM with recommendation for Phase 2 jar testing, and predicted costs for acid, alum and caustic for full scale operation.

### **Phase 2 Jar Testing**

Phase 2 of the testing will test the impact of intermediate ozonation, and pre-ozone with intermediate ozone on the formation of TTHMs and HAA5 based on a 7-day SDS with post filter chlorination at a pH of 7.3. The testing will repeat the Phase 1 jar testing on the same source waters with alum coagulant and polymer. Jar tests will be run at various coagulant doses and adjusted feed water pHs to obtain a range of SW samples (4-6 targeted DOC scenarios for each source water/ozone dose) with DOCs ranging from 3.0 mg/L to 1.8 mg/L. The settled water will be pH adjusted to 7.3 and then ozonated with a sufficient ozone dose after initial demand to achieve a 0.5 log giardia inactivation (after 10 minutes of contact time). The ozone will be quenched with a reducing agent and the samples filtered through 0.45 micron filter paper, chlorinated, and held for 7-days (for a targeted residual of 0.5 ppm free chlorine after 7-days). The same samples will also be tested with pre-ozone/intermediate ozone; and again without ozonation and only pH adjustment, filtration and chlorination to compare results to the intermediate ozonated samples.

The desired outcome of Phase 2 testing will be:

- Establish curves of DOC versus DBP formation for ozonated and non-ozonated samples.
- Determine the reduction of DBP formation caused by ozonating and filtering the settled water.
- Determine the target settled water DOC concentration needed to meet DBP water quality goals with and without ozone and also considering the assumed DBP formation reduction biological filtration (estimated at 10%).
- Determine the recommended alum dose and pH, and ozone dose needed to meet DBP water quality goals for each of the water sources.
- Determine the needed chlorine dose for filtered water (FW) to ensure a residual is maintained during the 7-day SDS test.
- Establish the TTHM formation potential for a select number of samples.
- Provide additional data points that can be used to update the Trussell DBP formation model.
- Determine if pre-ozone/intermediate ozone will allow for a reduction in coagulant doses and provide a net cost savings compared to intermediate ozone only.

The Phase 2 testing schedule is shown in Table 3 including the jar parameters that will be tested for. For each raw water sample, the pH, alkalinity, TOC, UV254, TOC, DOC will be tested and recorded. The time needed to complete Phase 2 testing is estimated to be 5 weeks, to allow time for the 7-day SDS testing and laboratory analysis. For each water source, ozone demand and decay tests will run to establish the needed doses for 0.5 and 1.0-log giardia inactivation. SDS testing will only be performed on the samples dosed for 0.5 log giardia inactivation, based on previous tests that showed no additional DBP reduction for higher ozone doses. Current estimated doses to be used in testing are presented in Table 3. The tests shown in Table 3 will be repeated with no ozonation to allow for the effects of ozonation to be determined.

**Table 3. Preliminary Schedule of Jar Tests for Phase 2**

Test No.	Water Source	Target DOC	Target pH	Alum Dose, mg/L	Acid Dose, mg/L	Ozone Dose, mg/L	SW UV254	FW DOC, mg/L	7-day TTHM, ppb	7-day HAA5, ppb
1	RW Blend	1.8	6.5	100		0.7				
2	RW Blend	2.2	6.5	80		0.7				
3	RW Blend	2.6	6.5	60		0.7				
4	RW Blend	3.0	7	40		0.7				
5	NC	1.8	6.0	100		0.7				
6	NC	2.0	6.5	100		0.7				
7	NC	2.2	6.0	80		0.7				
8	NC	2.4	6.5	80		0.7				
9	NC	2.6	7	60		0.7				
10	NC	2.8	6.0	60		0.7				
11	NC	3.0	6.0	40		0.7				
12	NC	3.2	7.0	40		0.7				

In addition to the 7-day SDS DBP test described above. DBP formation potential tests (30-day tests) will be performed for 4 samples (2 SLR, and 2 NC).

Once the results are obtained from the outside labs, a summary TM will prepared presenting the results and providing recommendations for design of full scale pretreatment system and ozone system.

*Deliverables:*

1. Results of jar testing and establishing recommended acid, coagulant and ozone doses to achieve settled water TOC in the range of 1.8 to 3.0 mg/L.
2. Development of curve for DBP formation versus settled water TOC with an ozone dose to achieve 0.5 log Giardia inactivation, and the same curve without ozonation.
3. Lab notes documenting observations of the jar testing and suggested changes to the protocol, if warranted.
4. Summary draft and final TM with recommendation for full scale pretreatment system acid and coagulant dosing; and ozone dosing for both SLR and NC water sources.
5. Estimated cost savings from pre-ozone/intermediate ozone.

*Assumptions:*

1. The Jar Testing Plan, developed and reviewed by the City in FY20, will be used to direct this testing effort
2. The following equipment and services will be provided by the City of Santa Cruz:
  - Collection of raw water samples.
  - Transport of samples to laboratory
3. The temperatures at which the tests will be run will be determined during preparation of the protocols.

4. The ozone quenching agent type and dose will be determined during preparation of the protocols.
5. Samples of polymer for the testing will be provided by the City.
6. The THM formation potential tests will be 30 Day SDS tests, using the targeted 7-day residual (0.5 ppm Cl<sub>2</sub> after 7-days).
7. TTHM and HAA5 samples, from the intermediate ozone testing, sent to outside labs for analyses will be paid for by the City. Preparation and shipping of these samples will be by HDR. The estimated number of external lab tests are shown in Table 4; external lab costs are included in the fee table.
8. Agendas and meeting prep materials will be distributed one week in advance of meeting dates, and meeting minutes will be distributed shortly afterward (in less than 2 days).

**Table 4. Estimated Number of Samples to be Sent to External Lab**

Test Parameter	Number of Samples	
	Phase 1	Phase 2
UV <sub>254</sub>	18	38
TOC	33	64
TTHM	0	42
HAA5	0	42

**Task 4.1.3 – Infrastructure Planning Package**

The Infrastructure Planning Package was completed as part of Service Order 4. *There is no further effort anticipated for this task in FY21.*

Task 4.1.3.1 Newell Creek Pipeline Improvements [Not used – completed in SO 5].

Task 4.1.3.2 Felton Diversion Pump Station Assessment [Not used – completed in SO 5].

Task 4.1.3.3 ASR and In-Lieu Infrastructure Improvements Identification for the Mid-County Basin [Scope transferred from SO4 to SO6].

During the WSAC process, conceptual In-lieu and ASR projects were identified for the purpose of analyzing their feasibility at providing additional water supplies. These projects continue to be further developed through study and pilot testing. This task will define the new infrastructure improvements required to support the Mid-County Basin ASR and In-Lieu projects.

HDR will meet with the City to kick-off the ASR and In-Lieu Infrastructure discussion related to the Mid-County Basin. The goal of the kickoff meeting is to:

- Understand the data being collected during pilot testing and modeling by others, along with the schedule for delivering the data
- Define assumptions for minimum and maximum flow rates
- Discuss the seasonal timing and the City’s preferences on operation
- Identify potential options for ASR and In-Lieu delivery and supply locations

Discussed improvements will be updated in the hydraulic model by HDR to evaluate infrastructure requirements to integrate the operations into the City’s water system. HDR will use the minimum and maximum flow rates determined by the groundwater modeling (by others) for implementation into the model. Additionally, other required improvements and impacts to the raw water and distribution system will be identified. It’s anticipated that additional and/or upsized piping and/or pump stations

may be required. Additionally, upgrades or modifications to existing infrastructure may be needed. HDR will complete a desktop analysis to summarize the modifications required based on the flow rates, operational set points, and ASR delivery and supply locations determined with the City.

HDR will summarize the information collected and developed as part of this task in a TM. The TM will document the potential alternatives and improvements needed to implement ASR alternatives. A meeting will be held with City staff to review the TM.

*Meetings:*

1. Kick-off and operational data gathering meeting
2. TM review meeting

*Deliverables:*

1. Mid-County ASR and In-Lieu Infrastructure Improvements TM

*Assumptions:*

1. HDR will complete the hydraulic modeling for this task.

**Task 4.1.4 – North Coast Pipeline Planning**

The proposed Santa Cruz North Coast Pipeline System (NCS) Repair Project includes recommendations on the replacement and repair of the 16-mile raw water pipeline. In FY 2020, studies were conducted to address the repair of water diversion facilities that divert water to various pipelines in the proposed NCS. This proposed scope of work focuses on the pipeline and only considers the diversions as they apply to the pipeline.

The proposed Project(s) would be implemented over a 6-8- year period. It is understood that the proposed Project(s) would not require substantial changes in operations and maintenance (O&M) from current O&M procedures.

The pipeline replacement work would include replacement of the pipelines in their current alignments or, in a couple locations, construction in new alternative alignments. Due to the size of the NCS and funding limitations, work on each of the five pipeline reaches (Laguna, Laguna/Liddell, Liddell, Majors, and NCP) would likely occur independently of each other and could include a mix of existing and new alignments.

Alternatives under consideration include pipeline routing that may require a change from the present gravity-flow system to a pumped/pressurized system for Majors reach. These pumps would not result in additional system capacity, but rather would be used to lift water from the diversion up and over the steep ridge top areas. However, supplying power to these areas is challenging and will need to be considered in the evaluation.

The goal of the project is to provide recommendations that maximize the reliability of the diversions and pipelines so they continue to provide water to the City, and minimize the O&M requirements. The recommendations should be contained within a single document that would contain all relevant project information (both new findings and relevant previous findings) and be suitable for stakeholder communication and potential funding applications.

The primary tasks for the pipelines are to identify feasible alignments to protect the pipelines, a permitting and right of way strategy, assess performance data from O&M, and prioritize segments for

phased design/construction. In addition, a hydraulic analysis will be completed to analyze the effects of the potential realignment for Majors pipeline to confirm the replacement sizing.

The City would like to authorize this task using a phased approach where the planning team would initially begin with a desktop analysis of the existing information to determine data gaps, current applicability, and relevance to future projects prior to authorizing the additional proposed tasks. This initial data review would inform the approach to the remaining tasks and the level of effort needed for each. The effort and hours proposed are assumed appropriate at this time and will be reviewed with the City Project Manager prior to authorizing each task to determine if any scope and associated hours may be revised.

Task 4.1.4.1 – Project Management and Meetings

Project management is a continuous task throughout the project duration. Project administration includes formal monthly reporting summarizing project budget and schedule, informal weekly project updates, quality assurance and quality control (QA/QC) for major deliverables, and staff scheduling. Coordination meetings are also included as part of the project management task. A kick-off meeting, and coordination meetings will be led by HDR.

Task 4.1.4.2 A– Data Collection and Review (Desktop)

This task includes the review of existing data such as the condition assessment and EIR documents. Data to be reviewed for data gaps, current applicability, and relevance to future projects include the following:

- North Coast System Rehabilitation Project: Preliminary Engineering Report. 2003
- TM 5: Updated Hydraulic Analysis. July 2010
- Alternative Water Supply Study. November 2000
- Water Demand Modeling and Analysis. February 2010
- Agreement and Permanent Easement (2015)
- North Coast Rehabilitation Project: Laguna and Majors Creeks Diversion Facilities. November 2002.
- Program Environmental Impact Report: North Coast System Repair and Replacement Project. 2005.
- Previously developed SWMM model. (Assumed 2010).
- Available AutoCAD files.

*Meetings:*

1. Kickoff meeting and data review

*Deliverables:*

1. A letter TM will be delivered to the City's Project Manager to relay the planning team's findings.

*Assumptions:*

1. The findings of this effort will inform the need for the additional efforts.

Task 4.1.4.2 (B and C)– Data Collection and Review (Site Visit and Follow Up Review) (Optional)

This task includes additional data collection of information not currently available in previously prepared documents and also includes visiting the site and meeting with O&M staff to gather pipeline O&M data (e.g., leak history, and repair areas.)

One of the key data sources to understand is the pipeline performance and leak history. HDR will meet with the pipeline O&M staff and collect repair/leak history data to help understand which segment of pipeline are the most prone to failure, what areas present the most difficulty for repair, and performance issues associated with segments. This information will be used to develop a performance and repair assessment which will categorize pipeline reaches and will provide input into the prioritization process.

The quantity of supply from each diversion location will be documented and also used in the prioritization.

The planning team will visit the site to assess current site conditions, update elevation information and create profiles of the alignments, and take photographs of the existing conditions. Existing condition assessment information and previous environmental documentation will be reviewed in advance. The site visit will consider the previous findings/recommendations and expand on those to support the development of options and phasing for each alignment. Additional considerations which may need to be included in the system rehabilitation project will also be included.

*Meetings:*

1. O&M pipeline performance and leak history virtual workshop
2. Site visits. Seven (7) HDR team members anticipated to participate.
  - a. Project Manager. 3 days, 1 person
  - b. Profile Updates. 3 days, 1 person
  - c. Engineering review. 3 days, 1 person
  - d. Environmental review. 3 days, 1 person
  - e. Geotechnical review. 1 day, 1 person
  - f. Electrical and I&C review. 1 day, 1 person
  - g. Right-of-Way review. 1 day, 1 person

*Deliverables:*

1. Information gathered in this task will be included in the Improvements Phasing Plan

*Assumptions:*

1. This effort will focus on adding performance history data for the evaluation.

*Task 4.1.4.3 – Preliminary Prioritization of Pipeline Risk (Optional)*

This task includes an analysis and ranking of pipeline segments based on the following criteria.

1. Permitting of pipeline reaches to minimize permitting effort and maximize replacement efficiency.
2. Right of Way needs and acquisition to minimize these efforts
3. Supply quantity provided by each pipeline reach
4. Pipeline failure risk and leak/repair history
5. Project construction methods

*Meetings:*

1. Three (3) meetings with City staff to review the pipeline prioritization

*Deliverables:*

2. Information gathered in this task will be included in the Improvements Phasing Plan

*Assumptions:*

1. Pipeline prioritization will be based on the factors listed in the scope for this task in order of priority. No additional analysis will be conducted.
2. A geotechnical engineer will be consulted to evaluate through a site visit and desktop only.
3. No samples or borings will be prepared.

Task 4.1.4.4 – Permitting Analysis (Optional)

This task includes identification of the required permits for the project as well as a right-of-way assessment. Will include coordination with Environmental efforts.

1. Identify right of way/easement requirements (permanent and construction)
2. Evaluate environmental efforts needed and determine if the existing programmatic EIR is still relevant.
3. Permitting plan to minimize permit time and effort (i.e. combine permitting efforts for same jurisdiction such as state parks). This work will be coordinated with HCPs and EIR efforts.
4. Disposal plan for existing pipe, including inventory of hazardous pipeline segments (above ground) and hazardous waste mitigation plan.

*Meetings:*

2. Five (5) meetings with City staff to coordinate permitting and easements approach

*Deliverables:*

1. Information gathered in this task will be included in the Improvements Phasing Plan

*Assumptions:*

1. The City will provide requirements for easement requirements (i.e. size, type, etc.)
2. Permitting approach will be based on previous permitting experience with the City on previous North Coast projects.

Task 4.1.4.5 – North Coast Diversions (Optional)

This task includes review of the analysis and findings from others. It is assumed that this will be informational only and that no significant changes will be made to the pipeline options following this review. If significant changes are required, an addition review of the options will be required.

1. Incorporate findings from diversion project (outside consultant) into permitting and phasing plans for pipeline
2. Coordination of power requirements with potential pipeline pump stations

Task 4.1.4.6 – Alignment and Pipe Sizing Analysis (Optional)

The Majors pipeline alignment will be assessed to confirm the optimum approach to the realigned portion of this segment, and evaluation of pipe sizing for all segments considering existing and potential future flow rates.

Options for the Majors pipeline alignment will be evaluated with the City to confirm the design approach for the realigned section. The existing hydraulic model will be used to determine flow rates available with gravity only, and potential pumping option. An electrical/instrumentation engineer will be consulted regarding preliminary E&IC requirements. The hydraulic model will be updated to include any system improvements implemented since the previous model update.

Pipe sizing in the remainder of the project will be evaluated based on anticipated flow rates from each diversion. HDR will utilize the flow rates from each diversion determined as part of the System Criteria Memo development (HDR 2019). Using these assumptions, the existing model will be used to determine pipe capacity and velocities for existing and minimum pipe sizes. Unit costs will be used to compare the cost savings that could be gained with minimum pipe sizes.

*Meetings:*

1. Options development meeting with City
2. Two (2) meetings to review results of alignment options and pipe sizing

*Deliverables:*

1. Information gathered in this task will be included in the Improvements Phasing Plan

*Assumptions:*

1. The existing hydraulic model will be provided by City staff.
2. City operations and engineering staff will participate in the development of alignment options.
3. Hydraulic model analysis will be limited to five alternative alignment model scenarios.
4. The City will make the final determination of flows to be used for the pipe sizing analysis.

*Task 4.1.4.7 – Improvement Phasing Plan (Optional)*

This task will include a sequencing and phasing plan for installation/repair/replacement of the new pipeline and any recommended alternatives.

1. Define remaining phases and priority
2. Validate or provide alternative recommendations for previously proposed alternative construction methods in environmentally/culturally sensitive areas.
3. Provide planning level costs of new improvements and/or updated costs from previous planning efforts, as appropriate.
4. Develop sequencing plan for pipeline replacement
5. Prepare supply outage planning during replacement
6. Pipeline sizing confirmation
7. Majors alignment confirmation
8. Provide construction delivery options and recommendations
9. Develop list of long-lead activities to be initiated prior to project design.
10. Provide pipeline phasing report

*Meetings:*

1. Two (2) Phasing Plan review meetings

*Deliverables:*

1. Draft and Final Improvements Phasing Plan

*Assumptions:*

1. One set of consolidated City comments will be addressed in the draft plan.

**Task 4.1.5 – Source Water Data Collection and Management [Not used at this time].**

**Task 4.1.6 – Distribution System Water Quality Improvements [Not used at this time].**

No scope for this task is included in this Service Order at this time. An amendment to this service order will be issued upon clear vision of the next steps for the Distribution System Water Quality effort, based on the results of the planning study completed as part of Service Order 5 and subsequent discussions with City staff.

**Task 4.1.7 – SCADA Planning [complete in SO5]**

**Task 4.1.8 – Design Criteria Table [complete in SO5]**

**Task 4.1.9 – GHWTP Soil Delineation Survey [complete in SO5]**

**Task 4.1.10 – GHWTP Traffic Analysis [complete in SO5]**

**Task 4.1.11 – Felton Diversion Intake Condition Assessment [Optional, not planned for FY21.]**

Perform a reconnaissance of the existing intake screens and fishway at the Felton Diversion facility. Observe, note site conditions, and gain a perspective to help understand project issues. Determine potential site conditions that may impact or constrain corrective modification alternatives. Visually inspect and document the condition of the facility.

Task 4.1.11.1 – Project Management & Coordination

1. Monthly coordination of project team, including team meetings.
2. Project setup.

Task 4.1.11.2 – Field Investigation and TM

1. Perform a review of existing project design and record (as-builts) documents.
2. Conduct a site visit, take photographs and observe the hydraulic infrastructure.
3. Review site conditions in preparation for detailed inspection. Observe the site constraints and identify initial improvement options for the various facility issues.
4. Conduct Interviews: Interview operations and maintenance personnel to understand intake and fishway operations and potential deficiencies.
5. Perform a visual condition assessment of the intake, fishway and associated structures by an engineer who specializes in river intakes and fishways.
6. Prepare an Intake and Fishway Condition Technical Memo (TM): HDR will prepare a technical memo to document the inspection. The TM will be submitted as a stand-alone document. The technical memo will include identification of the site with sections for the inspection plan, findings and results of condition assessments, and findings identifying potential concerns with respect to being in regulatory compliance.

Task 4.1.11.3 – Design Services Solicitation Preparation

1. Prepare Design Services solicitation package that include the following:
  - a. Minimum design criteria including minimum diversion flow rates, minimum in-stream flow rate,
  - b. Agency Fish Screen and Bypass Facilities Criteria, and
  - c. Diversion water quality objectives.

- d. Prepare site sketches and existing record drawings.

*City Responsibilities:*

1. Provide documentation for existing facilities including record drawings, inspection reports, and historical surveys/maps,
2. Confirm water rights,
3. Define Ordinary High-Water Levels,
4. Provide minimum in-stream flow requirements,
5. Provide access to the Felton Diversion facility,
6. Provide operations representative to answer questions about the facility operations, and
7. Review and comment on the reconnaissance field report.

*Deliverables:*

1. Reconnaissance Field Memorandum (emailed PDF file).
2. Design Services Solicitation Package.

*Assumptions:*

1. HDR will have one engineer civil engineer who specializes in river intakes and fishways perform the intake field investigations.
2. HDR will perform visual assessments as part of this site reconnaissance activity. No material testing will be performed or required.

***Task 4.1.12 – Felton Diversion Pump Station Condition Assessment [Optional, not planned for FY21.]***

Perform a condition assessment of the existing pump station at the Felton Diversion facility to determine necessary improvements.

*Task 4.1.12.1 – Project Management & Coordination*

1. Monthly coordination of project team, including team meetings.
2. Project setup.

*Task 4.1.12.2 – Field Investigation and TM*

1. Review existing project documents.
1. Conduct visual inspection of the following; document inspection with photo log.
  - a. Structure for signs of failure or distress due to corrosion, mechanical, or structural damage.
  - b. Structure and coatings to evaluate the degree of corrosion; note corrosion patterns.
  - c. Condition of ladders, handrails, and grating.
  - d. Condition of above ground piping and valves.
  - e. Condition of electrical and control equipment.
4. Seismic evaluation assessment
  - a. Review construction timeframes and determine deviation from current code requirements.

- b. Conduct visual inspections of diversion structure and control building to identify structural deficiencies or concerns.
5. Prepare summary Condition Assessment TM: HDR will prepare a technical memo to document the inspection. The TM will be submitted as a stand-alone document. The technical memo will include identification of the site with sections for the inspection plan, findings and results of condition assessments, and findings identifying potential concerns with respect to being in regulatory compliance.

*City Responsibilities:*

1. Provide documentation for existing facilities including record drawings, inspection reports, and historical surveys/maps,
2. Provide access to the Felton Diversion facility,
3. Provide operations representative to answer questions about the facility operations, and
4. Review and comment on the reconnaissance field report.

*Deliverables:*

1. Draft and Final Condition Assessment TM.

*Assumptions:*

1. Scope shown is for a non-destructive assessment. If warranted, HDR can perform actual concrete testing as an additional service.

**Task 4.2 – Preliminary Engineering Efforts [None scoped for FY21].**

**Task 4.3 – Asset Management**

Task 4.3.1 was completed under Service Order 4.  
Task 4.3.2 was completed under Service Order 4.  
Task 4.3.3 has been determined not to be needed at this time.  
Task 4.3.4 was completed under Service Order 5.  
Task 4.3.5 was completed under Service Order 5.

***Task 4.3.6 – Asset On-boarding Support***

Under previous service orders, HDR has developed tools, processes, and database to collect, review and assimilate asset information generated during design and construction of capital projects. These tools and processes have been put into place and are ready to be used for capital projects that will be designed or constructed during fiscal year 2021. This task provides support to implement asset onboarding for these capital projects as well as additional services to help the Department improve the use of their data management systems to support asset management. The effort for this task is based on:

- Allocating a budget for five (5) capital projects that will be designed or constructed during the fiscal year (up to 20 hours for each project)
- Budget to provide data management services to update the current data in the AMMS to be consistent with the data being collected during the new capital projects, including updating asset ID numbers in the AMMS

- Budget to develop a plan to enter missing asset data into AMMS for existing facility assets

*Meetings:*

1. Up to two (2) meetings with each project team for training and project coordination (total of ten (10) meetings for five (5) projects)
2. Two (2) meetings to determine approach to update existing asset data in the AMMS (i.e., asset IDs)
3. Two (2) meetings to develop a data management plan to update existing asset data into AMMS

*Deliverables:*

1. Training materials for asset on-boarding for each project
2. Draft and final Data Management Plan to update asset information in AMMS

*Assumptions:*

1. Each project will be responsible for developing the initial managed asset list during project design.
2. Contractors will be responsible for providing construction-phase asset data in the defined format during project construction.
3. There will be five (5) projects that are in design or construction during fiscal year 2021.

***Task 4.3.7 – Computerized Maintenance Management System Implementation Support***

The Department is in the process of selecting a new computerized maintenance management system (CMMS) and should have a vendor and software selected in the beginning of fiscal year 2021. The vendor will provide implementation services that cover specific activities for software installation and training, however there are additional activities that need to be performed in order to have a successful implementation (e.g. project management, data management and workflow design, data loading, system testing). This task describes these additional services, which are described in the following proposal.

This task describes a general approach to implementation based on standard implementation tasks and similar services for other utilities who have implemented a new CMMS. The task details may change to conform with a more specific plan once a vendor is selected. This proposal is based on the following assumptions:

- HDR will assist the Department in managing the overall implementation with the vendor
- The vendor will contract directly with the Department for their services and software

***Task 4.3.7.1 – CMMS Implementation Management***

This subtask includes the management activities needed to keep the implementation on schedule and on track. HDR will develop a project management plan coordinated with the vendor's schedule, and prepare invoices and work with Department staff to coordinate activities a monthly basis, including coordination with the CMMS vendor, assistance in planning and scheduling on-site meetings, and coordinating the quality assurance effort. HDR will work with the vendor to set up and conduct a project kick-off meeting. This meeting will bring key project participants and stakeholders together to introduce the project team members, review the scope, schedule and deliverables, discuss the critical success factors, and address questions, comments, or concerns that Department

staff may have. During this meeting additional on-site workshops will be scheduled.

*Meetings:*

1. Project Kickoff Meeting (2 hrs)

*Deliverables:*

1. Project management plan
2. Monthly status reports
3. Monthly invoices
4. Action item and decision log updates

*Assumptions:*

1. Two-hour kick-off meeting, to be attended by up to two HDR team members.

*Task 4.3.7.2 – CMMS Implementation Planning*

HDR will work with Department staff to develop a CMMS Design Specification document to be used throughout configuration and implementation. The Design Specification will establish a set of software-independent standards that the Department will use to guide the configuration of the selected system and inform the use of the system to best support their distribution system maintenance processes. The Design Specification will provide standards for CMMS data management, staff roles and responsibilities, formalize work practices that enable the Department to get the most effective use of the CMMS, and governance that will help the Department sustainably get the most out of the CMMS in the future.

*Meetings:*

1. Design specifications workshops (eight (8) half-day workshops)

*Deliverables:*

1. Draft and final Design Specification Technical Memorandum

*Assumptions:*

1. Workshops will be held with HDR and Department staff only

*Task 4.3.7.3 – CMMS Implementation Design*

Under this task, HDR will support the design process that the vendor will lead in order to define how the new system must be configured. HDR will participate in the onsite workshops conducted by the vendor and will assist the Department and the vendor in making workflow and system design decisions based on the Design Specifications (from task 4.3.7.2) and provide guidance for best practices and industry standards to help the Department leverage the CMMS capabilities to best meet their needs.

HDR will also configure and load the Department's data into the new system. HDR will work with the Department and the vendor to develop the data sets necessary for maintenance management. The data will be leveraged from the existing Maintenance Connection and Department GIS systems and will include assets, City staff and contractors, tasks, work order, parts, and preventive maintenance schedules. It is assumed that the vendor software will support batch loading of these data sets and will provide formats and specifications to be used. Files will be created using Microsoft Excel or a similar tool and the vendor will have standard importing tools to properly load the data. The results

will be reviewed by the Department to verify accuracy and completeness. Errors identified through review will be addressed and re-uploaded into the system if necessary. No hand entry is anticipated during this effort.

*Meetings:*

1. Design and workflow workshops (eight (8) half-day workshops)

*Deliverables:*

1. Data loading files
2. Data successfully loaded into the vendor system
3. Meeting notes from vendor-led design and workflow workshops

*Assumptions:*

1. Assume four (4) full-day vendor workshops
2. Data will be developed from existing information in Maintenance Connection or GIS
3. Hand entry of data into spreadsheets is expected to be very minor
4. Data loading will be completed using vendor-supplied data import tools
5. Data loading files will be created in Microsoft Excel
6. Data formats will be provided by the vendor
7. Vendor will document design based on workshop results

Task 4.3.7.4 – CMMS Configuration

During this task, the vendor will configure the system. HDR will assist the vendor with the configuration based on the templates defined, workflows, and data requirements established during the on-site workshops. The vendor will be responsible for all of the configuration of the software, including any reconfiguration of the GIS in order to support GIS/CMMS integration.

HDR will also update the CMMS Design Guide based on the new CMMS configuration, processes and workflows, as well as reports and KPIs. These updates are important to keep the living document up to date and specific to the vendor software. HDR will provide a draft version of the updated Design Guide for the Department to review. Department comments will be addressed and incorporated into the final version of the updated Design Guide.

*Meetings:*

1. None anticipated

*Deliverables:*

1. Draft and final updated Design Guide

*Assumptions:*

1. Vendor will perform system configuration, including any needed GIS configuration

Task 4.3.7.5 – CMMS Testing

Once the system is configured by the vendor, HDR will conduct a coordinated test with Department staff to verify that the system is configured as intended. Each of the screens, reports and functions will be evaluated against the Design Specification and initial workshop notes. Issues or gaps will be documented and provided to the vendor for resolution. It is anticipated that this test will be conducted by both HDR and representative Department staff in order to fully verify functionality and the completeness of the configuration.

*Meetings:*

1. Testing planning meeting
2. Review testing results meeting

*Deliverables:*

1. System testing results

*Assumptions:*

1. Testing will take approximately two days

Task 4.3.7.6 – CMMS Training

HDR will participate in vendor-led End-User and Administrator training sessions and then develop standard operating procedures (SOPs), specific to the Department, for the common processes. These SOPs will be specific to the Department and will provide standardized steps that staff can follow in order to fully utilize the system to support their operations and maintenance work practices. These procedures will cover the most common data management functions of the system including:

- Adding/updating asset records
- Creating new preventive maintenance procedures and schedules
- Assigning and scheduling work
- Creating and completing work orders
- Creating task lists and procedures

A draft copy of the SOPs will be provided to the Department for review and comment. These comments will be addressed and the final version of the SOPs will be submitted to the Department.

Once the SOPs have been completed, HDR will provide work-process specific training to assist the Department in optimizing the use of the system to support various Department functions such as main break response, meter change outs, and customer service.

*Meetings:*

1. Vendor-led training sessions
2. Review draft SOPs
3. Work process training

*Deliverables:*

1. Draft and final SOPs
2. Work process documentation

*Assumptions:*

1. HDR will participate in the Vendor-led training activities
2. Up to three (3) days of work process training are anticipated

Task 4.3.7.7 – CMMS Post-implementation Support

Once the system has been configured and Department is fully trained on its use, it will be ready to be used by staff. HDR will facilitate this implementation in coordination with the Department and the vendor. HDR will provide on-site support during the implementation to assist the Department as

needed. During the rollout, HDR will help Department staff perform the new work processes and SOPs and help troubleshoot any issues or problems that may come up.

Once the rollout has been completed, HDR will provide post-implementation support. This includes conducting up to 12 weekly change management meetings following the software's "go-live" date. The goal of these meetings is to discuss issues and topics uncovered by Department staff after implementation, prioritize any changes requested by the Department, and facilitate problem resolution. It is anticipated that these meetings may initially occur frequently (e.g. weekly) and become less frequently needed over time, but should still be scheduled once a quarter. Over time, the Department will take over scheduling and running these meetings so that they can continue to manage and improve the use of the system themselves.

*Meetings:*

1. Go-live planning meeting (2 hrs)
2. Twelve (12) change management meetings

*Deliverables:*

1. Go-live planning
2. Post-implementation support
3. Change management meeting agendas and notes

*Assumptions:*

1. System configuration changes identified during the go-live process will be addressed by the vendor

#### **Task 4.4 – Main Replacement Program Support**

Under previous service orders, the Department established a fully functioning main replacement risk model and investment planning tool, instituted based on the City's water main break history. The City's long-term replacement forecasting plan includes a defined process (the opportunity condition assessment) to update the supporting main break and risk data.

##### ***Task 4.4.1 - Data Management Support***

Under this task, HDR will provide ongoing support for the main replacement program. HDR will assist the Department to update and expand the use of the model to define a long-term replacement policy for main replacement including assisting with the following activities:

- Support to help Department staff learn to update the risk model with new break data
- Provide assistance in interpreting any asbestos sampling results and how to apply them to annual main replacement plans
- Assist the Department to implement improvements in the model and to develop new scenario forecasts

*Meetings:*

1. Two (2) meetings to discuss model improvements and new long-term scenario development
2. One (1) meeting to discuss asbestos sampling results and application to capital plans
3. Two (2) meetings to develop and analyze additional investment scenarios

*Deliverables:*

1. Updated model incorporating new leak data and asbestos sampling results
2. Analysis and interpretation of asbestos and metallic pipe sampling
3. Additional investment modeling results

*Assumptions:*

1. 2 meetings attended by 2 HDR staff for updating risk model, leak database and GIS
2. 1 meeting attended by 2 HDR staff to discuss asbestos sampling results
3. 2 meetings attended by 2 HDR staff to discuss additional investment scenarios
4. An average of 5 hours per month of support for risk model improvements are budgeted over the fiscal year
5. An average of 3 hours per month of support for sampling analysis are budgeted over the fiscal year
6. An average of 1.5 hours per month of support for investment modeling are budgeted over the fiscal year.

## Task 5—Construction Management

Construction Management (CM) for the Program projects is implemented in accordance with the CM Strategy and CM Guidelines documents that were developed during mobilization and are included in the PgMP. CM may be performed by the City, HDR, an integrated City-HDR team, or in certain circumstances, by a 3<sup>rd</sup> party firm. HDR will implement CM services for the following project subtasks for this service order:

- Task 5 – 0.0 General Construction Management Oversight
- Task 5 – 1.1 Laguna Creek Diversion Retrofit [*Optional, not included in Service Order fee. To be added via future amendment.*]
- Task 5 – 2.3 Coast Pump Station 20-inch Raw Water Pipeline Replacement
- Task 5 – 4.2 Graham Hill WTP Flocculator Rehab/ Replacement
- Task 5 – 4.3 Graham Hill WTP Concrete Tanks Project

Each project subtask includes performing construction management services that align with the phase(s) of project construction during FY2021. Table 2 summarizes the types of services for each task that are planned for Service Order 6. A detailed description of each type of service follows.

**Table 2. Construction Management Key Activities Duration by Project Task**

No.	Project	Construction Duration in FY 2021	Pre-Construction Services	Construction Phase Services	Facility Testing and Commissioning	Project Closeout & Transfer of Operations
1.1	Laguna Creek Diversion Retrofit <sup>(1)</sup>	3 months	1 month	2 months	not in FY21	not in FY21
2.3	Coast Pump Station 20-inch Raw Water Pipeline Replacement <sup>(2)</sup>	6 months	Not in FY21	5 months	included in construction phase	1 month
4.2	Graham Hill WTP Flocculator Rehab/ Replacement <sup>(3)</sup>	6 months	Not in FY21	5 months	included in construction phase	1 month
4.3	Graham Hill WTP Concrete Tanks Project <sup>(4)</sup>	9 months	3 months	6 months	not in FY21	not in FY21

Notes:

1. HDR led team with full time HDR combined resident engineer (RE)/Inspector. *Note: This project is scoped with an optional team configuration. It is not included in SO6 fee and is planned to be added via amendment upon finalization of team.*
2. City led team with part time City staff RE, part time HDR lead inspector, and HDR specialty inspector.
3. HDR led team with part time HDR RE and part time City staff inspector.
4. HDR led team with full time HDR RE, office engineer (OE), part time HDR scheduler, and part time HDR and subcontractor inspectors.

### Task 5-0. General Construction Management

The CM lead or designee will provide oversight of construction management planning and implementation for the Program. Typical tasks will include:

1. Coordinate planning for CM services with project PMs and Program Director.
2. Lead staffing for CM team, whether HDR or integrated City/HDR teams.

3. Develop project specific CM services budgets
4. Oversee CM services across Program for consistency and adherence to CM Strategy and CM Guidelines to facilitate accomplishment of Project goals, including timely reporting and communication with the City of Santa Cruz on key issues.
5. Develop monthly CM Report, for inclusion in Program Monthly Report, to provide status on each project in the construction phase, including those, such as Newell Creek Dam Inlet/Outlet with a third-party CM.
6. Coordinate technical support resources, as required, for the construction phase such as cost estimating. Provide cost estimating support during the construction phase, either “in house” or from third-party party consultant.
7. Champion the use of the Program’s CM information system software (Projectwise CM) for all projects, wherever possible. Coordinate technical support and training supplements to enhance use by CMs and optimize capability of the system.

### **Task 5 - 1.1, Task 5 - 2.3, Task 5 - 4.2, and Task 5 - 4.3. Key Scope Activities**

This section describes each of the key activities that may occur during FY2021 for a specific project subtask, as indicated by the construction phases in Table 2. This section is organized as follows:

#### Activity 1 – Project Specific Construction Management Activities

- 1.1 Project Management and Construction Management Plan
- 1.2 Communications
- 1.3 Document Control and internet-Based Communication System (Projectwise CM)
- 1.4 Contract Compliance Verification
- 1.5 Progress and Coordination Meetings
- 1.6 Schedule Monitoring
- 1.7 Change Management
- 1.8 Contractor Invoices and Payment Recommendations
- 1.9 Quality Assurance / Quality Control
- 1.10 Submittal Process
- 1.11 Request for Information (RFI) Process
- 1.12 Record Documents

#### Activity 2 – Inspections, Special and Specialty Inspections

- 2.1 Inspections
- 2.1 Specialty Inspections

#### Activity 3 - Division 1 and Special Provisions Compliance

#### Activity 4 - Safety Management

#### Activity 5 - Training, Testing, Start-Up, and Commissioning

- 5.1 Operators Training
- 5.2 Testing, Start-Up, and Commissioning

#### Activity 6 - Acceptance and Close-Out

Activity 7 - Labor Compliance (Task 5-4.3 Only)

**Activity 1. Project Specific Construction Management Activities**

PgM will administer the construction contract in accordance with the requirements as stated in HDR's agreement with City of Santa Cruz. HDR will maintain Project records and finalize during Project close-out. The Construction Manager will coordinate the activities of the Project participants including the City of Santa Cruz management and operations staff, designer, and the construction contractor. The Construction Manager will balance the objectives of stakeholders to achieve completion of construction, startup and commissioning while managing the Project risks including cost, schedule, quality and safety.

1.1. Project Management and Construction Management Plan

This task includes all Project management efforts required to organize PgM's Construction Management team, assign and control work, and report progress to the City in the form of monthly progress reports.

The Construction Management Plan (CMP) defines Project guidelines and procedures that conform to the Program's CM Guidelines as applicable and incorporates the PgM's CM best practices to address and mitigate the anticipated challenges and risks of each Project. The CMP will define the approach of the Construction Management in completing the scope of services. It will explain the structure and organization of the CM team with roles and responsibilities defining tasks and deliverable actions of team members, as well as communication between the CM team, City of Santa Cruz staff, designer, Contractor and other Project participants. The processes and procedures for construction contract administration and quality assurance will be defined along with the methodology for their implementation. The CMP will provide for documentation and recordkeeping and define the document control system and use.

Construction Manager will:

1. Define an approach to effectively manage and administer the construction contract;
2. Develop and implement a CMP that includes guidelines, procedures and policies for effective management of Project construction. The CMP, guidelines and procedures must be in conformance with the construction contract documents and/or consultant's CM best practices as applicable and appropriate.
3. Include, but not be limited to, the following components in the CMP:
  - a. Construction management organization, structure, roles and responsibilities, staffing plan and contact list, including identifying CM team staff to conduct direct communications with City of Santa Cruz and design consultant performing the Project design services (City of Santa Cruz Designer).
  - b. Construction management activities and deliverables, including, but not limited to, communications protocols, document control, progress meetings, schedule reviews, change management, Contractor invoicing, quality assurance and quality control (QA/QC), submittal process, and Request for Information (RFI) process, preparation of record documents;
  - c. Inspections and Contractor compliance with City of Santa Cruz's Special Provisions portion of the Contract Documents;

- d. Project-Specific Safety Management Plan, Safety Oversight, and Emergency Response;
  - e. Training, testing, and start-up;
  - f. Partnering and dispute management;
  - g. Spare parts and warranties;
  - h. Acceptance and close-out of Construction Contract;
4. Amend and update the CMP during the Project as required to incorporate changes or refinements in scope, schedule, or deliverables;
  5. Implement the CMP.

*Deliverables:*

1. Original and Updated CMPs, as necessary.

1.2. Communications

The Construction Manager will utilize all forms of available communication to: facilitate teamwork; achieve common goals for the Project; facilitate coordination of team members to efficiently complete tasks without disruption of plant operations; and generate and maintain a clear and concise record of Project activities, communications, quality of performance, negotiations, and payments.

*Construction Manager will:*

1. Provide effective, efficient, and coordinated communications among all the participants in the Project by directing all communications through the Construction Manager or other representative at the job site, in accordance with the Consultant's CM best practices as applicable and appropriate. Participants include, but not limited to, Contractor, City of Santa Cruz, and City of Santa Cruz's Designer.
2. Serve as the primary point of communication for coordination between the Contractor, the City of Santa Cruz, City of Santa Cruz's Designer, and other parties; receive Contractor correspondence, prepare draft responses, and transmit City of Santa Cruz approved responses.
3. Establish, implement, and manage a master calendar of all significant events and meetings for the construction Project. The Master Calendar shall be accessible by all team members from their personal computer workstations.
4. Establish, implement, and maintain a master Project directory listing all Project participants, their role on the Project, address, phone number(s), email address, and other pertinent information. The master Project directory shall be accessible by all *team* members from their personal computer workstations.
5. Initiate correspondence with and respond to correspondence from Contractor, Designer, the City of Santa Cruz, and other entities as may be required to administer the Project.

*Deliverables:*

1. Project data and communications as compiled within the document control system (the Project record).

### 1.3. Document Control and internet-Based Communication System

The Program has selected and will provide Projectwise CM, the web-based Document Control System (DCS), and internet connectivity to facilitate efficient communication and maintain Project data and records. DCS will include features to log and track documents (submittals, RFI's PCO, etc.) as well as store electronic copies. It will provide secure viewing levels which will be controlled by the City, and it will be configured and monitored by the CM Team who will train project participants on its use. A primary objective of the DCS is to provide the Project team with a centralized document exchange portal to communicate technical and other Project-related information. The Construction Manager will post Project information, logs and reports, meeting agendas and notes, QA reports and other similar information. The DCS will provide a repository for Project data and records; its electronic data base will be archive-able and will provide for a protected record of the Project history.

Construction Manager will maintain complete, current files utilizing City of Santa Cruz's Project directory on Project-related records including correspondence, construction photographs, public outreach tracking inquiries, job files, submittals, shop drawings, requests for information, Contract Document clarification, potential change order documentation, directed change order documentation, change order and potential change order documentation, issue/action tracking log, claims, nonconformance reports, stop-work notices, daily inspection diaries, weekly inspection summary report, field memos, claims management files, warranty/guarantee files, as-built drawings and specs, shop drawings, training plan, qualification records, material test reports, Project payment estimates and records, certified payrolls, manpower utilization reports, insurance, bonds, status reports and meeting minutes, all in accordance with the CM best practices as applicable and appropriate.

1. Establish a secure on-site document management system for the timely logging, filing, and tracking of Project-related correspondence to assure timely responses, and to enable efficient retrieval and establish the chronology of events;
2. Procure, and maintain a secure, internet-based communication system which can be asked to share information among team members and track Project communication by date, subject, and status and contract specification number;
3. Allow the use of the internet-based communication system to connect the Project controls system to the jobsite, central Project personnel, and City of Santa Cruz managers;
4. Provide training for City of Santa Cruz, Consultant, Designer, and Contractor as appropriate for proper use of internet-based communication system.
5. At completion of the Project, provide the complete Project database of construction management documentation to City of Santa Cruz in a format that does not need the internet-based system to review.

#### *Assumptions:*

1. The Construction Manager will organize and maintain the document control system.

### 1.4 Contract Compliance Verification

The Construction Manager will administer the construction Contract Documents to verify contractor compliance with its terms and conditions. *CM will:*

1. Administer the Construction Contract, including prosecution and progress of work, quality control administration, daily documentation of work, and measurement and payment.

2. When necessary and appropriate, consult and coordinate with City of Santa Cruz's Designer regarding interpretation of the Contract Documents; notify City of Santa Cruz in writing in cases of disagreements regarding such interpretations that require resolution. CM will analyze such disagreements and provide input to City of Santa Cruz.
3. Verify Contractor-obtained permits, licenses, insurance, bonds, warranties, and guarantees in accordance with the Contract Documents;
4. Monitor and verify that documentation required from Contractor is received in a timely manner and that Project records are complete.
5. Review and document compliance with the Contract Documents.

### 1.5 Progress and Coordination Meetings

The Construction Manager will organize, coordinate, and lead progress and coordination meetings. The Construction Manager will provide Project team with agendas, meeting notes, action items, and identify follow-up activities. The weekly meetings will include review of recent activities and agenda items, exchange of new information, and planning and coordination of upcoming construction and related activities.

Construction Manager will:

1. Organize and conduct regular weekly Progress Meetings with Contractor, City of Santa Cruz and other participants as necessary to discuss construction progress and planned work, coordination with City operations, submittals, RFIs, construction issues, potential change orders;
2. Organize and conduct all periodic and special meetings to resolve issues with Contractor, utilities (e.g., PG&E), regulators, and local agencies having jurisdiction (Department of Health Services, fire department, Bay Area Air Quality Management, etc.), City of Santa Cruz's operations staff and contractors, and any participants as necessary and appropriate;
3. Identify construction, safety, compliance, schedule and/or cost, coordination and potential dispute issues and recommend an approach for resolving issues;
4. Prepare agendas, and produce meeting minutes with a summary of meeting discussion, action items and decision logs; and
5. If required, attend other periodic and/or special meetings organized by City of Santa Cruz

#### *Deliverables:*

1. Meeting agenda, minutes, and action items log

#### *Assumptions:*

1. The Construction Manager will organize and lead Project meetings and will receive information from other team members in planning and coordinating meetings;
2. Deliverables will be distributed through the DCS and email;
3. Meetings will be held weekly for the duration of the Project or as otherwise directed by City of Santa Cruz.

### 1.6. Schedule Monitoring

The CM Team will manage contract time through the implementation of Project controls on the construction schedule. The Construction Manager will review the Contractor's preliminary and baseline schedules prior to commencement of work to verify that the full scope of construction work is included and properly sequenced, and that adequate time is provided for the performance of construction activities.

Monthly monitoring of Contractor's schedule and progress will provide early feedback on deviations from the baseline schedule and identify trends which could lead to Project delay. To validate the schedule for measuring work progress, the Construction Manager will confirm the schedule updates provided by the Contractor are consistent with the work actually performed. In order to maintain an accurate accounting of Project time from the Notice to Begin Work to Project completion, schedule updates will be compared with previous submissions, noting progress compared to observations of current and planned work activities.

Negotiated adjustments in contract time and schedule will be evaluated by analyzing each PCO and change order for its impact. CM will include and evaluate rain delays, work disruptions and other impacts to contractor's schedule for adjustments to Project completion. Incorporating the baseline schedule with the time adjustments made during change management will provide a basis for evaluating timely completion, evaluating potential assessment of liquidated damages, and the resolution of potential claims.

Construction Manager will:

1. Review construction baseline schedule and monthly updates for conformance with the Contract Documents with regard to activity sequencing, logic, milestones, constraints, etc., in accordance with the Program Construction Guidelines and/or PgM's CM best practices as applicable and appropriate; check for proper preparation and accuracy of the Contractor's schedule and recommend acceptance or rejection to City.
2. Review monthly construction schedule updates and evaluate progress and associated effect on Project cost.
3. Monitor and verify actual start and finish dates.
4. Verify individual activity duration and sequencing through comparisons with daily inspector's reports.
5. Identify critical and sub-critical activities, including City of Santa Cruz's operational requirements; check that Work is scheduled in an acceptable sequence with reasonable manning, and includes appropriate time for shop drawing preparation, review, material fabrication and shipping, complete installation, finishing, systems testing, and delivery of third party's material and equipment; verify that all submittals are included in the schedule and that schedule includes acceptance-testing period and indicates milestone completion for each separate portion and/or phase of Work.
6. Review activities that interface or tie-in within the same construction contract, or with other construction contracts or City of Santa Cruz activities to optimize preparation for the coordination of these interfaces or tie-ins.

7. Verify that initial schedules submitted by Contractor pending complete schedule submittal are adequate to pursue initial construction work.
8. Conduct a pre-schedule submission meeting with Contractor to inform the Contractor of its Contract responsibilities regarding the development and submission of the preliminary and baseline schedules.
9. After prior approval by the City of Santa Cruz's Project Manager, CM shall require Contractor to prepare and submit a recovery schedule demonstrating its program and proposed plan to make up a lag in scheduled progress and to demonstrate completion of the Work within the contract time. CM will review Contractors' Recovery Schedule for compliance with the Contract Documents and coordination with the overall Project and submit it to the City of Santa Cruz's Project Manager with written recommendation for acceptance or rejection.
10. On a monthly basis, review the progress of construction, evaluate the percentage complete of each construction activity as indicated in the Contractor's Updated Schedule and review such percentages with Contractor.
11. After City's acceptance, use the accepted schedule to monitor progress. When significant changes are made to the Contract Documents or when time extensions are granted, CM shall direct Contractor to immediately revise the schedule based on the changed conditions.
12. Evaluate potential delays and advise the City accordingly. CM shall highlight such matters during each weekly progress meeting.
13. Observe the Contractor's progress with the Work and evaluate whether completion will occur within the specified time and will conform with the requirements of the Contract Documents. If a delay in the Work is identified or it appears that the Work is not progressing such that the Project can be completed within the specified time, or if the Project is beyond the completion date and still not complete, inform City of Santa Cruz promptly.
14. If delays continue and it appears likely that the Construction Contractor is not cooperating in correcting the problem, PgM shall immediately consider and recommend appropriate contract enforcement actions to the City.

1.7 Change Management (Contract Document Clarification, Potential Change Orders, Directed Change Orders, and Change Orders)

The PgM will perform services relating to changes to the Contract Documents including change orders. Construction Manager will:

1. Develop a Change Management Process to manage and control changes to the Contract Documents, including claims in accordance with the City of Santa Cruz's and/or PgM's CM best practices as applicable and appropriate;
2. Manage timely processing of documents in accordance with the construction Contract Documents;
3. Work with Contractor to mitigate field conditions that could result in added work or completion schedule delays;

4. Institute a screening process for change requests initiated by City of Santa Cruz; City of Santa Cruz's Designer, or Contractor;
5. Initiate appropriate negotiation, approval, payment, and documentation of changes;
6. Administer the changes as follows, for each PCO:
  - a. Receive Contractor's proposal and perform technical analysis for negotiations of final term and price;
  - b. Analyze Contractor's requests for time extensions with analytical software and generate an independent fragnet schedule, and prepare findings of fact for extending or not extending time;
  - c. Compare and evaluate Contractor's proposal with the reconciled and City of Santa Cruz approved independent cost estimate and schedule analysis;
  - d. Upon City of Santa Cruz's approval, negotiate with Contractor the cost and any time extensions associated with the PCO work; if mutually agreeable terms cannot be negotiated on Change Orders, submit to the City of Santa Cruz's Project Manager all pertinent facts and a recommendation of what action should be taken;
  - e. For Change Orders on which agreement has not been reached on the amount of equitable adjustment prior to commencing work, CM shall inspect construction Contractor performance, and make detailed records of equipment, material, and labor utilized, the impact of changed and unchanged work, and other data or information pertinent to a determination of the amount of equitable adjustment of contract price and time of performance;
  - f. Prepare a change order package for approval and execution by City of Santa Cruz and Contractor; for each change order package, prepare and submit to City of Santa Cruz;
  - g. Issue Directed Change Order to Contractor for the purpose of unilaterally modifying the Contract Documents if: (a) Contractor fails to submit a proposal for PCO work within the time specified; (b) when City and Contractor cannot agree on the terms and conditions of PCO work within a reasonable amount of time as determined by City of Santa Cruz and CN;
  - h. Or when in the judgment of City of Santa Cruz it is impractical because of the nature of the change or for any other reason, such as the best interests of the City of Santa Cruz or the public, for City of Santa Cruz and Contractor to determine and agree on the costs and schedule impacts before the change must be performed. CM shall prepare a *draft* Directed Change Order with a cover letter for City of Santa Cruz's Project Manager's approval before issuing;
  - i. Negotiate with Contractor mutually acceptable terms and conditions of a Change Order to replace a Directed Change Order, if deemed appropriate by City of Santa Cruz.
7. Establish and implement a Construction Contract Change Order management system to track the status of proposed and executed changes in the work of the Contractor, in a format acceptable to, or prescribed by, the City of Santa Cruz.

8. Keep City of Santa Cruz informed of potential changes. All changes affecting Project design, quality, schedule, or costs are subject to approval by the City.

#### 1.8. Contractor Invoices and Payment Recommendations

The Construction Manager will review the Contractor's proposed schedule of values for reasonableness and ease of monitoring in progressing payments. Changes will be negotiated as needed to provide for accurate valuation, ease of verification and processing payments. Once approved, the schedule of values will be entered into the City of Santa Cruz's standard payment forms and submitted for City of Santa Cruz approval. The approved payment form will be used by the Construction Manager and Contractor in preparing monthly payment requests. The progress payments will incorporate Contract Document changes, payment for materials on hand, and retentions withheld.

In reviewing the Contractor's payment request, CM will consider compliance with permits, SBE participation, prevailing wages, quality of work, current insurance certificates, and other items. Each month the Construction Manager will review the progress payment with the Contractor and members of the CM Team to confirm progress of the work and its conformance with the Contract Documents.

CM will, in accordance with the City of Santa Cruz's Construction Manual and/or CM best practices as applicable and appropriate:

1. Review the Contractor's initial cost breakdown (Schedule of Values) for reasonableness and ease of monitoring; examine the Schedule of Values to verify no front-loading; that the Work is sufficiently itemized to determine appropriate progress payments; and the Work item values are realistic.
2. Provide an independent assessment of progress, quantities of materials placed and equipment delivered and installed based upon acceptability of work;
3. Verify Contractor has updated record drawings and provided monthly Project schedule update.
4. Review applications for payment with Contractor for compliance with contract requirements and verify that payment requested comprises payment due based on work completed as related to the schedule of values, and materials and equipment furnished but not incorporated into the Work.
5. Prepare monthly progress payment using City's standard form. The payment application review period will comply with review period requirements established in the Construction Contract.

#### 1.9 Quality Assurance/Quality Control

The objective of QA/QC Plan is to monitor the Contractor in compliance with the Contract Documents and permit requirements. The QA/QC plan will address the Contractor's work requirements including plant operations and startup and testing. CM will perform QA inspections to identify and address potential defects in construction. CM will establish Field Quality Assurance Plan, providing procedures and guidelines to monitor Contractor's QA/QC activities.

1. Establish the Field Quality Assurance Plan, including describing the methods for conducting and verifying that the required Special Inspections and tests are performed according the

construction contract drawings and specifications, as well as in compliance with applicable codes, standards, and regulations.

- a. Review and approval of Contractor's QA/QC Plan;
  - b. Field design change control;
  - c. Monitoring of special processes;
  - d. Manufacturing source inspection and witness testing;
  - e. Inspections and test control; special and specialty inspections;
  - f. Verification and calibration of measuring and test equipment;
2. Verify the Contractor's compliance with QA / QC plan including materials testing requirements in accordance with Program CM Guidelines, City of Santa Cruz and/or CM best practices, as applicable and appropriate.
  3. Develop and implement as part of the Field Quality Control the methods for inspections and verifications, but not be limited to, the following activities:
    - a. Inspection of civil work, including excavation and backfill, pile driving, concrete construction, paving;
    - b. Inspection of structural work;
    - c. Mechanical equipment inspection;
    - d. Plumbing, HVAC and Fire Protection inspections;
    - e. Electrical inspection and testing;
    - f. Field welding and inspection;
    - g. Hydrostatic and pneumatic testing;
    - h. Instrumentation and control inspection and testing; and
    - i. Special and Specialty Inspections, if applicable.
  4. Verify the Contractor's compliance with QA / QC plan including materials testing requirements in accordance with Program CM Guidelines, City of Santa Cruz and/or CM best practices, as applicable and appropriate.

#### 1.10 Submittal Process

Construction Manager will coordinate and manage the submittal and shop drawing review and approval process. Each Project design requires specialized materials, equipment, and performance of tasks which are specified within the Contract Documents. The submittal process will provide an understanding between the Contractor, City of Santa Cruz's Designer, the City of Santa Cruz, and the Construction Manager of the acceptability of products or procedures proposed by the Contractor.

Product information or proposed procedures will be submitted to the Construction Manager and processed with reviews by City of Santa Cruz's Designer, the City of Santa Cruz, and the Construction Manager. Submittals will be reviewed and stamped (approving or not approving) in accordance with the Contract Documents, with the comments provided. Submittals not meeting specification requirements will be returned to the contractor for correction. Complete submittals when approved will be distributed to all parties and provide for a common understanding of the acceptable materials to be incorporated into the Project.

Construction Manager will, in accordance with the Program Construction Guidelines and/or CM best practices as applicable and appropriate:

1. Review Contract Documents and prepare anticipated submittal list.
2. Receive, log, confirm compliance with submittal requirements, and distribute for review, and monitor the submittals to achieve timely return to Contractor:
3. Review submittals for format, compliance, and general completeness prior to forwarding to City of Santa Cruz's Designer;
4. Forward or return all submittals within two (2) business days from time of receipt by CM;
5. Prepare the submittal tracking log in accordance with City of Santa Cruz standards.
6. Maintain a computerized submittal base showing submittal number, description, date received, dates forwarded to and returned from City of Santa Cruz and/or City of Santa Cruz's Designer, date returned to Contractor and approval status.
7. Develop a tracking procedure to enable follow-up on the status of materials and equipment through the entire duration of the Project.
8. Develop lists and monitor status of manufacturer's certificates, services, spare parts, manuals, and warranties.
9. Receive, log and file manufacturer's certificates, including warranties; review for compliance with Contract Documents.
10. Receive, log, and turn over spare parts to City of Santa Cruz; and
11. Receive, log and distribute manufacturer's O&M manuals for review and acceptance; review for compliance with the Contract Documents.

#### 1.11 Request For Information (RFI) Process

Construction Manager will coordinate and manage a formal Request for Information (RFI) review and approval process. RFI's submitted by the contractor will be processed into the DCS by the Construction Services Manager and routed to City of Santa Cruz's Designer and the City of Santa Cruz for information and comment. The review comments of the CM Team, City of Santa Cruz's Designer, and the City of Santa Cruz will be coordinated and a response is logged into the DCS and provided to the Contractor.

Construction Manager will, in accordance with the Program CM Guidelines and/or CM best practices as applicable and appropriate:

1. Receive, review, analyze, log and distribute for review, and monitor the RFIs to achieve timely return to Contractor.
  - a. Determine required response suspense date to avoid Contractor delay;
  - b. Track the status of all RFI's and advise City of Santa Cruz's Designer of unusual site conditions affecting RFI review;
  - c. Review RFI's for appropriateness, format, content, and general completeness prior to forwarding to City of Santa Cruz's Designer; and
  - d. Forward or return all RFI's within two (2) business days from time of receipt by Construction Manager.

2. Prepare the RFI tracking log;
3. Develop and maintain a computerized RFI database showing RFI number, general description, date received, responsible party or parties, dates forwarded to and returned from party or parties, date returned to Contractor, and disposition status; continually monitor status of RFI's to ensure timely responses and/or compliance with contract specified turn-around times, as applicable;
4. In the case an RFI requests for change, or a response to an RFI results in change, provide input based on the contractual merit of the request or response;
5. Monitor status of responses for compliance with agreed or contract specified turn-around times;
6. Track reasons for each RFI including, unforeseen conditions, design issue, and answerable in existing contract documents (unnecessary).

### 1.12 Record Documents

The CM Team will maintain a set of Contract Documents recording all of the addenda, design clarifications and other modifications implemented during the Project. At the conclusion of the Project, the CM Team will combine this information with additional documentation from the Contractor's as-built drawings. The Contractor's as-built documents reflect precisely how the Contractor constructed the Project, including all changes made to the Contract Documents during construction. These compiled specifications and drawings will provide a complete field record of the Contract documents and their revisions.

The CM Team will also provide the marked-up plans and specifications to City of Santa Cruz's Designer who will utilize them to update the Contract Documents and create Record Drawings. The complete, revised Contract Documents will then be provided to the City of Santa Cruz as the Record Documents for the Project. Accuracy and completion are important as they are a critical Project record for City's ongoing maintenance and operations of the plant.

Construction Manager will, throughout the Project and otherwise as appropriate during individual phases of construction or necessary due to interim plant operational status:

1. Maintain a control and record set of plans and specifications with any changes as a result of RFI's, Potential Change Orders, Directed Change Orders, Change Orders or field memo.
2. Review and maintain records of marked-up as-built drawings and specifications to ensure the Record Documents will be consistent with the construction in progress; the marked-up as-built drawings and specifications shall be neat, clean, and accurately reflect work as constructed. The marked-up as-built drawings shall include accurate graphical representations of construction changes, including redlines, detailed drawings, sketches, call-outs, and notes. The marked-up specifications shall include redlines and text describing the specific changes. Just referencing RFIs, submittals, design clarifications, or change order documents on the marked-up as-built drawings and specifications will not be sufficient or acceptable.
3. After confirming the completeness, coordinate the transmittal of Record Documents from City of Santa Cruz's Designer to City of Santa Cruz.

4. Secure from Contractor, review for compliance with the Contract Documents, and transmit to City the required guarantees, warranties, bonds, waivers, all keys, manuals, as-built drawings, maintenance stocks, and originals of all other Contract Documents and papers, including correspondence.

### **Activity 2. Inspections, Special and Specialty Inspections**

The CM Team inspection staff will provide immediate feedback to the Construction Manager on Project activities, site and operational safety conditions, and will document the work performed in detailed daily reports. The reports will be logged into the DCS and will be readily available for viewing by City of Santa Cruz. The inspection reports will provide a detailed accounting of the work performed and serve to assure work is completed in accordance with Contract Documents.

#### 2.1 Inspections

CM's inspection staff will be present during construction work hours to verify work is accomplished in accordance with the Contract Documents.

Inspections will provide for monitoring of the construction work and field verification of contractor's QC Program.

The CM Lead and Contractor will plan and coordinate inspections of construction work to provide the needed special and specialty inspections. Inspections will focus on Contractor compliance with Contract Documents, permit requirements, and coordination with on-going plant operations.

The inspection reports will provide a written and photographic record of observations including weather conditions, contractor work force and equipment, and significant material or equipment deliveries.

The CM Team inspection staff will monitor the work quality through visual inspection, materials testing, and will utilize as-needed special and specialty inspections.

During inspections, the Contractor will be advised of any nonconforming work observed and, if not corrected within designated timeframes, the City of Santa Cruz will be notified.

Nonconforming work, corrected or not corrected in accordance with designated timeframes, will both be recorded on deficiency lists and addressed.

Construction Manager will:

1. Provide sufficient qualified, experienced inspection staff to monitor all major work activities associated with work performed on all shifts and days worked by Contractor, and to perform all inspections, special and specialty inspections as required per the Contract Documents;
2. Inspect materials, equipment, construction procedures, work in progress, and completed work for compliance with the Contract Documents;
3. Monitor Contractor's look-ahead schedule and confer with Contractor to ensure that qualified personnel including specialty inspectors are scheduled on an as- needed basis to inspect and monitor quality control for all major work activities;
4. Monitor completed work for contract compliance and generate appropriate deficiency lists;

5. Prepare Daily Inspection Reports detailing weather conditions, status of work, and the location and type of work performed by Contractor, in accordance with the City of Santa Cruz's Construction Manual and/or Co CM best practices as applicable and appropriate;
6. For each work activity, document the number and classification of craft labor, supervision, equipment (including idle equipment), and materials used;
7. Note material and equipment deliveries or off-hauls, any non-adherence to safety procedures along with corrective action taken, delays - including cause of delay, equipment breakdowns or other field problems, visitors, and other pertinent observations. Augment reports with sketches and digital photographs;
8. Verify progress of work for payment purposes and ensure that Contractor's progress payment request reflects the submitted schedule of values and the work actually performed;
9. Develop and implement a written communication system and database notifying Contractor of all nonconforming work and safety violations.

### 2.2 Specialty Inspections

The as-needed inspections will include structural steel, concrete, soil and other architectural and mechanical specialties. These inspections will require specialized training and in many cases are associated with risks of wind, seismic, life safety and fire. CM will provide highly skilled specialty inspectors to provide assurance that the work quality will mitigate these potential risks.

Construction Manager will:

1. Provide and conduct special inspections in accordance with the requirements set forth in Chapter 17 of the CBC;
2. Provide, at minimum, special inspections for the following work:
  - a. Structural steel inspections and verification, including special provisions for seismic resistance;
  - b. Concrete inspections and verification, including special provisions for seismic resistance;
  - c. Inspection for wind resistance;
  - d. Foundation soil inspections and verification;
  - e. Inspections and verification for seismic resistance for other building systems, including designated seismic systems, mechanical and electrical components, storage racks and access floors, and architectural components;
  - f. Provide specialty inspections for the following work disciplines: architectural, structural, mechanical, plumbing, HVAC, Fire Protection, electrical, and process and instrumentation.

### **Activity 3. Division 1 and Special Provisions Compliance**

The Special Provisions section of the Contract Documents state work requirements for the Project including phasing and sequencing, construction coordination with plant operation, and permit compliance. The Project Construction Manual provides specific instructions on monitoring for Special Provisions compliance such as restrictions on work hours, traffic control, and limiting impacts to surrounding neighborhood.

The CM Team inspection staff will monitor Contractor compliance with the Special Provisions and mitigation measures thereby reducing Project risk. Key areas of monitoring by the Consultant include storm water (SWPPP), environmental compliance, discharge permits, and disruption to the neighborhood.

Construction Manager will, in accordance with the City of Santa Cruz's Construction Manual and/or CM best practices as applicable and appropriate:

1. Monitor Contractor compliance with all Division 1 and Special Provisions specifications including, but not limited to, mitigation commitments, wildlife protection and environmental permits, discharge permits and erosion and sedimentation control requirements;
2. Monitor Contractor's noise, vibration, traffic, and odor control mitigation plans for contract requirements;
3. Provide written notification to Contractor and City of Santa Cruz with a compliance concern;
4. Provide immediate notification to Contractor and City of Santa Cruz of non-compliance with specifications and permits.

#### ***Activity 4. Safety Management***

Construction Manager will perform services relating to safety management of the work site. Construction Manager will prepare and coordinate the CM Team's safety plan with the City of Santa Cruz safety rules and Contractor's safety plan and will implement these practices to provide for a coordinated approach to Project safety.

Construction Manager will, in accordance with the City of Santa Cruz's Construction Manual and/or CM best practices as applicable and appropriate:

1. Review, monitor and adhere to Contractor's safety program and work activities for compliance with the Contract Documents and safety regulations such as Cal/OSHA;
2. Implement safety oversight activities as identified in Consultant's Project specific Safety Management Plan portion of the CMP;
3. Ensure that Construction Manager's employees when first engaged in the job be provided with safety instructions in accordance with Cal/OSHA's General Safety Orders prior to exposure to hazards of the job site. This includes the Consultant's own sub-consultants and others providing services including City of Santa Cruz staff and City of Santa Cruz's Designer who may frequently or occasionally visit the site to conduct business related to the Project;
4. At all times comply with all safety rules and regulations enacted or implemented by the City and any local, state or federal agency;
5. Monitor, identify, and notify Contractor and City of Santa Cruz immediately, of any potential safety issues; ensure Contractor's compliance with all required safety provisions and requirements.

### **Activity 5. Training, Testing, Start-Up, and Commissioning**

Construction Manager will perform services relating to City of Santa Cruz staff training, plant start-up, and commissioning.

#### 5.1 Operators Training

Construction Manager will coordinate contractor provided operator training and assist in developing operating procedures and processes so City of Santa Cruz staff can learn to operate the upgraded plant.

Construction Manager will arrange for manufacturer-provided staff training, focusing on operations within the upgraded treatment plant. Trainings will include an on-site training facility with video and audio facilities, and after installation of equipment, instruction classes will be held on operation and maintenance of the equipment. Operations manuals for process equipment will be reviewed and their procedures incorporated into the plant operation manual. CM will assist the City of Santa Cruz in developing interim operation procedures and assist staff in initial phases of operation.

Construction Manager will:

1. Facilitate and coordinate training of City of Santa Cruz's plant operators with Contractor, manufacturers/suppliers, City of Santa Cruz's staff, and City of Santa Cruz's Designer.
2. Review Contractor's training schedules and training plans;
3. Coordinate and provide all logistics for the training;

#### 5.2 Testing, Start-Up, and Commissioning

Consultant will coordinate training once the equipment has arrived and installation is advanced sufficiently to provide for manufacturer inspections and certification of proper installation.

A representative of the manufacturer will visit the site and examine installation to confirm proper installation. After all necessary adjustments are made, the manufacturer's representative will certify the proper installation of equipment and provide operations staff with training on operation and maintenance.

The plant operations support team will organize a Start-up Team from City of Santa Cruz staff, City of Santa Cruz's Designer, and the Contractor and lead this team in testing, startup and commissioning for each phase of the Project.

Construction Manager will:

1. Coordinate functional and operational testing activities with Contractor, manufacturers, City of Santa Cruz's Designer and City of Santa Cruz;
2. Review Contractor's test procedures; witness Contractor's testing; and receive and review Contractor's test reports;
3. Coordinate and schedule start-up and commissioning activities;
4. Lead, coordinate, direct, and manage day-to-day start-up and commissioning activities;

**Activity 6. Acceptance and Close-Out**

The Construction Manager will facilitate commissioning in accordance with the Project construction phases and facilitate acceptance of each Project milestone and the Project once their respective commissioning period has been completed. During the later stages of construction for each milestone and of the Project, the Construction Manager will meet with the Contractor and develop deficiency lists based on record of inspection and observed non-compliant work.

The Construction Manager will regularly follow-up with the Contractor to address the deficient work items prior to commencement of operational testing. Included with system acceptance will be obtaining required warranties and guarantees from equipment manufacturers and contractors which fully comply with the Contract Document.

The Construction Manager will begin the process of milestone acceptance near the conclusion of each milestone and the process of Project acceptance and Construction Contract close-out near the conclusion of the Project.

The Construction Manager will implement the steps called out in the City of Santa Cruz's Construction Manual and/or CM best practices as applicable and appropriate. Each step will be documented and include a complete review of contract administration, quality assurance and inspection, and plant operations. A complete review of the DCS will be made to identify any unresolved issues for RFIs/submittals/deliveries/warranties services or certifications. Documentation for each step of the close-out process will be assembled along with a calendar of warranty inspection and follow up activities.

Construction Manager will, in accordance with the City of Santa Cruz's Construction Manual and/or CM best practices as applicable and appropriate:

1. Manage deficiency list process;
2. Coordinate the efforts of City of Santa Cruz's Designer, City of Santa Cruz, City of Santa Cruz Operations, Permit Authorities to develop a list of deficiencies;
3. Coordinate with Contractor, City of Santa Cruz Operations, and other parties to correct the deficiencies;
4. Conduct an inspection of the completed work for each milestone, and of the entire jobsite, and review all documents to determine if all construction efforts are in compliance with the Contract Documents;
5. Verify closure/completeness/delivery of all RFIs, submittals, O&M documents, spare parts, training and testing activities, record documents, construction photographs, warranties, guarantees, maintenance bonds, non-conformance reports
6. Provide City of Santa Cruz with complete documentation required for each milestone acceptance and the final Project acceptance and closeout of the Construction Contract;
7. Coordinate warranty services with Contractor and the City through completion of each milestone as required and through final completion and acceptance of the Project; and

8. Provide City of Santa Cruz with warranty calendars with recommended warranty inspection dates prior to warranty expirations.

**Activity 7. Labor Compliance (Task 5-4.3 GHWTP Concrete Tanks Only)**

The objectives of this task are to

1. Collect and maintain certified payroll records (CPRs) for work subject to the payment of prevailing wages prior to the CM approving payment to contractors;
2. Establish a thorough processes for auditing projects to identify prevailing wage violations and, on federally funded or assisted projects, withhold payment in the event of violations, or refer potential violations to DIR for a formal determination and possible Civil Wage and Penalty Assessment (CWPA); and
3. Ensure the City's labor compliance efforts, assigned to Workforce Integrity and Training Solutions (WITS), are properly documented and are in full adherence to any applicable objectives, policies, regulations and codes and remain audit ready.

These procedures apply to all WITS staff responsible for reviewing CPR submissions, notifying the RE of CPR status for invoice approval, performing project site visits and worker interviews, and performing audits of prevailing wage violations.

Construction Contracts

WITS is charged with ensuring that certified payroll records (CPRs) are submitted to the City timely on the project.

Consistent with City contract requirements and 29 Code of Federal Regulations (CFR) §3.4(a), all CPRs must be submitted weekly, defined as within seven days after the regular payment date of the payroll period.

For WITS to recommend that the Resident Engineer (RE) approve a payment application for the project, CPRs must be submitted for the invoice period and current up to 14 days prior to the submission date of the payment application to the RE for review.

All CPRs for the invoice period and submitted up to 14 days before the date of the pay application in one of the following three formats: (1) hard copies; (2) verified in City's electronic payroll system, provided by Elation Systems, Inc. (Elation); (3) electronic copies such as PDFs

The WITS analyst will review the CPRs and verify the information with Elation Systems or other available records. a) If CPRs are submitted for the invoice period and up to 14 days before the payment application date, the WITS analyst will inform the RE that the invoice should be approved. b) If CPRs are not submitted timely:

Work through the RE and prime contractor to get all contractors reflected in that pay application to get into compliance; or Work through the RE to direct the prime contractor to remove subcontractor(s) with delinquent CPRs from that pay application.

**Certified Payroll Reports are reviewed within 4 weeks of submission. During the review, the reports will be inspected for compliance with the following requirements:**

1) Employee name, address, ZIP code and full social security number. 2) Work classification including group and/or apprenticeship level/percentage. 3) Daily and weekly employee hours worked in each work classification. 4) Daily and weekly overtime or premium hours worked in each work classification. 5) Hourly rate of pay shown for each employee, overtime or premium rate shown when worked. 6) Gross amount earned for this project and all other gross wages paid. 7) Itemized deductions reported. 8) Explanation and supporting documentation of other itemized deductions provided, if needed. 9) Fringe benefits contributions and trust fund name (on the fringe benefit statement) reported. 10) Week's net wages paid for all jobs. 11) Check number and pay date indicated. 12) Apprenticeship verification (DAS & DOL certificate available in electronic system and still valid). 13) Apprentices are not working without the journeyman supervision. 14) Signed statements of compliance that meet the requirements of 29 CFR §5.5 (a)(3) and CLC §1776(a)

If any discrepancies are found during the review process, the affected payroll reports should in most cases be rejected and the "review" button/icon should not be used to mark the payroll "reviewed" until the problems are corrected.

#### Ongoing CPR Review

WITS is charged with ensuring that Laborers and Mechanics working on the project are paid the required minimum wages consistent with the DBRA and the CLC. This requires an ongoing review of all CPR submitted by all contractors.

When potential violations are identified, notify the prime contractor and employer of the violation by rejecting the CPR in the Elation CPR system.

Work with the employer to ensure that evidence is provided that demonstrates that worker(s) were paid consistent with all applicable prevailing wage determinations.

Interviewing Workers - consistent with the procedures established in SOP § B(IV)4

Inspector Daily Reports (IDRs): IDRs provide evidence of contractor's onsite, the number workers under their control, equipment being utilized, and the activities performed.

Consequently, to ensure proper payment of prevailing wages, a sampling of IDRs for each project are to be reviewed to verify that the information in the CPR is correct. When reviewing the IDRs, all activities performed onsite are to be reviewed. During the review of IDRs, the WITS analyst will check the following items:

- (1) Contractors that performed work
- (2) When the contractors started and finished their work
- (3) The number of workers for each contractor
- (4) The type of work that each contractor performed
- (5) The types of equipment that the contractor utilized
- (6) Photographic documentation of work performed
- (7) If any discrepancies or omissions are found, the RE and the prime contractor will be immediately notified to supply missing documentation or to resolve CPR and/or prevailing wage deficiencies.

### Contract Site Visits

Site visits are an essential aspect of labor compliance monitoring because it allows WITS staff to confirm if employees are paid the proper prevailing wage rate for the craft, classification, and type of work performed.

- 1) WITS will conduct at least two site visits each month.
- 2) Additional site visits will be conducted randomly or as deemed necessary, such as when a worker complaint is received or an issue is identified during the review of CPRs or Inspector Daily Reports.
  - a) During each site visit WITS will interview at least two employees per contract, per month, including at least one interview from the prime contractor and each subcontractor until the contract is accepted or all employees on the project have been interviewed. A variety of crafts and trades should be interviewed. The number of interviews taken must constitute a representative sample of workers employed on the project. (California Department of Transportation Construction Manual July 2017)
  - b) Review Progress Meeting Minutes;
  - c) Review Inspector Daily Reports and
  - d) Review any pertinent contract details needed to familiarize themselves with the project.

### Worker Interview Form

The Worker Interview Form (Form) has been designed to gather information that helps identify labor standards violations including underpayments, misclassification, failure to pay overtime, cash payments, unlawful rebates to employers, and other violations of the law. The Form is also used to track information relevant to a project or contract. WITS updates the Form as necessary.

The Form is available in English, and Spanish. WITS staff will have available forms in all available languages on site visits and, if necessary, allow the worker to fill out the form on their own.

When planning construction site interviews, WITS will contact the RE or other CM staff to confirm the time and location where the work is being performed. The WITS analyst will walk the job site and check and verify that the following are displayed and accessible to all workers on the project:

- Prevailing wage sign/poster(s)
- Daily sign-in sheet(s)
- DIR wage determination(s)
- The WITS analyst will take photos and take note of the construction activities taking place on the project, including doing the following:
  - Identify and document any contractors or subcontractors on site.
  - Count the total number of workers present.
  - The WITS analyst will locate and interview trade workers of each contractor and subcontractor present on the jobsite to the extent possible.
  - If previous site visits have been performed, new workers that have not yet been interviewed will be interviewed.
  - If interviewing an apprentice, apprentice information such as the period or stage of the apprenticeship program and the name of the program will be noted.

Respect for the worker's concerns about their job will be shown. If a worker indicates that they have been subjected to retaliation, they will be referred to the appropriate agency (California Department of Industrial Relations, the California Department of Fair Employment and Housing, Federal Department of Labor, or another appropriate agency).

- Wage rate
- Worker's craft
- Worker's name

The worker will be informed that this project requires payment of Prevailing Wages and is subject to other requirements that are enforceable by the State Labor Commissioner and the US Department of Labor.

The site visits forms will be scanned and recorded into a worker interview log.

Worker interview details will be entered into the Worker Interview Log.

The Worker Interview Form will be analyzed and compared to the information with the contractors' submitted certified payroll records.

A follow up to any issues will be scheduled that arise from either the site visit or the subsequent review of CPRs.

The interview information on the Worker Interview Form for each employee interviewed will be entered. Any employee complaint will be investigated and forwarded to the appropriate federal agency (on federally funded projects).

Project Closeout:

Before making the final payment, release of retention amount and filling a Notice of Completion, WITS will verify the following information:

- All payroll records and related documents have been submitted by each contractor regardless of tier.
- Last payroll is marked Final.
- CPRs for each contractor have been reviewed.
- Any prevailing wage deficiencies have been satisfied.
- Any apprenticeship issues have been resolved.
- All apprenticeship certifications have been collected and verified.
- Site visit and worker interview forms have been compared to CPRs.
- Any penalties approved by the Labor Commissioner have been recovered.
- Once the Notice of Completion has been filed, the project will be archived.

## Task 6—Program Support

Task 6 groups together a number of tasks and activities that are critical to project success, including environmental support services, ROW investigation and acquisition, survey, geotechnical investigation, and other miscellaneous services. Project type and phase of development dictate the degree to which particular projects may require the use of these tasks. For example, a treatment plant project may have very extensive geotechnical investigation needs, but very little survey, or ROW needs. The following subtasks are included in this service order:

- Task 6.1 – Environmental Advisory, Compliance, and Technical Support (12month expected duration)
  - Task 6.1.1 – Environmental Advisory
  - Task 6.1.2 – Newell Creek Pipeline Env't'l Lead/Partner
  - Task 6.1.3 – Environmental Compliance Management
  - Task 6.1.4 – Environmental Technical Support
- Task 6.2 – ROW Acquisition (12-month expected duration)
- Task 6.3 – Support Communications and Public Outreach (12-month expected duration)
- Task 6.4 – Surveying and Mapping [Not Used]
- Task 6.5 – Geotechnical Investigations [Not Used]
- Task 6.6 – Project Funding Assistance (12-month expected duration)
- Task 6.7 – Program Technical Support (12-month expected duration)

### **Task 6.1 – Environmental Advisory, Compliance, and Technical Support**

Under Service Order 6, HDR will support all projects across the program in four ways as noted below.

#### ***Task 6.1.1 – Environmental Advisory***

Under Service Order 6, HDR will support all projects across the program by providing environmental advisory support in the form of program quality assurance, project level quality control, process improvement, and professional development for the environmental team members. The Environmental Advisor will work with each project Environmental Lead collectively and individually to understand the projects and provide useful and objective technical strategy. They will work with Program leadership to identify and lead process improvement opportunities as well as staff development and advancement opportunities. They will coordinate with the CEQA/Permitting consultant to bring consistent quality assurance and objective feedback to our extended team. They will support the hiring and development of environmental team members and provide support as needed (either directly or through the identification of specific technical expertise or availability within the HDR Program Team.

The Environmental Advisor will participate in regular program and team meetings including, but not limited to the monthly program PM meetings, weekly environmental project review meetings, monthly environmental team meeting, HDR's team meeting, project-specific strategy or planning meetings, WIFIA/funding strategy meetings, risk management meetings, program trainings or team building meetings, quarterly or as needed meetings with the CEQA/Permitting consultant, or other program meetings requiring environmental advisory services.

#### ***Task 6.1.2 – Newell Creek Pipeline Project (2.2) Environmental Lead/Partner***

Under Service Order 6, HDR's Environmental Lead will remain in place as the lead until a new environmental planner is hired and properly installed as the environmental lead. In this role, they will

lead the environmental functions of the project team and work with and oversee the environmental consultant in the development of the environmental document. They will participate in project meetings, data collection and review meetings, document reviews, and schedule development driving the environmental review functions forward. They will work with the funding team to plan for and develop the necessary information for the funding application packages. Once a new environmental planner is hired and installed as the environmental lead, they will support the new NCP project Environmental Lead through the development of the Program EIR/S.

**Task 6.1.3 – Coast Pump Station Pipeline Project (2.3) Environmental Lead/Partner**

Under Service Order 6, HDR’s Environmental Lead will remain in place as the lead until a new environmental planner is hired and properly installed as the environmental lead. In this role, they will lead the environmental functions of the project team, specifically participating in project status meetings representing for the environmental requirements and commitments through construction. They will oversee the environmental compliance managers and consultant monitoring teams through the construction period, which is expected to continue through December 2020/January 2021. In this role they will participate in regular construction progress meetings and environmental compliance team coordination meetings.

Once a new environmental planner is hired, they will continue as a partner to the new environmental lead to retain continuity through construction.

**Task 6.1.4 - Environmental Compliance Management**

Under Service Order 6, HDR has identified three technical compliance managers with expertise in cultural resources, biological resources, and storm water intended to offer consistent oversight in these functions that represent the common environmental focus areas during construction phases. These compliance functions would support the project Environmental Lead on the given project when those technical requirements are carried into construction. As an example, the cultural resources compliance manager would have the following responsibilities:

- Support monitoring procurement processes
- Work with the project environmental lead to develop project-specific monitoring plans, bringing processes and lessons learned from across the program
- Coordinate, collect, and track monitor qualifications and health and safety plans
- Relay project requirements to the monitoring team
- Develop or review worker awareness training
- Participate in project construction monitoring kickoff meeting
- Participate in project construction status meetings, as needed (e.g., when construction schedule changes or changes in activities are expected)
- Manage monitoring resourcing when there is a change in monitor, change in construction schedule, or when multiple monitors are needed.
- Resolve issues with monitoring team, should they arise
- Provide day-to-day point of contact to monitoring team, environmental lead, or project team, for compliance questions
- Help resolve monitoring or finding questions/issues
- Collect and document daily reports
- Track mitigation, BMP, and permit condition compliance
- Schedule and review agency noticing

These functions could be scaled to the technical need during construction or might not be needed on all projects. One project is defined and scoped independently – the Coast Pump Station Pipeline

Project (2.3). As other projects are defined, the scope and budget will be extracted from this task to record and track the costs.

**Task 6.1.4-2.3 - Coast Pump Station Pipeline Project (2.3) Environmental Compliance Management**

Under Service Order 6, HDR will provide technical compliance managers with expertise in cultural resources and biological resources with the roles and responsibilities defined above.

- The cultural resources compliance manager will oversee and guide the work of Albion, the archaeological monitoring consultant, and the Amuh Mutsun Tribal Monitor subconsultant. This task further includes a subcontract with the Amuh Mutsun Tribal Monitor.
- The biological resources compliance manager will oversee and guide the work of Kittleson Environmental Consulting (KEC), the biological monitoring consultant.

No storm water compliance management or monitoring is required for this project. Archaeological, tribal, and biological monitoring was initiated under SO5 and will be finalized in SO6. Archaeological, and tribal monitoring will occur concurrently during any work in the Holocene-era soils (pit excavations and trenching on the west and east sides of the San Lorenzo River). Biological monitoring will occur for the through October 2020 and include a site survey after all work is concluded to document post-construction conditions onsite, when KEC will issue a final report to CDFW.

**Task 6.1.5 – Environmental Technical Support**

Under Service Order 6, HDR could, upon request, provide other types of environmental technical support such as, but not limited to,

- Preparation of project- or program-level CEQA documentation including a Notice of Exemption, Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report including supporting documentation and notification documentation
- Preparation of project- or program-level NEPA (document to support a Categorical Exclusion, Environmental Assessment with Finding of No Significant Impacts, or Environmental Impact Statement including supporting documentation
- Preparation of Permit Application packages
- Preparation of technical resource studies
- Providing peer review technical studies or documents
- Scoping or providing strategic advisory to technical approach
- Completion of historic records searches, cultural resource inventory analysis, field survey, or review of studies prepared by City or other consultant
- Completion of field verifications or surveys and prepare related reports to support environmental reviews or permitting
- Conducting fisheries studies, modeling, or engineering
- Providing geospatial or GIS support to assessing environmental conditions
- Supporting regulatory consultation processes
- Preparation of staff reports and/or participation in public hearings or other City Council or Water Commission Meetings.
- Providing quality control or peer technical review on environmental methodology or study reports

- Development of project descriptions or project objectives, criteria, purpose and need statements to the appropriate level for CEQA and/or NEPA documents
- Completion of project alternative screenings including analysis
- Management of the project administrative record
- Working with environmental team to continue to develop the environmental processes and functions of the overall program
- Other environmental support functions as defined through the project development and collaboration process

*Assumptions:*

1. The estimated level of effort for Task 6.1.1 ( Environmental Advisor) assumes 50 hours per month and includes regular participation in program, team, and project meetings, program- and project-level discussions, process development/maintenance initiatives with the City's environmental team, and project-level quality control reviews of all deliverables.
2. Per the City's CEQA Process Review Guidance developed during SO5, quality control reviews are anticipated to include the project and alternative descriptions, Notice of Preparations, Administrative Draft Initial Studies/EIR documents, and Draft Final documents. This estimate anticipates these reviews through the following projects: Laguna Diversion, Facilities Improvement Program (FIP), Felton Diversion, and Newell Creek Pipeline.
3. The Newell Creek Pipeline Project and Coast Pump Station Project assume a role as Environmental Lead for up to half of SO6 and then a partnership with a newly hired environmental planner (new project Environmental Lead). Leslie will remain a partner in strategy however will serve as QC for documentation through the development of the Program EIR/S.
4. The Newell Creek Pipeline Project assumes up to 24 project meetings, 6 of which would be in person.
5. It is assumed that the environmental functions are largely complete for the Riverbank Filtration Project before SO6.
6. It is assumed that the environmental functions on the CPS Project during SO6 will be focused on construction monitoring requirements. The Environmental Lead will otherwise be supported by technical Compliance Managers (Task 6.1.3) to ensure consistent compliance with all mitigations, BMPs, and permit conditions. This includes cultural compliance overseeing and coordinating the archaeological and tribal monitoring consultants and biological compliance overseeing the biological monitoring consultant.
7. The environmental compliance management functions are estimated, except for the Coast Pump Station Pipeline Project, which is scoped. Two other construction projects are anticipated in SO6 with compliance management services anticipated. The specific scope of each project will be negotiated with the environmental lead and drawn from this Task 6.1.4.
8. The Coast Pump Station Pipeline Project Compliance Management assumes 82 collective labor hours and one onsite visit and includes a subcontract to the Amah Mutsin Tribe for tribal monitoring services, as negotiated.
9. The general environmental compliance management assumes 40 collective labor hours and two onsite visits for Laguna Creek Diversion Retrofit Project and 80 collective labor hours and four onsite visits for Newell Creek Dam Inlet/Outlet Replacement Project.
10. Fees for literature reviews, licenses, trainings, permit fees, agency environmental document review fees, or other external expenses will be covered by the City or negotiated separately when the need arises.

11. Environmental support functions assume work from an HDR office other than onsite meetings when needed. No seconded positions are assumed.
12. HDR is not authorized to coordinate directly with permitting or regulatory agencies without task-specific or project-specific authorization to do so from a City Project Manager or Associate Planner.

### **Task 6.2 – ROW Acquisition**

Various Program projects will require permits-to-enter (for planning and design work) and/or rights-of-way or property purchase (for construction and permanent facilities). HDR will be responsible for:

1. Research and investigation into existing easements and property boundaries.
2. Compiling record information
3. Preparing plats and legal descriptions
4. Negotiating temporary and permanent easements
5. Coordinating ROW and property acquisitions with City staff
6. Obtaining Appraisals and Market Valuations as required
7. Interfacing with land, facility, or property managers, real-estate agents, brokers, surveyors and title companies.

In FY2021, HDR anticipates providing ROW services for the following projects:

1. North Coast Pipeline Planning Project (2.1). Anticipated scope and allowance for ROW is included in Task 4.1.4.
2. Newell Creek Pipeline – Felton/Graham Hill (2.2.1) and Brackney (2.2.3).

In conjunction with the programmatic EIR being developed for all phases of the Newell Creek Pipeline Replacement Project, HDR will support identification of ROW issues for alignment alternatives. Once the EIR is complete and the preferred alignments are chosen, HDR will support the procurement of ROW, easements, encroachment permits, etc. Services for this fiscal year may include:

- a. Analysis of potentially impacted properties along alternate routes for comparison of highest and best use, condition of title, access, value estimates, possible damages and avoidance.
- b. Consideration of advance acquisition strategies when favorable circumstances for funding, cost mitigation and environmental compliance develop.
- c. Engagement with City staff and possibly property owners / tenants to explore acquisition feasibility.
- d. Procurement of rights of entry needed for due diligence access as needed.

*Assumptions:*

1. ROW services for the projects above include an allowance of 180 hours.
2. Other efforts are not currently budgeted. Amendments to this scope will be negotiated separately, as needed based on project definition.

### **Task 6.3 – Support Communications and Public Outreach**

Communications and public outreach on the Program generally occurs in the following areas:

1. Internal Departmental Communications: Communications between Program Team and Department staff members about Program activities.
2. Management Communications: Communications from the Program Team to City management staff, the City Council, and the Water Commission. These communications will always flow through City Staff, usually the Program Director and the Director of Engineering.
3. Public Outreach: External communication to the public at large. This is usually “one way” in nature (from the Program out to the public), and involves communications with the public about the purpose and progress of the Program. These communications flow through the City Communications Lead,
4. Stakeholder Communications and Engagement: External communication to specific members of the public. This is usually “two way” in nature, and involves communicating with specific stakeholders about issues impacting them individually (e.g., a homeowner that we’re trying to purchase a pipeline easement from). These communications may involve the PM and/or Department Directors, but always engage the City Communications Lead.

**Task 6.3.1 – Ongoing Communications and Public Outreach Support**

Provide support for Communications and Public Outreach by doing the following:

1. Internal Communications: Train new staff on the Communications Guidelines and assessment tool.
2. Management Communications: Support the Program Director by preparing memos, PowerPoint presentations, graphics, and other support materials for use in communicating with Council and Water Commission.
3. Public Outreach: Support the City Communications Lead by preparing text, graphics, and other support materials for use in communicating with public. Support the preparation public information documents (e.g., fliers, brochures, posters, FAQs) for use at public meetings/workshops, and participate in those meetings if requested.

*Assumptions:*

1. 100 hours are allocated for implementing communications and outreach support per Task 6.3.1.

**Task 6.4 – Surveying and Mapping [not used this service order]**

**Task 6.5 – Geotechnical Investigations [not used this service order]**

**Task 6.6 – Project Funding Assistance**

Participate in departmental financial analysis and planning efforts. Work to accommodate the department in applying for grants and low-interest loans. Participate in developing materials to support debt financing, including credit rating agency briefings. During FY2021, HDR will:

1. Support to City’s consultant in preparation of WIFIA LOI and full application through participation in meetings, providing technical information, and review of application documents for project and program accuracy.

*Assumptions:*

1. *Approximate FY2021 Budget = 16 hours for WIFIA LOI support for each of four (4) projects;  
16 hours for WIFIA full application support for each of four (4) projects.*

### **Task 6.7 – Program Technical Support**

Outside of specific technical reviews on projects (covered in Task 2—Design Management), HDR will provide technical expert input on water infrastructure, treatment and water quality issues, as requested by the City. An allocation of 100 senior level labor-hours has been made in this service order for these as-needed efforts. In addition, an allocation of 100 labor-hours has been made in this service order for drafting support, as requested by the City.

**Table 2 - Estimated Work Effort and Fee Estimate (6-9-20)**

City of Santa Cruz  
 Program Management Services, Service Order 6 —Fiscal Year 21 Program Activities (assumed NTP July 1, 2020)

Task No.	Task Description	Total	APC Charge	Total HDR Expenses at 5% labor	Subs w/ 5% MU (\$)	Total
	Rate Range	(\$)	\$5.25	+ 5% MU (\$)	5% MU (\$)	Cost (\$)
<b>SERVICE ORDER 6</b>						
	Subtotal Task 2	\$2,578,988	\$51,145	\$135,397	\$0	\$2,765,530
	Subtotal Task 3	\$1,886,056	\$29,947	\$99,018	\$0	\$2,015,021
	Subtotal Task 4	\$472,262	\$11,954	\$39,865	\$0	\$524,081
	Subtotal Task 5	\$879,105	\$11,783	\$102,269	\$186,332	\$1,179,489
	Subtotal Task 6	\$467,661	\$10,280	\$37,462	\$10,850	\$526,252
<b>COLUMN TOTALS (SO6 - Full Scope)</b>		<b>\$6,284,071</b>	<b>\$115,109</b>	<b>\$414,011</b>	<b>\$197,182</b>	<b>\$7,010,373</b>

ORDINANCE NO. 2020-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ AMENDING  
CHAPTER 6.91- CANNABIS RETAILER LICENSES OF THE CITY OF SANTA CRUZ  
MUNICIPAL CODE TO ALLOW CANNABIS RETAILER LICENSE TRANSFERS AND TO  
UPDATE OTHER PORTIONS OF THE CHAPTER

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

Section 1. Chapter 6.91 – Cannabis Retailer Licenses, is hereby amended as follows:

**Chapter 6.91**

**CANNABIS RETAILER LICENSES**

Sections:

- 6.91.010 Purpose.
- 6.91.020 Definitions.
- 6.91.030 Cannabis retail business – License required.
- 6.91.040 Written applications required.
- 6.91.050 Notice of availability.
- 6.91.060 Application contents.
- 6.91.070 Fee for application.
- 6.91.080 Review procedure.
- 6.91.090 Review factors.
- 6.91.100 Determination contingent.
- 6.91.105 Appeals.
- 6.91.110 Effective date.
- 6.91.120 License transfers.
- 6.91.130 Annual confirmation of renewal.
- 6.91.140 Expiration.
- 6.91.150 Suspension and revocation.
- 6.91.160 License requirements.
- 6.91.170 Violations.

**6.91.010 Purpose.**

Medical marijuana dispensaries have operated within the city of Santa Cruz for a long period of time without land use conflicts. Proposition 64, approved by the voters of California in November 2016, legalized the adult recreational use of marijuana. This chapter is designed to regulate the sale of cannabis based upon the new state laws.

The city has an interest in ensuring that the retail sale of cannabis supports the character and values of the city, including the unique entrepreneurial, creative, and compassionate nature of its residents

and business owners. To this end, the city encourages these qualities in applications for cannabis retailer licenses, requiring some combination of a number of factors that support these values.

The city has determined to initially limit the number of cannabis retail outlets allowed to ensure that this use will not create unforeseen impacts. The city also desires a process by which individual proprietors may relocate their businesses without expanding the number of cannabis retail outlets in the city. To provide a process that limits the number of outlets without tying those outlets to specific properties, this chapter creates a licensing structure for cannabis retail businesses.

**6.91.020 Definitions.**

The following words and phrases, whenever used in this chapter, shall have the meanings defined in this section unless the context clearly requires otherwise:

1. “Adult use” shall refer to nonmedical use of cannabis by persons twenty-one years of age or older in conformance with the Medical and Adult-Use Cannabis Regulation and Safety Act and the provisions of state law regarding cannabis use and sale.
2. “Application period” shall be the time stated in the notice of availability during which the planning department will accept applications for cannabis retailer licenses.
3. “Cannabis establishment” shall mean any business, including cultivation, manufacturing, distribution, and retail, that requires a state cannabis license or, if located out of the state of California, an equivalent authorization to do business. Each individual location and each online presence shall be considered a separate “cannabis establishment” except that a physical location may have one online presence, so long as the physical location and the online presence are performing essentially the same business function and are operating under a single state license.
4. “Cannabis retail business” shall refer to a business within the city of Santa Cruz holding a valid cannabis retailer license.
5. “Chief of police” shall refer to the city of Santa Cruz chief of police or the person designated by the chief of police.
6. “Date of issuance of cannabis retailer license” shall be the date on which the cannabis retailer license was approved by the planning department and the chief of police.
7. “License vacancy” shall mean any time in which the total number of licenses issued is fewer than allowed by city council.
8. Medical Cannabis, Medical Marijuana. See “Medicinal cannabis.”
9. “Medicinal cannabis” or “medicinal cannabis products” means cannabis or a cannabis product, respectively, intended to be sold for use pursuant to the Compassionate Use Act of 1996 (Proposition 215), found at Health and Safety Code Section 11362.5, by a medicinal cannabis patient in California who possesses a physician’s recommendation.

10. "Person" shall mean any natural person, partnership, cooperative, association, corporation, personal representative, receiver, trustee, assignee, or any other legal entity.
11. "Planning department" means the planning and community development department of the city of Santa Cruz.
12. "Police department" means the police department of the city of Santa Cruz.
13. "Proprietor" shall mean any of the following:
  - A. A person with an aggregate ownership interest of twenty percent or more in a cannabis retail business, unless the interest is solely a security, lien, or encumbrance.
  - B. The chief executive officer of a nonprofit or other entity.
  - C. A member of the board of directors of a nonprofit.
  - D. The trustee(s) and all persons who have control of the trust that holds a cannabis retail business.
  - E. An individual entitled to a share of at least twenty percent of the profits of a cannabis retail business.
  - F. An individual who will be participating in the direction, control, or management of a cannabis retail business. Such an individual includes any of the following:
    - i. A general partner of a cannabis retail business that is organized as a partnership.
    - ii. A nonmember manager or managing member of a cannabis retail business that is organized as a limited liability company.
    - iii. An officer or director of a cannabis retail business that is organized as a corporation.

**6.91.030 Cannabis retail business – License required.**

It is unlawful for any person conducting, operating, owning, or in control of any premises to sell cannabis or cannabis products, whether medical (medicinal) or adult use (recreational), within the city of Santa Cruz unless such person holds a valid cannabis retailer license therefor, pursuant to the provisions of this chapter. All retail sales of any type, including online and delivery service sales, are included in this requirement and are unlawful without the required cannabis retailer license. A separate cannabis retailer license is required for each location. If a proprietor has more than one location, a license is required for each.

**6.91.040 Written applications required.**

An application for a cannabis retailer license shall be filed with the planning department, shall be in writing on forms provided by the city, shall be in duplicate, and shall be accompanied by the appropriate documentation and fee.

**6.91.050 Notice of availability.**

When the number of cannabis retailer licenses falls below the number of licenses set by city council, the city shall place an advertisement in at least one local newspaper of general circulation and post on the city's website an announcement that the city will be accepting applications for cannabis retailer licenses. The notice shall include the dates during which applications will be accepted, the location on the city's website for application requirements and directions, and the contact information for questions.

**6.91.060 Application contents.**

Each application shall contain:

1. A complete identification of the applicant including name and address;
2. Names, residence and business addresses of any copartners, including limited partners, or, if the applicant is a corporation, the name of the corporation shall be set forth exactly as shown in its articles of incorporation together with the date and place of incorporation, the names and residence addresses of each of the officers, directors, and each stockholder owning more than ten percent of the stock of the corporation. If one or more of the partners is a corporation, the provisions of this section pertaining to a corporate applicant apply;
3. The names, residence and business addresses of the managers and persons to be in charge of the business;
4. The name, residence and business address of the owner of the property, who shall indicate in writing his/her consent to cannabis retail sales being conducted on the property by signing the application in the space provided;
5. A site plan, floor plan, and elevations of the property where the business will operate;
6. An operations plan for the business, including consistency with Section 6.91.090 below, and the name under which it is to be operated;
7. Whether or not any person referred to in subsection (1), (2), (3) or (4) has had a license or use permit for the same or any similar business suspended or revoked anywhere, and, if so, the circumstances of such suspension or revocation;
8. The hours of operation;
9. Such other related information as the planning department and police department may require.

The residential addresses required in subsections (2) and (3), as well as the name(s) of managers and persons to be in charge listed in subsection (3), shall be kept private and not made available to the public.

**6.91.070 Fee for application.**

The fee to apply for a cannabis retailer license and a license transfer application shall be set by resolution of the city council from time to time. The fee shall be calculated so as not to exceed that amount which would recover the total cost of both license administration and license enforcement, including, for example, issuing the license, administering the license program, retailer education, retailer inspection and compliance checks, documentation of violations, and prosecution of violators. All fees shall be used exclusively to fund the program. Fees are nonrefundable except as may be required by law.

**6.91.080 Review procedure.**

All complete applications received during the application period shall be reviewed by a panel of no fewer than three city employees. The panel shall review the applications, considering factors of importance to the community including those listed below. The application determined to best meet the community's needs and values shall be granted the license contingent upon meeting the requirements for cannabis retailer licenses (including payment of fees and meeting the required review factors), obtaining a state retail, nonprofit, or microbusiness license, and approval of an administrative use permit for the property from which the business will operate prior to the cannabis retail license becoming effective.

**6.91.090 License requirements and review factors.**

1. The following are required as conditions for obtaining a cannabis retailer license:
  - A. All cannabis retail businesses shall pay employees a living wage as set annually by city council and further described in Chapter 5.10, with proof of compliance submitted annually by August 1<sup>st</sup> for the fiscal year beginning July 1<sup>st</sup> on the Cannabis Retailer Living Wage Compliance form provided by the City;
  - B. Cannabis retailers shall not hinder nor discourage employees from forming or joining a collective bargaining unit or labor union to support their employee rights to collective bargaining, nor shall they interfere with any collective bargaining activities;
2. The application shall also demonstrate that the business owner(s) meets a minimum of six (6) of the following factors:
  - A. A majority of the business is owned by individuals who have been local residents for the previous three years;
  - B. The business owner(s), individually or collectively, have a business interest in no more than six (6) other cannabis establishments, including businesses in other jurisdictions and/or states;
  - C. A majority of the business is minority- or woman-owned;

- D. Provides employee benefits as described in Chapter 5.10, the City's Living Wage Ordinance, in addition to the full living wage, not discounted for benefits;
  - E. Provides medical cannabis;
  - F. Green Business certification through the City's Green Business Certification program;
  - G. Carries a minimum of fifteen percent in total shelf space at any given time products produced or grown within 100 miles of Santa Cruz County;
  - H. A majority of the business is employee-owned;
  - I. Maintains an active and transparent banking relationship with a financial institution.
  - J. Other community benefits, described in detail and approved by the Planning Department.
3. For new licenses that are being reviewed through the competitive process, the quality of the operations plan shall also be considered as a factor, and the extent to which a proposal exceeds any minimum factor thresholds shall also be considered in the award process.
  4. All cannabis retail businesses shall provide an annual affidavit confirming that the business is meeting each of the requirements and factors included in the initial license application that resulted in the provision of the license. This affidavit shall be provided by August 1 for the prior fiscal year spanning July 1 through June 30.

**6.91.100 Determination contingent.**

The issuance of a cannabis retailer license shall be contingent upon the following:

1. Approval of an administrative use permit within six months or consistent with existing administrative use permit, including all conditions of approval; and
2. Obtaining state cannabis retail license, state cannabis nonprofit license, or state cannabis microbusiness license.

**6.91.105 Appeals.**

An applicant aggrieved by the decision of the city employee review panel to deny a cannabis retailer's license may appeal to the city council in accordance with the provisions of Chapter 1.16.

**6.91.110 Effective date.**

The approved license shall become effective upon approval of both the administrative use permit for the location (or the determination by the planning department that the application meets the conditions of approval for an existing administrative use permit) and approval of the state license allowing cannabis retail uses.

**6.91.120 License transfer.**

License transfers may be allowed consistent with the provisions of this section and chapter. Licensees may change locations contingent upon obtaining an administrative use permit for the new location(s) as well as approval from the state licensing agency for the new location in accordance with Section 6.91.100.

1. License Transfer to New Owner. No licensee shall transfer ownership or control of a retail cannabis establishment to another person or entity unless and until the transferee obtains an amendment to the license from the Planning Department stating that the transferee is now the licensee. Such an amendment may be obtained only if the transferee files all required application materials in accordance with all provisions of this chapter, pays all applicable fees, passes the background check, and independently meets the requirements of the cannabis retailer license, as determined by the Planning Department. This can be accomplished by meeting the requirements specified above in Section 6.91.90. A license shall not be transferred to an owner who has engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.
2. Changes in ownership of a licensee's business structure or a change in the ownership of a licensee's business entity (including transfers between individuals with ownership interest) of 30 percent or greater must be approved by Planning Department through the transfer process contained in (1) above. Failure to comply with this provision is grounds for license revocation.
3. In the event of the death of the licensee, the heir(s) may operate the business under the original license for a period not to exceed six months, with the possibility of an extension due to extenuating circumstances, as approved by the Planning Director, during which time the heir(s) must obtain a license transfer as described in section 1 above.
4. No cannabis retailer license may be transferred when the chief of police has notified the licensee that the license has been or may be suspended or revoked.
5. Any attempt to transfer a cannabis retailer license either directly or indirectly in violation of this section is hereby declared void, and such a purported transfer shall be deemed a ground for revocation of the license.

**6.91.130 Annual confirmation of renewal.**

All cannabis retailer licenses are required to be renewed annually. Licensees shall submit annually for a confirmation of renewal to the police department by providing proof of renewal of their state cannabis retail, nonprofit, or microbusiness license. The police department will review the license before issuing the renewal. A fee commensurate with the cost of reviewing the existing license, the new state license, the history of calls for service at the site, and a site visit as well as any other appropriate review and investigation shall be submitted with the renewal application. This fee shall be set by city council.

**6.91.140 Expiration.**

A license shall expire if not in active use for a period of six months at any time after the date of issuance. This period may be extended if the licensee has applied for an administrative use permit that has been delayed through no fault of the licensee. Expired licenses may not be renewed but the license holder may reapply at a later date.

**6.91.150 Suspension and revocation.**

In addition to any other remedy authorized by law, a cannabis retailer license may be suspended and/or revoked if the chief of police, the planning director, or their designees find that the licensee, or any of the licensee's agents or employees, has violated any of the requirements, conditions, or prohibitions of the use permit, state law, or the city's municipal code. During any period of license suspension, the business must remain closed and no operations may continue.

1. Suspension of License. Upon the chief of police, the planning director, or their designees determining a violation of the requirements, conditions, or prohibitions of the use permit, state law, or the city's municipal code has occurred, a cannabis retailer license shall be suspended for up to sixty days.
2. Revocation of License. Upon the chief of police, the planning director, or their designees determining that a second violation of the requirements, conditions, or prohibitions of the use permit, state law, or the city's municipal code has occurred, the cannabis retailer license shall be revoked and no new license may be issued for the proprietor or any other business entity in which the proprietor is a partner or owner of ten percent or more of the business for a period of five years from the date of revocation.
3. Appeal of Suspension or Revocation. A licensee may appeal the suspension or revocation of a cannabis retailer license to the city council by filing an appeal with the planning department within ten working days of the revocation.

**6.91.160 License requirements.**

The following requirements shall apply to all cannabis retailer licenses:

4. Limited Number Set by City Council. The city council has determined that the initial number of cannabis retailer licenses within the city shall be set at no more than five licenses for both commercial adult use and medical cannabis. This number includes the two existing dispensaries originally approved as medical marijuana provider association dispensaries, which shall be granted licenses upon receipt of a complete application without the need to undergo the review procedure set forth in Section 6.91.080. In order to obtain this privilege, the two existing dispensaries shall submit cannabis retailer license applications within sixty days of the final adoption of the ordinance codified in this chapter. In the event that one or both of these licenses lapse or are revoked, the proprietor shall be required to compete for a new license under the same terms and conditions as all other applicants. The city council may, by resolution, modify the maximum number of licenses allowed under this section.

2. Concurrent or Existing Administrative Use Permit. A license can only be used in conjunction with an approved administrative use permit for the property at which the business is located. If the property does not have an existing use permit for cannabis retail use, the applicant may apply for the required administrative use permit concurrently with the license application as long as all of the following conditions are met: (1) the property zoning allows cannabis retail or microbusiness uses; (2) the property owner agrees to such use; (3) the property is not within a six-hundred-foot radius of a school providing instruction in kindergarten or any grades one through twelve, day care center, or youth center; and (4) there is not another cannabis retail establishment within six hundred feet of the property unless the applicant is seeking an exception from said separation requirements, consistent with provisions in Section 24.12.1330.
3. State License for Retail or Other Compatible License Type. City cannabis retailer licenses are not valid without a valid California cannabis retail, nonprofit, or microbusiness license. City licenses may be issued contingent upon the applicant receiving a state license; however, the application for the state license must be submitted prior to approval of the city license unless otherwise authorized by the director due to unusual circumstances. If the state license is not approved within six months of the issuance of the city license, the city license shall become invalid unless an extension is obtained. The applicant may apply for an extension if the delay in obtaining the state license is not due to a delay on the part of the applicant in providing any application or other materials to the state. If the applicant's license is deemed invalid due to a delay in obtaining the state license, the applicant may reapply when another license is available.
4. Consistency with State Law and Conditions of Approval for Administrative Use Permit. Operations of the business shall be in compliance with applicable state law and with the conditions of approval of the approved use permit for the property on which the business is located.
5. Cannabis retailer licenses are issued to the proprietor and are not specific to the location. Each license shall be for one retail outlet only and additional licenses must be obtained for additional retail outlets.

**6.91.170 Violations.**

1. It shall be unlawful for any person to act as a cannabis retailer or to display or advertise the sale of cannabis products without obtaining and maintaining a valid cannabis retailer license pursuant to this chapter for each location at which that activity is to occur.
2. Online sales of medical or adult use cannabis without a cannabis retailer license are prohibited.
3. Each cannabis retailer license shall be prominently displayed in a publicly visible location at the licensed location and on any business website or advertisement.
4. In the course of cannabis retailing or in the operation of a business or maintenance of a location for which a cannabis retailer license has been issued, it shall be a violation of this chapter for a licensee, or any of the licensee's agents or employees, to violate any local or state law applicable to cannabis products, cannabis paraphernalia, or cannabis retailing.

Section 2. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every Section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

Section 3. This ordinance shall take effect and be in force thirty (30) days after final adoption.

PASSED FOR PUBLICATION this 9<sup>th</sup> day of June, 2020, by the following vote:

AYES: Councilmembers Mathews, Brown, Golder, Watkins; Vice Mayor Meyers; Mayor Cummings.

NOES: None.

ABSENT: Councilmember Beiers.

DISQUALIFIED: None.

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

PASSED FOR FINAL ADOPTION this 23<sup>rd</sup> day of June, 2020 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ORDINANCE NO. 2020-13

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

This is to certify that the above and foregoing document is the original of Ordinance No. 2020-13 and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

\_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

**Proof of Publication  
(2015 C.C.P.)**

I, the undersigned, declare:

That I caused the attached legal notice/advertisement to be published in the Santa Cruz *Good Times*, a weekly newspaper published and circulated in the County of Santa Cruz, and adjudged a newspaper of general circulation by the Superior Court of California in and for the County of Santa Cruz, under Proceeding No. 68833; and that the legal notice/advertisement was published in the above-named newspaper on the following date(s), to wit:

June 17, 2020

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

This 17<sup>th</sup> day of June, 2020, Santa Cruz, California

**Julia Wood**  
Julia Wood  
Deputy City Clerk Administrator

Digitally signed by Julia Wood  
DN: cn=Julia Wood, o=City of Santa Cruz, ou=City  
Clerks Department,  
email=jwood@cityofsantacruz.com, c=US  
Date: 2020.06.17 13:36:16 -0700

<p><b>NOTICE OF PUBLICATION OF ORDINANCE BY POSTING (ORDINANCE NO. 2020-13)</b></p> <p>The City Council of the City of Santa Cruz having authorized the City Clerk Administrator, that the ordinance hereafter entitled and described, be published by posting copies thereof in three (3) prominent places in the City, to wit:</p> <p>The City of Santa Cruz website www.cityofsantacruz.com City Hall – 809 Center Street: Bulletin Board, Room 9/10 Bulletin Board outside Council Chambers</p> <p>NOTICES HEREBY GIVEN that copies of said ordinance were posted according to said order. (Original on file with city clerk). Said ordinance was introduced on the 9th day of June, 2020, and is entitled and described as follows:</p> <p><b>ORDINANCE NO. 2020-13 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ AMENDING CHAPTER 6.91- CANNABIS RETAILER LICENSES OF THE CITY OF SANTA CRUZ MUNICIPAL CODE TO ALLOW CANNABIS RETAILER LICENSE TRANSFERS AND TO UPDATE OTHER PORTIONS OF THE CHAPTER</b></p> <p>This ordinance revises chapter 6.91 of the Municipal Code for cannabis retailer licenses to allow license transfers. PASSED FOR PUBLICATION on this 9th day of June, 2020, by the following vote: AYES: Councilmembers Mathews, Brown, Golder, Watkins; Vice Mayor Meyers; Mayor Cummings. NOES: NONE. ABSENT: Councilmember Beiers. DISQUALIFIED: None. APPROVED: ss/ Mayor Cummings. ATTEST: ss/Bonnie Bush, City Clerk Administrator. This Ordinance is scheduled for further consideration and final adoption at the Council meeting of June 23rd, 2020.</p>	
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DECLARATION OF POSTING

STATE OF CALIFORNIA        )  
  )    SS.  
COUNTY OF SANTA CRUZ    )

On the 9<sup>th</sup> day of June, 2020, I posted conspicuously in three public places within the City of Santa Cruz, Ordinance No. 2020-13, to wit:

1. City Hall Bulletin Board
2. City Manager’s Office Bulletin Board
3. The City of Santa Cruz website

The document, posted in its entirety, consists of pages 1—11.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 12<sup>th</sup> day of June, 2020, in Santa Cruz, California.

**Julia Wood** Digitally signed by Julia Wood  
DN: cn=Julia Wood, o=City of Santa Cruz, ou=City Clerk  
Department, email=jwood@cityofsantacruz.com, c=US  
Date: 2020.06.12 08:30:05 -07'00'

---

Julia Wood  
Deputy City Clerk Administrator

## Rosemary Balsley

---

**From:** Garrett <garrettphilipp@aol.com>  
**Sent:** Thursday, June 18, 2020 8:05 PM  
**To:** City Council  
**Subject:** 6/23/20 Agenda Item # 30 Reverse Racist/Sexist Defective Leftist Cannabis licence requirements

6/23/20 Agenda Item # 30 Reverse Racist/Sexist Defective Leftist Cannabis licence requirements

Dear Council,

I see no amount of explaining how absolutely awful and misguided your requirements are for new cannibals licenses are, we again see you intend on passing this monstrosity.

Have you no shame. Again see one of the possible required elements of obtaining a licences is the "other factors" "6.91.090 License requirements and review factors. C. A majority of the business is minority- or woman-owned; "

Let's make it real transparent. This means If you are a white male, you cannot qualify for this requirement. Perhaps this is because no white males exist on the council, you got me, but it is 100% in the hands of the council, or not, to discriminate on the basis of gender or race, and it appears you have taken that route.

While racism is classically defined as a belief in racial superiority combined with discrimination or advantage of one race over another, this is nearly identical, but the opposite. It implies racist and gender inferiority of the same kind, assuming the gender female, and races, minority (i.e. non-white ) are inferior and cannot compete on a level playing field. This is an awful insult to these peoples, and I cannot see how you live with yourselves for asserting this. Since everything (i.e. licences issuance), in your hands, this is not regulation of others behavior, i.e. not justified affirmative action, but outright reverse racism and sexism.

All of you , and that's every, who voted this forward to today needs to be voted out of office in disgrace or fess up and fix this.

This is permanent law, and the previous excuse for this was a) "to right past wrongs", b)" to acknowledge the drug war effected some people more than others". How you figure punishing people who's only wrong is being the wrong color or gender according to you is beyond comprehension.

I would add, your vague descriptions of "minority" or "woman" isn't exactly definitive.

Exactly how MUCH minority qualifies. E. Warrens' 1024'th Indian? 25%, 50% ??

If a man identifies as a woman, does that count??

Some definitions are in order.

Perhaps you need to check with the home office in Oakland or Berkeley to see what out of control leftist ideology should have been penned to clarify this. (that is a joke)

I expect a full explanation by each and every one of you as to any "ayes" vote on this to the points I have raised or I will regard you are coward reverse racist and sexists.

Sincerely, Garrett Philipp

## Rosemary Balsley

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**From:** Jim Coffis <jim.coffis@greentradesantacruz.org>  
**Sent:** Monday, June 22, 2020 12:01 PM  
**To:** Justin Cummings; City Council; Bonnie Bush; Martine Watkins; Donna Meyers; Sandy Brown; Cynthia Mathews; Cynthia Mathews; Katherine Beiers; Renee Golder  
**Cc:** Martin Bernal  
**Subject:** Cannabis Retailer Ordinance

Re: [2nd Reading and Final Adoption of Ordinance No. 2020-13 Amending Chapter 6.91 - Cannabis Retailer Licenses to Allow License Transfers \(PL\)](#)

The current iteration of “Reefer Madness” is almost as bizarre as the original. When alcohol prohibition ended “Reefer Madness” was created to protect the livelihood of abolitionists. In order to justify devoting public resources toward eradicating the production and sales of the plant it was necessary to connect cannabis with all kinds of aberrant behaviours. Many of the stigmas created through this decades-long propaganda campaign still persist. And lest we forget, the use, sale and cultivation of cannabis remains, to this day, a federal offense.

Now “Reefer Madness” is more associated with the seemingly endless debate and deliberation over rules and regulations that get enacted for one reason or another most often simply because a jurisdiction has the authority to do so.

The current changes to the City of Santa Cruz Cannabis Retailer License are a case in point. What began as a request by the 5 current license holders to align the language regarding ownership more closely to state law (and nearly every other local jurisdiction) so that a cannabis business could change their ownership structure (like any other business); has been taken as an opportunity to reexamine the minutiae of existing regulations.

The proposed new ordinance which will have its second reading Tuesday fixes what amounted to a “life sentence” imposed upon current license holders. Prior to the changes being considered a license holder could not take on any new investment that affected over 20% of total equity nor could they ever hope to sell or bequeath their business. They could walk away from their business with no equity or be stuck for life.

Recognising the unreasonableness of the current restrictions, Council and staff set out to create a mechanism that allowed for changes in ownership structure while maintaining the ability to approve or deny a new proprietor.

Now, any change to the ownership structure that results in a new person or entity owning more than a 30% interest will require an entire new city license. To receive approval for such changes the licensee must meet two new mandatory conditions and six out of a set of ten “factors”. A minimum of three city staffers will review and approve or deny the application. Appeals will come to the City Council.

The licensee will be required to submit an annual affidavit confirming that they are meeting each of the conditions and “factors” but no mechanism exists to audit or verify compliance.

Essentially the changes provide the 5 current license holders (and presumably any new licensees) a path to restructure or sell their business so long as new conditions are met.

The current license holders are not raising objections to the new conditions or review factors although they are quick to point out a variety of flaws which I will not discuss now.

Perhaps the least discussed and most impactful result of these changes will be the increased workload on the city staff. Any change affecting the ownership structure by 30% or more will require a new application and review even though there might be no change in “proprietorship” or control of the entity.

State law and most other jurisdictions only require notification, not a new license, when any change in ownership exceeds 20%. This is to ensure transparency of financial interests. Requiring a new application and review anytime new investment exceeds 30% will result in many more hours of work for both businesses and regulators.

Cannabis businesses are among the most regulated businesses in the state. Compliance costs are excessive, taxes are burdensome and the lack of access to traditional banking systems creates additional costs and constraints.

This is just the latest in "Reefer Madness". I can only hope that as the staff and City Council consider even more substantive changes to local cannabis regulations to address equity, public consumption, special events and taxation it can do so without succumbing to the irrational fears that 50 plus years of propaganda have created.

Cannabis has been and will continue to be good for the community. It is past time that we treat cannabis businesses as a positive force or at least like any other business.

Thank you for your service, respectfully,

Jim Coffis

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Create your own [email signature](#)



## CITY COUNCIL AGENDA REPORT

DATE: May 22, 2020

AGENDA OF: June 9, 2020

DEPARTMENT: Planning and Community Development (PL)

SUBJECT: Electric Vehicle Charging Station Expedited Processing Ordinance, Zoning Ordinance Amendments for Electric Vehicle Charging Stations, and Amendment to the Local Coastal Program Implementation Plan (PL)

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### RECOMMENDATION:

- 1) Introduce for publication the proposed Electric Vehicle Charging Station Expedited Processing Ordinance.
- 2) Introduce for publication the proposed Zoning Ordinance Amendments to exempt electric vehicle charging stations from design permit requirements and to allow charging stations above Level 2 to be counted towards meeting the required number of parking spaces served by electric vehicle chargers.
- 3) Resolution authorizing and directing the City Manager to submit the amendments to the implementation regulations of the Local Coastal Program to the California Coastal Commission.

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**BACKGROUND:** The State of California supports the use of electric vehicles to help address air pollution and climate change goals. As part of this support, the State Legislature passed Assembly Bill 1236, signed into law by Gov. Brown in 2015, amending Government Code Section 65850.7 to require all jurisdictions within the State to expedite permits for electric vehicle (EV) charging stations. As part of the expedited process, all permits are required to be reviewed ministerially, with no subjective review unless the building official makes findings that the application results in specific health or safety concerns.

In addition to adopting an ordinance, jurisdictions are required to adopt a checklist of the items that must be included with permit application submittals for the application to be eligible for the expedited permit review process. A final requirement of the bill is that the jurisdictions accept these applications, including permit plans and technical materials, by electronic submittal. Applications that meet the requirements of the checklist may not be conditioned upon approval of a homeowners or other association.

**DISCUSSION:** The City of Santa Cruz also supports the use of low and zero emission vehicles and has been following the State requirements, including posting the required checklist on the City's website and not requiring design permits for such projects. The checklist that is posted

online and used by the Building Division to review all charging station applications for completeness is attached for reference.

The City is now bringing forward ordinances that comply with the requirements of AB 1236. The first attached ordinance establishes a new section in Chapter 18.06 of the City's Municipal Code detailing the requirements of the expedited process. The second attached ordinance amends specific sections of the Zoning Ordinance (Chapter 24 of the City's Municipal Code) to clarify: 1) that applications for EV charging stations are not subject to design permits and 2) that EV charging stations higher than Level 2 can be counted towards meeting the required number of parking spaces served by EV charging stations. The City's parking lot standards require a certain number of EV charging stations based on the number of spaces in parking lots, roughly 6 percent of the total number of spaces. Currently, the parking lot design standards specify a Level 2 charging station must be provided. The level indicates the speed of the charge, with Level 1 being a "trickle" charger that uses a standard 120 volt electrical connection, generally used for residential charging, where a vehicle may be plugged in to charge overnight. A Level 2 charging station can recharge a battery within a few hours, normally 2-4 hours, and runs on a 240 volt connection. A Level 3 charger, used for charging Teslas or other cars that accept direct current (DC) Fast Charging, is much faster and may recharge a battery within 30 minutes. It uses a higher voltage connection and is quite expensive to install, so it was not considered or referenced when the parking lot standards were originally amended to require EV charging stations. As Level 3 charging stations become more common, the costs may go down and the City would not want to discourage the use of Level 3 charging stations in parking lots. Physically, the Level 2 and 3 charging stations generally have the same dimensions and take up roughly the same amount of space.

The above-noted sections of the Zoning Ordinance are part of the Local Coastal Program Implementation Plan (LCP), so the second ordinance also amends the LCP and need to be approved by the California Coastal Commission. The proposed amendments are consistent with the adopted LCP. Policy 1.1 of the LCP's Air Quality policies is to "Ensure that population growth does not exceed AQMP population projections and review proposed land-use projects for their consistency with the AQMP and for potential air quality impacts." The Monterey Bay Air Resources District's (MBARD) 2012-2015 Air Quality Management Plan (AQMP) supports the use of alternative fuel and electric vehicles, including by supporting "electric vehicle charge station infrastructure, which is fundamental to incentivizing the growth of the alternative fuel vehicle fleet within the District's jurisdictional boundaries."<sup>1</sup>

The revisions make minor, non-substantive changes to the Zoning Ordinance. The removal of the requirement for a design permit for EV charging stations is required by State regulations. The change in the level of charging stations would have no physical impact on any development in the future, as there would be little or no difference between the design and construction of a Level 2 charging station and a higher level charging station. Projects of this nature are typically exempt from the requirements of a coastal permit per Section 24.08.230.1 of the Municipal Code or excluded from the requirements for a coastal permit per Section 24.08.203.2. Therefore, these changes are also consistent with the requirements of the Coastal Act in that they would not change any existing coastal permit requirements.

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<sup>1</sup> 2012-2015 Air Quality Management Plan, adopted by District Board Directors March 15, 2017, p. 30.

These amendments were presented to the Planning Commission at a special meeting on May 22, 2020. The Planning Commission voted unanimously with one member absent to recommend that the City Council approve the ordinance and the resolution adopting the amendments to the Local Coastal Program and authorizing the City Manager to submit the amendment to the California Coastal Commission.

After the Planning Commission meeting, staff realized that Section 18.06.75.050(a) of the proposed ordinance states “If the Building Official makes a finding based on substantial evidence that the electric vehicle charging station could have a specific adverse impact upon the public health or safety, as defined in this Chapter, the City may require the applicant to apply for a use permit;” however, the section did not specify whether the use permit would be an administrative use permit or a special use permit. An administrative use permit is generally determined by the Zoning Administrator at a public hearing while a special use permit requires a public hearing before the Planning Commission. The Planning Manager has the discretion to require a project that would normally be heard by the Zoning Administrator to go before the Planning Commission if she or he determines that it would be in the best interest of the City to have the public hearing before the larger body. Under these circumstances and given the scale and scope of an EV charging station, staff believes that an administrative use permit would be more appropriate and has specified an administrative use permit in the proposed ordinance.

When the proposed amendments were presented to the Planning Commission, they were combined in one ordinance. They have been separated into two ordinances so that the amendments that are part of the LCP can be taken to the Coastal Commission without having to include sections that are not part of the LCP.

*Policy Support.* A number of policies in the General Plan support alternative fuel sources, the use of EVs, and the provision of EV charging facilities. A variety of General Plan Actions support this amendment, including but not limited to the following:

- CC2.1.3 Facilitate efforts of private and nonprofit public services and facility providers.
- HZ1.1.10 Encourage utility and building retrofits as technologies improve.
- HZ2.1.1 Support and implement local actions and County, State, and federal legislation promoting the reduced emissions of carbon dioxide and other greenhouse gases.

In general, the City seeks to lower greenhouse gas emissions and to support residents’, workers’, business owners’, and visitors’ use of EVs by providing charging stations in public garages, requiring these facilities in private parking lots, and facilitating their inclusion in the community. Amending the Municipal Code to comply with State law and encourage the installation of EV charging stations by streamlining the process for such installation aligns with City policy.

The proposed amendments are consistent with the Health in All Policies pillars of equity, public health, and sustainability in that they would encourage the use of electric vehicles, which would decrease auto emissions, contributing both to health benefits and to a cleaner environment.

*Environmental Review.* The municipal code amendments have been determined to be exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3) of Chapter 3, Title 14 of the California Code of Regulations (CEQA Guidelines), in that the activity is covered under the general rule that CEQA applies only to projects that have the potential for causing significant effect on the environment. Further, as State law has determined that any projects that would be regulated by these amendments must be approved ministerially and are therefore

statutorily exempt from CEQA per Section 15268 of the CEQA Guidelines, the impacts of these amendments would not have the potential to cause significant effects on the environment.

FISCAL IMPACT: There is no foreseeable fiscal impact to the General Fund from these amendments, although it is possible that some tourists who drive EVs may be more inclined to visit cities that have significant numbers of charging stations available, and additional charging stations may result from this ordinance amendment.

Prepared by:

Katherine Donovan  
Senior Planner

Submitted by:

Lee Butler  
Director of Planning and  
Community Development

Approved by:

Martin Bernal  
City Manager

ATTACHMENTS:

- Attachment 1 Building Code Ordinance, clean
- Attachment 2 Building Code Ordinance, redline
- Attachment 3 Zoning Ordinance Amendments, Clean
- Attachment 4 Zoning Ordinance Amendments, redline
- Attachment 5 Resolution

ORDINANCE NO. 2020-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ ADDING SECTION 18.06.075 (ET SEQ) OF THE SANTA CRUZ MUNICIPAL CODE TO SET FORTH PROCEDURES FOR EXPEDITING PERMIT PROCESSING FOR ELECTRIC VEHICLE CHARGING SYSTEMS

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

Section 1. Section 18.06.75 – Electric Vehicle Charging Station Permit Expediting of Chapter 18.06 – Special Building Regulations of the City of Santa Cruz Municipal Code is hereby added to read as follows:

18.06.75 – ELECTRIC VEHICLE CHARGING STATION PERMIT EXPEDITING

18.06.75.010 PURPOSE

The purpose of this Chapter is to promote and encourage the use of electric vehicles by creating an expedited, streamlined permitting process for electric vehicle charging stations while promoting public health and safety and preventing specific adverse impacts in the installation and use of such charging stations. This Chapter is also purposed to comply with California Government Code Section 65850.7.

18.06.75.020 DEFINITIONS

- (a) “Electric vehicle charging station” or “charging station” means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, as it reads on the effective date of this Chapter, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.
- (b) “Specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
- (c) “Electronic submittal” means the utilization of the City’s online building permit application portal.

18.06.75.030 EXPEDITED REVIEW PROCESS

Consistent with Government Code Section 65850.7, the Building Official shall implement an expedited administrative permit review process for electric vehicle charging stations and adopt a checklist of all requirements with which electric vehicle charging stations shall comply in order to be eligible for expedited review. The City’s adopted checklist shall be published on the City’s website.

18.06.75.040 PERMIT APPLICATION PROCESSING

- (a) Prior to submitting an application for processing, the applicant shall verify that the installation of an electric vehicle charging station will not have specific, adverse impact to public health and safety and building occupants. Verification by the applicant includes but is not limited to: electrical system capacity and loads; electrical system wiring, bonding and overcurrent protection; building infrastructure affected by charging station equipment and associated conduits; areas of charging station equipment and vehicle parking.
- (b) A permit application that satisfies the information requirements in the City's adopted checklist shall be deemed complete and be promptly processed. Upon confirmation by the Building Official that the permit application and supporting documents meet the requirements of the City adopted checklist and are consistent with all applicable laws and health and safety standards, the Building Official shall, consistent with Government Code Section 65850.7, approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or utilize the electric vehicle charging station until approval is granted by the City. If the Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.
- (c) Consistent with Government Code Section 65850.7, the Building Official shall allow for electronic submittal of permit applications covered by this Ordinance and associated supporting documentations. In accepting such permit applications, the Building Official shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.

18.06.75.050 TECHNICAL REVIEW

- (a) It is the intent of this Ordinance to encourage the installation of electric vehicle charging stations by removing obstacles to permitting for charging stations so long as the action does not supersede the Building Official's authority to address higher priority life-safety situations. If the Building Official makes a finding based on substantial evidence that the electric vehicle charging station could have a specific adverse impact upon the public health or safety, as defined in this Chapter, the City may require the applicant to apply for an administrative use permit.
- (b) In the technical review of a charging station, consistent with Government Code Section 65850.7, the Building Official shall not condition the approval for any electric vehicle charging station permit on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.

18.06.75.060 ELECTRIC VEHICLE CHARGING STATION INSTALLATION REQUIREMENTS

- (a) Electric vehicle charging station equipment shall meet the requirements of the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories, and rules of the Public Utilities Commission or a Municipal Electric Utility Company regarding safety and reliability.
- (b) Installation of electric vehicle charging stations and associated wiring, bonding, disconnecting means and overcurrent protective devices shall meet the requirements of Article 625 and all applicable provisions of the California Electrical Code.
- (c) Installation of electric vehicle charging stations shall be incorporated into the load calculations of all new or existing electrical services and shall meet the requirements of the California Electrical Code. Electric vehicle charging equipment shall be considered a continuous load.
- (d) Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building or Residential Code as applicable per occupancy, and the provisions of the manufacturer's installation instructions. Mounting of charging stations shall not adversely affect building elements.

Section 2. Any provision of the City of Santa Cruz Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, are hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

Section 3. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every Section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

Section 4. This ordinance shall take effect and be in force thirty (30) days after final adoption

ORDINANCE NO. 2020-

PASSED FOR PUBLICATION this 23<sup>rd</sup> day of June, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

PASSED FOR FINAL ADOPTION this X<sup>th</sup> day of X, 2020 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

This is to certify that the above and foregoing document is the original of Ordinance No. 2020-xx and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

\_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

ORDINANCE NO. 2020-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ ADDING SECTION 18.06.075 (ET SEQ) OF THE SANTA CRUZ MUNICIPAL CODE TO SET FORTH PROCEDURES FOR EXPEDITING PERMIT PROCESSING FOR ELECTRIC VEHICLE CHARGING SYSTEMS

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

Section 1. Section 18.06.75 – Electric Vehicle Charging Station Permit Expediting of Chapter 18.06 – Special Building Regulations of the City of Santa Cruz Municipal Code is hereby added to read as follows:

18.06.75 – ELECTRIC VEHICLE CHARGING STATION PERMIT EXPEDITING

18.06.75.010 PURPOSE

The purpose of this Chapter is to promote and encourage the use of electric vehicles by creating an expedited, streamlined permitting process for electric vehicle charging stations while promoting public health and safety and preventing specific adverse impacts in the installation and use of such charging stations. This Chapter is also purposed to comply with California Government Code Section 65850.7.

18.06.75.020 DEFINITIONS

- (a) “Electric vehicle charging station” or “charging station” means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, as it reads on the effective date of this Chapter, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.
- (b) “Specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
- (c) “Electronic submittal” means the utilization of the City’s online building permit application portal.

18.06.75.030 EXPEDITED REVIEW PROCESS

Consistent with Government Code Section 65850.7, the Building Official shall implement an expedited administrative permit review process for electric vehicle charging stations and adopt a checklist of all requirements with which electric vehicle charging stations shall comply in order to be eligible for expedited review. The City’s adopted checklist shall be published on the City’s website.

18.06.75.040 PERMIT APPLICATION PROCESSING

ORDINANCE NO. 2020-XX

(a) Prior to submitting an application for processing, the applicant shall verify that the installation of an electric vehicle charging station will not have specific, adverse impact to public health and safety and building occupants. Verification by the applicant includes but is not limited to: electrical system capacity and loads; electrical system wiring, bonding and overcurrent protection; building infrastructure affected by charging station equipment and associated conduits; areas of charging station equipment and vehicle parking.

(b) A permit application that satisfies the information requirements in the City's adopted checklist shall be deemed complete and be promptly processed. Upon confirmation by the Building Official that the permit application and supporting documents meet the requirements of the City adopted checklist and are consistent with all applicable laws and health and safety standards, the Building Official shall, consistent with Government Code Section 65850.7, approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or utilize the electric vehicle charging station until approval is granted by the City. If the Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

(c) Consistent with Government Code Section 65850.7, the Building Official shall allow for electronic submittal of permit applications covered by this Ordinance and associated supporting documentations. In accepting such permit applications, the Building Official shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.

18.06.75.050 TECHNICAL REVIEW

(a) It is the intent of this Ordinance to encourage the installation of electric vehicle charging stations by removing obstacles to permitting for charging stations so long as the action does not supersede the Building Official's authority to address higher priority life-safety situations. If the Building Official makes a finding based on substantial evidence that the electric vehicle charging station could have a specific adverse impact upon the public health or safety, as defined in this Chapter, the City may require the applicant to apply for an administrative use permit.

(b) In the technical review of a charging station, consistent with Government Code Section 65850.7, the Building Official shall not condition the approval for any electric vehicle charging station permit on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.

18.06.75.060 ELECTRIC VEHICLE CHARGING STATION INSTALLATION REQUIREMENTS

(a) Electric vehicle charging station equipment shall meet the requirements of the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories, and rules of the Public Utilities Commission or a Municipal Electric Utility Company regarding safety and reliability.

(b) Installation of electric vehicle charging stations and associated wiring, bonding, disconnecting means and overcurrent protective devices shall meet the requirements of Article 625 and all applicable provisions of the California Electrical Code.

(c) Installation of electric vehicle charging stations shall be incorporated into the load calculations of all new or existing electrical services and shall meet the requirements of the California Electrical Code. Electric vehicle charging equipment shall be considered a continuous load.

(d) Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building or Residential Code as applicable per occupancy, and the provisions of the manufacturer's installation instructions. Mounting of charging stations shall not adversely affect building elements.

Section 2. Any provision of the City of Santa Cruz Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, are hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

Section 3. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every Section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

Section 4. This ordinance shall take effect and be in force thirty (30) days after final adoption.

PASSED FOR PUBLICATION this 23<sup>rd</sup> day of June, 2020, by the following vote:

AYES:  
NOES:  
ABSENT:  
DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

ORDINANCE NO. 2020-XX

PASSED FOR FINAL ADOPTION this X<sup>th</sup> day of X, 2020 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

This is to certify that the above  
and foregoing document is the  
original of Ordinance No. 202X-XX  
and that it has been published or  
posted in accordance with the  
Charter of the City of Santa Cruz.

\_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

ORDINANCE NO. 2020-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ  
AMENDING SECTIONS 24.08.410 AND 24.12.241 OF THE SANTA CRUZ MUNICIPAL  
CODE TO EXEMPT THE DESIGN PERMIT REQUIREMENT FOR ELECTRIC VEHICLE  
CHARGING SYSTEMS AND UPDATE PARKING STANDARDS FOR ELECTRIC VEHICLE  
CHARGING SYSTEMS

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

Section 1. Subsection 24.08.410 – General Provisions of Part 5 – Design Permit of Chapter 24.08 – Land Use Permits and Findings of the City of Santa Cruz Municipal Code is hereby amended as follows:

24.08.410 GENERAL PROVISIONS.

A design permit shall be required for the following types of projects:

1. Multiple dwellings and dwelling groups containing three or more dwelling units;
2. New structures intended for commercial use;
3. New structures intended for industrial use;
4. Commercial or industrial uses of land not involving a building;
5. Accessory structures and uses except those accessory uses or structures customarily associated with a single-family dwelling unless a design permit is otherwise required in this title;
6. Any structure on, or use of, a substandard residential lot, except for structures which provide access to the first floor for the physically challenged;
7. Any exterior remodeling and/or site alteration of either fifty thousand dollars or twenty-five percent additional floor area to any existing commercial or industrial building or structure, except within the Central Business District (CBD) zone, within which a design permit shall be required for any exterior alteration or remodeling for which the construction costs of such work exceed ten thousand dollars; the design of such exterior improvements shall provide an attractive, visually interesting, and pedestrian-scale facade treatment.
8. Any project where the applicant is a public agency over which the city may exercise land use controls;
9. Public projects in the Coastal Zone, including but not limited to buildings, roads, bridges, wharf structures, shoreline riprap, and port district projects;

ORDINANCE NO. 2020-

10. Any project which requires a design permit as a result of a specific city action or as a result of a condition of a prior project approval;
11. Parking lots with capacity for five or more spaces;
12. Any project which requires a planned development permit;
13. Single-family homes over four thousand square feet in R-1-10, three thousand five hundred square feet in R-1-7, and three thousand square feet in R-1-5 zoning districts;
14. Any structures in the West Cliff Drive Overlay District.

Electric vehicle charging stations are exempt from the requirement for a design permit.

Section 2. Section 1 – Definitions of Subsection 24.12.241 – Electric Vehicle Charging Station Requirements of Part 3: Off-Street Parking and Loading Facilities of Section 24.12 – Community Design of the City of Santa Cruz Municipal Code is hereby amended as follows:

24.12.241 ELECTRIC VEHICLE CHARGING STATION REQUIREMENTS.

1. Definitions.
  - a. “Electric vehicle” means a vehicle that operates, either partially or exclusively, on electrical energy from the electrical grid, or an off-grid source, that is stored on board for motive purposes.
  - b. Electric Vehicle Supply Equipment (EVSE) Installed. “EVSE installed” shall mean an installed Level 2 or higher EVSE, as defined by the California Green Building Standards Code (CAL Green) of California Building Standards regulations, et seq.

*The remainder of Subsection 24.12.241 remains unchanged.*

Section 3. Any provision of the City of Santa Cruz Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, are hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

Section 4. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every Section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

ORDINANCE NO. 2020-

Section 5. This ordinance shall take effect and be in force thirty (30) days after final adoption except within the Coastal Zone, where it shall take effect upon approval of the California Coastal Commission.

PASSED FOR PUBLICATION this 23<sup>rd</sup> day of June, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

PASSED FOR FINAL ADOPTION this X<sup>th</sup> day of X, 2020 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

This is to certify that the above and foregoing document is the original of Ordinance No. 2020-xx and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

\_\_\_\_\_

ORDINANCE NO. 2020-

Bonnie Bush, City Clerk Administrator

ORDINANCE NO. 2020-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ AMENDING SECTIONS 24.08.410 AND 24.12.241 OF THE SANTA CRUZ MUNICIPAL CODE TO EXEMPT THE DESIGN PERMIT REQUIREMENT FOR ELECTRIC VEHICLE CHARGING SYSTEMS AND UPDATE PARKING STANDARDS FOR ELECTRIC VEHICLE CHARGING SYSTEMS

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

Section 1. Subsection 24.08.410 – General Provisions of Part 5 – Design Permit of Chapter 24.08 – Land Use Permits and Findings of the City of Santa Cruz Municipal Code is hereby amended as follows:

24.08.410 GENERAL PROVISIONS.

A design permit shall be required for the following types of projects:

1. Multiple dwellings and dwelling groups containing three or more dwelling units;
2. New structures intended for commercial use;
3. New structures intended for industrial use;
4. Commercial or industrial uses of land not involving a building;
5. Accessory structures and uses except those accessory uses or structures customarily associated with a single-family dwelling unless a design permit is otherwise required in this title;
6. Any structure on, or use of, a substandard residential lot, except for structures which provide access to the first floor for the physically challenged;
7. Any exterior remodeling and/or site alteration of either fifty thousand dollars or twenty-five percent additional floor area to any existing commercial or industrial building or structure, except within the Central Business District (CBD) zone, within which a design permit shall be required for any exterior alteration or remodeling for which the construction costs of such work exceed ten thousand dollars; the design of such exterior improvements shall provide an attractive, visually interesting, and pedestrian-scale facade treatment.
8. Any project where the applicant is a public agency over which the city may exercise land use controls;
9. Public projects in the Coastal Zone, including but not limited to buildings, roads, bridges, wharf structures, shoreline riprap, and port district projects;
10. Any project which requires a design permit as a result of a specific city action or as a result of a condition of a prior project approval;

ORDINANCE NO. 2020-XX

11. Parking lots with capacity for five or more spaces;
12. Any project which requires a planned development permit;
13. Single-family homes over four thousand square feet in R-1-10, three thousand five hundred square feet in R-1-7, and three thousand square feet in R-1-5 zoning districts;
14. Any structures in the West Cliff Drive Overlay District.

Electric vehicle charging stations are exempt from the requirement for a design permit.

Section 2. Section 1 – Definitions of Subsection 24.12.241 – Electric Vehicle Charging Station Requirements of Part 3: Off-Street Parking and Loading Facilities of Section 24.12 – Community Design of the City of Santa Cruz Municipal Code is hereby amended as follows:

24.12.241 ELECTRIC VEHICLE CHARGING STATION REQUIREMENTS.

1. Definitions.

- a. “Electric vehicle” means a vehicle that operates, either partially or exclusively, on electrical energy from the electrical grid, or an off-grid source, that is stored on board for motive purposes.
- b. Electric Vehicle Supply Equipment (EVSE) Installed. “EVSE installed” shall mean an installed Level 2 or higher EVSE, as defined by the California Green Building Standards Code (CAL Green) of California Building Standards regulations, et seq.

*The remainder of Subsection 24.12.241 remains unchanged.*

Section 3. Any provision of the City of Santa Cruz Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, are hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

Section 4. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every Section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

ORDINANCE NO. 2020-XX

Section 5. This ordinance shall take effect and be in force thirty (30) days after final adoption except within the Coastal Zone, where it shall take effect upon approval of the California Coastal Commission.

PASSED FOR PUBLICATION this 23<sup>rd</sup> day of June, 2020, by the following vote:

AYES:  
NOES:  
ABSENT:  
DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

PASSED FOR FINAL ADOPTION this X<sup>th</sup> day of X, 2020 by the following vote:

AYES:  
NOES:  
ABSENT:  
DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

This is to certify that the above and foregoing document is the original of Ordinance No. 202X-XX and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

\_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

RESOLUTION NO. NS-29,

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ AUTHORIZING AND DIRECTING THE CITY MANAGER TO SUBMIT THE AMENDMENTS TO THE ZONING ORDINANCE, AS LOCAL COASTAL PROGRAM AMENDMENTS, TO THE CALIFORNIA COASTAL COMMISSION FOR FINAL CERTIFICATION

WHEREAS, in 2015, the legislature of the State of California voted to approve Assembly Bill 1236, which the Governor thereafter signed into law, that amended Government Code Section 65850.7 to require all jurisdictions within the State to expedite permits for electric vehicle charging stations; and

WHEREAS, the City of Santa Cruz supports the use of low and zero emission vehicles as a method of lowering greenhouse gases so as to help control damage to the environment; and

WHEREAS, easing the installation of electric vehicle charging stations may encourage the use of electric vehicles by making it easier to find charging stations at a variety of locations;

WHEREAS, the Planning Commission of the City of Santa Cruz held a public hearing at a special meeting on May 22, 2020 and voted unanimously, with one members absent, to recommend that the City Council adopt the proposed amendments to the Municipal Code and the Local Coastal Program; and

WHEREAS, the City Council conducted a public hearing on June 9,, 2020 where the proposed amendments to Municipal Code and the Local Coastal Program were adopted; and

WHEREAS, the City Council now finds:

1. The public necessity, general community welfare, and good zoning practice shall be served and furthered by: 1) adding a chapter to the Municipal Code providing a process to expedite the processing of electric vehicle charging station permits; 2) amending the design permit requirements to provide an exemption from the need for a design permit for electric vehicle charging stations; and 3) modifying the parking lot standards in the Zoning Ordinance to allow electric vehicle charging stations of higher than level 2 to also meet the parking lot standards; and
2. The amendments to Chapter 24.08 – Land Use Permits and Findings and to 24.12 – Community Design, as implementing regulations of the Local Coastal Program are in general conformance with the principles and policies set forth in the General Plan and Local Coastal Program, as specified in the May 22, 2020 Planning Commission agenda report and the June 9, 2020 City Council agenda report; and
3. The evidence provided in the May 22, 2020 Planning Commission agenda report and the June 9, 2020 City Council agenda report support and confirm that the proposed

RESOLUTION NO. NS-29,

amendments are intended to be carried out in a manner fully in conformity with the Coastal Act (CA Section 30510).

4. In accordance with the California Environmental Quality Act (CEQA), the potential impacts of the proposed amendments to the Local Coastal Program have been assessed and have been determined to not to be detrimental to public health, safety, or welfare, as specified in the May 22, 2020 Planning Commission agenda report and the June 9, 2020 City Council agenda report.

NOW THEREFORE, BE IT RESOLVED that the City Council hereby authorizes and directs the City Manager or his designee to submit the amendment to the Local Coastal Program to the California Coastal Commission for final certification following the City Council's final adoption of the ordinance changes.

BE IT FURTHER RESOLVED that the amendment to the Local Coastal Program will become effective upon final certification by the California Coastal Commission.

PASSED AND ADOPTED this 23<sup>rd</sup> day of June, 2020 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

RESOLUTION NO. NS-29,  
**Exhibit A**

Section 1. Section 18.06.75 – Electric Vehicle Charging Station Permit Expediting of Chapter 18.06 – Special Building Regulations of the City of Santa Cruz Municipal Code is hereby added to read as follows:

18.06.75 – ELECTRIC VEHICLE CHARGING STATION PERMIT EXPEDITING

18.06.75.010 PURPOSE

The purpose of this Chapter is to promote and encourage the use of electric vehicles by creating an expedited, streamlined permitting process for electric vehicle charging stations while promoting public health and safety and preventing specific adverse impacts in the installation and use of such charging stations. This Chapter is also purposed to comply with California Government Code Section 65850.7.

18.06.75.020 DEFINITIONS

- (a) “Electric vehicle charging station” or “charging station” means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, as it reads on the effective date of this Chapter, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.
- (b) “Specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
- (c) “Electronic submittal” means the utilization of the City’s online building permit application portal.

18.06.75.030 EXPEDITED REVIEW PROCESS

Consistent with Government Code Section 65850.7, the Building Official shall implement an expedited administrative permit review process for electric vehicle charging stations and adopt a checklist of all requirements with which electric vehicle charging stations shall comply in order to be eligible for expedited review. The City’s adopted checklist shall be published on the City’s website.

18.06.75.040 PERMIT APPLICATION PROCESSING

- (a) Prior to submitting an application for processing, the applicant shall verify that the installation of an electric vehicle charging station will not have specific, adverse impact to public health and safety and building occupants. Verification by the applicant includes but is not limited to: electrical system capacity and loads; electrical system wiring, bonding and overcurrent protection; building infrastructure affected by charging station equipment and associated conduits; areas of charging station equipment and vehicle parking.
- (b) A permit application that satisfies the information requirements in the City’s adopted checklist shall be deemed complete and be promptly processed. Upon confirmation by the Building Official that the permit application and supporting documents meet the

RESOLUTION NO. NS-29,

requirements of the City adopted checklist and are consistent with all applicable laws and health and safety standards, the Building Official shall, consistent with Government Code Section 65850.7, approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or utilize the electric vehicle charging station until approval is granted by the City. If the Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

- (c) Consistent with Government Code Section 65850.7, the Building Official shall allow for electronic submittal of permit applications covered by this Ordinance and associated supporting documentations. In accepting such permit applications, the Building Official shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.

18.06.75.050 TECHNICAL REVIEW

- (a) It is the intent of this Ordinance to encourage the installation of electric vehicle charging stations by removing obstacles to permitting for charging stations so long as the action does not supersede the Building Official's authority to address higher priority life-safety situations. If the Building Official makes a finding based on substantial evidence that the electric vehicle charging station could have a specific adverse impact upon the public health or safety, as defined in this Chapter, the City may require the applicant to apply for an administrative use permit.
- (b) In the technical review of a charging station, consistent with Government Code Section 65850.7, the Building Official shall not condition the approval for any electric vehicle charging station permit on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.

18.06.75.060 ELECTRIC VEHICLE CHARGING STATION INSTALLATION REQUIREMENTS

- (a) Electric vehicle charging station equipment shall meet the requirements of the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories, and rules of the Public Utilities Commission or a Municipal Electric Utility Company regarding safety and reliability.
- (b) Installation of electric vehicle charging stations and associated wiring, bonding, disconnecting means and overcurrent protective devices shall meet the requirements of Article 625 and all applicable provisions of the California Electrical Code.
- (c) Installation of electric vehicle charging stations shall be incorporated into the load calculations of all new or existing electrical services and shall meet the requirements of the California Electrical Code. Electric vehicle charging equipment shall be considered a continuous load.
- (d) Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building or Residential Code as applicable per

RESOLUTION NO. NS-29,

occupancy, and the provisions of the manufacturer's installation instructions. Mounting of charging stations shall not adversely affect building elements.

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24.08.410 GENERAL PROVISIONS.

A design permit shall be required for the following types of projects:

1. Multiple dwellings and dwelling groups containing three or more dwelling units;
2. New structures intended for commercial use;
3. New structures intended for industrial use;
4. Commercial or industrial uses of land not involving a building;
5. Accessory structures and uses except those accessory uses or structures customarily associated with a single-family dwelling unless a design permit is otherwise required in this title;
6. Any structure on, or use of, a substandard residential lot, except for structures which provide access to the first floor for the physically challenged;
7. Any exterior remodeling and/or site alteration of either fifty thousand dollars or twenty-five percent additional floor area to any existing commercial or industrial building or structure, except within the Central Business District (CBD) zone, within which a design permit shall be required for any exterior alteration or remodeling for which the construction costs of such work exceed ten thousand dollars; the design of such exterior improvements shall provide an attractive, visually interesting, and pedestrian-scale facade treatment.
8. Any project where the applicant is a public agency over which the city may exercise land use controls;
9. Public projects in the Coastal Zone, including but not limited to buildings, roads, bridges, wharf structures, shoreline riprap, and port district projects;
10. Any project which requires a design permit as a result of a specific city action or as a result of a condition of a prior project approval;
11. Parking lots with capacity for five or more spaces;
12. Any project which requires a planned development permit;

RESOLUTION NO. NS-29,

13. Single-family homes over four thousand square feet in R-1-10, three thousand five hundred square feet in R-1-7, and three thousand square feet in R-1-5 zoning districts;
14. Any structures in the West Cliff Drive Overlay District.

Electric vehicle charging stations are exempt from the requirement for a design permit.

Section 3. Section 1 – Definitions of Subsection 24.12.241 – Electric Vehicle Charging Station Requirements of Part 3: Off-Street Parking and Loading Facilities of Section 24.12 – Community Design of the City of Santa Cruz Municipal Code is hereby amended as follows:

24.12.241 ELECTRIC VEHICLE CHARGING STATION REQUIREMENTS.

1. Definitions.
  - a. “Electric vehicle” means a vehicle that operates, either partially or exclusively, on electrical energy from the electrical grid, or an off-grid source, that is stored on board for motive purposes.
  - b. Electric Vehicle Supply Equipment (EVSE) Installed. “EVSE installed” shall mean an installed Level 2 or higher EVSE, as defined by the California Green Building Standards Code (CAL Green) of California Building Standards regulations, et seq.

*The remainder of Subsection 24.12.241 remains unchanged.*

Section 4. Any provision of the City of Santa Cruz Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, are hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

Section 5. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every Section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

Section 6. This ordinance shall take effect and be in force thirty (30) days after final adoption except within the Coastal Zone, where it shall take effect upon approval of the California Coastal Commission.





## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Economic Development

SUBJECT: Amendment of 2017 Analysis of Impediments to Fair Housing Choice  
(ED)

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RECOMMENDATION: Motion to extend the term of the 2017-2020 Analysis of Impediments to Fair Housing Choice to June 30, 2022.

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BACKGROUND: The U.S. Department of Housing and Urban Development (HUD) requires all recipients of federal funding to administer all funded activities in a nondiscriminatory manner and to develop a report titled the Analysis of Impediments to Fair Housing Choice (AI). Impediments to fair and equal housing opportunities in the City include any actions, omissions, or decisions taken which have the effect of restricting housing choices or the availability of housing choices to federally identified protected classes including race, color, ancestry, national origin, religion, sex, disability, marital status, familial status, source of income, and sexual orientation.

As a recipient of both Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funding, HUD requires that the City of Santa Cruz (City) maintain a current AI. However, HUD does not require the City to submit this report to HUD for review.

A typical AI covers a five year period. The City's current AI only includes the three years between July 1, 2017 and June 30, 2020 because it was previously thought that it may be more efficient to align it with the same term period as the HUD Consolidated Plan. HUD is allowing for the extension of the term period to June 30, 2022. Since the report is heavily focused on Census data, it would better serve the community to provide an updated report when the new 2020 Census data is available. Staff has not received any complaints pertaining to Fair Housing Choice that would prompt an update to the AI at this time. As it stands the current 2017-2020 AI period will end on June 30, 2020. Following is the website link to review the proposed amended AI: <https://www.cityofsantacruz.com/home/showdocument?id=80506>. The only proposed update is the extension of the report's time period to June 30, 2022. A legal notice was published in the Sentinel on May 22, 2020 to inform the Public of the proposed update and provide them with time to review prior to the June 23, 2020 City Council meeting.

DISCUSSION: Staff recommends approval of an extension of the current AI end date from June 30, 2020 to June 30, 2022, making the current AI cover a five year rather than three year period. As previously noted, this is consistent with HUD requirements. Since the AI represents

conditions at the beginning of the period covered by the AI, no other changes would be required in the report until a new AI or AI update is completed in 2022.

An added benefit for the City to update the AI in 2022 is the likelihood that 2020 Census data will be available. This would allow 2022 AI data and analysis to be used in preparation of the City's next General Plan Housing Element. The current Housing Element expires in 2023. A new state law under Assembly Bill (AB) 686 (2018) requires Housing Elements approved after 2021 to contain an Assessment of Fair Housing (AFH) consistent with analysis required by HUD's Affirmatively Furthering Fair Housing (AFFH) Rule.

FISCAL IMPACT: Extending the period covered by the current AI has no negative fiscal impact but may ultimately provide the City with cost-savings by using an analysis done for the 2022 AI for the 2023 Housing Element as well.

Prepared by:  
Jessica de Wit  
Housing and Community  
Development Manager

Submitted by:  
Bonnie Lipscomb  
Director of Economic Development

Approved by:  
Martín Bernal  
City Manager

ATTACHMENTS:  
None

**Notice of Public Hearing and Comment Period  
for the City's Extension of the 2017-20  
ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING  
CHOICE (AI)**

The U.S. Department of Housing and Urban Development (HUD) requires communities that receive federal funding for housing and community development activities to assess the status of fair housing in their community. To comply, the City of Santa Cruz prepared and approved this AI on June 27, 2017 to identify impediments to fair and equal housing opportunities in the City. This includes any actions, omissions, or decisions taken which have the effect of restricting housing choices or the availability of housing choices because of race, color, ancestry, national origin, religion, sex, disability, marital status, familial status, source of income, sexual orientation, or any other arbitrary factor which restrict housing choices. To be consistent with HUD standards, the City is recommending approval of an extension of the current AI date from June 30, 2020 to June 30, 2022.

**PUBLIC PARTICIPATION PROCESS**

A public hearing to extend the AI will be held in via Zoom conference in the City Council Chambers at 809 Center Street, Santa Cruz and televised on June 23, 2020 after the hour of 12:30 PM. Citizens are encouraged to comment on the extension of the AI report prior to and during a hearing. The current AI is available for public review on the City of Santa Cruz website. Written comments may be submitted to the HCD Manager at 337 Locust St. until Monday, June 22, 2020 before 5:00 PM.

The City of Santa Cruz does not discriminate against persons with disabilities. The Council Chambers is an accessible facility. If you wish to attend the public meeting listed above and you will require special assistance or devices, please call the Office of the City Clerk at 420-5030 at least three days in advance to make arrangements for assistance. The City of Santa Cruz TDD (Telecommunications Devices for the Deaf) number is 420-5259 or call the Cal-Relay system number: 1-800-735-2922.

**Audiencia Pública y Período de Comentarios  
para la extensión del programa de la ciudad  
2017-2020 "ANALYSIS OF IMPEDIMENTS TO  
FAIR HOUSING CHOICE" (AI) Análisis de  
impedimento a viviendas justas .**

El Departamento de Hogar y Desarrollo urbano de los Estados Unidos (U.S. Department of Housing and Urban Development --"HUD") requiere que las comunidades que reciban fondos federales para viviendas y actividades de desarrollo comunitario evalúen las condiciones de viviendas dignas en sus comunidades. En cumplimiento, la ciudad de Santa Cruz preparó y aprobó esta (AI) el 27 de junio del 2017 para identificar los impedimentos de oportunidades a viviendas justas e iguales en la ciudad. Estas incluyen cualquier medidas, omisiones, o decisiones tomadas que tienen el efecto de restringir oportunidades de viviendas o a la disponibilidad de opciones de variedad de viviendas por razones de raza, color, herencia, orígenes nacionales, religión, sexo, discapacidad, estado conyugal, estado familiar, fuente de ingreso, orientación sexual, o cualquier otro factor arbitrario que limite la elección del alojamiento. Para ser consistente con las normas de HUD, la ciudad está recomendando la aprobación de una extensión de la presente AI del 30 de junio, 2020 hasta el 30 de junio del 2022.

**PROCESO DE PARTICIPACIÓN PÚBLICA**

Una audiencia pública para extender el (AI) será llevada a través de un video-conferencia Zoom en la cámara de concilio en el 809 Center Street, Santa Cruz y será televisada el 23 de junio 2020 después de las 2:30 PM. Se les recomienda a los ciudadanos comentar en la extensión del reporte del AI antes y durante la audiencia. El actual AI está disponible para ser revisado al público en la página web de la ciudad de Santa Cruz. Comentarios escritos pueden ser enviados al administrador del HCD al 337 Locust st. hasta el lunes 22 de junio del 2020 antes de las 5:00 PM.

La ciudad de Santa Cruz no discrimina a personas discapacitadas. Las salas del concilio están disponibles a todos. Si le gustaría atender la audiencia pública mencionada anteriormente y necesita asistencia especial o equipo, favor de llamar la oficina del City Clerk al 420-5030 por lo menos tres días en adelanto para hacer arreglos para su asistencia. La ciudad de Santa Cruz TDD (Telecommunications Devices for the Deaf) para los sordos puede ser accedido el número 420-5259 o llame al número del sistema Cal-Relay al: 1-800-735-2922.  
5/22/2020

**ADVERTISEMENT FOR  
REQUEST FOR QUALIFICATIONS**

Statements of Qualifications will be received by the City Council of the City of Santa Cruz, Santa Cruz, California, for the following:

**Request for Qualifications  
for Design and Environmental Services  
MBSST (Rail Trail) Segments 8 and 9 (Pacific  
Ave. to 17th Ave) Project  
Federal Aid Project No. ATPL-5025(072), PPNO  
2835A  
City Project No. c401804**

Solicitations are on file and may be examined at the:

Department of Public Works  
City of Santa Cruz  
809 Center Street Rm. 201  
Santa Cruz, CA 95060  
(831) 420-5160

Copies of Solicitation document, including the scope of services, may be downloaded from the City of Santa Cruz Public Works webpage ([www.cityofsantacruz.com](http://www.cityofsantacruz.com)) or from Construction Bid Board (e-bid board).

Note that this project has a **DBE goal of 18%**.

Responses shall be submitted in the instructions set forth in the solicitation documents to the Department of Public Works (at the above address) no later than 2:00 pm on June 19, 2020, in a sealed envelope plainly marked with the project:

**Request for Qualifications  
for Design and Environmental Services  
MBSST (Rail Trail) Segments 8 and 9 (Pacific  
Ave. to 17th Ave) Project  
Federal Aid Project No. ATPL-5025(072), PPNO  
2835A  
City Project No. c401804**

**Qualifications received after the date and time specified shall not be accepted or considered.**

The City and County of Santa Cruz are soliciting Statement of Qualifications (SOQ's) from qualified firms that will perform the design, engineering, final plans, specifications, and estimate, and environmental permitting for the Monterey Bay Sanctuary Scenic Trail (MBSST)

## Rosemary Balsley

---

**From:** Vivian Vargas <vmvargas2011@gmail.com>  
**Sent:** Monday, June 22, 2020 1:52 PM  
**To:** City Council  
**Subject:** City Council Meeting June 23, 2020 Subject: Amendment of 2017 Analysis of Impediments to Fair Housing Choice (ED)

### City Council Meeting June 23, 2020

**Subject: Amendment of 2017 Analysis of Impediments to Fair Housing Choice (ED)**

June 22, 2020

Dear Mayor, Vice Mayor and City Council,

According to the City Council Agenda Report, the purpose of this agenda amendment is to extend the term of the 2017-2020 Analysis of Impediments to Fair Housing Choice to June 30, 2022. The justification is to provide more current data for the analysis of impediments by delaying this analysis until after the 2020 Census is completed and the data from the 2020 Census is available.

On May 14, 2019 the City Council passed a resolution to be "...committed to robust outreach and communication strategies, focusing on reaching the hardest-to-count individuals..."

I am concerned about the extent to which there is a commitment to robust outreach based on my experience in trying to volunteer my help. I filed out a volunteer application weeks ago on the Census 2020 website to make phone calls in the City of Santa Cruz area to reach out to the Spanish speaking community. I have not heard from anyone. On June 17, 2020 I thought I would try another agency to see if I could help out with outreach for the 2020 Census. I sent an email to Paulina Moreno the contact person for the Thriving Immigrants Collaborative of the Community Action Board. I have not received a reply.

I am a retired educator who worked as a facilitator for the Family Literacy Project and ELAC in the Pajaro Valley Unified School District.

The Census 2020 map of the Hard-to-Count regions of the City of Santa Cruz shows that the Beach Flats area has a population with the designation of the highest level of Hard-to-Count <https://census.ca.gov/wp-content/uploads/sites/4/2019/06/Santa-Cruz-County.pdf>

Given that my request to volunteer has not been replied to I am wondering what is being done to greatly improve the accuracy of the count in this area in the City of Santa Cruz so that it makes the data from the 2020 Census more accurate? So that the data on the Latinx community more closely informs an accurate analysis of impediments for fair housing choice in the City of Santa Cruz?

Thank you for considering my concerns.

Sincerely,

Vivian Vargas  
Seabright/Midtown area of the City of Santa Cruz



## CITY COUNCIL AGENDA REPORT

DATE: 6/14/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Economic Development

SUBJECT: State Permanent Local Housing Allocation Application for Funding  
Affordable Housing Development (ED)

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RECOMMENDATION: 1. Resolution authorizing submittal of an application to the California State Department of Housing and Community Development for Permanent Local Housing Allocation Program funds; the execution of a standard agreement and any amendments thereto by the City Manager, as approved by the City Attorney; and any related documents necessary to participate in the State Permanent Local Housing Allocation Program.

2. Approve the proposed Five Year Permanent Local Housing Allocation Program Plan.

3. Amend the City's Affordable Housing Trust Fund Guidelines to include Permanent Local Housing Allocation Program funds as one of the designated funding sources and amend the Affordable Housing Trust Fund Guidelines as needed for consistency with the State Permanent Local Housing Allocation Program and as approved by the City Attorney.

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BACKGROUND: In 2017, the State of California passed a 15-bill housing package to address the state's housing shortage and high housing costs. This included the Building Homes and Jobs Act (SB 2, 2017), which established a \$75 recording fee on real estate documents. Seventy percent of recording fees were to be set aside for a Permanent Local Housing Allocation (PLHA) program. The PLHA program is overseen by the State's Department of Housing and Community Development (HCD).

The basis for funding allocations to jurisdictions partially depends on whether or not a jurisdiction receives Community Development Block Grant (CDBG) funds directly from the federal Department of Housing and Urban Development (HUD). For these participating jurisdictions, including the City of Santa Cruz, PLHA grants will be allocated annually based proportionally on HUD CDBG funding formulas. Under these requirements, HCD estimates that total funding for the City over a five year period will be \$1,588,464. However, the allocation to the City for the first year of PLHA funding is \$264,744. These amounts were defined in a February 26, 2020 Notice of Funds Available (NOFA) issued by HCD.

Staff recommends placing the PLHA funds in the City's Affordable Housing Trust Fund (AHTF) for the purpose of developing affordable housing in the City of Santa Cruz. If deposited in the City's AHTF, PLHA funds may be used as matching funds when applying for other funding for

the City's AHTF. The only current dedicated source of revenue for the AHTF are fees paid in lieu of providing units under the City's Inclusionary Housing Program.

In order to receive a PLHA grant, the City must submit an over-the-counter, non-competitive grant application to HCD. This application must include a resolution for approval from the City Council as well as an approved five year PLHA Plan for use of funds. Applications are due before July 27, 2020. HCD will issue award letters between August 2020 and October 2020.

DISCUSSION: The PLHA State grant that will be allocated to the City is derived from the City's share of funds received under the Building Homes and Jobs Act (SB 2, 2017). Staff recommends that the City submit the required application in order to secure this and future PLHA funds for housing under this Program.

Staff also recommends that the PLHA grant funds be deposited in the City's AHTF so that the City might be able to take advantage of using these PLHA funds to match future grant opportunities. Section 3 of the AHTF Guidelines would be amended by adding the following:

"3. Accumulated and future funds from the California Permanent Local Housing Allocation Program shall become AHTF property and shall be deposited into its own subfund in the AHTF for matching future grants and reporting purposes."

Attached with this agenda item is "FIVE YEAR PERMANENT LOCAL HOUSING ALLOCATION (PLHA) PLAN" (Plan). The Plan recommends allocation of PLHA funds for the predevelopment and development of affordable housing in the City of Santa Cruz. There are several potential affordable housing projects in the pipeline whose feasibility will be heavily dependent on securing financing to move forward. Of the projects that are likely to move forward first, the City is partnering with the Santa Cruz Metro Transit Authority to assemble parcels adjacent to its main downtown transit hub to develop a new and improved transit station that includes affordable housing.

Timing for the development of these projects is critical as State HCD is requiring a certain portion of PLHA funds be spent during each year in order to access the next year's PLHA funding. Additionally, staff is recommending that 5% of the PLHA grant be allocated for grant administration as allowed by HCD. On June 6, 2020, the Santa Cruz Sentinel published a legal notice to inform the Public about the PLHA grant application and Plan to provide them with time to review prior to the June 23, 2020 City Council meeting.

FISCAL IMPACT: These grant funds will increase the fund balance available for appropriation for the City's Affordable Housing Trust Fund. There will be no fiscal impact to the City with this action. However, it is possible that administrative costs may exceed the 5% of allocated grant funds for this purpose.

Prepared by:  
Andrea Inouye  
Housing & HUD Programs  
Specialist

Submitted by:  
Bonnie Lipscomb  
Director of Economic  
Development

Approved by:  
Martín Bernal  
City Manager

Prepared by:  
Jessica de Wit  
Housing and Community  
Development Manager

ATTACHMENTS:  
Resolution  
Proposed PLHA 2021-2025 Plan

RESOLUTION NO. NS-

RESOLUTION FOR THE CITY COUNCIL OF THE CITY OF SANTA CRUZ  
AUTHORIZING APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF  
HOUSING AND COMMUNITY DEVELOPMENT FOR, AND RECEIPT OF, PERMANENT  
LOCAL HOUSING ALLOCATION PROGRAM FUNDS; THE EXECUTION OF A  
STANDARD AGREEMENT AND ANY AMENDMENTS THERETO; AND ANY RELATED  
DOCUMENTS NECESSARY TO PARTICIPATE IN THE STATE PERMANENT LOCAL  
HOUSING ALLOCATION PROGRAM

WHEREAS, the City of Santa Cruz, a California Municipal Corporation, (the “City”) wishes to apply for and receive an allocation of funds under the SB 2 Permanent Local Housing Allocation Program; and

WHEREAS, the State of California (the “State”) Department of Housing and Community Development (“HCD”) is authorized to provide up to \$195 million under the SB 2 Permanent Local Housing Allocation Program Formula Component from the Building Homes and Jobs Trust Fund for assistance to Cities and Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2))); and

WHEREAS the State HCD issued a Notice of Funding Availability (“NOFA”) dated 02/26/2020 under the Permanent Local Housing Allocation (PLHA) Program; and

WHEREAS the City is an eligible local government applying for the program to administer one or more eligible activities and has a local Affordable Housing Trust Fund to whom the City will delegate its PLHA formula allocation; and

WHEREAS HCD may approve funding allocations for PLHA Program, subject to the terms and conditions of the Guidelines, NOFA, Program requirements, the Standard Agreement and other contracts between the HCD and PLHA grant recipients.

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

1. If the City receives a grant of PLHA funds from HCD pursuant to the above referenced PLHA NOFA, it represents and certifies that it will use all such funds in a manner consistent and in compliance with all applicable state and federal statutes, rules, regulations, and laws, including without limitation all rules and laws regarding the PLHA Program, as well as any and all contracts the City may have with HCD.
2. The City is hereby authorized and directed to receive a PLHA grant, in an amount not to exceed the five-year estimate of the PLHA formula allocations, as stated in Appendix C of the current NOFA, of \$1,588,464 in accordance with all applicable rules and laws.
3. The City hereby agrees to use the PLHA funds for eligible activities as approved by HCD

RESOLUTION NO. NS-29,

and in accordance with all Program requirements, Guidelines, other rules and laws, as well as in a manner consistent and in compliance with the Standard Agreement and other contracts between the City and HCD.

4. The City certifies that it may subgrant some or all of its PLHA funds to another entity or entities. Pursuant to Guidelines Section 302(c)(3), “entity” means a housing developer or program operator, but does not mean an administering Local government to whom a Local government may delegate its PLHA allocation
5. The City certifies that if this occurs, its selection process of these subgrantees will be accessible to the public and avoided or shall avoid any conflicts of interest.
6. Pursuant to the City’s certification in this resolution, the PLHA funds will be expended only for eligible Activities and consistent with all program requirements.
7. The City certifies that, if funds are used for the acquisition, construction or rehabilitation of for-sale housing projects or units within for-sale housing projects, the grantee shall record a deed restriction against the property that will ensure compliance with one of the requirements stated in Guidelines Section 302(c)(6)(A),(B) and (C).
8. The City certifies that, if funds are used for the development of an Affordable Rental Housing Development, the Local government shall make PLHA assistance in the form of a low-interest, deferred loan to the Sponsor of the Project, and such loan shall be evidenced through a Promissory Note secured by a Deed of Trust and a Regulatory Agreement shall restrict occupancy and rents in accordance with a Local government-approved underwriting of the Project for a term of at least 55 years.
9. The City shall be subject to the terms and conditions as specified in the Standard Agreement, the PLHA Program Guidelines and any other applicable SB 2 Guidelines published by HCD.
10. The City of Santa Cruz City Manager and Economic Development Director are authorized to execute the PLHA Program Application, the PLHA Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents which are related to the Program or the PLHA grant awarded to the City, as HCD may deem appropriate.
11. The City of Santa Cruz shall include the receipt and appropriation of grant funds in the City FY21 Adopted Budget.

RESOLUTION NO. NS-29,

PASSED AND ADOPTED this 23<sup>rd</sup> day of June, 2020 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

**CITY OF SANTA CRUZ  
FIVE YEAR PERMANENT LOCAL HOUSING ALLOCATION (PLHA) PLAN**

June 2020

**Background Information.**

In 2017, the State of California passed a 15-bill housing package to address the state’s housing shortage and high housing costs. This included the Building Homes and Jobs Act (SB 2, 2017), which established a \$75 recording fee on real estate documents. Seventy percent of these recording fees are being set aside for a Permanent Local Housing Allocation (PLHA) program. The PLHA program is overseen by the State’s Department of Housing and Community Development (HCD) who issued a Request for Proposals (RFP) in March 2020. Jurisdictions receiving PLHA grant funds are required to have a five year plan in place to determine how the grant funds will be spent. This five year plan may or may not need to identify specific projects. However, the Plan must result in expenditure of a portion of the grant funds each year in order to receive the next year’s allocation.

HCD estimates the City of Santa Cruz may receive \$1,588,464 over the next five years. For jurisdictions like the City who receive federal Community Development Block Grant (CDBG) funds directly from the federal Department of Housing and Urban Development (HUD), the actual annual amount allocated by HCD will be proportionally based on CDBG funding formulas. For this first year of funding, HCD has allocated \$264,744 to the City of Santa Cruz.

The chart below shows the first year funding allocation and estimates for years two through five. Note that the amounts for these subsequent years are estimates only based on an equal division of HCD’s estimate for future funds. The actual annual funding allocation will later be determined by HCD. The chart also shows a 5% allocation for City administration costs that is allowed by PLHA grant requirements.

CITY OF SANTA CRUZ PLHA FUNDING	Total 5 Yr. Allocation	Amount Allocated/Estimated by Funding Year				
		1. 2020-21	2. 2021-22	3. 2022-23	4. 2023-24	5. 2024-25
Allocation	\$1,588,464	\$264,744	\$330,930	\$330,930	\$330,930	\$330,930
5% Admin	\$79,423	\$13,237	\$16,547	\$16,547	\$16,547	\$16,547
95% Project Funding	\$1,509,041	\$251,507	\$314,384	\$314,384	\$314,384	\$314,384
			<i>Funding for Years 2-5 Estimated Only</i>			

The City of Santa Cruz proposes to place the PLHA funds in the City's Affordable Housing Trust Fund for the purpose of developing affordable housing in the City of Santa Cruz.

Affordable housing development projects require multiple sources of funding to compile enough funding to be developed. PLHA grant funds will be leveraged with several other funding sources including Federal and State Low Income Housing Tax Credit (LIHTC) financing. PLHA funding may be used to assist in completing the following activities.

- Predevelopment and other soft costs, including but not limited to:
  - § Land Costs (including legal fees)
  - § Demolition and Site Improvements
  - § Off Site Improvements
  - § Architectural Fees
  - § Engineering Fees
  - § Permits and Fees
  - § Accounting Fees
  - § Title/Recording
  - § Taxes/Assessment
  - § Insurance
  - § Environmental Review including required studies.
- Financing costs including but not limited to
  - § Appraisal/Market Study
  - § Performance Bond Costs
  - § Construction Loan Interest
  - § Lender Inspections
  - § Lender Legal Costs
  - § Borrower Legal Costs
  - § Soft Debt – Total Construction Period Interest
  - § Bond Issuance Costs
  - § Construction-Permanent Loan Costs
  - § Construction Loan Interest
  - § Capitalized Operation/Transition Reserve
- Site and Building Construction Costs
- Lease-Up Costs
- Contingencies and Developer Fee

There are several potential projects in the pipeline whose feasibility will be heavily dependent on securing financing to move forward. Of the projects that are likely to move forward first, the City is partnering with the Santa Cruz Metro Transit Authority to assemble parcels adjacent to its main downtown transit hub to develop a new and improved transit station that includes affordable housing. For this affordable housing rental development, the City will be targeting an average household income of 60% AMI and below.



**City of Santa Cruz  
Housing & Community Development Program**

**NOTICE OF PUBLIC HEARING FOR THE  
PERMANENT LOCAL HOUSING ALLOCATION  
(PLHA) FUNDING APPLICATION AND DRAFT 5  
YEAR PLAN**

The City of Santa Cruz (City) is applying for Permanent Local Housing Allocation funds (approximately \$1,500,000 over 5 years) from the California Department of Housing and Community Development (HCD) in order to provide a permanent source of funding to all local governments in California to help cities and counties implement plans to increase the affordable housing stock. This year, the City of Santa Cruz plans to receive approximately \$300,000 from the \$1,500,000 five year funding available.

**PLHA 5 Year Plan**

•The current draft 5 year plan

•Please visit the [www.cityofsantacruz.com/plha](http://www.cityofsantacruz.com/plha) for a list of eligible activities.

**PUBLIC PARTICIPATION:** A public hearing for the PLHA funding application and draft 5 year plan will be held via Zoom conference in the City Council Chambers at 809 Center Street, Santa Cruz and televised on June 23, 2020 after the hour of 12:30pm. Citizens are encouraged to comment on the PLHA funding application prior to and during the hearing. The current draft 5 year plan is available for review on the [www.cityofsantacruz.com/plha](http://www.cityofsantacruz.com/plha). If you do not have internet access please call 831.420.5150 to pick up a hard copy at 337 Locust Street, Santa Cruz.

The City of Santa Cruz does not discriminate against persons with disabilities. The Council Chambers is an accessible facility. If you wish to attend the public meeting listed above and you will require special assistance or devices, please call the Office of the City Clerk at 420-5030 at least three days in advance to make arrangements for assistance. The City of Santa Cruz TDD (Telecommunications Devices for the Deaf) number is 420-5259, for Spanish to English call: 1-800-855-3000, or call the Cal-Relay system number: 1-800-735-2922.

**AVISO DE AUDIENCIA PÚBLICAS PARA LA  
SOLICITUD DE FINANCIACIÓN DE ASIGNACIÓN  
LOCAL PERMANENTE DE VIVIENDA (PLHA) Y EL  
PROYECTO DE PLAN DE 5 AÑOS**

La Ciudad de Santa Cruz (Ciudad) está solicitando fondos de Asignación de Vivienda Local Permanente (aproximadamente \$ 1,500,000 durante 5 años) del Departamento de Vivienda y Desarrollo Comunitario de California (HCD) para proporcionar una fuente permanente de financiamiento a todos los gobiernos locales en California para ayudar a las ciudades y condados a implementar planes para aumentar el stock de viviendas asequibles. Este año, la Ciudad de Santa Cruz planea recibir aproximadamente \$ 300,000 de los \$ 1,500,000 de fondos disponibles por cinco años.

**Plan de 5 años de PLHA**

• El borrador actual del plan quinquenal

• Visite el sitio [www.cityofsantacruz.com/plha](http://www.cityofsantacruz.com/plha) para obtener una lista de actividades elegibles.

**PARTICIPACIÓN PÚBLICA:** Se llevará a cabo una audiencia pública para la solicitud de financiamiento de la PLHA y el borrador del plan de 5 años a través de la conferencia Zoom en las Cámaras del Consejo de la Ciudad en 809 Center Street, Santa Cruz y televisada el 23 de junio de 2020 después de la hora de 12:30 p.m. Se alienta a los ciudadanos a comentar sobre la solicitud de financiación de la PLHA antes y durante la audiencia. El borrador actual del plan de 5 años está disponible para su revisión en el sitio [www.cityofsantacruz.com/plha](http://www.cityofsantacruz.com/plha). Si no tiene acceso a Internet, llame al 831.420.5150 para recoger una copia impresa en 337 Locust Street, Santa Cruz.

La ciudad de Santa Cruz no discrimina contra personas discapacitadas. La cámara donde se reúne el consejo es accesible con sillas de ruedas. Si desea atender la audiencia pública mencionada previamente y si requiere asistencia especial o equipo, por favor llame a la oficina del City Clerk al 420-5030 por lo menos tres días en adelante para hacer arreglos para su asistencia. El TDD de la ciudad de Santa Cruz TDD (Telecommunications Devices for the Deaf) para los sordos el número es el 420-5259, para español o Inglés llame al: 1-800-855-3000, o llame al Cal-Relay system number: 1-800-735-2922.  
6/06/2020

**Proof of Publication  
(2015.5 C.C.P)**

I, the undersigned, declare:

That I caused the attached legal notice/ advertisement to be published in the *Santa Cruz Sentinel*, a daily newspaper printed, published and circulated in the County of Santa Cruz, and adjudged a newspaper of general circulation by the Superior Court of California in and for the County of Santa Cruz, under Proceeding No. 25794; and that the legal notice/advertisement was published in the above-named newspaper on the following date(s), to wit:

June 6, 2020

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

This 6<sup>th</sup> of June 2020, Santa Cruz, California

Jennifer Yeung, Administrative Assistant  
City of Santa Cruz  
Economic Development



## CITY COUNCIL AGENDA REPORT

DATE: June 22, 2020

AGENDA OF: June 23, 2020

DEPARTMENT: Planning and Community Development

SUBJECT: **914 & 916 Seabright Ave. (Application No. CP18-0187)**  
**Assessor's Parcel Number 011-123-66** - Tentative Map, Design Permit and Residential Demolition Authorization Permit to Demolish Three Residential Units and Construct a Nine-unit Townhouse Development on a 21,237 Square Foot Parcel Located in the R-L Zone District (PL)

---

RECOMMENDATION: Continue this item to the August 11, 2020 City Council agenda at the request of the applicant.

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BACKGROUND: On May 16, 2019, the Planning Commission heard an application to demolish three residences and construct a nine-unit townhouse development at the parcel known as 914 and 915 Seabright Avenue. The Planning Commission voted 6-1-0 to continue the item indefinitely with a motion to redesign to: reduce the building massing, to stay within the density range, and if possible, to provide a diversity of housing types within that range and return to the Planning Commission when the project is ready to review. The Planning Commission noted that consideration of the application of a density bonus shall not be precluded.

The Planning Commission reviewed a redesigned project and heard public testimony on June 4, 2020. After much deliberation, the Planning Commission voted 7-0 to recommend that the City Council approve the application. Additionally they took separate votes on the following staff recommendations:

- 1) Remove the requirement for public pedestrian access through the parcel. (5-2)
- 2) During the time that the units are being rented, require that the property owner provide one rental inclusionary unit and one rental replacement housing unit, rather than providing a single rental unit that qualifies as both the inclusionary unit and replacement housing. (4-3)

The applicant and the property owner have requested that the City Council continue the item to the August 11, 2020 City Council meeting to allow for them to determine if construction of the project is financially feasible with the requirement to provide both an affordable inclusionary unit and an affordable replacement housing unit during the rental period.

FISCAL IMPACT: No fiscal impact.

Submitted by:

Lee Butler, Director of Planning and  
Community Development

Approved by:

Martin Bernal  
City Manager



## CITY COUNCIL AGENDA REPORT

DATE: June 11, 2020

AGENDA OF: June 23, 2020

DEPARTMENT: Planning and Community Development

SUBJECT: **914 & 916 Seabright Ave. (Application No. CP18-0187)**  
**Assessor's Parcel Number 011-123-66 - Tentative Map, Design Permit and Residential Demolition Authorization Permit to Demolish Three Residential Units and Construct a Nine-unit Townhouse Development on a 21,237 Square Foot Parcel Located in the R-L Zone District (PL)**

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**RECOMMENDATION:** Resolution acknowledging the environmental determination and approving the Tentative Map, Design Permit and Residential Demolition Authorization Permit to demolish three residential units and construct a nine-unit townhouse development based on the findings contained in the attached Resolution and the Conditions of Approval (Attachment 1).

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**BACKGROUND:** On May 16, 2019, the applicant proposed a nine-unit townhouse development consisting of all three-story, three-bedroom, attached units that ranged in size from approximately 1,982 to 2,201 square feet. The project fully conformed to all applicable objective development standards contained in the Zoning Ordinance and General Plan. At the public hearing and at a community meeting that was held on November 8, 2018, the public expressed concerns with the design and massing of the development, specifically that the development was too tall and the building too massive to be compatible with the neighborhood. The Planning Commission continued the item for redesign with the motion to: reduce the building massing, to stay within the density range, and if possible, to provide a diversity of housing types within that range and return to the Planning Commission when the project is ready to review. The Planning Commission noted that consideration of the application of a density bonus shall not be precluded. Attachments 5 & 6 contain the May 16, 2019 Planning Commission staff report and minutes.

On June 4, 2020, the applicant presented the project currently before the City Council consisting of seven three-bedroom units and two two-bedroom units. The project was also significantly redesigned in accordance with direction received from the Planning Commission last year. The June 4, 2020 Planning Commission staff report (Attachment 4) more fully describes the project, including the various changes made by the applicant and the project's consistency with General Plan, Zoning Ordinance and Health in All Policies directive. Twenty-four written comments were received (some multiple comments from the same person(s)) and two members of the public spoke at the public hearing. The primary concerns with the development included the

following: safety of the public access pedestrian path through the parcel, safety and traffic impacts associated with the density of the development, building height and massing still not consistent with neighborhood, and inadequate on-site parking.

The Planning Commission thanked the applicant for his efforts in redesigning the project to address the concerns of massing and design compatibility. The discussion was focused primarily on two issues: the staff recommendation for a publicly accessible pedestrian path through the development site and the provisions contained in the Residential Demolition Authorization Permit ordinance that allow for an inclusionary unit to be counted as a replacement housing unit during the time that the townhouses are being rented.

After much deliberation, the Planning Commission voted 7-0 to recommend that the City Council approve the application. Additionally they took separate votes on the following staff recommendations:

- 1) Remove the requirement for public pedestrian access through the parcel. (5-2)
- 2) During the time that the units are being rented, require that the property owner provide one rental inclusionary unit and one rental replacement housing unit, rather than providing a single rental unit that qualifies as both the inclusionary unit and replacement housing. (4-3)

**ANALYSIS:** As noted above, the June 4, 2020 Planning Commission staff report contains extensive analyses of the project and its consistency with General Plan, Zoning, and other applicable standards. Those analyses were unaffected by the Planning Commission discussion, and this report, therefore, focuses on the two areas that were deliberated at the recent Planning Commission meeting.

*Pedestrian Path.* The staff recommendation includes a condition that requires the applicant to provide a publicly accessible pedestrian path that would provide connectivity between the terminus of the Sumner Street cul-de-sac and Seabright Avenue. A pedestrian path at this location would reduce the walking distance from the immediate neighborhood to Seabright Avenue by approximately 1,000 feet, making it more convenient to access the neighborhood commercial uses and the beach located south of the project site. This recommendation is consistent with several goals and policies in the General Plan and Local Coastal Program encouraging connectivity between neighborhoods and use of alternative forms of transportation:

- General Plan Policy CD3.1.4 Revise the Zoning Ordinance to require that the design of public and private development promote connectivity between neighborhoods and districts.
- Goal CD5.1 Create a well-connected street and pedestrian network.
- Policy CD5.1.1 Implement the Master Transportation Study's recommendations for improving the city's pedestrian network.
- Policy M3.3.5 Require new development to be designed to discourage through traffic in adjacent neighborhoods and to encourage bicycle or pedestrian connections.
- Goal M4 A citywide interconnected system of safe, inviting, and accessible pedestrian ways and bikeways.
- Policy M4.1.3 Encourage pedestrian travel by providing pedestrian pathways on cul-de-sac and loop streets.
- Policy M4.1.7 Require that site and building design facilitate pedestrian activity.

Objectives and Policies from the Active Transportation Plan:

- Objective 1. Comprehensive Bicycle and Pedestrian Network Establish a comprehensive bicycle and pedestrian transportation system that is integrated with the existing City network and connected to the countywide network.
- Policies 1.1. Provide a complete bicycle and pedestrian network among residential areas, downtown and major activity centers.
- 1.2. Complete and maintain the City's sidewalk system.
- 1.3. Require new development to implement the planned bicycle and pedestrian network.

The pedestrian path also directly achieves the goals of the public health and sustainability pillars of the recently adopted Health in All Policies approach by promoting and encouraging healthy lifestyles through the use of alternative forms of transportation, and it achieves the goals of the equity pillar by providing walking and biking connections between housing, commercial services, recreation, and employment opportunities for those members of the community that must rely on alternative forms of transportation.

In recommending against providing the publically accessible pedestrian path, the Planning Commission cited potential safety impacts associated with encouraging the public to bike on Seabright Avenue. The Planning Commission was also of the opinion that the path could potentially bring crime into the Sumner Street area. While it is noted that Seabright Avenue is an arterial and is intended to handle high traffic volumes, it is also a fully improved roadway with a 25 mile-per-hour speed limit, bike sharrows, and continuously-connected sidewalks that is currently utilized by the Seabright neighborhood as a pedestrian and bike route between Soquel Avenue and the beach. In a collisions analysis of January 1, 2015 to December 31, 2019, there were nine collisions that occurred on Seabright Avenue between Clinton and Murray Streets. These collisions had no discernable pattern of time or incident, type of incident, or parties involved. In a review of the 2017 City of Santa Cruz Annual Traffic Safety Report, the most recently adopted year, in the five year period between 2013-2017, Seabright at Broadway was the fifth highest injury intersection location with six collisions, an average of 1.2 per year. There is no significant collision history involving intersections on the southern end of Seabright nearest to this project location, and this portion of Seabright did not contain any of the highest ten intersection locations citywide for bike or pedestrian collisions. The collisions analysis does not support the theory that this portion of Seabright is unsafe for bicyclists or pedestrians. Providing additional connectivity in this area would encourage and could result in increased bike and pedestrian use along Seabright Avenue and reduced automobile use in the future. Additionally, incorporating site design features such as this to reduce reliance on cars incrementally contributes to a reduction in greenhouse gas emissions that contribute to climate change and sea level rise.

Concerns of the pathway increasing theft and other criminal activity in the Sumner Street neighborhood have been more fully addressed with the addition of a specific condition of approval that requires the proposed development to lock the gates at the ends of the path between the hours of 10 p.m. and 6 a.m. (Attachment 1, Exhibit A, Condition #22). Thus, pedestrian access through the site during the late night / early morning hours would be no different, whether there is a pedestrian gate or not. In either instance, a locked vehicular gate would separate the site from Sumner Street.

For reasons stated above, staff does not concur with the Planning Commission recommendation and continues to recommend that a publicly accessible path through the site be required. The draft conditions of approval, as presented in Attachment 1, Exhibit A, continue to require the publicly accessible path.

*Density Bonus, Inclusionary, and Replacement Housing.* The project is required to provide one three-bedroom inclusionary unit, pay a fractional in-lieu fee for the remainder of its inclusionary requirement, and provide a restricted affordable rental unit with at least two bedrooms as replacement housing for the four bedrooms to be demolished. As more fully discussed in the attached Planning Commission Staff Report, the project includes a request for a density bonus waiver; therefore, the project must restrict at least ten percent of the nine units (1 unit) at the more affordable levels required by the Density Bonus ordinance. Case law, as well as the City's Density Bonus ordinance, has established that the required inclusionary unit may also be counted as the qualifying unit for a density bonus provided that the most restrictive income level applies. In this case, the inclusionary unit is proposed to be made available to lower income households at 60% of the Area Median Income (AMI) during the rental phase and at 70% AMI during the ownership phase, which would meet the Density Bonus requirements, whereas the inclusionary ordinance would only require that the unit be available to households at 80% of the AMI.

The inclusionary unit must be provided as a three-bedroom unit which is representative of the majority mix of unit types in the proposed development. Pursuant to Section 24.10.1360 of the zoning ordinance, replacement housing must be provided by the applicant when a development project includes the demolition of three or more dwelling units occupied by households of low or moderate income. The basic requirement is that 50% of the low or moderate income bedrooms demolished are replaced on or off of the site and are maintained as restricted affordable rental units in perpetuity. The applicant has confirmed that the existing three units to be demolished are occupied by low or moderate income households; therefore, the applicant is subject to the replacement housing requirements. As the proposal includes the demolition of three units with four bedrooms total, the replacement housing requirement is for two bedrooms on or off of the site. While the replacement housing must be maintained as a rental unit in perpetuity, the inclusionary unit must be sold at an affordable ownership price to eligible households when the first unit in the development is made available for sale.

Zoning Ordinance Section 24.10.1360 allows for the inclusionary unit to be counted as the replacement housing unit at the affordability levels required by the Density Bonus ordinance (60% AMI) while the townhouses are being rented; however, when the first unit in the development is made available for sale, the property owner would be required to make available for sale a three-bedroom inclusionary unit (at 70% AMI) and maintain a minimum two-bedroom affordable replacement rental unit on the property in perpetuity (at 80% AMI). Thus, if any units are ever sold, two affordable units – one ownership and one rental – would be provided on the site in perpetuity. The conditions of approval have been updated since the June 4, 2020 Planning Commission meeting to reflect the required affordability levels of the inclusionary unit and replacement housing. Additionally, the applicant would be required to enter into an Affordable Housing Participation Agreement with the city prior to building permit issuance to ensure that the affordable levels are maintained.

The following provision, included in section 24.10.1360 of the Zoning Ordinance, was discussed at great length by the Planning Commission:

*24.12.1360 Replacement Housing Requirements.*

- b. Inclusionary rental units located on the same site may also be counted as replacement units, utilizing the more restrictive income and rent requirements for these units. Off-site rental or ownership inclusionary units may not be used to fulfill replacement unit requirements.*

A majority of the commissioners were of the opinion that use of the term “may” afforded the City some discretion in deciding whether to allow the inclusionary unit to also function as the replacement unit during the rental period and voted against an overlap of inclusionary and replacement units during any rental period, thereby requiring separate inclusionary and replacement housing units upon initial occupancy, irrespective of whether the units are initially rented. While it is acknowledged that this code section could be interpreted to be discretionary in nature, since the Planning Commission hearing, staff reviewed the City Council Agenda Report for this ordinance amendment adopted in 2008 and confirmed that it was intended to encourage and incentivize the development of rental housing by allowing for an overlap of the two affordability requirements only for on-site rental units. The staff report also confirmed that inclusionary units were counted as replacement units for projects approved just prior to the code amendment. Allowing inclusionary units to fulfill the replacement housing requirement would therefore be consistent with past practice. Rental housing is an important part of the City’s housing stock and this incentive could encourage the developer to maintain the units as rental units for a longer period of time.

The applicant expressed concern with the Planning Commission’s interpretation, testifying that it could preclude the project from being constructed. This is understandable considering that the project has already been significantly modified to eliminate an average of 835 square feet per unit and to reduce the number of bedrooms in two of the units from three bedrooms to two bedrooms in response to the redesign request by the Planning Commission. The applicant notes that these modifications to square footage result in a reduction of expected rental rates which affects the financial viability of the project as a whole. Also, for clarity, it should be noted that the units proposed for demolition are not restricted affordable units. The existing units are currently occupied by tenants that qualify as low-income households but the units themselves are not restricted to low income households and could be occupied at any point by a non-qualifying tenant.

The attached findings and conditions of approval continue to reflect the staff recommendation provided to the Planning Commission on June 4, 2020, with updates to more specifically capture the different relationships between rented, for-sale, inclusionary, density bonus, and affordable replacement units; however, as noted above, the Council may choose to interpret this code section as being discretionary and require that separate inclusionary and replacement housing units be provided during the rental period. Revisions to the findings and conditions can be made should the Council concur with the Planning Commission’s recommendation.

*Environmental Review.* CEQA provides several “categorical exemptions” which are applicable to categories of projects and activities that the Natural Resource Agency has determined generally do not pose a risk of significant impacts on the environment. The Class 32 categorical exemption is for “infill development” projects that meet the following criteria:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations;
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
- (c) The project site has no value as habitat for endangered, rare or threatened species;
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- (e) The site can be adequately served by all required utilities and public services.

The proposed project meets all of the foregoing criteria making it eligible for the infill exemption. The project is consistent with General Plan and zoning designations, policies and regulations; the project site is 21,237 square feet in size; it is located within city limits and is surrounded by existing residential urban uses. The project site has no habitat value for special status species, the project would not result in any significant effects relating to traffic, noise, air quality or water quality, and the site can be adequately served by all required utilities and public services, as existing utility infrastructure already serves the project area and is sized sufficiently to serve the proposed use. Therefore, the project qualifies for the Categorical Exemption found in CEQA Guidelines Section 15332, the infill exemption.

*Summary.* Consistent with General Plan policies, the proposed project maximizes infill density on an RL-zoned lot that is unconstrained by environmental resources. Consistent with other General Plan policies, as well as the Health in all Policies directive, recommended conditions of approval require a public pedestrian easement across the parcel and precludes the Homeowner’s Association from prohibiting public pedestrian access with the exception of the nighttime and early morning hours. At the Planning Commission’s request, the proposed design has been previously revised to include reduction in height and massing and a more traditional architectural design that is consistent with the surrounding neighborhood. Staff recommends that the City Council acknowledge the environmental determination and approve the Residential Demolition Authorization Permit, Design Permit, Tentative Map, Coastal Permit Exclusion, and Density Bonus Waiver of open space requirements for the proposed project based on the findings in the attached Resolution and the Conditions of Approval in Exhibit A.

**FISCAL IMPACT:** The applicant has paid fees to cover staff costs associated with processing this application. The project, if approved, will result in increased property taxes from the nine townhouse units, and the project developer will be required to pay traffic as well as other City impact fees.

Prepared by:

Submitted by:

Approved by:

Samantha Haschert  
Principal Planner

Lee Butler  
Director of Planning &  
Community Development

Martín Bernal  
City Manager

ATTACHMENTS:

1. Resolution to approve the Tentative Map, Design Permit and Residential Demolition Authorization Permit
  - Exhibit A – Conditions of Approval
2. Project Plans, Revisions dated 3/9/2020
3. Action Summary of the June 4, 2020 Planning Commission Meeting
4. Staff Report to the Planning Commission, June 4, 2020
5. Minutes of the May 16, 2019 Planning Commission meeting
6. Staff Report to the Planning Commission, May 16, 2019

RESOLUTION NO. NS-29,

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ  
ACKNOWLEDGING THE CATEGORICAL EXEMPTION AND APPROVING A  
TENTATIVE MAP, DESIGN PERMIT AND RESIDENTIAL DEMOLITION  
AUTHORIZATION PERMIT TO DEMOLISH THREE RESIDENTIAL UNITS AND  
CONSTRUCT A NINE-UNIT TOWNHOUSE DEVELOPMENT ON A 21,237 SQUARE  
FOOT PARCEL LOCATED IN THE R-L ZONE DISTRICT (APPLICATION NO. CP18-0187)

WHEREAS, On October 17, 2018 Derek Van Alstine submitted an application for a Tentative Map, Design Permit and Residential Demolition Authorization Permit to demolish three residential units and construct a nine-unit townhouse development on a 21,237 square foot parcel located in the R-L zone district; and

WHEREAS, the project site and its development is governed by the standards and guidelines contained in Municipal Code Title 23 and 24, the Subdivision and Zoning Ordinances, and the City of Santa Cruz General Plan; and

WHEREAS, the project qualifies for a Categorical Exemption in State CEQA Guidelines Section 15332 (Class 32 – Infill Exemption) consistent with the CEQA as articulated below; and;

WHEREAS, the Planning Commission conducted a public hearing on May 16, 2019 and, after hearing public testimony, continued the item indefinitely to allow for the applicant to redesign the building to reduce the building massing, to stay within the density range, and if possible, to provide a diversity of housing types within that range and return to the Planning Commission when the project is ready to review. In providing direction, the Planning Commission noted that consideration of a density bonus would not be precluded; and

WHEREAS, the applicant redesigned the project to reduce the building height, create a variety of unit types, provide a break in the building mass, and provide an exterior design that is compatible with the neighborhood; and

WHEREAS, the project is eligible for a density bonus pursuant to the regulations in Chapter 24.16, Part 3 of the Municipal Code and includes a request for a density bonus waiver to the open space requirements in the Zoning Ordinance; and

WHEREAS, the Planning Commission conducted a public hearing on June 4, 2020 after which voted 7-0 to recommend that the City Council approve the application; and

WHEREAS, the City Council conducted a public hearing on June 23, 2020, to consider the application; and

WHEREAS, the City Council now makes the following findings:

**With Respect to the Environmental Determination**

The Planning Commission has considered the Categorical Exemption found at Guidelines Section 15332 and finds that it is consistent with the California Environmental Quality Act in that the project is an In-Fill Development Project, consistent with the applicable General Plan and Zoning designations and all applicable General Plan policies as well as with applicable zoning regulations; less than five acres in size, within city limits and surrounded by urban uses with no wildlife habitat value for endangered, rare or threatened species; will not result in any significant effects relating to traffic, noise, air quality, or water quality; and can be adequately served by all required utilities and public services. After reviewing the project plans, the staff report as well as any comments received and supporting documentation provided, the City Council finds, on the basis of the whole record before it, that the project is Categorically Exempt under Section 15332 of the California Environmental Quality Act and this finding reflects the City's independent judgment and analysis.

**With Respect to the Tentative Subdivision Map, Section 23.26.050**

**1. The proposed tentative map is consistent with the applicable general and specific plans.**

The General Plan designation for the property is Low Medium Residential which includes a density range from 10.1 – 20 dwelling units per acre. Low-Medium-Density Residential provides moderately higher densities in areas with a mix of single-family and multifamily residential uses. It accommodates a variety of residential building types that can fit within a single-family neighborhood, including low-rise apartments, condominiums, and townhomes. The proposed nine unit townhome project is consistent with Low Density designation in that it will have 18.4 dwelling units per acre. The higher end of the density range is supported by General Plan Goal LU1 that seeks residential land use intensities to ensure optimum utilization of infill parcels. General Plan Policy LU3.7 encourages higher-intensity residential uses and maximum densities in accordance with the General Plan Land Use designations while General Plan Policy LU3.7.1 allows and encourages development that meets the high end of the General Plan Land Use designation density unless constraints associated with site characteristics and zoning development standards require a lower density. Policy LU4.1 encourages a transition to higher densities along the city's transit and commercial corridors. Other than archeology, there are no mapped resources on the project site.

The project site is not within any area or specific plan boundaries.

**2. The design or improvements of the proposed subdivision are consistent with applicable general and specific plans.**

The access for the proposed development is off of Seabright Avenue, a local transit corridor. The site plan provides an internal roadway that can be used as an emergency and sanitation truck access connection from Seabright Avenue to Sumner Street. A locked gate

(Knox Box) on the east or Sumner side of the development will prevent cut-through automobile and pedestrian access. A pedestrian path extends along the south side of the internal roadway to provide pedestrian and bicycle access for the residents of the development to Seabright Avenue. The General Plan goals and policies noted below encourage interconnected pedestrian access. The General Plan goals and policies noted below encourage interconnected pedestrian access. A pedestrian path at this location would reduce the walking distance from the immediate neighborhood to Seabright Avenue by approximately 1,000 feet, making it more convenient to access the neighborhood commercial uses south of the project site. Incorporating site design features such as this reduces reliance on cars incrementally reducing greenhouse gas emissions that contribute to climate change and sea level rise.

Based on the General Plan policies noted below, staff has included Conditions of Approval recording recordation of a public pedestrian access easement connecting Sumner Street to Seabright Avenue and prohibiting the Homeowner's Association from precluding pedestrian access through the site either through signage or physical barriers.

- General Plan Policy CD3.1.4 Revise the Zoning Ordinance to require that the design of public and private development promote connectivity between neighborhoods and districts.
- Goal CD5.1 Create a well-connected street and pedestrian network.
- Policy CD5.1.1 Implement the Master Transportation Study's recommendations for improving the city's pedestrian network.
- Policy M3.3.5 Require new development to be designed to discourage through traffic in adjacent neighborhoods and to encourage bicycle or pedestrian connections.
- Goal M4 A citywide interconnected system of safe, inviting, and accessible pedestrian ways and bikeways.
- Policy M4.1.3 Encourage pedestrian travel by providing pedestrian pathways on cul-de-sac and loop streets.
- Policy M4.1.7 Require that site and building design facilitate pedestrian activity.

Objectives and Policies from the Active Transportation Plan:

- Objective 1. Comprehensive Bicycle and Pedestrian Network Establish a comprehensive bicycle and pedestrian transportation system that is integrated with the existing City network and connected to the countywide network.
- Policies 1.1. Provide a complete bicycle and pedestrian network among residential areas, downtown and major activity centers.
- 1.2. Complete and maintain the City's sidewalk system.
- 1.3. Require new development to implement the planned bicycle and pedestrian network.

**3. The site is physically suitable for the type of development proposed.**

A geotechnical report, drainage, grading and erosion control plans have been reviewed and approved by Public Works, Building and Water Conservation Departments for the proposed

development. The site will be served by public water and sewer. The project Conditions of Approval will assure that the site is physically suitable for the type of development proposed.

**4. The site is physically suitable for the proposed density of development.**

The site is primarily flat and is within a mapped archeological sensitive area; there are no other mapped resources or constraints. The applicant provided an archeological report dated April 2018 that included a background records search as well as field investigation and a shovel survey at the project site. The report concluded that the parcel does not contain intact cultural resources and recommends no further action in regards to cultural resources. A condition of approval is attached requiring all construction activities to cease if unexpected resources are discovered and that the applicant hire a qualified archeologist to evaluate and prepare recommendations for a future course of action.

**5. The design of the subdivision or proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

The design and improvements of the subdivision will not cause substantial environmental damage or injure fish or wildlife in that there are no mapped biotic resources or waterways on the site and it is currently developed with a duplex and a single family dwelling.

**6. The design of the subdivision or the type of improvements is not likely to cause serious public health problems.**

As the proposed improvements and design of the subdivision are in accordance with the State Subdivision Map Act and City's Subdivision Ordinance, the proposed improvements will not cause serious health problems. The site will be served by public water and sewer.

**7. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or the use of, property within the subdivision.**

The design of the subdivision will not conflict with public easements for access through it since no such easements are known on the subject parcel.

**With Respect to the Design Permit, Section 24.08.430**

**8. The site plan shall be consistent with physical development policies of the General Plan, any required or optional element of the General Plan, any area plan or specific plan or other city policy for physical development. If located in the Coastal Zone, a site plan shall also be consistent with policies of the Local Coastal Program.**

The General Plan designation for the property is Low Medium Residential which includes a density range from 10.1 – 20 dwelling units per acre. Low-Medium-Density Residential

provides moderately higher densities in areas with a mix of single-family and multifamily residential uses. It accommodates a variety of residential building types that can fit within a single-family neighborhood, including low-rise apartments, condominiums, and townhomes. The proposed nine unit townhome project is consistent with Low Density designation in that it will have 18.4 dwelling units per acre. The higher end of the density range is supported by General Plan Goal LU1 that seeks residential land use intensities to ensure optimum utilization of infill parcels. General Plan Policy LU3.7 encourages higher-intensity residential uses and maximum densities in accordance with the General Plan Land Use designations while General Plan Policy LU3.7.1 allows and encourages development that meets the high end of the General Plan Land Use designation density unless constraints associated with site characteristics and zoning development standards require a lower density. Policy LU4.1 encourages a transition to higher densities along the city's transit and commercial corridors. Other than archeology, there are no mapped resources on the project site.

9. **The exterior design and appearance of buildings and structures and the design of the site plan shall be compatible with design and appearance of other existing buildings and structures in neighborhoods which have established architectural character worthy of preservation.**

The project site is located within a developed single-family neighborhood, which includes a mix of one- and two-story homes of various ages and architectural styles. Subdivisions similar in scale to the proposed project are found on the west side of Seabright Avenue just north of Windsor Street and on the east side of Seabright Avenue, south of Pine Street. The proposed residences are two-story, attached townhouses that range in size from approximately 1,515 to 1,631 square feet, each unit includes a single car garage with a second tandem parking space and more than 200 cubic feet of storage space per unit as required in Section 24.12.180 of the Zoning Ordinance. The development includes seven three-bedroom units and two two-bedroom units with upper floor decks and rear yards for private open space. The development has been sited on the south side lot to reduce shading on the homes to the north.

The design of the nine units is most consistent with a Craftsman architectural style that includes wide, front-facing gables, multi-pane windows, and recessed covered front porches. The exterior materials vary between units to provide a sense of individuality and ownership and include a combination of stucco, horizontal board siding, vertical board siding, and shingles. Projecting dormers and awnings and recessed decks and front entries provide interest and are articulated to reduce the visual massing of the building. All of the proposed homes front a new private road serving the subdivision. The front unit has been oriented towards Seabright Avenue, including a projecting porch and front door with a compatible street-facing gable.

10. **Design of the site plan shall respect design principles in terms of maintaining a balance of scale, form and proportion, using design components that are harmonious, materials and colors that blend with elements of the site plan and surrounding areas. Location of structures should take into account maintenance of view; rooftop mechanical equipment shall be incorporated into roof design or screened from adjacent properties. Utility installations such as trash enclosures, storage units,**

**traffic-control devices, transformer vaults and electrical meters shall be accessible and screened.**

Most the homes in the immediate area are older homes comprised of single story and two story developments. The RL zone district limits the average height for new development to 30 feet. The average height is the distance from average finished grade to the midpoint between the top plate and roof peak. The average height of the proposed project is 24'1 ¾" which is consistent with many surrounding multi-family and single-family residential buildings.

The buildings do not conflict with significant public viewsheds identified in either the Significant Views/Features map included in the General Plan EIR or the Scenic View Map (CD-3) included in the Local Coastal Program. Conditions of approval are included that require the undergrounding of all utilities and screening of rooftop mechanical equipment from public view.

- 11. Where a site plan abuts, or is in close proximity to, uses other than that proposed, the plan shall take into account its effect on other land uses. Where a nonresidential use abuts or is in close proximity to a residential use, the effect of the site plan should maintain the residential quality of adjacent or nearby areas.**

The site abuts residential uses to the north, south, east and west.

- 12. The orientation and location of buildings, structures, open spaces and other features of the site plan shall be such as to maintain natural resources including significant trees and shrubs to the extent feasible, maintain a compatible relationship to and preserve solar access of adjacent properties, and minimize alteration of natural land forms, building profiles, location, and orientation must relate to natural land forms.**

The development has been sited on the south side of the lot to reduce shading on the homes to the north. A shading study was prepared for a previous design which included a taller 30-foot high, three story structure and which demonstrated that there would be partial shading impacts on the north adjacent properties only during the afternoons in the winter months, which is an insignificant shading impact in developed, urban area. The proposed project is five feet shorter than the prior project and includes 15 foot break in the building length, therefore, reduced shading impacts are expected. The house fronting Seabright Avenue is oriented towards the street with a projecting porch, front door, and a street facing gable. The location and orientation of the structures do not conflict with significant public viewsheds identified in either the Significant Views/Features map included in the General Plan EIR or the Scenic View Map (CD-3) included in the Local Coastal Program and the site plan provides adequate accessibility. The building materials proposed are compatible with and will complement structures in the surrounding areas.

- 13. The site plan shall be situated and designed to protect views along the ocean and of scenic coastal areas. Where appropriate and feasible, the site plan shall restore and enhance visual quality of visually degraded areas.**

The project will not impact views along the ocean or public views of any scenic coastal areas identified in either the Significant Views/Features map included in the General Plan EIR or the Scenic View Map (CD-3) included in the Local Coastal Program. The project will enhance the visual quality of the area with the construction of nine attractive townhomes with extensive landscaping on the frontage of Seabright Avenue and Sumner Street.

14. **The site plan shall minimize the effect of traffic conditions on abutting streets through careful layout of the site with respect to location, dimensions of vehicular and pedestrian entrances, exit drives and walkways; through the adequate provision of off-street parking and loading facilities; through an adequate circulation pattern within the boundaries of the development; and through the surfacing and lighting of off-street parking facilities.**

The site plan provides two parking spaces for each unit, including one covered space, and two guest parking spaces in the rear portion of the development and between the buildings. This project complies with the parking requirements found in Sections 24.12.180 and 24.12.200 of the Zoning Ordinance.

The access for the proposed development is off of Seabright Avenue, a local transit corridor. The site plan provides an internal roadway that can be used as an emergency and sanitation truck access connection from Seabright Avenue to Sumner Street. A locked gate (Knox Box) on the east or Sumner side of the development will prevent cut-through automobile and pedestrian access. A pedestrian path extends along the south side of the internal roadway to provide pedestrian and bicycle access for the residents of the development to Seabright Avenue. The General Plan goals and policies previously noted in Finding No. 2 encourage interconnected pedestrian access and a pedestrian path at this location would reduce the walking distance from the neighborhood to Seabright Avenue by approximately 1,000 feet. Based on the General Plan policies previously noted above, staff has included Conditions of Approval prohibiting the Homeowner's Association from precluding public pedestrian access through the site either through signage or physical barriers.

15. **The site plan shall encourage alternatives to travel by automobile where appropriate, through the provision of facilities for pedestrians and bicyclists, including covered parking for bicycles and motorcycles where appropriate. Public transit stops and facilities shall be accommodated as appropriate, and other incentive provisions considered which encourage non-auto travel.**

The project includes a functional covered parking space for each unit with a large storage loft and a rear yard for each of the dwelling units. Based on the General Plan policies noted above in Finding No 2, staff has included Conditions of Approval prohibiting the Homeowner's Association from precluding public pedestrian access across the site either through signage or physical barriers. The access for the proposed development is off of Seabright Avenue, a local transit corridor.

- 16. The site shall provide open space and landscaping which complement buildings and structures. Open space should be useful to residents, employees, or other visitors to the site. Landscaping shall be used to separate and/or screen service and storage areas, separate and/or screen parking areas from other areas, break up expanses of paved area, and define open space for usability and privacy.**

The site plan provides private and common open space areas in the form of private decks, porches, rear yards, and landscaped areas. The open space will complement the homes and will be useful to the residents and visitors. An extensive landscape treatment is proposed on both the Seabright entrance and Sumner frontage and, along the north property line, a six foot fence and landscape strip with climbing vines and shrubs to buffer the fence and provide greenery.

- 17. The site plan shall reasonably protect against external and internal noise, vibration and other factors, which may tend to make the environment less desirable. The site plan should respect the need for privacy of adjacent residents.**

The site plan will protect against external and internal noise and vibration by building to current uniform building code requirements for insulation and sound attenuation. The site is designed to maximize privacy by orienting the proposed dwelling units towards the north where there is a 20 foot setback from the north property line. The rear yards will be enclosed by a six foot tall fence for privacy to the south and a six foot tall fence will be located at the north property line.

- 18. Building and structures shall be so designed and oriented to make use of natural elements such as solar radiation, wind, and landscaping for heating, cooling and ventilation.**

The buildings will require the issuance of a building permit that meets the Uniform Building Code requirements relative to energy efficiency.

- 19. The site plan shall incorporate water-conservation features where possible, including in the design of types of landscaping and in the design of water-using fixtures. In addition, water restricting shower heads and faucets shall be used, as well as water-saving toilets utilizing less than three gallons per flush.**

The Inspections section of the Planning and Community Development Department will ensure that the low-flow water fixtures will be installed in accordance with City Ordinance 90-17 through the building permit process. The Water Department will ensure that the final landscape plans are consistent with Chapter 16.16 of the Municipal Code (Water Efficient Landscaping) through the building permit process.

***With respect to the Demolition or Conversion of Multiple Dwellings, Section 24.08.1340***

- 20. The project to replace the demolished or converted units has been approved and an appropriate building permit has been issued; unless a hardship can be documented rendering this finding inappropriate;**

Conditions of approval are include to ensure that the building permit to construct the nine townhouses is issued concurrently with or prior to issuance of the demolition permit to demolish the existing residential units on the site.

- 21. The proposed demolition or conversion of use will not have a substantial adverse impact on housing opportunities for low- and moderate-income households; or**

The three residences to be demolished are currently occupied by low to moderate income households and the property owner is required to meet the requirements of Charter 24.08, Part 14 for relocation assistance and replacement housing as a part of the project. At least two bedrooms will be provided as the income and rent restricted rental replacement unit therefore, the project will not have a substantial adverse impact on housing opportunities for low to moderate income households.

- 22. If the proposed demolition or conversion of use will have a substantial adverse impact on housing opportunities for low- and moderate-income households, adequate mitigation measures will be undertaken. Such mitigation measures include relocation assistance, and may include construction of replacement housing, in-lieu fees, other measures, or a combination of the above as provided by council resolution. For purposes of this section, a residential dwelling unit shall be occupied by a person or family of low or moderate income, if a low or moderate-income household currently occupies or had occupied the dwelling unit within one year prior to the date of submission of the application for the demolition/conversion permit; or, in addition, if substantial evidence exists that a low- or moderate-income household had occupied the unit within two years of the date of the submission of the application for the demolition/conversion authorization permit and had been evicted for the purpose of avoiding the requirements of this section.**

The property owner has confirmed that the three existing residences on the site proposed for demolition are occupied by low to moderate income households; therefore, the project owner is required to meet both the requirements for Relocation Assistance and Replacement Housing prior to issuance of a demolition permit. At least fifty percent of the bedrooms to be demolished must be replaced on the site; therefore the property owner will be required to designate one unit with at least two-bedrooms as the replacement rental unit that will be made available to to low to moderate income households at a rental cost affordable to low to moderate income households in perpetuity.

**With respect to the Density Bonus and Waiver, Section 24.16.270**

- 23. The housing development is eligible for a density bonus and any concessions, incentives, waivers, modifications, or modified parking standards requested;**

**conforms to all standards for affordability included in this section; and includes a financing mechanism for all implementation and monitoring costs.**

The proposed project meets the definition of a housing development as contained in Section 24.16.205(17) of the Zoning Ordinance. The project is eligible for a density bonus and associated density bonus waivers in that ten percent of the nine units (1 unit) will be made available to lower income households (60% Area Median Income (AMI) rental units and 70% AMI for ownership units) based on affordable rents or affordable ownership costs.

- 24. Any requested incentive or concession will result in identifiable and actual cost reductions to provide for affordable rents or affordable ownership costs based upon appropriate financial analysis and documentation if required by Section 24.16.255.**

The project does not include a request for incentives or concessions.

- 25. If the density bonus is based all or in part on dedication of land, the approval body has made the findings included in Section 24.16.230.**

The density bonus is not based all or in part on dedication of land.

- 26. If the density bonus, incentive, or concession is based all or in part on the inclusion of a child care center, the development conforms to the standards included in Section 24.16.235.**

The density bonus and waiver is not based all or in part on the inclusion of a child care center.

- 27. If the density bonus incentive or concession is approved for a condominium conversion, the development conforms to the standards included in Section 24.16.240.**

The project does not include a condominium conversion.

- 28. If the incentive or concession includes mixed-use buildings or developments, the nonresidential land uses will reduce the cost of the housing development and the proposed nonresidential uses are compatible with the housing development and with existing or planned development in the area where the proposed housing development will be located.**

The project does not include a mixed-use building or nonresidential uses of land.

- 29. If a waiver or modification is requested, the applicant has shown that the development standards for which the waiver or modification is requested will have the effect of physically precluding the construction of the housing development at the densities or with the incentives or concessions permitted by this Part 3.**

The project includes a density bonus waiver of the open space requirements and the applicant has demonstrated that full application of the open space development standards will have the effect of physically precluding the construction of the housing development at the proposed design and at the density or with the incentives or concessions permitted by Part 3, Chapter 24.16 of the Zoning Ordinance. The original project plans that were reviewed by the Planning Commission on May 16, 2019 demonstrated that the nine units could be constructed in compliance with all of the development standards required in the Zoning Ordinance and those required by other city departments. That design was deemed by the Planning Commission to be too large and out of character with the neighborhood and the applicant agreed to a continuance to address this concern. The applicant addressed the concern by reducing the height of the building and creating a break in the building, which has in turn, reduced the developable area of the site. The revisions did not result in a reduction of bedrooms in seven of the units, in that the parking was revised to a tandem arrangement and the ground-floor third bedroom was relocated from the ground floor to the second floor. The family room, dining room, and kitchen were relocated to the ground floor and the ground floor area was expanded to allow for adequate living space in conjunction with the required parking. Two of the units, Unit 4 and Unit 9, were redesigned from three-bedroom units to two-bedrooms to allow for the break in the building to address the concerns of the Planning Commission. The applicant has voluntarily increased the affordability of the affordable unit, making the project eligible for two additional market rate units under Density Bonus law although the applicant does not propose these additional units. The requested waiver allows for adequate living spaces within the units, which is considered to be an amenity to future residents. It should be noted that density bonus case law has established that the stripping of amenities as a requirement to meet the development standard proposed to be waived in a density bonus eligible project has been deemed to be inconsistent with the spirit of the Density Bonus law. Additionally, the applicant has acted in good faith to respond to the design concerns of the Planning Commission and has voluntarily increased the affordability level of the affordable unit and reduced the number of bedrooms in two of the units to reduce building massing. The proposed reduction in open space is a minor variation from the required development standards and would result in the construction of a housing development with an affordable unit that meets the increased affordability levels required by the Density Bonus ordinance. It has been demonstrated by the applicant that the requirement for additional open space would physically preclude the construction of the nine-unit townhouse development as proposed to be designed; therefore, a waiver of the open space requirement is appropriate.

- 30. If a commercial development bonus is requested, the project complies with the requirements of Section 24.16.258, the city has approved the partnered housing agreement, and the bonus has been mutually agreed upon by the city and the commercial developer.**

A commercial development bonus is not requested as a part of the project.

- 31. If the housing development or the commercial development is in the coastal zone, any requested density bonus, incentive, concession, waiver, modification, modified parking standard, or commercial development bonus is consistent with all applicable**

**requirements of the certified Santa Cruz local coastal program, with the exception of density.**

The project is located in Exclusion Area A and includes a density bonus waiver to the open space development standards required in the R-L zone district and for Community Housing Projects. The waiver of open space requirements is consistent with the State Density Bonus criteria. The project provides eighty percent of the open space required for the R-L zone district and provides 70 square feet of private open space for units 4 and 9, which is 70 percent of the open space required per unit in the Community Housing Project requirements. Additionally, the project site provides direct access to the coast via Seabright Avenue which provides additional open space in close proximity of the project. The reduction in open space does not result in a project that will obstruct important public views or viewsheds in that there are no important public views of the coast from the property. Reduction of the open space requirements allows for a project that maximizes residential density on a parcel where there are no significant development restrictions (LU2.7.1) and that is located in an urban area that is fully developed with sidewalks, bike lanes, and street trees, and is in close proximity to commercial goods and services which will encourage the use of mass transit and alternative transportation modes (LU5.3).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz that it hereby acknowledges the Categorical Exemption and approves the Tentative Map, Design Permit and Residential Demolition Authorization Permit to demolish three residential units and construct a nine-unit townhouse development on a 21,237 square foot parcel located in the R-L zone district subject to the Findings listed above and the Conditions of Approval listed in Exhibit "A," attached hereto and made a part hereof.

PASSED AND ADOPTED this 23<sup>rd</sup> day of June 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

EXHIBIT "A"

CONDITIONS OF APPROVAL FOR THE PROJECT ON PROPERTY AT

914/916 Seabright Avenue – Application No. CP18-0187

**Tentative Map, Design Permit and Residential Demolition Authorization Permit to demolish three residential units and construct a nine-unit townhouse development on a 21,237 square foot parcel located in the R-L zone district.**

*Regarding the Subdivision:*

1. If one or more of the following conditions is not met with respect to all its terms, then this approval may be revoked.
2. The Tentative Map shall be exercised by filing a Final Map within thirty-six (36) months of the date of final approval, unless extended by city ordinance or state law, or it shall become null and void.
3. The Final Map of the subdivision shall be submitted showing compliance with all the provisions of Title 23 of the Santa Cruz Municipal Code, or with approved exceptions thereto.
4. Vertical-face type curbs, standard gutters and sidewalks shall be installed along all public streets in the subdivision, in accordance with the approved Tentative Map.
5. All utility easements shall be provided as shown on the approved tentative map on file to meet the requirements of the utility companies and of the Director of Public Works.
6. Water mains shall be installed in the subdivision, and water services shall be installed to the property line for each individual lot included within the tract, prior to surfacing the streets.
7. Gas mains shall be installed in the street tree and utility easements to serve all lots within the subdivision; and gas service shall be installed to all lots, prior to surfacing the streets.
8. Sanitary sewers, including manholes and other appurtenances, shall be constructed in the subdivision, and laterals extending to the property line of each lot shall be installed so as to provide service to all lots within the subdivision.
9. All sewer laterals shall be in accordance with the Standard Detail (3471-A-1) and shall be capped at the property line in a manner approved by the Director of Public Works.
10. Storm drainage facilities shall be installed in accordance with the specifications of the Director of Public Works.
11. All necessary easements shall be acquired prior to City Council acceptance of the Final

CONDITIONS OF APPROVAL  
FOR 914/916 Seabright Avenue – Application No. CP18-0187

Map.

12. The specified common area shall be designated as a public utility easement.
13. A public pedestrian access easement along the pedestrian path across the parcel between Seabright Avenue and Sumner Street shall be included in the Final Map.
14. Each unit/lot shall have separate utility service.
15. Electroliers shall be installed in the subdivision as shown on the approved Tentative Map, and in accordance with the specifications of the Director of Public Works.
16. Standard fire hydrants shall be installed in accordance with the specifications of the City Fire Department and the Director of Public Works.
17. Street name and traffic control signs shall be installed as required, in accordance with the specifications of the Director of Public Works.
18. Permanent monuments shall be furnished and installed by the subdivider as required by the Director of Public Works.
19. All plans and profiles of improvements shall be approved by the Director of Public Works prior to the filing of the Final Map, and the construction of said improvements shall be in accordance with the City specifications and shall be inspected by the Director of Public Works or his authorized agent.
20. The reproducible mylars of the plans and profiles for said improvements shall be furnished to the Public Works Department and shall become the property of the City of Santa Cruz at the time of approval.
21. The development of the site shall be subject to the provisions of the Zoning Ordinance of the Santa Cruz Municipal Code.
22. Prior to the approval of the final map, Covenants, Conditions and Restrictions (CC&Rs) containing the provisions set forth in Section 23.37.010 of the Subdivision Ordinance, shall be filed with the Planning Director. The CC&Rs shall include provisions for:
  - A requirement that any unit that is rented be managed by a single management company designated by the homeowners association to manage all rental units in the residential project.
  - Public pedestrian access across the parcel between Seabright Avenue and Sumner Street shall not be prohibited either through signage or physical barriers with the exception that a gate may be locked to block public access between the hours of 10 p.m. and 6 a.m. daily.

CONDITIONS OF APPROVAL  
FOR 914/916 Seabright Avenue – Application No. CP18-0187

- Common area landscape and drainage maintenance.
  - Language shall be included that subsequent homeowner agreements shall not remove any conditions and/or restrictions specifically required by the City without first obtaining an amendment to this approval. The agreement shall be recorded and in full effect prior to issuance of any grading or building permits for the residences.
23. Approval of final plans and any conditions necessary for implementation of same in no way modify the original conditions of approval.
24. No permits or work shall commence on the subject property until approval of the final map.
25. Installation and testing of the sewer lines, water systems, and fire hydrants must also be conducted to satisfy the requirements of the Public Works Department, the Water Department, and the Fire Department, prior to the issuance of the building permit.
26. Prior to the issuance of a building permit, following approval of the final map, all underground utilities, curbs, gutters, final road grading, and on-site grading shall be completed and approved by the Public Works Department. If necessary, the Public Works Department may also require the installation of base rock on the finished grading for the road, prior to the issuance of the building permit.
27. All grading within the boundaries of the subdivision shall be done under the direction and supervision of a soils engineer. Upon completion of all grading, a final soils report shall be submitted to the Public Works Department by the soils engineer, certifying compliance with the City's grading ordinance. The report shall include locations and elevations of field density tests, summaries of field and laboratory tests, and any other substantiating data developed by the soils engineer.
28. The Final Map shall include a note that the project has been approved pursuant to a Tentative Map with fifty-seven conditions which run with the land and are available for review in the Planning and Community Development Department.
29. Requirements for the approval of grading:
- All grading shall be done in accordance with the latest City of Santa Cruz Municipal Code, Chapter 24.27.
  - All work shall be in accordance with recommendations specified in the geotechnical investigation report prepared.
  - All clearing, site preparation or earth work shall be performed under inspection by the Soils Engineer and to the satisfaction of the Soils Engineer.
  - Dust caused by the grading operations shall be controlled by proper watering.
  - A grading permit from the Chief Building Official will be required prior to commencement of work.
  - A pre-grading conference at the site is required prior to the start of grading with the

CONDITIONS OF APPROVAL  
FOR 914/916 Seabright Avenue – Application No. CP18-0187

- following people present: owner, contractor, engineer, soils engineer, and City Inspector, or their representatives.
- The engineer will inspect the site after grading has been completed, and inform the City of Santa Cruz whether grading was done in conformance with the grading plans.
  - Plans set forth in the schedule, location, and type of planting shall be submitted to the Planning Department for approval upon completion.
  - Work shall be done in accordance with approval plans on file in the Building Department.
  - Grading shall be done during periods of dry weather, and protective measures shall be incorporated during grading to prevent siltation from any grading project halted due to rain.
30. Pedestrian pathway shall be installed to the specifications of the Director of Public Works.
31. Final building plans shall include a modified vehicular gate on the Sumner Street frontage that does not obstruct pedestrian access through the site to Seabright Avenue.
32. Driveway approach shall be constructed to standards approved by the Department of Public Works.
33. Modified street lamp details shall be provided by the subdivider prior to the filing of the final map and installed in accordance with the specifications of the Director of Public Works.

*Regarding the Design Permit:*

34. The use shall meet the standards and shall be developed within limits established by Chapter 24.14 of the Santa Cruz Municipal Code as to the emission of noise, odor, smoke, dust, vibration, wastes, fumes or any public nuisance arising or occurring incidental to its establishment or operation.
35. The applicant shall be responsible for the completeness and accuracy of all forms and supporting material submitted in connection with any application. Any errors or discrepancies found therein may result in the revocation of any approval or permits issued in connection therewith.
36. All final working drawings shall be submitted to the Zoning Administrator for review and approval in conjunction with building permit application. The plans submitted for building permits shall have the same level of articulation, detailing, and dimensionality as shown in the approved plans. All approved exterior finishes and materials shall be clearly notated on the building permit plans.
37. The applicant and contractor who obtains a building permit for the project shall be

CONDITIONS OF APPROVAL  
FOR 914/916 Seabright Avenue – Application No. CP18-0187

required to sign the following statement at the bottom of these conditions, which will become conditions of the building permit:

“I understand that the subject permit involves construction of a building (project) with an approved Design Permit. I intend to perform or supervise the performance of the work allowed by this permit in a manner which results in a finished building with the same level of detail, articulation, and dimensionality shown in the plans submitted for building permits. I hereby acknowledge that failure to construct the building as represented in the building permit plans, may result in delay of the inspections process and/or the mandatory reconstruction or alteration of any portion of the building that is not in substantial conformance with the approved plans, prior to continuation of inspections or the building final.”

\_\_\_\_\_  
Signature of Building Contractor

\_\_\_\_\_  
Date

38. The plans submitted for building permit issuance shall be in substantial accordance with the approved plans submitted and on file in the Department of Planning and Community Development of the City of Santa Cruz. All aspects of construction must be completed prior to occupancy. Major modifications to plans or exceptions to completion may be granted only by the City authority which approved the project.
39. All refuse and recycling activities during construction shall be done in accordance with Chapter 6.12 of the Santa Cruz Municipal Code. Be aware that private companies offering refuse or debris box services are not allowed to operate within the City limits, except under certain limited circumstances detailed in Chapter 6.12.160.
40. All requirements of the Building, Fire, Public Works and Water Departments shall be completed prior to occupancy and continuously maintained thereafter.
41. Prior to the issuance of a building permit, the applicant shall pay park dedication fees based on the final building permit plans.
42. Plans submitted for building permit issuance shall include electric vehicle charging stations as required per Section 24.12.241 of the Zoning Ordinance.
43. Landscape and irrigation plans shall be submitted at the time of the building permit application and will be reviewed by both the Planning Department and Water Department. The landscape and irrigation plans shall demonstrate compliance with all requirements of the City’s Water-Efficient Landscaping Ordinance in Chapter 16.16 of the Santa Cruz Municipal Code prior to issuance of the building permit.
44. All landscaping shall be installed prior to final utility release or issuance of occupancy permits.

CONDITIONS OF APPROVAL  
FOR 914/916 Seabright Avenue – Application No. CP18-0187

45. Subsequent to occupancy of the premises, all landscaping shall be permanently maintained.
46. All trees shall be a minimum 15-gallon size.
47. Bike parking shall be provided in accordance with Section 24.12.250-252 of the City's Zoning Ordinance.
48. All utilities and transformer boxes shall be placed underground in accordance with the provisions of Section 24.12.700 through 24.12.740 of the Zoning Ordinance.
49. A drainage plan shall be submitted in conjunction with application for building permits.
50. Any person exercising a development permit or building permit who, at any time in the preparation for or process of excavating or otherwise disturbing earth, discovers any human remains of any age or any artifact or any other object which reasonably appears to be evidence of an archaeological/cultural resource or paleontological resource, shall:
  - Immediately cease all further excavation, disturbance, and work on the project site;
  - Cause staking to be placed completely around the area of discovery by visible stakes not more than ten feet apart forming a circle having a radius of not less than one hundred feet from the point of discovery; provided, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking;
  - Notify the Santa Cruz County sheriff-coroner and the city of Santa Cruz planning director of the discovery unless no human remains have been discovered, in which case the property owner shall notify only the planning director;
  - Grant permission to all duly authorized representatives of the sheriff-coroner and the planning director to enter onto the property and to take all actions consistent with this section.
51. All new mechanical equipment and appurtenances, including gas and water meters, electrical boxes, roof vents, air conditioners, antennas, etc. visible from the public way and from adjacent properties, shall be screened with material compatible with the materials of the building and shall be subject to the approval of the Zoning Administrator.
52. Final colors shall be approved by the Zoning Administrator prior to application for building permits.
53. The project shall comply with the following affordable housing requirements:
  - (a) The inclusionary requirement for the mapped townhouse project is 15%, or 1.35 units. The owner may provide two inclusionary units or may provide one unit and pay an in-lieu fee for the remaining fractional amount, which shall be paid prior to building permit issuance. The inclusionary unit must be provided as a three-bedroom unit which is

CONDITIONS OF APPROVAL  
FOR 914/916 Seabright Avenue – Application No. CP18-0187

representative of the majority unit mix in the project. The inclusionary unit must be maintained on the site in perpetuity.

- (b) In order to comply with Density Bonus requirements, the project shall restrict at least ten percent of the nine units (1 unit) at the more affordable levels required by the Density Bonus ordinance (60% AMI during a rental phase and 70% AMI if sold for ownership). An inclusionary unit may be counted as the unit providing eligibility for the density bonus and must be restricted at the affordability levels required by the Density Bonus ordinance, noted above.
- (c) A minimum two-bedroom replacement housing unit shall be provided on the site and shall be made available to lower income households (80% AMI). The replacement unit shall be maintained as a rental unit in perpetuity.
- (d) The required three-bedroom inclusionary unit may count as the required replacement housing while all of the units in the development are being rented. The unit would then provide the two required replacement bedrooms and would fulfill the inclusionary and density bonus requirements. The unit shall be made available to household's at the most restrictive affordability levels provided in the Density Bonus ordinance (60% AMI).
- (e) At the time when any of the units in the development are made available for sale, the property owner shall also make available for sale one three-bedroom inclusionary unit at the most restrictive affordability level required by the Density Bonus ordinance (70% AMI), and one additional unit of at least two bedrooms must be maintained as replacement rental housing in perpetuity and restricted to the level required by the replacement housing requirements (80% AMI).

54. The owner shall comply with the inclusionary housing requirements as outlined in Section 24.16.010 of the Zoning Ordinance and the replacement housing requirements as outlined in Section 24.08.1360 of the Zoning Ordinance. A Participation Agreement establishing compliance with inclusionary housing requirements shall be entered into prior to recordation of the final subdivision map and recorded prior to either sale of the first subdivision lot or final occupancy of the first unit, whichever occurs first.

55. Prior to issuance of the demolition permit, the applicant shall meet the requirements outlined in Section 24.08.1325 of Zoning Ordinance to provide an offer to move the existing residences off-site :

- Obtain a building permit for the construction of the townhouses.
- Schedule a Special Inspection with the Building Department to determine whether the existing residences proposed for demolition have the potential for relocation off-site.
- If the Building Official determines that the buildings are capable of being moved without damage to significant trees and/or landscaping, the applicant shall be required to comply with the requirements of Section 24.08.1325 of the Zoning

CONDITIONS OF APPROVAL  
FOR 914/916 Seabright Avenue – Application No. CP18-0187

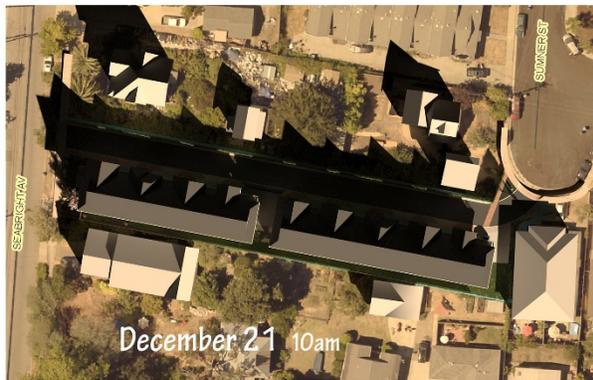
Ordinance.

56. Prior to issuance of a building permit, the owner shall provide evidence that relocation assistance has been provided in accordance with 24.08.1350 of the Zoning Ordinance.
57. The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government code Section 66474.9, defend, indemnify and hold harmless the City of Santa Cruz or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of such action. City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of the City Attorney or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The City shall promptly notify the property owner of any such claim, action or proceeding and the City shall cooperate fully in the defense thereof. If the City fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the City harmless.









Shadow Study  
Proposed Houston Seabright - A.P.N.: 011-123-66



# HOUSTON SEABRIGHT



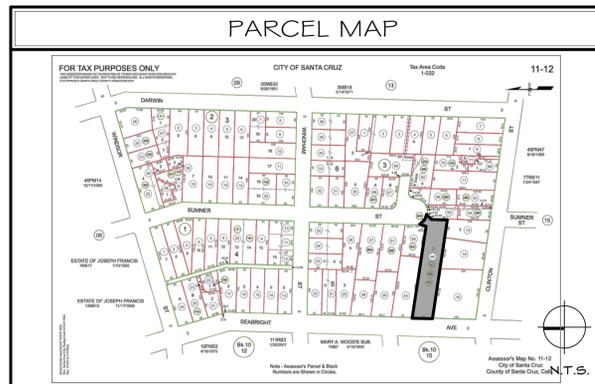
**DEREK VAN ALSTINE**  
 RESIDENTIAL DESIGN INC.  
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**DVRD** INC.  
 DEREK VAN ALSTINE  
 DESIGNER

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**HOUSTON SEABRIGHT**  
 914-916 SEABRIGHT AVE.  
 SANTA CRUZ, CA 95062

34.34



## BUILDING INFORMATION SUMMARY

<b>PROJECT DESCRIPTION:</b>	CONSTRUCT NINE NEW TOWNHOUSES TOTALING 14,051 S.F., WITH 18 COVERED PARKING SPACES AND 2 UNCOVERED PARKING SPACES		
<b>PROJECT ADDRESS:</b>	914-916 SEABRIGHT AVE. SANTA CRUZ, CA. 95062		
<b>PARCEL NUMBER:</b>	011-123-066		
<b>ZONING DESIGNATION:</b>	R-L		
<b>OCCUPANCY CLASSIFICATION:</b>	R-3		
<b>CONSTRUCTION TYPE:</b>	TYPE V-B, SPRINKLERED		
<b>LOT AREA:</b>	21,237 SQ.FT.		
<b>SETBACK INFORMATION:</b>	FRONT YARD	SIDE YARD	REAR YARD
REQUIRED	15'-0"	8'-0" L / 15'-0" R	15'-0"
PROPOSED	15'-0"	8'-0" L / 24'-6" R	15'-0"
<b>PROPOSED FLOOR AREA:</b>	UNIT 1	UNITS 2,3,5-8	UNITS 4 & 9
GARAGE:	187 SQ.FT.	187 SQ.FT.	187 SQ.FT.
FIRST FLOOR AREA:	625 SQ.FT.	579 SQ.FT.	552 SQ.FT.
SECOND FLOOR AREA:	819 SQ.FT.	799 SQ.FT.	776 SQ.FT.
TOTAL FLOOR AREA:	1,631 SQ.FT.	1,565 SQ.FT. (6) =9,390 SQ.FT.	1,515 SQ.FT. (2) =3,030 SQ.FT.
<b>TOTAL PROJECT FLOOR AREA:</b>	14,051 SQ.FT.		
<b>STORAGE PER UNIT:</b>	UNITS 1-3, 5-8	UNITS 4 & 9	
400 CU.FT. MIN PER 2410.180	780 CU.FT.	493 CU.FT.	
<b>YARD SPACE PER UNIT:</b>	UNIT 1	UNITS 2,3,5-8	UNITS 4,9
400 SQ.FT. MIN PER 2410.450	243 SQ.FT. (YARD) 35 SQ.FT. (PORCH) 38 SQ.FT. (PLANTER)	243 SQ.FT. (YARD) 61 SQ.FT. (PORCH) 36 SQ.FT. (PLANTER)	223 SQ.FT. (YARD) 16 SQ.FT. (PORCH) 34 SQ.FT. (PLANTER)
TOTAL FLOOR AREA	316 SQ.FT.	340 SQ.FT.	273 SQ.FT.
<b>PRIVATE OPEN SPACE PER UNIT:</b>	UNIT 1	UNITS 2,3,5-8	UNITS 4,9
100 SQ.FT. MIN PER 2410.180	74 SQ.FT. (DECK) 51 SQ.FT. (DECK)	71 SQ.FT. (DECK) 51 SQ.FT. (DECK)	70 SQ.FT. (DECK)
	125 SQ.FT.	122 SQ.FT.	70 SQ.FT.
<b>PARKING (PROVIDED):</b>	18 COVERED 2 UNCOVERED		
<b>CODE NOTE:</b>	THESE PLANS CONFORM TO THE 2020 CALIFORNIA RESIDENTIAL, MECHANICAL, PLUMBING, ELECTRICAL AND ENERGY CODE. STRUCTURAL ENGINEERING TO CONFORM TO 2020 CALIFORNIA BUILDING CODE (I.E., IRC, IBC, UMC, UPC, AND NEC) AS AMENDED BY THE STATE OF CALIFORNIA.		

## CONTACTS

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 FAX: (831) 426-6845

## DRAWING INDEX

<b>BUILDING DESIGN</b>	
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A1	SITE PLAN
A2	LOWER LEVEL FLOOR PLAN
A3	UPPER LEVEL FLOOR PLAN
A4	ROOF PLAN SECTION
A5	SECTIONS
A6	EXTERIOR ELEVATIONS
A7	EXTERIOR ELEVATIONS
A8	SITE SECTIONS
<b>CIVIL DRAWINGS</b>	
C01	COVER SHEET
C02	TENTATIVE MAP
C1.1	EXISTING SITE / DEMOLITION PLAN
C2.1	TENTATIVE HORIZONTAL CONTROL PLAN
C3.1	TENTATIVE GRADING PLAN
C4.1	TENTATIVE UTILITY PLAN
C5.1	TENTATIVE STORMWATER MANAGEMENT PLAN
C6.1	TENTATIVE DETAILS
C6.2	TENTATIVE DETAILS
<b>LANDSCAPE DESIGN</b>	
L1	PRELIMINARY LANDSCAPE PLAN

APN: 011-123-066

ISSUE DESCRIPTION

SCHEMATIC DESIGN  
 DEC. 22, 2017

DESIGN DEVELOPMENT

PLANNING SUBMITTAL  
 OCT. 15, 2019

BUILDING SUBMITTAL

REVISIONS:

10/28/2019  
 PLAN CHECK

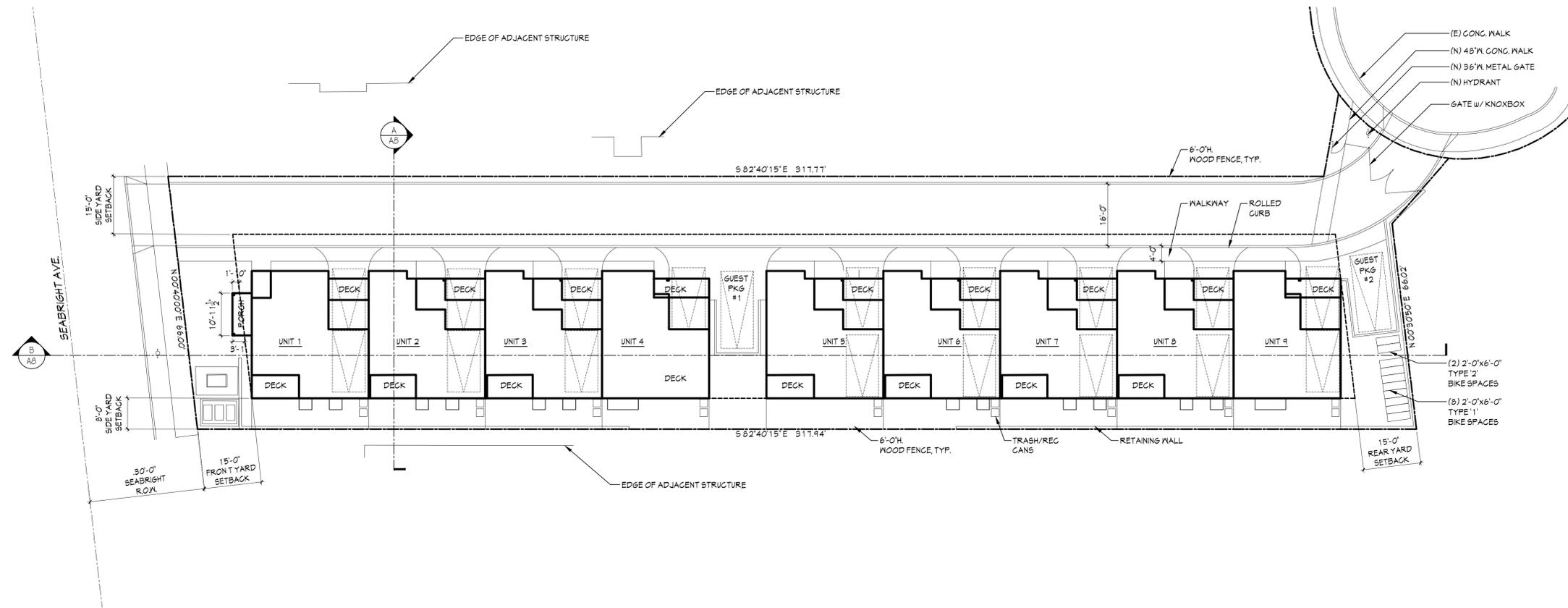
12/16/2019  
 PLAN CHECK

3/9/2020  
 PLAN CHECK

TITLE SHEET

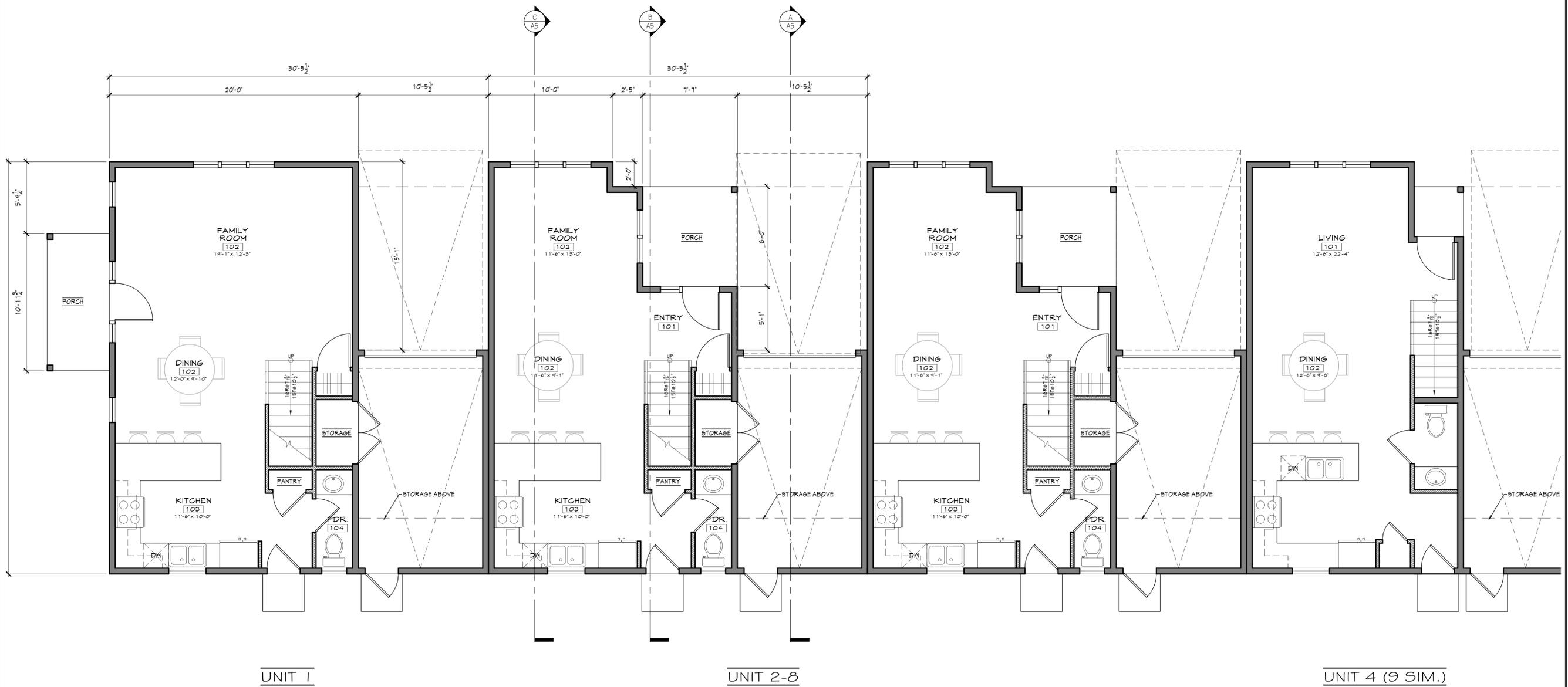
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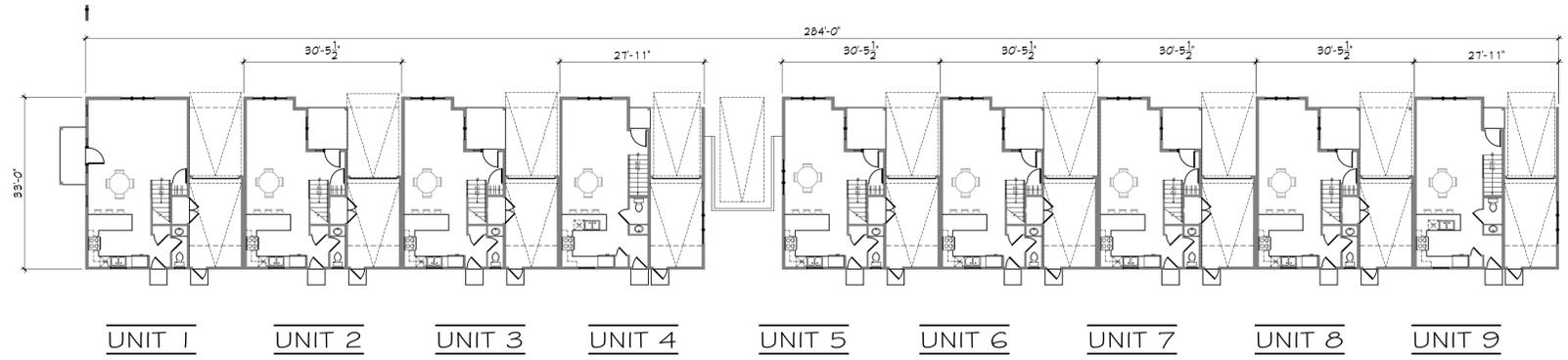


1 SITE PLAN  
SCALE: 1/16"=1'-0"

34.36



**2 LOWER LEVEL FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



**1 LOWER LEVEL KEY PLAN**  
SCALE: 1/16" = 1'-0"

3/30/2020 10:44 AM

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**DEREK VAN ALSTINE**  
RESIDENTIAL DESIGN INC.  
1535 SEABRIGHT AVENUE SUITE 200 SANTA CRUZ, CALIFORNIA  
(831) 426-8400 PHONE (831) 426-8446 FAX

**DVRD** INC.  
DEREK VAN ALSTINE  
DESIGNER  
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**HOUSTON SEABRIGHT**  
914-916 SEABRIGHT AVE.  
SANTA CRUZ, CA 95062

AS: 011-123-66

ISSUE DESCRIPTION

SCHEMATIC DESIGN  
DEC. 22, 2017  
DESIGN DEVELOPMENT

PLANNING SUBMITTAL:  
OCT. 15, 2019  
BUILDING SUBMITTAL:

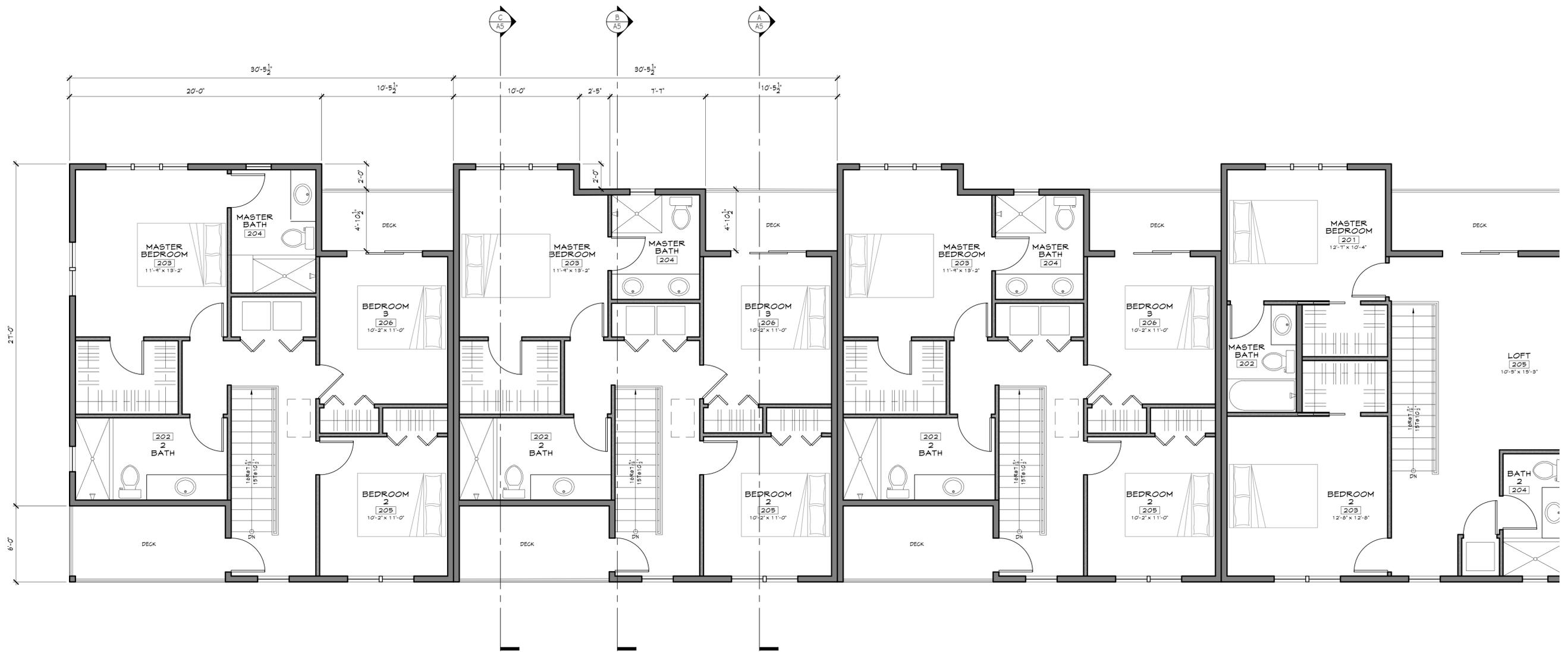
REVISIONS:

- 1 10/28/2019 PLAN CHECK
- 2 12/16/2019 PLAN CHECK
- 3 3/9/2020 PLAN CHECK

LOWER LEVEL FLOOR PLAN

**A2**

34.37



UNIT 1

UNIT 2-8

UNIT 4 (9 SIM.)

**2** UPPER LEVEL FLOOR PLAN  
SCALE: 1/4" = 1'-0"



UNIT 1

UNIT 2

UNIT 3

UNIT 4

UNIT 5

UNIT 6

UNIT 7

UNIT 8

UNIT 9

**1** UPPER LEVEL KEY PLAN  
SCALE: 1/16" = 1'-0"

3/30/2020 10:45 AM

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ASN: 011-123-66

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OCT. 15, 2019  
BUILDING SUBMITTAL:

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- 1 10/28/2019 PLAN CHECK
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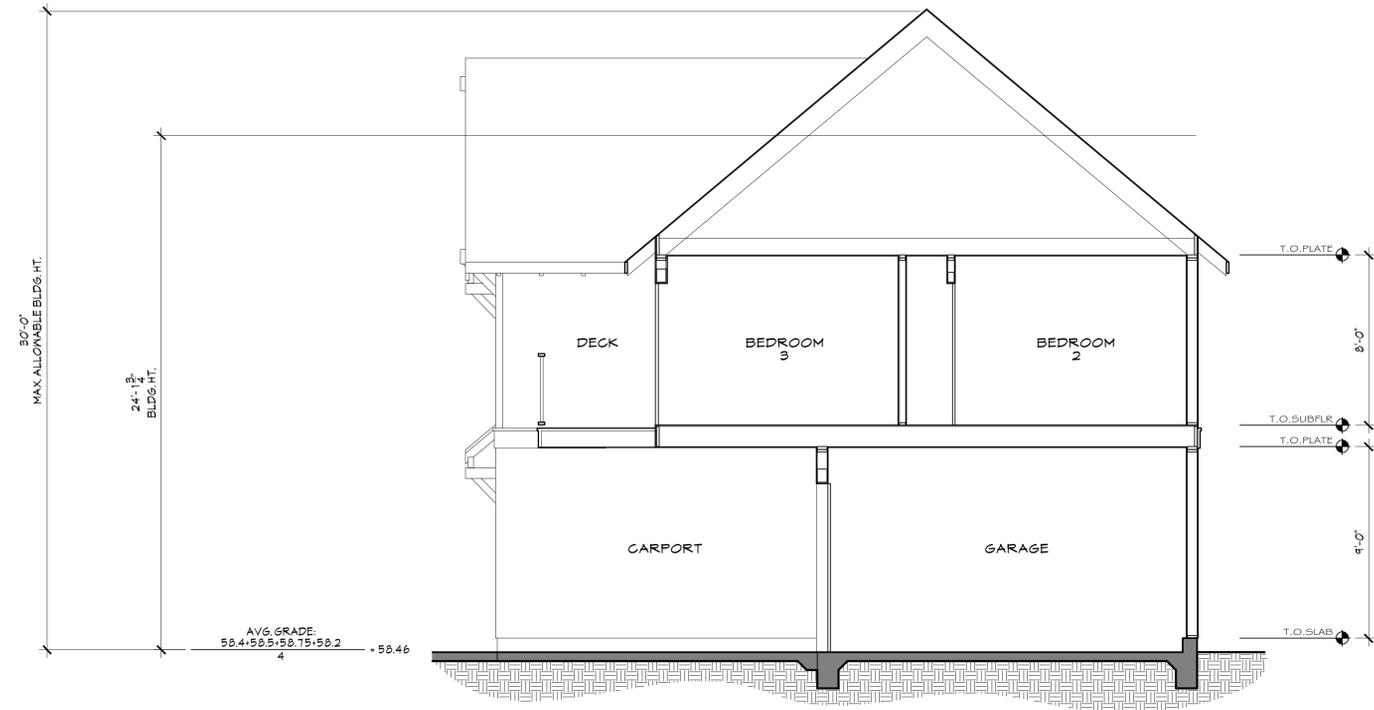
UPPER LEVEL FLOOR PLAN

**A3**

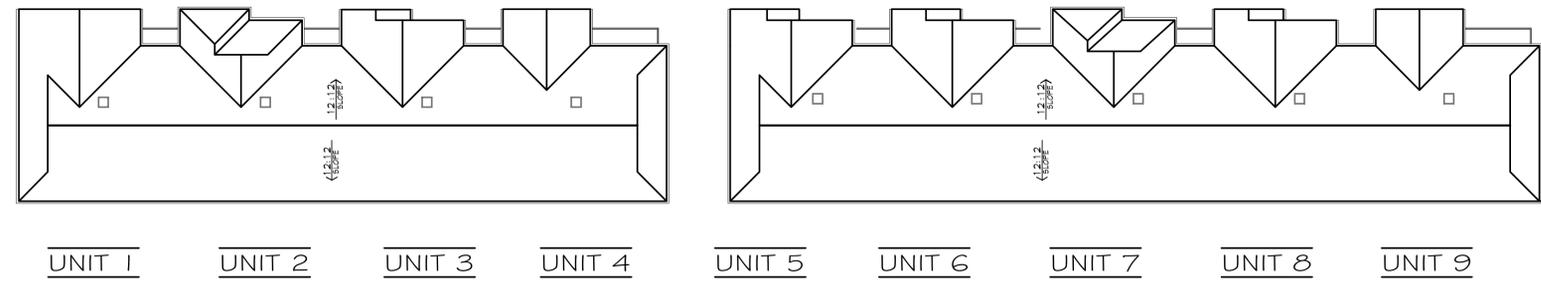
34.38

3/30/2020 10:45 AM

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**A SECTION**  
SCALE: 1/4" = 1'-0"



**1 ROOF PLAN**  
SCALE: 1/16" = 1'-0"



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1535 SEABRIGHT AVENUE SUITE 200 SANTA CRUZ, CALIFORNIA  
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914-916 SEABRIGHT AVE.  
SANTA CRUZ, CA 95062

ASN: 011-123-66

ISSUE DESCRIPTION

SCHEMATIC DESIGN  
DEC. 22, 2017  
DESIGN DEVELOPMENT

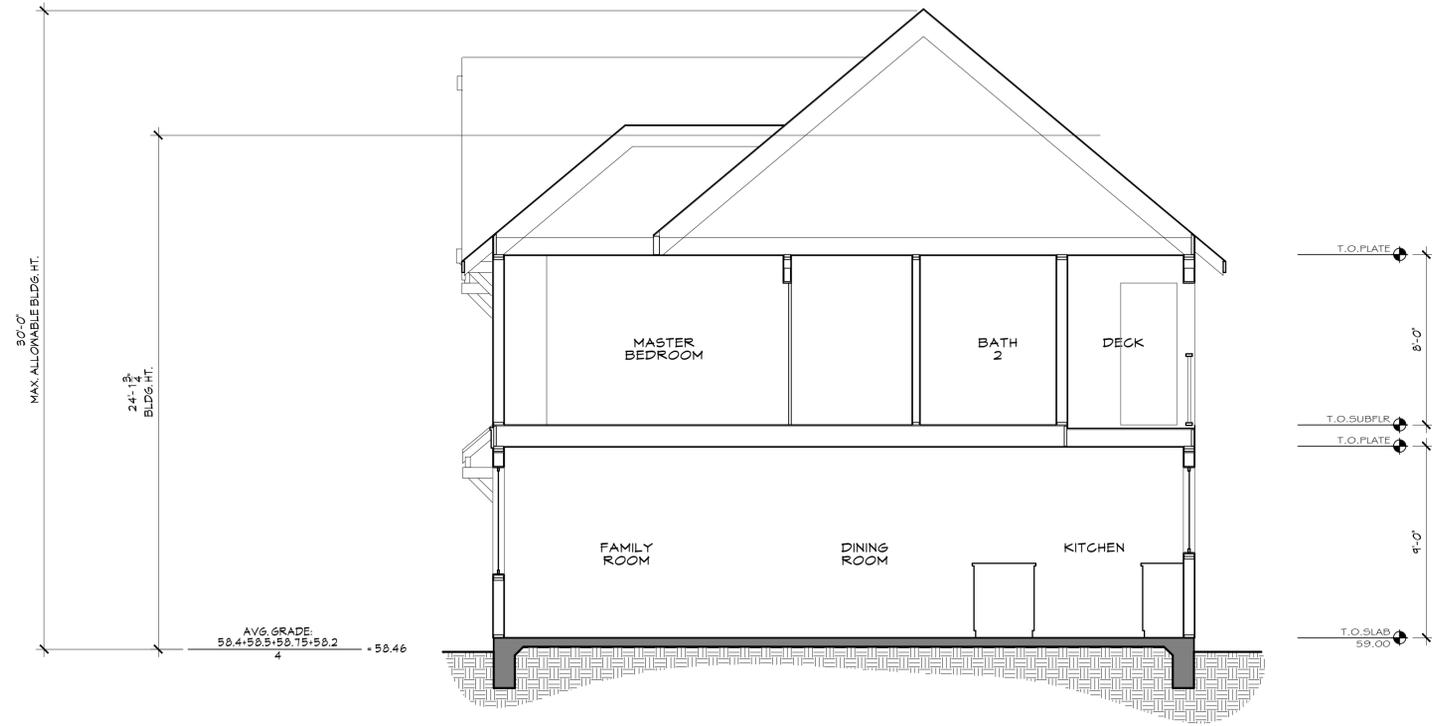
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OCT. 15, 2019  
BUILDING SUBMITTAL:

REVISIONS:

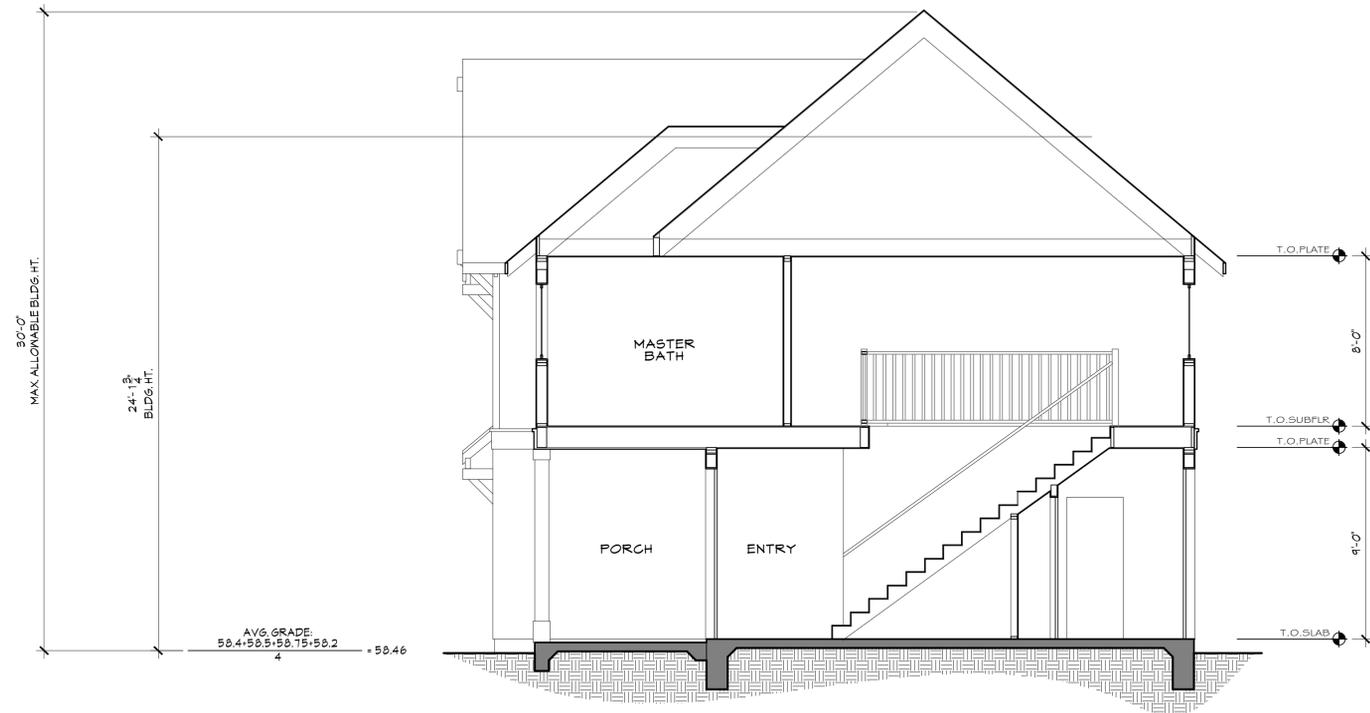
- 1 10/28/2019 PLAN CHECK
- 2 12/16/2019 PLAN CHECK
- 3 3/9/2020 PLAN CHECK

ROOF PLAN SECTIONS

**A4**



**C** SECTION  
SCALE: 1/4" = 1'-0"



**B** SECTION  
SCALE: 1/4" = 1'-0"

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**HOUSTON SEABRIGHT**  
914-916 SEABRIGHT AVE.  
SANTA CRUZ, CA 95062

ASN:  
011-123-66

ISSUE DESCRIPTION

SCHEMATIC DESIGN  
DEC. 22, 2017  
DESIGN DEVELOPMENT

PLANNING SUBMITTAL:  
OCT. 15, 2019  
BUILDING SUBMITTAL:

REVISIONS:

- 1 10/28/2019 PLAN CHECK
- 2 12/16/2019 PLAN CHECK
- 3 3/9/2020 PLAN CHECK

SECTIONS

**A5**



UNIT 1  
FACADE NO. 1



UNIT 9  
FACADE NO. 1

UNIT 8  
FACADE NO. 2

UNIT 7  
FACADE NO. 3

UNIT 6  
FACADE NO. 1

UNIT 5  
FACADE NO. 2

4 EAST ELEVATION  
SCALE: 1/8" = 1'-0"

3 NORTH ELEVATION  
SCALE: 1/8" = 1'-0"



UNIT 6  
FACADE NO. 1

UNIT 5  
FACADE NO. 2

UNIT 4  
FACADE NO. 1

UNIT 3  
FACADE NO. 3

UNIT 2  
FACADE NO. 2

UNIT 1  
FACADE NO. 1

2 NORTH ELEVATION  
SCALE: 1/8" = 1'-0"

FINISH MATERIALS

FACADE NO. 1

- CEMENT PLASTER FINISH  
PT-01 BM: INDIAN RIVER
- JAMES HARDI SHINGLES  
PT-02 BM: LONDON FOG
- GABLE VENTS  
PT-03 BM: IRON MOUNTAIN
- WOOD TRIM & GARAGE DOOR  
PT-04 BM: SWISS COFFEE
- FRONT DOOR  
PT-05 BM: RIVER BLUE
- WINDOWS  
MARVIN, VINYL, BRONZE FINISH

FACADE NO. 2

- CEMENT PLASTER FINISH  
PT-01 BM: INDIAN RIVER
- JAMES HARDI HORIZONTAL SIDING  
PT-01 BM: INDIAN RIVER
- GABLE VENTS  
PT-03 BM: IRON MOUNTAIN
- WOOD TRIM & GARAGE DOOR  
PT-04 BM: SWISS COFFEE
- FRONT DOOR  
PT-05 BM: DARK BASALT
- WINDOWS  
MARVIN, VINYL, BRONZE FINISH

FACADE NO. 3

- CEMENT PLASTER FINISH  
PT-01 BM: INDIAN RIVER
- BOARD & BATTEN SIDING  
PT-04 BM: SWISS COFFEE
- JAMES HARDI SHINGLES  
PT-02 BM: LONDON FOG
- WOOD TRIM & GARAGE DOOR  
PT-04 BM: SWISS COFFEE
- FRONT DOOR  
PT-05 BM: NIGHT HORIZON
- WINDOWS  
MARVIN, VINYL, BRONZE FINISH



UNIT 9  
FACADE NO. 1

UNIT 8  
FACADE NO. 2

UNIT 7  
FACADE NO. 3

UNIT 6  
FACADE NO. 1

UNIT 5  
FACADE NO. 2

UNIT 4  
FACADE NO. 1

UNIT 3  
FACADE NO. 3

UNIT 2  
FACADE NO. 2

UNIT 1  
FACADE NO. 1

1 NORTH ELEVATION - KEY PLAN  
SCALE: 1/16" = 1'-0"

PROJECT NO.	011-123-66
ISSUE DESCRIPTION	
SCHEMATIC DESIGN	DEC. 22, 2017
DESIGN DEVELOPMENT	OCT. 15, 2019
PLANNING SUBMITTAL	
BUILDING SUBMITTAL	
REVISIONS:	
1	10/28/2019 PLAN CHECK
2	12/16/2019 PLAN CHECK
3	3/9/2020 PLAN CHECK



UNIT 9

4 EAST ELEVATION  
SCALE: 1/8" = 1'-0"



UNIT 1

UNIT 2

UNIT 3

UNIT 4

UNIT 5

3 SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"



UNIT 5

UNIT 6

UNIT 7

UNIT 8

UNIT 9

2 SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"



UNIT 1

UNIT 2

UNIT 3

UNIT 4

UNIT 5

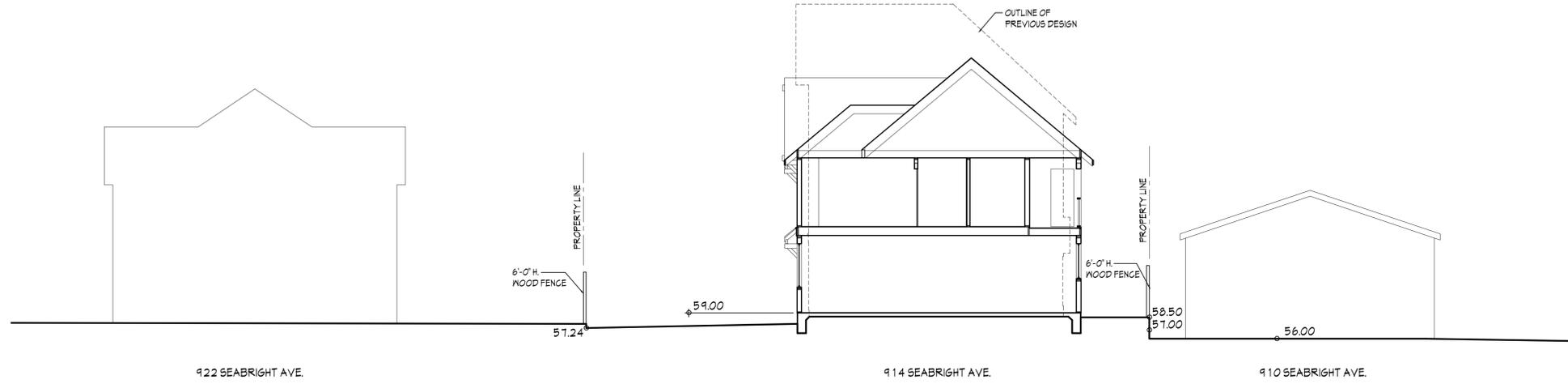
UNIT 6

UNIT 7

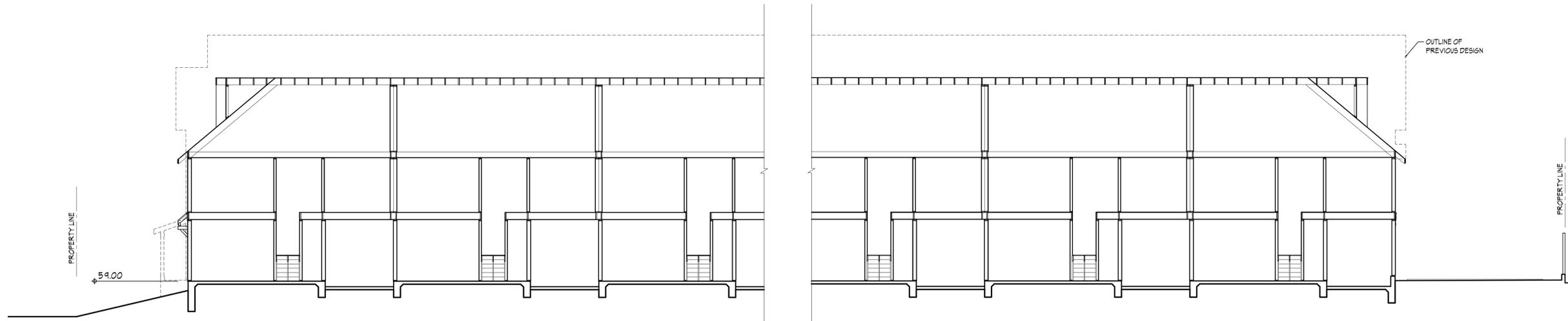
UNIT 8

UNIT 9

1 SOUTH ELEVATION - KEY PLAN  
SCALE: 1/16" = 1'-0"



**A** SITE SECTION  
SCALE: 1/8" = 1'-0"

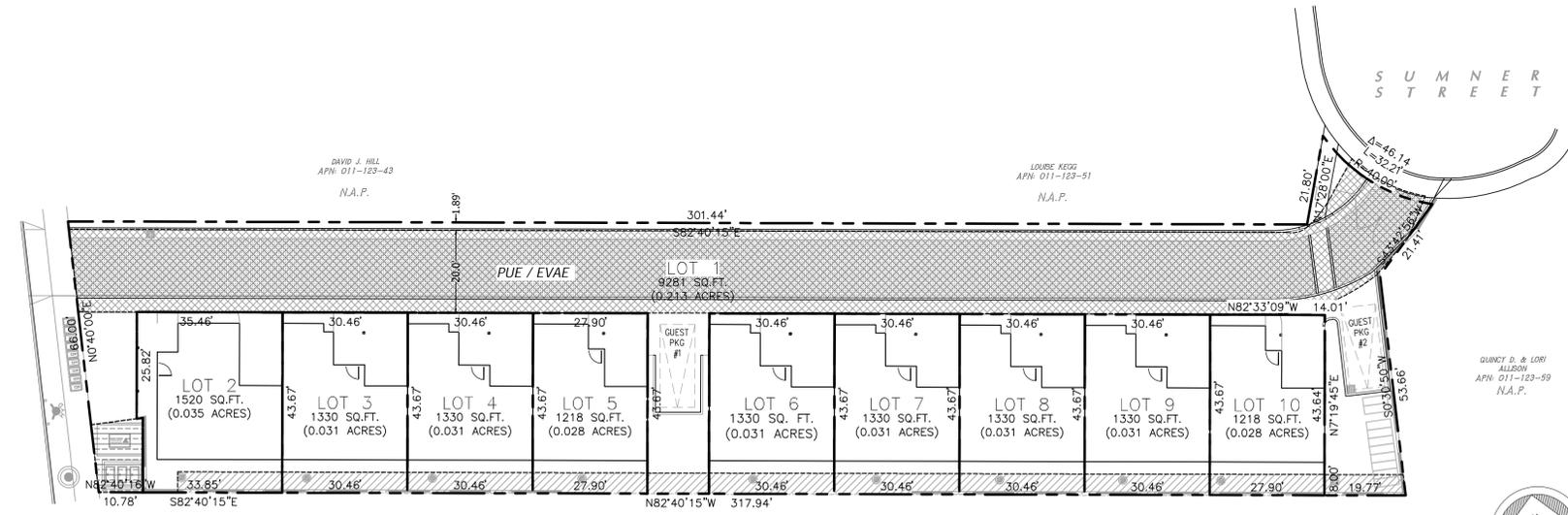


**B** SITE SECTION  
SCALE: 1/8" = 1'-0"



34.44

SEABRIGHT AVE (60')



**PROPOSED SITE**



**VICINITY MAP**  
SCALE: NTS

**ELEVATION DATUM**

ELEVATIONS WERE DERIVED USING A GPS OBSERVATION AND ARE BASED UPON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).

**BASIS OF BEARINGS**

BEARINGS ARE BASED UPON THE EAST LINE OF SEABRIGHT AVENUE AS SHOWN ON THAT CERTAIN MAP RECORDED IN BOOK 40 OF MAPS AT PAGE 62, SANTA CRUZ COUNTY RECORDS

NORTH 00° 40' 00" EAST

**SURVEYOR NOTE**

THE FINAL MAP FOR THIS PROJECT WILL BE COMPLETED BY ALPHA SURVEY

**EASEMENT LEGEND**

- EMERGENCY VEHICLE ACCESS EASEMENT (EVAE) / PUBLIC UTILITY EASEMENT (PUE)
- RETAINING WALL AND PRIVATE STORM DRAINAGE EASEMENT
- PACIFIC GAS AND ELECTRIC (PG&E) EASEMENT

**ABBREVIATIONS**

- CA COMMON AREA
- NAP NOT A PART
- NTS NOT TO SCALE
- SQ. FT. SQUARE FEET

**TEN LOT SUBDIVISION FOR SINGLE FAMILY RESIDENTIAL PURPOSES TOTALING 9 UNITS AND A COMMON AREA**

**EASEMENT NOTES**

THE AREA DESIGNATED AS EMERGENCY VEHICLE ACCESS EASEMENT (EVAE) IS FOR EMERGENCY VEHICLE ACCESS.

THE PUBLIC UTILITIES EASEMENT (PUE) IS DEDICATED FOR PUBLIC USE OF UTILITIES, INCLUDING ACCESS, CONSTRUCTION, INSTALLATION AND MAINTENANCE OF WORKS, IMPROVEMENTS AND THEIR APPURTENANCES FOR THE PURPOSES OF INSTALLATION AND MAINTENANCE OF PUBLIC UTILITY FACILITIES.

**GENERAL**

OWNERS / SUBDIVIDER: JERRY & JILL HOUSTON  
410 N. SANTA CRUZ AVENUE  
LOS GATOS, CA 95030

CIVIL ENGINEER: CIVIL CONSULTANTS GROUP, C2G INC.  
4444 SCOTTS VALLEY DRIVE, SUITE 6  
SCOTTS VALLEY, CA 95066

EXISTING USE: RESIDENTIAL

EXISTING ZONING: MULTIPLE RESIDENCE LOW-RISE (RL)

PROPOSED USE: RESIDENTIAL

PROPOSED ZONING: MULTIPLE RESIDENCE LOW-RISE (RL)

**ZONING NOTES**

- RL ZONING
  - TOTAL LOT AREA = 21,218 SQ. FT.
  - MIN. LOT AREA REQ. PER RL ZONING (NET) = 2,200 SQ. FT.
  - MIN. ALLOWABLE LOTS = 9.63
- PROPOSED LOTS = 9**

REVISIONS	BY

**TENTATIVE MAP**



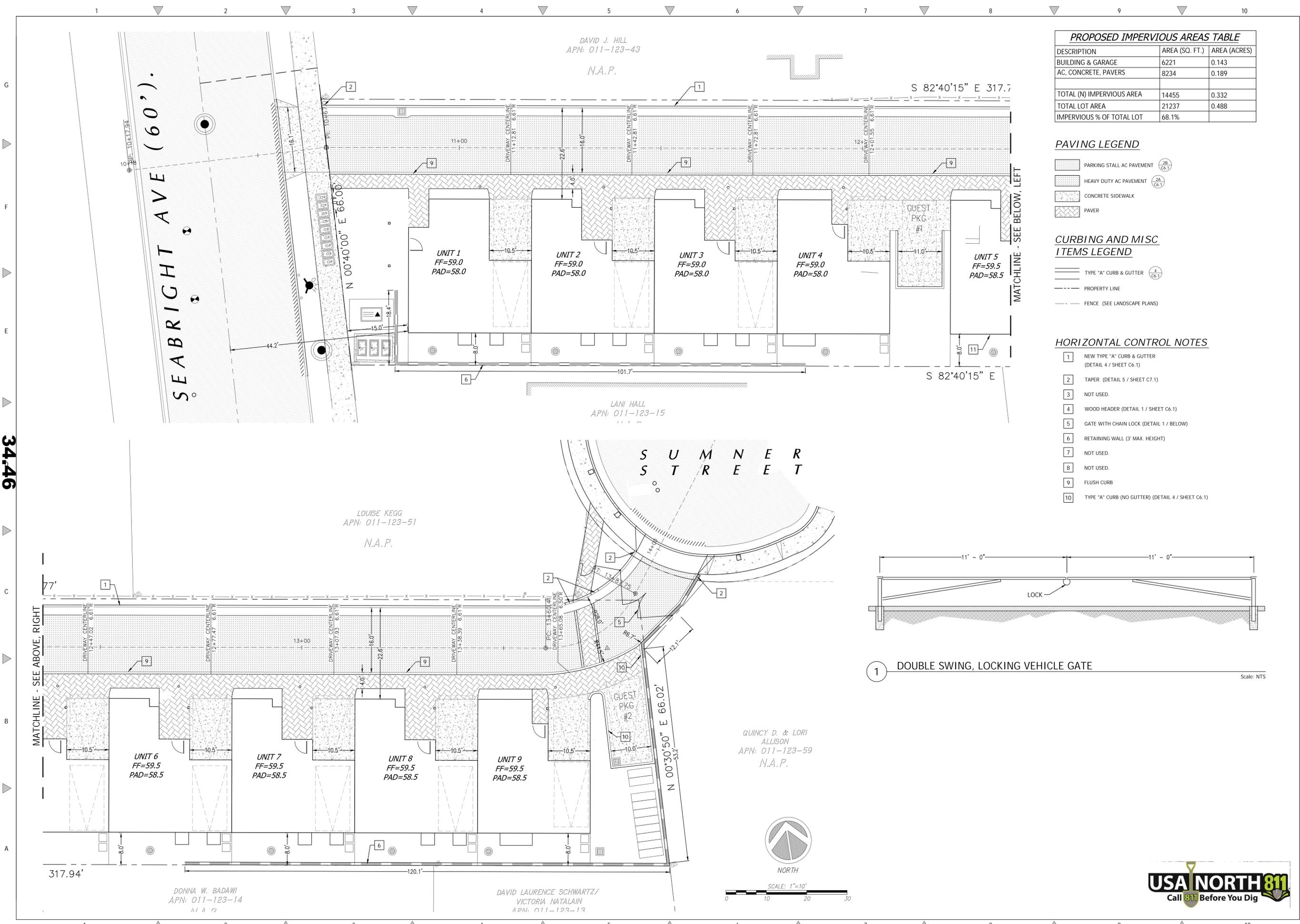
**C2G CIVIL CONSULTANTS GROUP, INC.**  
Engineers/Planners  
4444 SCOTTS VALLEY DRIVE / SUITE 6  
SCOTTS VALLEY, CA 95066  
T (831) 438-4420 F (831) 438-4420

**914 - 916 SEABRIGHT AVENUE**  
**SANTA CRUZ, CA 95062**  
**APN: 011-123-66**

Date:	03.27.20
Scale:	1" = 20'
Drawn:	DD/JB
Job:	476-50
Sheet:	C0.2
Of	9 Sheets

Drawing: C:\Users\james\_burney\Desktop\C2G\_SantaCruz\Projects\914-916 Seabright - Survey\914-916 Seabright Tentative Map.dwg Layout: C0.2 - TENTATIVE MAP By: James Burney





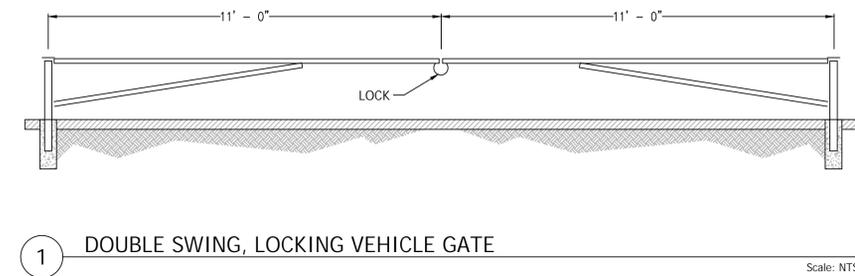
**PROPOSED IMPERVIOUS AREAS TABLE**

DESCRIPTION	AREA (SQ. FT.)	AREA (ACRES)
BUILDING & GARAGE	6221	0.143
AC, CONCRETE, PAVERS	8234	0.189
TOTAL (N) IMPERVIOUS AREA	14455	0.332
TOTAL LOT AREA	21237	0.488
IMPERVIOUS % OF TOTAL LOT	68.1%	

- PAVING LEGEND**
- PARKING STALL AC PAVEMENT (2B C6.1)
  - HEAVY DUTY AC PAVEMENT (2A C6.1)
  - CONCRETE SIDEWALK
  - PAVER

- CURBING AND MISC ITEMS LEGEND**
- TYPE "A" CURB & GUTTER (4 C6.1)
  - PROPERTY LINE
  - FENCE (SEE LANDSCAPE PLANS)

- HORIZONTAL CONTROL NOTES**
- 1 NEW TYPE "A" CURB & GUTTER (DETAIL 4 / SHEET C6.1)
  - 2 TAPER (DETAIL 5 / SHEET C7.1)
  - 3 NOT USED.
  - 4 WOOD HEADER (DETAIL 1 / SHEET C6.1)
  - 5 GATE WITH CHAIN LOCK (DETAIL 1 / BELOW)
  - 6 RETAINING WALL (3' MAX. HEIGHT)
  - 7 NOT USED.
  - 8 NOT USED.
  - 9 FLUSH CURB
  - 10 TYPE "A" CURB (NO GUTTER) (DETAIL 4 / SHEET C6.1)



REVISIONS	BY

**TENTATIVE HORIZONTAL CONTROL PLAN**

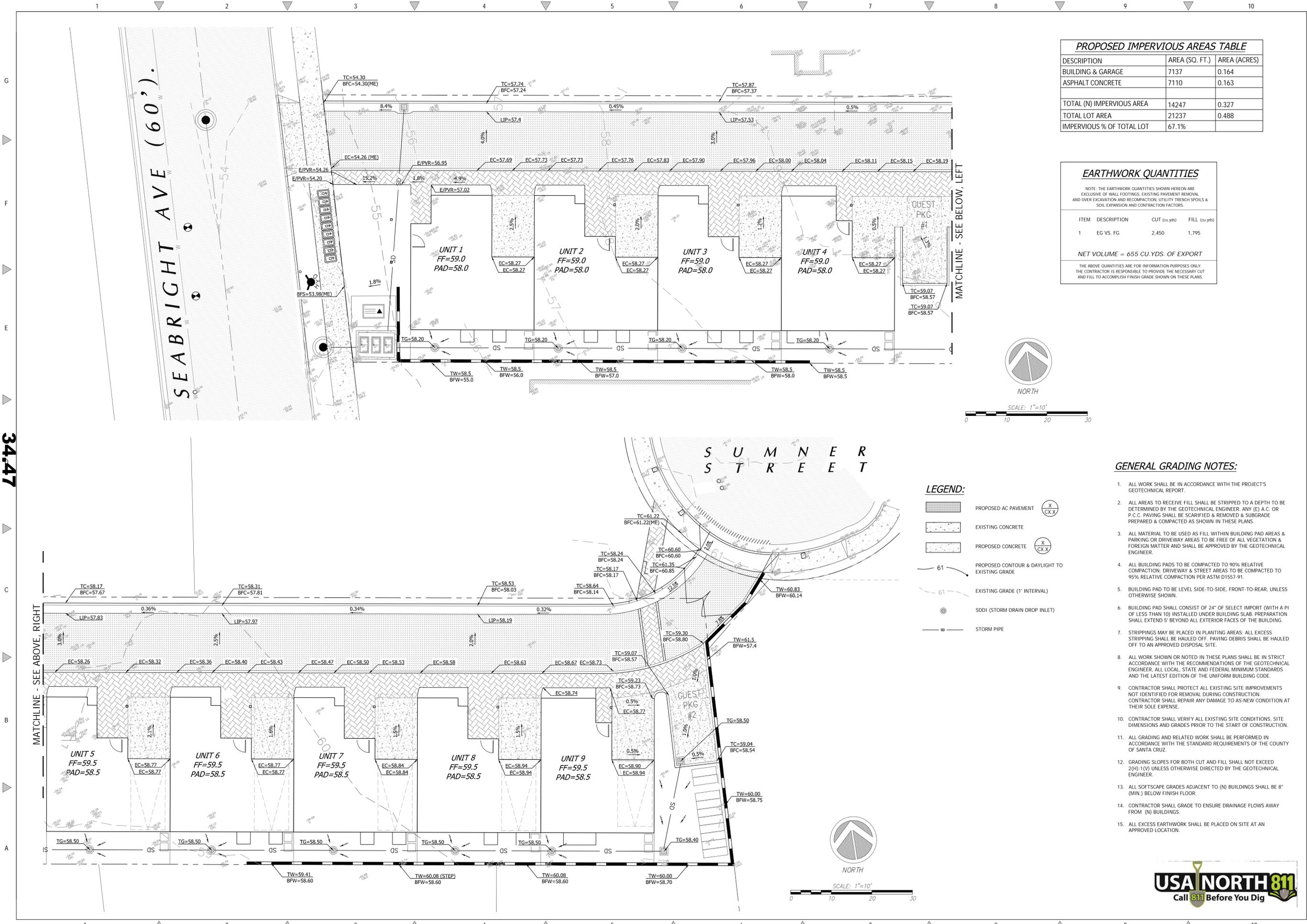
REGISTERED PROFESSIONAL ENGINEER  
TODD R. CREAMER  
No. C 64561  
Exp. 6/30/21  
CIVIL  
STATE OF CALIFORNIA

**C2G CIVIL CONSULTANTS GROUP, INC.**  
Engineers/Planners  
4400  
Sports Valley, CA 95066  
T (831) 438-4420 F (831) 438-4420

914 - 916 SEABRIGHT AVENUE  
SANTA CRUZ, CA 95062  
APN: 011-123-66

Date: 03.27.20  
Scale: 1" = 10'  
Drawn: DD/JB  
Job: 476-50  
Sheet: C2.1  
Of 9 Sheets





**PROPOSED IMPERVIOUS AREAS TABLE**

DESCRIPTION	AREA (SQ. FT.)	AREA (ACRES)
BUILDING & GARAGE	7137	0.164
ASPHALT CONCRETE	7110	0.163
<b>TOTAL (N) IMPERVIOUS AREA</b>	<b>14247</b>	<b>0.327</b>
<b>TOTAL LOT AREA</b>	<b>21237</b>	<b>0.488</b>
<b>IMPERVIOUS % OF TOTAL LOT</b>	<b>67.1%</b>	

**EARTHWORK QUANTITIES**

NOTE: THE EARTHWORK QUANTITIES SHOWN HEREON ARE EXCLUSIVE OF WALL FOOTINGS, EXISTING PAVEMENT REMOVAL AND OVER EXCAVATION AND RECONSTRUCTION, UTILITY TRENCH SPILLS & SOIL EXPANSION AND CONTRACTION FACTORS.

ITEM	DESCRIPTION	CUT (cu.yds)	FILL (cu.yds)
1	EG VS. FG	2,450	1,795

**NET VOLUME = 655 CU.YDS. OF EXPORT**

THE ABOVE QUANTITIES ARE FOR INFORMATION PURPOSES ONLY. THE CONTRACTOR IS RESPONSIBLE TO PROVIDE THE NECESSARY CUT AND FILL TO ACCOMPLISH FINISH GRADE SHOWN ON THESE PLANS.



SCALE: 1"=10'

- LEGEND:**
- PROPOSED AC PAVEMENT
  - EXISTING CONCRETE
  - PROPOSED CONCRETE
  - PROPOSED CONTOUR & DAYLIGHT TO EXISTING GRADE
  - EXISTING GRADE (1' INTERVAL)
  - SDDI (STORM DRAIN DROP INLET)
  - STORM PIPE

**GENERAL GRADING NOTES:**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE PROJECT'S GEOTECHNICAL REPORT.
2. ALL AREAS TO RECEIVE FILL SHALL BE STRIPPED TO A DEPTH TO BE DETERMINED BY THE GEOTECHNICAL ENGINEER. ANY (E) A.C. OR P.C.C. PAVING SHALL BE SCARIFIED & REMOVED & SUBGRADE PREPARED & COMPACTED AS SHOWN IN THESE PLANS.
3. ALL MATERIAL TO BE USED AS FILL WITHIN BUILDING PAD AREAS & PARKING OR DRIVEWAY AREAS TO BE FREE OF ALL VEGETATION & FOREIGN MATTER AND SHALL BE APPROVED BY THE GEOTECHNICAL ENGINEER.
4. ALL BUILDING PADS TO BE COMPACTED TO 90% RELATIVE COMPACTION; DRIVEWAY & STREET AREAS TO BE COMPACTED TO 95% RELATIVE COMPACTION PER ASTM D1557-91.
5. BUILDING PAD TO BE LEVEL SIDE-TO-SIDE, FRONT-TO-REAR, UNLESS OTHERWISE SHOWN.
6. BUILDING PAD SHALL CONSIST OF 24" OF SELECT IMPORT (WITH A PI OF LESS THAN 10) INSTALLED UNDER BUILDING SLAB. PREPARATION SHALL EXTEND 5' BEYOND ALL EXTERIOR FACES OF THE BUILDING.
7. STRIPPINGS MAY BE PLACED IN PLANTING AREAS; ALL EXCESS STRIPPING SHALL BE HAULED OFF. PAVING DEBRIS SHALL BE HAULED OFF TO AN APPROVED DISPOSAL SITE.
8. ALL WORK SHOWN OR NOTED IN THESE PLANS SHALL BE IN STRICT ACCORDANCE WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER, ALL LOCAL, STATE AND FEDERAL MINIMUM STANDARDS AND THE LATEST EDITION OF THE UNIFORM BUILDING CODE.
9. CONTRACTOR SHALL PROTECT ALL EXISTING SITE IMPROVEMENTS NOT IDENTIFIED FOR REMOVAL DURING CONSTRUCTION. CONTRACTOR SHALL REPAIR ANY DAMAGE TO AS-NEW CONDITION AT THEIR SOLE EXPENSE.
10. CONTRACTOR SHALL VERIFY ALL EXISTING SITE CONDITIONS, SITE DIMENSIONS AND GRADES PRIOR TO THE START OF CONSTRUCTION.
11. ALL GRADING AND RELATED WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE STANDARD REQUIREMENTS OF THE COUNTY OF SANTA CRUZ.
12. GRADING SLOPES FOR BOTH CUT AND FILL SHALL NOT EXCEED 2(H):1(V) UNLESS OTHERWISE DIRECTED BY THE GEOTECHNICAL ENGINEER.
13. ALL SOFTSCAPE GRADES ADJACENT TO (N) BUILDINGS SHALL BE 8" (MIN.) BELOW FINISH FLOOR.
14. CONTRACTOR SHALL GRADE TO ENSURE DRAINAGE FLOWS AWAY FROM (N) BUILDINGS.
15. ALL EXCESS EARTHWORK SHALL BE PLACED ON SITE AT AN APPROVED LOCATION.

REVISIONS	BY

**TENTATIVE GRADING PLAN**

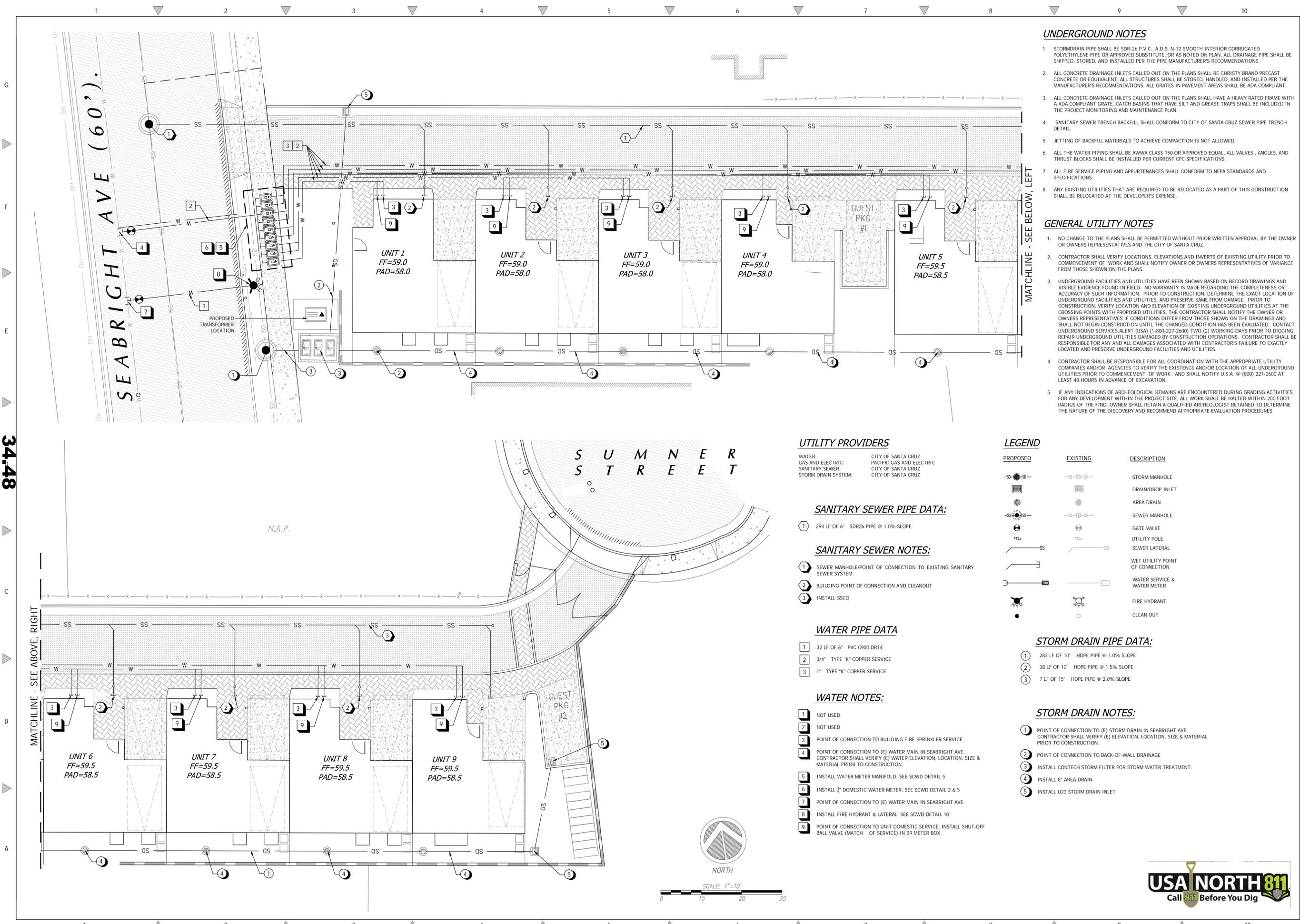


**C2G CIVIL CONSULTANTS GROUP, INC.**  
 Engineers/Planners  
 4400 Highway 170 / Suite 6  
 Santa Cruz, CA 95066  
 T (831) 438-4420 F (831) 438-4420

**914 - 916 SEABRIGHT AVENUE**  
**SANTA CRUZ, CA 95062**  
**APN: 011-123-66**

Date: 03.27.20  
 Scale: 1" = 10'  
 Drawn: DD/JB  
 Job: 476-50  
 Sheet: C3.1  
 Of 9 Sheets





- ### UNDERGROUND NOTES
1. STORMDRAIN PIPE SHALL BE SDR-26 P.V.C., A.D.S. N-12 SMOOTH INTERIOR CORRUGATED POLYETHYLENE PIPE OR APPROVED SUBSTITUTE, OR AS NOTED ON PLAN. ALL DRAINAGE PIPE SHALL BE SHIPPED, STORED, AND INSTALLED PER THE PIPE MANUFACTURER'S RECOMMENDATIONS.
  2. ALL CONCRETE DRAINAGE INLETS CALLED OUT ON THE PLANS SHALL BE CHRISTY BRAND PRECAST CONCRETE OR EQUIVALENT. ALL STRUCTURES SHALL BE STORED, HANDLED, AND INSTALLED PER THE MANUFACTURER'S RECOMMENDATIONS. ALL GRATES IN PAVEMENT AREAS SHALL BE ADA COMPLIANT.
  3. ALL CONCRETE DRAINAGE INLETS CALLED OUT ON THE PLANS SHALL HAVE A HEAVY RATED FRAME WITH AN ADA COMPLIANT GRATE. CATCH BASINS THAT HAVE SILT AND GREASE TRAPS SHALL BE INCLUDED IN THE PROJECT MONITORING AND MAINTENANCE PLAN.
  4. SANITARY SEWER TRENCH BACKFILL SHALL CONFORM TO CITY OF SANTA CRUZ SEWER PIPE TRENCH DETAIL.
  5. JETTING OF BACKFILL MATERIALS TO ACHIEVE COMPACTION IS NOT ALLOWED.
  6. ALL THE WATER PIPING SHALL BE AWWA CLASS 150 OR APPROVED EQUAL, ALL VALVES, ANGLES, AND THRUST BLOCKS SHALL BE INSTALLED PER CURRENT CPC SPECIFICATIONS.
  7. ALL FIRE SERVICE PIPING AND APPURTENANCES SHALL CONFORM TO NFPA STANDARDS AND SPECIFICATIONS.
  8. ANY EXISTING UTILITIES THAT ARE REQUIRED TO BE RELOCATED AS A PART OF THIS CONSTRUCTION SHALL BE RELOCATED AT THE DEVELOPER'S EXPENSE.

- ### GENERAL UTILITY NOTES
1. NO CHANGE TO THE PLANS SHALL BE PERMITTED WITHOUT PRIOR WRITTEN APPROVAL BY THE OWNER OR OWNERS REPRESENTATIVES AND THE CITY OF SANTA CRUZ.
  2. CONTRACTOR SHALL VERIFY LOCATIONS, ELEVATIONS AND INVERTS OF EXISTING UTILITY PRIOR TO COMMENCEMENT OF WORK AND SHALL NOTIFY OWNER OR OWNERS REPRESENTATIVES OF VARIANCE FROM THOSE SHOWN ON THE PLANS.
  3. UNDERGROUND FACILITIES AND UTILITIES HAVE BEEN SHOWN BASED ON RECORD DRAWINGS AND VISIBLE EVIDENCE FOUND IN FIELD. NO WARRANTY IS MADE REGARDING THE COMPLETENESS OR ACCURACY OF SUCH INFORMATION. PRIOR TO CONSTRUCTION, DETERMINE THE EXACT LOCATION OF UNDERGROUND FACILITIES AND UTILITIES, AND PRESERVE SAME FROM DAMAGE. PRIOR TO CONSTRUCTION, VERIFY LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AT THE CROSSING POINTS WITH PROPOSED UTILITIES. THE CONTRACTOR SHALL NOTIFY THE OWNER OR OWNERS REPRESENTATIVES IF CONDITIONS DIFFER FROM THOSE SHOWN ON THE DRAWINGS AND SHALL NOT BEGIN CONSTRUCTION UNTIL THE CHANGED CONDITION HAS BEEN EVALUATED. CONTACT UNDERGROUND SERVICES ALERT (USA) (1-800-227-2600) TWO (2) WORKING DAYS PRIOR TO DIGGING. REPAIR UNDERGROUND UTILITIES DAMAGED BY CONSTRUCTION OPERATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGES ASSOCIATED WITH CONTRACTOR'S FAILURE TO EXACTLY LOCATED AND PRESERVE UNDERGROUND FACILITIES AND UTILITIES.
  4. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COORDINATION WITH THE APPROPRIATE UTILITY COMPANIES AND/OR AGENCIES TO VERIFY THE EXISTENCE AND/OR LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO COMMENCEMENT OF WORK. AND SHALL NOTIFY U.S.A. @ (800) 227-2600 AT LEAST 48-HOURS IN ADVANCE OF EXCAVATION.
  5. IF ANY INDICATIONS OF ARCHEOLOGICAL REMAINS ARE ENCOUNTERED DURING GRADING ACTIVITIES FOR ANY DEVELOPMENT WITHIN THE PROJECT SITE, ALL WORK SHALL BE HALTED WITHIN 200 FOOT RADIUS OF THE FIND. OWNER SHALL RETAIN A QUALIFIED ARCHEOLOGIST RETAINED TO DETERMINE THE NATURE OF THE DISCOVERY AND RECOMMEND APPROPRIATE EVALUATION PROCEDURES.

### UTILITY PROVIDERS

WATER: CITY OF SANTA CRUZ  
 GAS AND ELECTRIC: PACIFIC GAS AND ELECTRIC  
 SANITARY SEWER: CITY OF SANTA CRUZ  
 STORM DRAIN SYSTEM: CITY OF SANTA CRUZ

### SANITARY SEWER PIPE DATA:

- 1 294 LF OF 6" SDR26 PIPE @ 1.0% SLOPE

### SANITARY SEWER NOTES:

- 1 SEWER MANHOLE/POINT OF CONNECTION TO EXISTING SANITARY SEWER SYSTEM
- 2 BUILDING POINT OF CONNECTION AND CLEANOUT
- 3 INSTALL SSSO

### WATER PIPE DATA

- 1 32 LF OF 6" PVC C900 DR14
- 2 3/4" TYPE "K" COPPER SERVICE
- 3 1" TYPE "K" COPPER SERVICE

### WATER NOTES:

- 1 NOT USED.
- 2 NOT USED.
- 3 POINT OF CONNECTION TO BUILDING FIRE SPRINKLER SERVICE
- 4 POINT OF CONNECTION TO (E) WATER MAIN IN SEABRIGHT AVE. CONTRACTOR SHALL VERIFY (E) WATER ELEVATION, LOCATION, SIZE & MATERIAL PRIOR TO CONSTRUCTION.
- 5 INSTALL WATER METER MANIFOLD. SEE SCWD DETAIL 5
- 6 INSTALL 3/8" DOMESTIC WATER METER. SEE SCWD DETAIL 2 & 5
- 7 POINT OF CONNECTION TO (E) WATER MAIN IN SEABRIGHT AVE.
- 8 INSTALL FIRE HYDRANT & LATERAL. SEE SCWD DETAIL 10
- 9 POINT OF CONNECTION TO UNIT DOMESTIC SERVICE. INSTALL SHUT-OFF BALL VALVE (MATCH OF SERVICE) IN B9 METER BOX.

### LEGEND

PROPOSED	EXISTING	DESCRIPTION
		STORM MANHOLE
		DRAIN/DROP INLET
		AREA DRAIN
		SEWER MANHOLE
		GATE VALVE
		UTILITY POLE
		SEWER LATERAL
		WET UTILITY POINT OF CONNECTION
		WATER SERVICE & WATER METER
		FIRE HYDRANT
		CLEAN OUT

### STORM DRAIN PIPE DATA:

- 1 283 LF OF 10" HDPE PIPE @ 1.0% SLOPE
- 2 38 LF OF 10" HDPE PIPE @ 1.5% SLOPE
- 3 7 LF OF 15" HDPE PIPE @ 2.0% SLOPE

### STORM DRAIN NOTES:

- 1 POINT OF CONNECTION TO (E) STORM DRAIN IN SEABRIGHT AVE. CONTRACTOR SHALL VERIFY (E) ELEVATION, LOCATION, SIZE & MATERIAL PRIOR TO CONSTRUCTION.
- 2 POINT OF CONNECTION TO BACK-OF-WALL DRAINAGE
- 3 INSTALL CONTECH STORM FILTER FOR STORM WATER TREATMENT.
- 4 INSTALL 8" AREA DRAIN
- 5 INSTALL U23 STORM DRAIN INLET

S U M N E R  
S T R E E T

N.A.P.



SCALE: 1"=10'  
0 10 20 30

34.48

REVISIONS	BY

TENTATIVE  
UTILITY  
PLAN

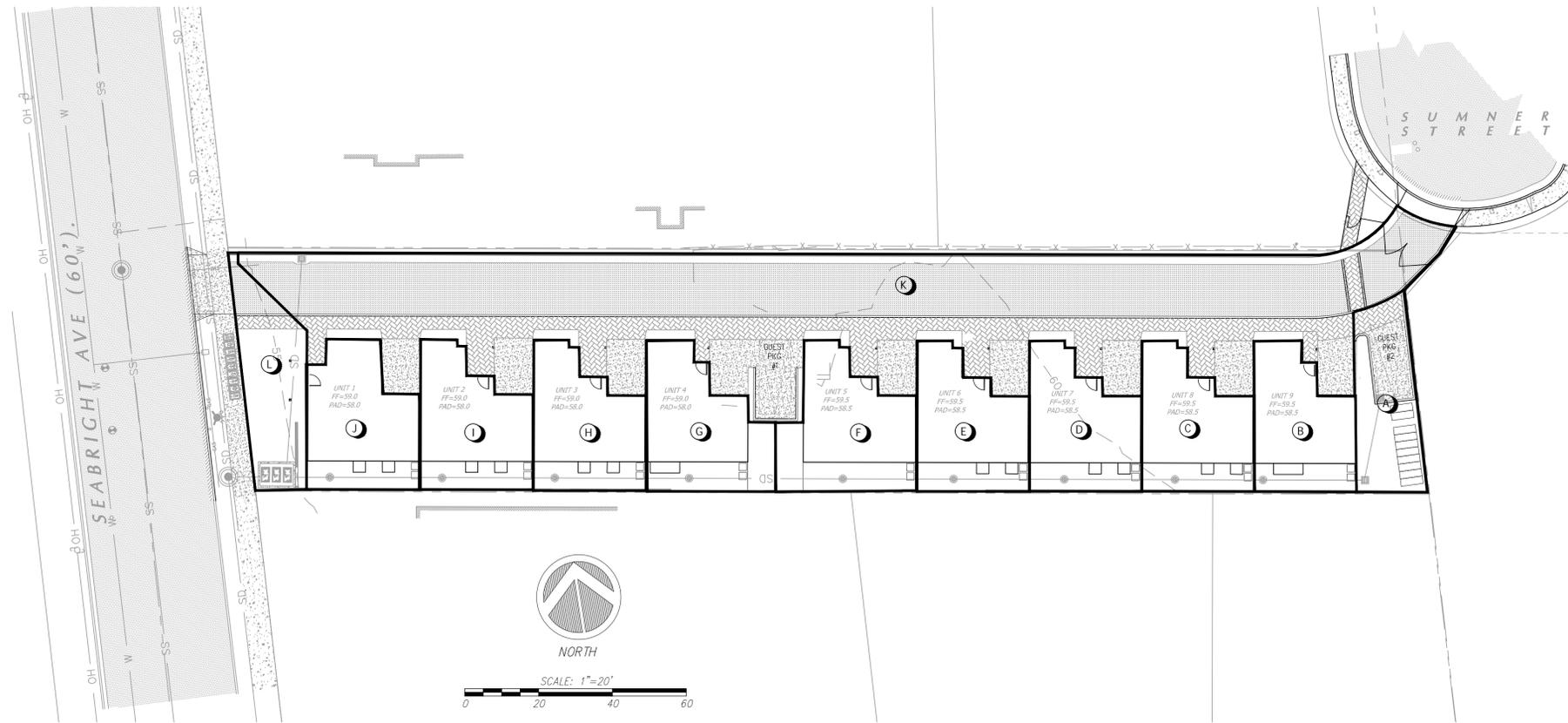


C2G CIVIL CONSULTANTS GROUP, INC.  
 Engineers/Planners  
 4400 Scotts Valley Road, Suite 6  
 Scotts Valley, CA 95066  
 T (831) 438-4420 F (831) 438-4420

914 - 916 SEABRIGHT AVENUE  
 SANTA CRUZ, CA 95062  
 APN: 011-123-66

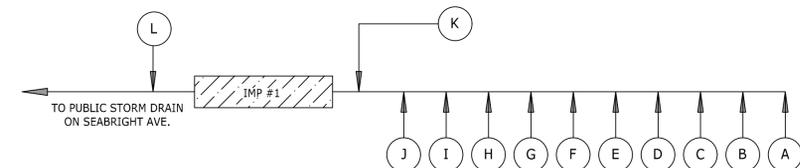
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 Of 9 Sheets





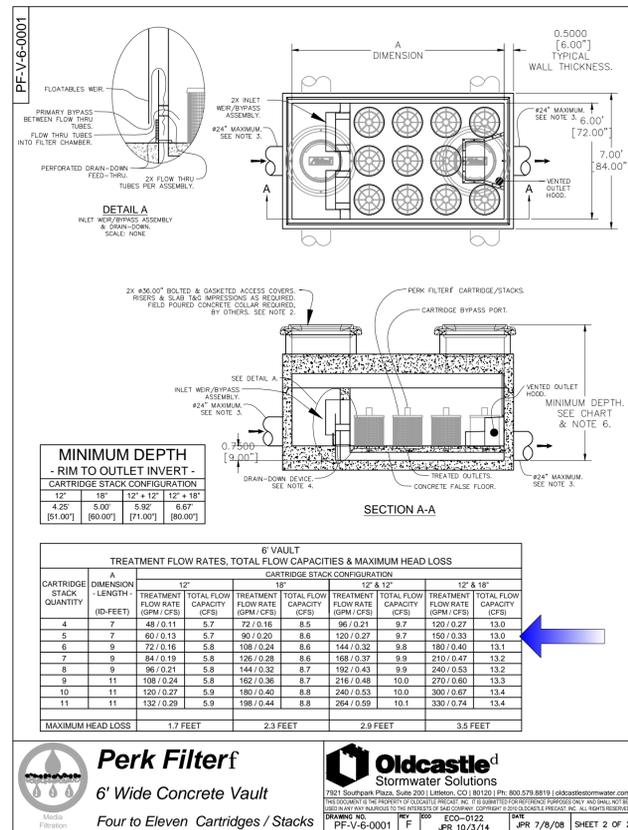
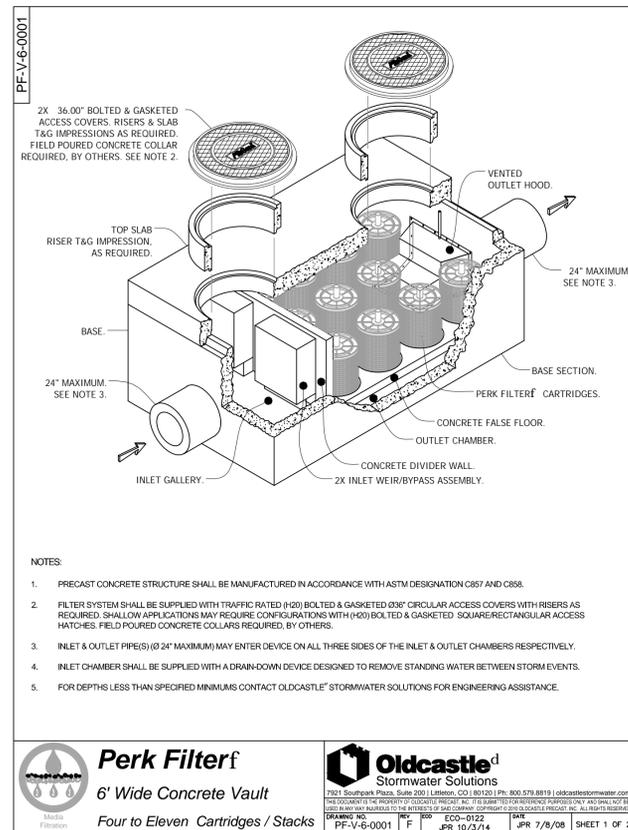
PROPOSED IMPERVIOUS AREAS TABLE

DESCRIPTION	AREA (SQ. FT.)	AREA (ACRES)
BUILDING & GARAGE	6221	0.143
AC, CONCRETE, PAVERS	8234	0.189
TOTAL (N) IMPERVIOUS AREA	14455	0.332
TOTAL LOT AREA	21237	0.488
IMPERVIOUS % OF TOTAL LOT	68.1%	



1 ONSITE DRAINAGE DIAGRAM

Scale: NTS



1 UNDERGROUND STORMWATER FILTRATION SYSTEM (STORM WATER TREATMENT DEIVCE)

Scale: NTS

REVISIONS	BY

TENTATIVE  
STORM WATER  
CONTROL PLAN



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Date: 03.27.20

Scale: 1" = 10'

Drawn: DD/JB

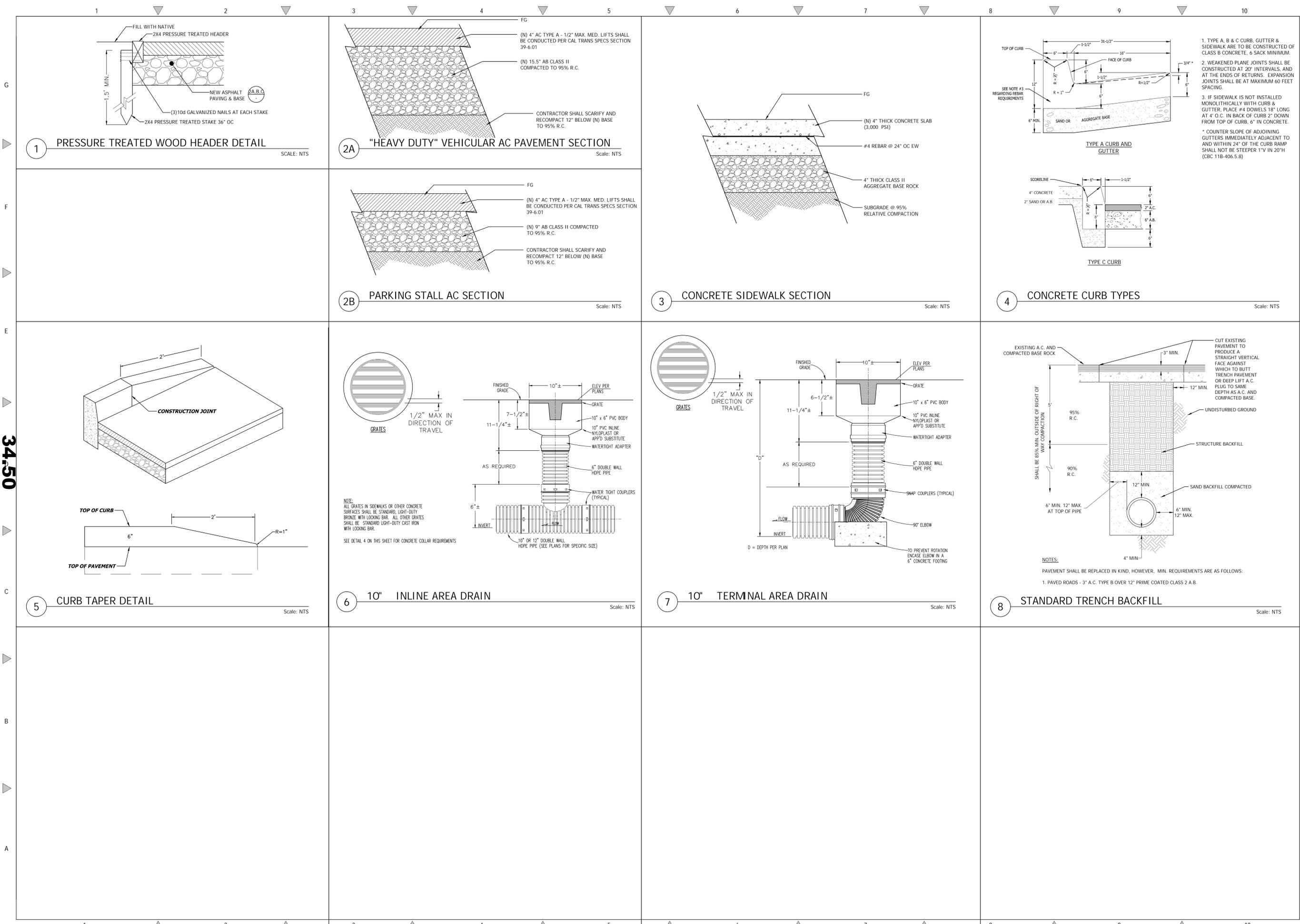
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Of 9 Sheets





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REVISIONS	BY

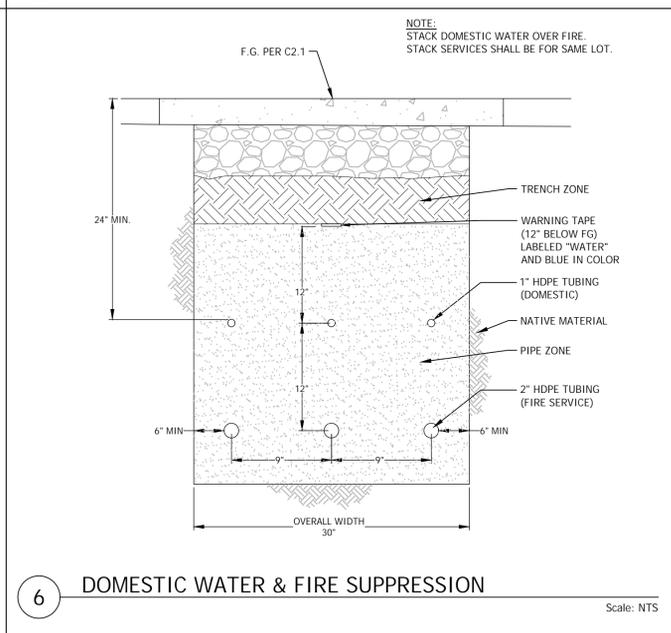
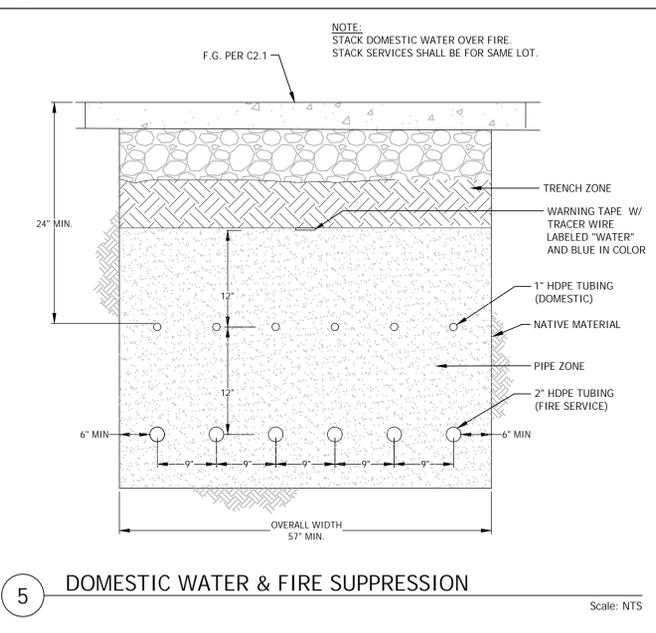
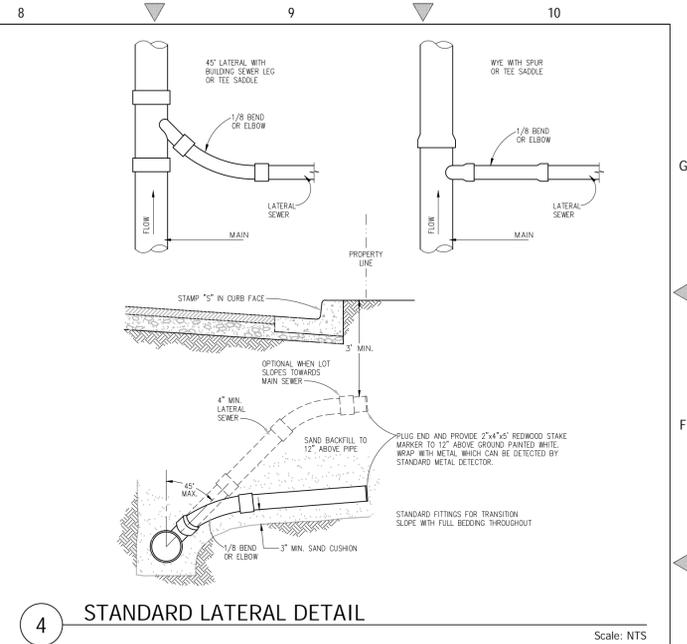
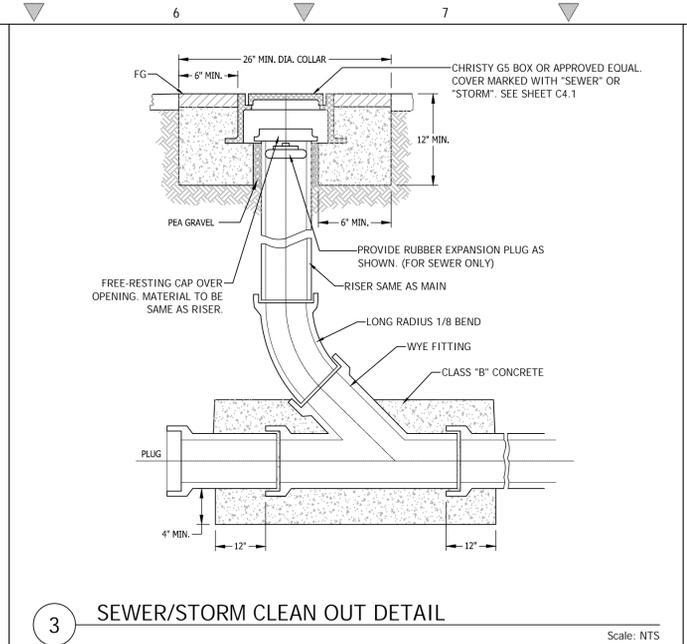
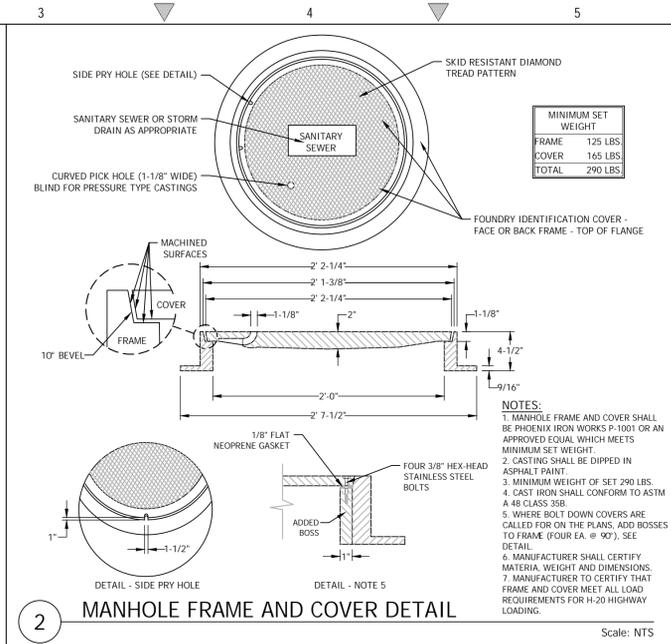
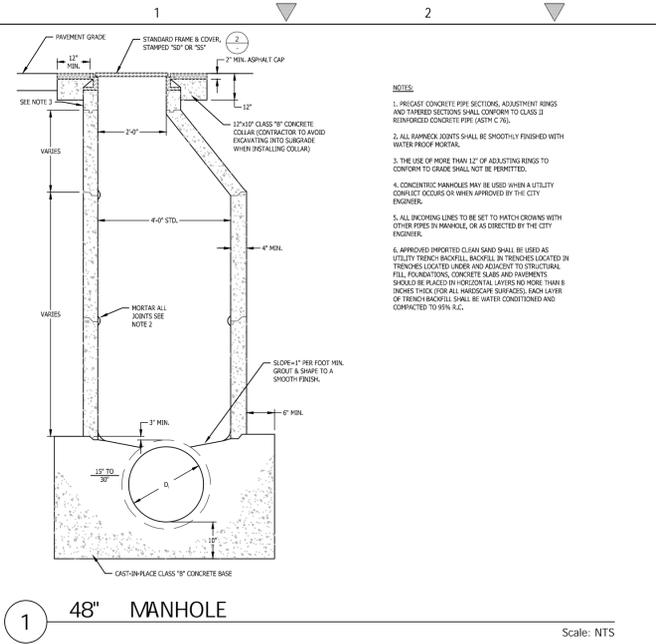
TENTATIVE DETAILS



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Layout: 061 - TENTATIVE DETAILS.dwg - 061 - TENTATIVE DETAILS.dwg - 03/27/2020 - 10:38am - By: James Bushong

914 - 916 SEABRIGHT AVENUE  
 SANTA CRUZ, CA 95062  
 APN: 011-123-66

Date:	03.27.20
Scale:	AS SHOWN
Drawn:	DD/JB
Job:	476-50
Sheet:	C6.1
Of	9 Sheets



REVISIONS	BY

**TENTATIVE DETAILS**

REGISTERED PROFESSIONAL ENGINEER  
**TODD R. CREAGER**  
 No. C 64561  
 Exp. 6/30/21  
 CIVIL  
 STATE OF CALIFORNIA

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914 - 916 SEABRIGHT AVENUE  
 SANTA CRUZ, CA 95062  
 APN: 011-123-66

Date: 03.27.20  
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 Job: 476-50  
 Sheet: C6.2  
 Of 9 Sheets

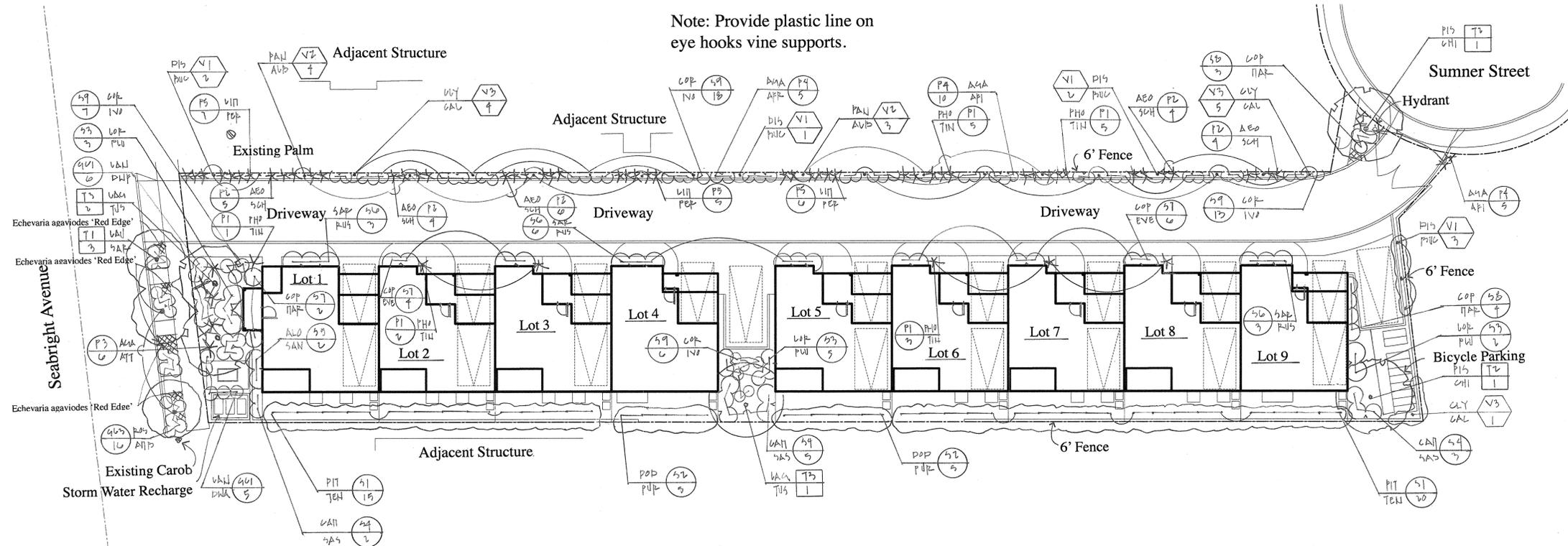
### Plant Legend

Sym	Botanical Name	Common Name	Size	Quan
<b>Trees</b>				
T1	Laurus 'Saratoga'	Saratoga Grecian Laurel -Street Tree	15GC	3
T2	Pistacia chinensis	Chinese Pistacia	24"Box	2
T3	Lagerstromia 'Tuscarora'	Pink Crepe Myrtle	24"Box	3
<b>Shrubs</b>				
S1	Pittosporum tenuifolium -standard	Pittosporum Kohuhu- Single Trunk	15GC	25
S2	Dodonea viscosa 'Purpurea'-standard	Purple Hopseed- Single Trunk	15GC	10
S3	Loropetalum 'Plum Delight'	Red-leafed Magenta Fringe Flower	5GC	10
S4	Camellia sasanqua 'Sersugekka'	White Sasanqua Camellia	5GC	10
S5	Alyogyne 'Santa Cruz'	Blue Hibiscus	5GC	2
S6	Sarcococca ruscifolia	Sarcococca	5GC	12
S7	Coprosma 'Evening Glow'	Red/Yellow Leaf Mirror Plant	5GC	10
S8	Coprosma 'Marble Queen'	Green/White Leaf Mirror Plant	5GC	9
S9	Correa 'Ivory Bells'	Grey Leaf White Australian Fuchsia	1GC	44
<b>Perennials</b>				
P1	Phormium 'Tiny Tiger'	Green/White Variegated Dwarf Flax	1GC	16
P2	Aeonium 'Schwarzcopf'	Deep Burgundy Tree Aeonium	5GC	23
P3	Agave attenuata 'Ray of Light'	Variegated Fox Tail Agave	5GC	6
P4	Agapanthus africanus -evergreen	Blue Lily of the Nile	1GC	19
P5	Limonium perezii	Purple Sea Lavender	1GC	18
<b>Vines</b>				
V1	Distictus buccinatoria	Red Trumpet Vine	5GC	8
V2	Pandorea 'Alba'	White Bower Vine	5GC	8
V3	Clytostoma callestegiodes	Violet Trumpet Vine	5GC	10
<b>Groundcovers</b>				
GC1	Lantana 'Dwarf White'	White Trailing Lantana	1GC	11
GC2	Echevaria agavioides 'Red Edge'	Red Edge Hen and Chicks	1GC	
GC3	Rosa 'Flower Carpet Amber'	Gold FlowerCarpet Rose	1GC	16

### W.E.L.O. Notes

- (1) Plant material shall comply with all of the following;  
 (A) For residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 75% of the plant area excluding edibles and areas using recycled water; For non-residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 100% of the plant area excluding edibles and areas using recycled water;  
 (B) A minimum three inch (3 ) layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.  
 (2) Turf shall comply with all of the following:  
 (A) Turf shall not exceed 25% of the landscape area in residential areas, and there shall be no turf in non-residential areas;  
 (B) Turf shall not be planted on sloped areas which exceed a slope of 1 foot vertical elevation change for every 4 feet of horizontal length;  
 (C) Turf is prohibited in parkways less than 10 feet wide, unless the parkway is adjacent to a parking strip and used to enter and exit vehicles. Any turf in parkways must be irrigated by sub-surface irrigation or by other technology that creates no overspray.  
 (3) Irrigation systems shall comply with the following:  
 (A) Automatic irrigation controllers are required and must use evapotranspiration or soil moisture sensor data and utilize a rain sensor.  
 (B) Irrigation controllers shall be of a type which does not lose programming data in the event the primary power source is interrupted.  
 (C) Pressure regulators shall be installed on the irrigation system to ensure the dynamic pressure of the system is within the manufacturers recommended pressure range.  
 (D) Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be installed as close as possible to the point of connection of the water supply.  
 (E) All irrigation emission devices must meet the requirements set in the ANSI standard, ASABE/ICC 802-2014, "Landscape Irrigation Sprinkler and Emitter Standard." All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.  
 (F) Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.  
 (6) For non-residential projects with landscape areas of 1,000 sq. ft. or more, a private submeter(s) to measure landscape water use shall be installed.  
 (c) At the time of final inspection, the permit applicant must provide the owner of the property with a certificate of completion, certificate of installation, irrigation schedule and a schedule of landscape and irrigation maintenance.

Note: Provide plastic line on eye hooks vine supports.



1 LANDSCAPE PLAN  
SCALE: 1/16" = 1'-0"

34.52

3/24/2020 11:00 AM

DEREK VAN ALSTINE  
RESIDENTIAL DESIGN INC.  
1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA  
(831)426-8400 PHONE (831)426-8446 FAX

DVRD  
DEREK VAN ALSTINE  
DESIGNER

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HOUSTON SEABRIGHT  
914-916 SEABRIGHT AVE.  
SANTA CRUZ, CA 95062

AR: 011-123-66

ISSUE DESCRIPTION

SCHEMATIC DESIGN

DEC. 22, 2017

DESIGN DEVELOPMENT

PLANNING SUBMITTAL

OCT. 15, 2019

BUILDING SUBMITTAL

REVISIONS:

1 10/28/2019

PLAN CHECK

2 12/16/2019

PLAN CHECK

3 3/30/2020

PLAN CHECK

LANDSCAPE PLAN

1

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



## PLANNING COMMISSION

### ACTION SUMMARY Regular Meeting June 04, 2020

7:00 P.M. GENERAL BUSINESS AND MATTERS OF PUBLIC INTEREST, COUNCIL CHAMBERS

**Call to Order**-The meeting was called to order at 7:00 p.m.

**Roll Call**-Commissioners Schiffrin, Conway, Dawson, Spellman, Nielsen, Greenberg, and Maxwell were present.

**Absent w/notification**-None

**Statements of Disqualification**-None

**Oral Communications**-None

#### Approval of Minutes

1. Approve the minutes of April 16, 2020.

**MOTION:** Motion made by Commissioner Dawson, seconded by Commissioner Nielsen, to continue approval of the April 16, 2020 minutes to the next regularly scheduled meeting.

**ACTION:** Motion passed by the following vote:

AYES: Schiffrin, Conway, Dawson, Spellman, Nielsen, Greenberg, and Maxwell

NOES: None

ABSTAIN: None

ABSENT: None

2. Approve the Special Meeting minutes of May 22, 2020.

**MOTION:** Motion made by Commissioner Dawson, seconded by Commissioner Nielsen, to approve the Special Meeting minutes of May 22, 2020.

ACTION: Motion passed by the following vote:

AYES: Schiffrin, Conway, Dawson, Spellman, Nielsen, and Maxwell

NOES: None

ABSTAIN: Greenberg

ABSENT: None

Consent Agenda-None

General Business-None

Public Hearings

3. 238 Carbonera Drive CP19-0111 APN: 008-34219

Slope Variance, Design Permit, and Variance to construct a single family dwelling on a slope exceeding 30 percent with a second floor that exceeds the maximum floor area permitted on a substandard lot, and requiring removal or two heritage trees on a vacant substandard lot in the R-1-7 (Single Family Residence) zone district.

MOTION: Motion made by Commissioner Dawson, seconded by Commissioner Maxwell, to continue this item for a biotic study, matter to return to the Planning Commission upon completion of the study.

ACTION: Motion passed by the following vote:

AYES: Schiffrin, Conway, Dawson, Spellman, Nielsen, Greenberg, and Maxwell

NOES: None

ABSENT: None

4. 600 Encinal Street CP18-0125 APN: 001-251-01

Minor Land Division to divide an existing parcel into four parcels, Slope Variance to allow for a driveway within a slope exceeding 30 percent, Minor Modification to V-59-11 to allow for a dwelling to be retained, and Residential Demolition Authorization Permit based on the findings listed below and the Conditions of Approval listed in Exhibit "A" of the staff report dated May 1, 2020.

MOTION: Motion made by Commissioner Spellman, seconded by Commissioner Maxwell, to acknowledge the environmental determination and approve the Minor Land Division, Slope Variance, Minor Modification, and Residential Demolition Authorization Permit based on the findings listed below and the Conditions of Approval listed in Exhibit "A" of the staff report dated May 1, 2020.

ACTION: Motion passed by the following vote:

AYES: Schiffrin, Conway, Dawson, Spellman, Nielsen, Greenberg, and Maxwell

NOES: None

ABSENT: None

5. 914/916 Seabright Avenue CP18-0187 APN: 011-123-66

Tentative Map, Design Permit and Residential Demolition Authorization Permit to demolish three residential units and construct a nine-unit townhouse development on a 237 square foot parcel located in the R-L zone district.

MOTION: Motion made by Commissioner Maxwell, seconded by Commissioner Dawson, to recommend to the City Council acknowledgement of the environmental determination and approval of the Tentative Map, Design Permit and Residential Demolition Authorization Permit to demolish three residential units and construct a nine-unit townhouse development on a 21,237 square foot parcel located within the Multiple Residential-Low Density (R-L) zone district, based on the findings listed in the attached Draft Resolution and the Conditions of Approval listed in Exhibit "A" of the staff report dated May 29, 2020.

ACTION: The motion passed by the following vote:

AYES: Schiffrin, Conway, Dawson, Spellman, Nielsen, Greenberg, and Maxwell

NOES: None

ABSENT: None

MOTION: Motion to amend the main motion to recommend to City Council the Conditions of Approval be modified to eliminate the conditions relating to the installation of a pedestrian walkway on the project site.

ACTION: The motion to amend passed by the following vote:

AYES: Maxwell, Dawson, Schiffrin, Spellman, Nielsen

NOES: Conway, Greenberg

ABSENT: None

MOTION: Motion to amend the main motion to recommend to City Council that the inclusionary unit is not counted as the replacement unit if the townhouses are initially rented.

ACTION: The motion passed by the following vote:

AYES: Maxwell, Greenberg, Dawson, Schiffrin

NOES: Conway, Nielsen, Spellman

ABSENT: None

#### Information Items

#### Subcommittee/Advisory Body Oral Reports

#### Items Referred to Future Agendas

**Adjournment**-The meeting adjourned at 10:05 p.m.



# PLANNING COMMISSION AGENDA REPORT

DATE: May 29, 2020

AGENDA OF: June 4, 2020

ITEM NO.: **CP18-0187**

**914/916 Seabright Avenue**

---

**RECOMMENDATION:** That the Planning Commission recommend to the City Council acknowledgment of the environmental determination and approval of the Tentative Map, Design Permit and Residential Demolition Authorization Permit to demolish three residential units and construct a nine-unit townhouse development on a 21,237 square foot parcel located within the Multiple Residential - Low Density (R-L) zone district, based on the Findings listed in the attached Draft Resolution and the Conditions of Approval listed in Exhibit A.

---

## PROJECT DATA

Property Owner: Houston Family Trust APN: 011-123-66  
Applicant: Derek Van Alstine

Application type: Tentative Map, Design Permit and Residential Demolition Authorization Permit to demolish three residential units and construct a nine-unit townhouse development on a 21,237 square foot parcel located in the R-L zone district.

Zoning: R-L (Multiple Residence - Low Density District  
CZ-O (Coastal Zone Overlay); Exclusion Area A

Project Consistency: Consistent with Zoning, Excluded in CZ  
General Plan: LM (Low Medium Residential 10.1 – 20 DU per acre)  
Project consistency: Consistent with General Plan designation

Land Use - Existing: One duplex and one single family dwelling  
- Proposed: Nine new townhomes  
- In area: Single and multi-family residential uses

Lot Area: 21,237 square feet

Environmental Review: Categorical Exemption per State CEQA Guidelines Section 15332  
(Class 32 – Infill Exemption)

Planning Staff: Samantha Haschert

## AGENDA REPORT

PC Meeting of June 4, 2020

SUBJECT: **914/916 Seabright Avenue – Application No. CP18-0187**

PAGE 2

### **BACKGROUND**

On May 16, 2019, the applicant proposed a similar project to the Planning Commission at a noticed public hearing. At that time, the project included a nine-unit townhouse development consisting of all three-story, three-bedroom, attached units that ranged in size from approximately 1,982 to 2,201 square feet. At the public hearing and at a community meeting that was held on November 8, 2018, the public presented concerns with the design and massing of the development, specifically that the development was too tall and the building too massive to be compatible with the neighborhood. The Planning Commission agreed with this concern and continued the item for redesign with the motion to: reduce the building massing, to stay within the density range, and if possible, to provide a diversity of housing types within that range and return to the Planning Commission when the project is ready to review. The Planning Commission noted that consideration of the application of a density bonus shall not be precluded.

The applicant has redesigned the project according to the direction of the Planning Commission and the project continues to include a request for a Residential Demolition Authorization Permit to demolish an existing duplex and a single family dwelling, a Tentative Subdivision Map to create nine townhome lots and one common lot, and a Design Permit to approve the construction of nine townhomes. The property owner indicates that they will maintain ownership of all units and rent them out for the foreseeable future. The proposal also includes a request for a density bonus waiver from the open space requirements.

The project continues to include a condition of approval for public pedestrian access through the site, consistent with the General Plan and Local Coastal Program policies listed in the May 16, 2019 staff report to the Planning Commission (attached), and the site plan continues to provide vehicular access via Seabright Avenue gated access only through to Sumner for emergency vehicles and sanitation trucks.

### **ANALYSIS**

#### *Redesign*

The proposed project reflects a redesign of the prior proposal in an effort to address the concerns of incompatible building mass and height that were raised by members of the public and Planning Commission during the 2018 community meeting and the 2019 Planning Commission meeting. The applicant provided actual reductions in building mass to address these concerns including reductions in building square footage, height, and length, as well as architectural and design elements to provide interest and relief. The applicant also reduced the number of bedrooms in two of the proposed units to facilitate a break in the building and to provide variety in the proposed unit type. The changes are summarized below:

- Reduction in building height from three stories and 30 feet to two stories and 24 feet, with the height measured to the midpoint to the roofline.(Sheet A8 of the plans provides a comparison of building height in a Site Section.)

AGENDA REPORT

PC Meeting of June 4, 2020

SUBJECT: **914/916 Seabright Avenue – Application No. CP18-0187**

PAGE 3

- Exterior redesign to replace the tall, attached dormers and shed dormers with wide, front facing gables and to provide variation of exterior materials between units to create individuality. The redesign is more consistent with the traditional design of existing single-family structures in the neighborhood.
- Reduce building mass by providing front and rear facing upper level balconies.
- Break up building massing and long walls by providing a 15-foot separation with a 24-inch box tree between the two building segments.
- Improve the appearance of the development from Seabright Avenue by redesigning the projecting front porch on Unit 1 to include a street-facing gable roof in-lieu of the shed roof. The reduction in building height also allows for a more compatible street appearance.
- The accessible ramp has been eliminated from the plans. The project is not subject to Chapter 11A of the California Building Code due to the mapping of the property as private residences and the use of private funding for the project. The pedestrian path would be required to be available to the public, as discussed below, however, the path will continue to be located on private property and not within a public right of way.

*General Plan and Zoning Consistency*

With the exception of open space requirements for which a density bonus waiver is requested, the proposal continues to comply with all of the objective site development and density standards for the R-L (Multiple Residence – Low Density District) zone district and the LM (Low Medium Residential) General Plan designation, including the requirements for Community Housing Projects (Section 24.12.180) and Parking (Chapter 24.12, Part 3), as shown in the following tables.

<b>R-L DENSITY</b>			
	Required	Proposed	Complies?
(24.10.440) 1600 sq. ft. for 1 bdrm. & studio 2200 sq. ft./ 2 or more bedrooms	(9) 2- 3 bedroom units= 19,800 sq.ft. minimum	21,237 sq. ft. net lot area	Yes
RL Density 10-27 du/ac (21,237 sq. ft. = .487 acre)	Permitted Range of units 5 to 13 units	9 units =18 du/ac	Yes

<b>LM DENSITY 10.1 – 20 DU/AC</b>				
	# of Units Proposed	Acres	Dwelling Units Per Acre	Complies?
	9	0.487	18 du/ac	Yes

<b>APPLICABLE SITE DEVELOPMENT STANDARDS</b>			
	Required	Proposed	Complies?
Front Yard - Seabright	15'	15'	Yes
South Side Yard	5' or 1'3' height Height is 24' = 8'	8'	Yes
North Side Yard	5' or 1'3' height Height is 24' = 8'	20'	Yes

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Rear Yard-Summer	10'	15'	Yes
Separation	6' or 1 1/2' height	Attached units- non required	Yes
Height	30' midpoint	24'	Yes
Open Space R-L	400 square feet/du =3,600	316 – Unit 1 340 – Units 2,3,5-8 273 – Units 4, 9 Total=2,902	No – Request for density bonus waiver. See discussion below.
Net Lot Area	5500 sq. ft.	21,237 sq. ft.	Yes
Lot Width	50'	66' E, no change	Yes
Private open space	100 sq.ft./du	125 - Unit 1 122 - Units 2,3,5-8 70 - Units 4,9	No - Request for density bonus waiver. See discussion below.
Storage	200cf/du	780 – Units 1-3, 5-8 493 – Units 4 and 9	Yes

<b>Parking</b>		
Units	Bedrooms	Parking Required
1-3 & 5-8 7 units	3/unit	2/unit =14 spaces
4, 9	2/unit	2/unit = 4 spaces
Community Housing		1/four units =2 spaces
	Total Required:	20 spaces
	Total Proposed:	18 space per unit 2 guest parking spaces = 20 total
EV Installed Spaces	12% of total parking =2 spaces	Required as a condition of approval

The proposed on-site parking is configured as tandem parking with two required tandem parking spaces per unit. The tandem parking arrangement does not place parking for multiple units in a tandem parking arrangement. Tandem, on-site parking is permitted in a project that is eligible for a density bonus pursuant to section 24.16.256 of the zoning ordinance.

The proposed density falls at the higher end of the density range for the LM General Plan area, which is supported by General Plan Goal LU1 that seeks residential land use intensities to ensure optimum utilization of infill parcels. General Plan Policy LU3.7 encourages higher-intensity residential uses and maximum densities in accordance with the General Plan Land Use designations while General Plan Policy LU3.7.1 allows and encourages development that meets the high end of the General Plan Land Use designation density unless constraints associated with site characteristics and zoning development standards require a lower density. Policy LU4.1 encourages a transition to higher densities along the city’s transit and commercial corridors. Other than archeology, there are no mapped resources on the project site.

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The project is located in the Coastal Zone in Exclusion Area A and is located approximately 2,950 feet from the coast. Public access to the coast along Seabright Avenue will be improved as a result of the recommendation that the project provide a new public pedestrian easement through the development to connect the Sumner Street neighborhood to this coastal access route. There are no other anticipated effects on coastal resources in that no part of the project site is located within the appealable area or the original jurisdiction of the Coastal Commission and the project site does not include any of the non-excludable circumstances listed in section 24.08.230.2 of the Zoning Ordinance.

### *Inclusionary Housing, Replacement Housing, and Relocation Assistance*

The project includes mapped units that will be rented for the foreseeable future and the project includes the demolition of three existing rental dwelling units on the site that the property owner confirmed are occupied by low to moderate income households. The proposed demolition triggers the requirement for both replacement housing and relocation assistance, pursuant to section 24.08.1340 of the Zoning Ordinance. The project was deemed complete on November 16, 2018, prior to the adoption of the current inclusionary housing ordinance amendments that increased the inclusionary requirement to 20-percent; therefore, this project is still subject to a 15 percent inclusionary housing requirement for the proposed mapped units under Ordinance 2018-13.

Inclusionary Housing. The proposed nine unit development will be mapped as townhouses and rented for the foreseeable future. The project is subject to a 15-percent inclusionary housing requirement, or 1.35 units pursuant to the requirements in the applicable Inclusionary Ordinance 2018-13. One dwelling unit shall be made available for sale to low and moderate households at an affordable ownership cost and the applicant has the option of paying an in-lieu fee for the fractional amount. While the units are being rented, the inclusionary unit may be provided as a rental unit pursuant to the terms outlined in section 24.16.020(5) of Ordinance 2018-13; however, the inclusionary unit must be sold as an affordable unit when the first unit in the development is sold. The inclusionary unit is required to be representative of the market rate unit mix. The applicant is proposing to construct seven three-bedroom units and two two-bedroom units; therefore, the inclusionary unit, either as a rental or ownership occupancy, must be provided as one of the three-bedroom units.

Replacement Housing. The project requires two bedrooms to be replaced as a part of the project (fifty percent of the four bedrooms to be demolished) which can be provided in one unit. The unit that provides these bedrooms must be made available to low to moderate income households at an affordable rent and shall remain as such in perpetuity. The unit must also be maintained as a rental unit only, pursuant to section 24.08.1360 of the Zoning Ordinance.

During the period that the mapped townhouses are rented, the applicant has the option of providing one three-bedroom, restricted affordable unit that would qualify as both the replacement housing unit and the inclusionary unit. However, when the first unit in the development is made available for sale, the property owner will also be required to sell the inclusionary unit at an affordable ownership cost and because the replacement housing unit is

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required to be provided as a rental unit only, the property owner will need to maintain a second affordable unit in the development as a replacement housing unit to be rented in perpetuity.

In addition to replacement housing, the applicant is required to provide relocation assistance to the existing tenants in the form of two months' rent or other arrangements agreeable to the tenants and shall be required to meet the requirements to advertise the buildings with an offer to move pursuant to section 24.08.1325 of the Zoning Ordinance. Conditions of approval are included that require relocation assistance and the offer to move procedures to be completed prior to issuance of a demolition permit.

### *Density Bonus Waiver*

The applicant is eligible for a Density Bonus in that ten percent of the nine units (1 unit) will be made available to lower income households (60% Area Median Income (AMI) rental units and 70% AMI for ownership units) based on affordable rents or affordable ownership costs. While the project is eligible for a 20-percent density bonus of market rate units, the applicant is not requesting units in excess of the proposed nine units. However, the project includes a waiver or modification to the open space provisions of the R-L zone district and those applicable to Community Housing Projects.

The R-L zone district requires a minimum of 400 square feet of usable open space per dwelling unit, which is equal to 3,600 square feet for this development. The definition of "Usable Open Space" indicates that the term shall not include area with any dimension of less than ten feet. Community Housing Projects are required to provide at least 100 square feet of private open space per dwelling unit. The site plan includes 2,902 square feet of open space which is provided as eight foot deep private rear yards, seven foot by eight foot front porches, and landscaped areas. All of the units, except for units 4 and 9, include two upper level decks on the front and rear of the building and meet the minimum requirement for private open space. Units 4 and 9 are smaller units that provide only one 70 square foot, upper level deck on the front façade which is less than the minimum required 100 square feet.

Applicants may seek a waiver or modification of development standards that will have the effect of physically precluding the construction of a housing development eligible for a density bonus at the density or with the incentives or concessions permitted by Part 3, Chapter 24.16 of the Zoning Ordinance. The original project plans that were reviewed by the Planning Commission on May 16, 2019 demonstrated that the nine units could be constructed in compliance with all of the development standards required in the Zoning Ordinance and those required by other city departments. That design was deemed by the Planning Commission to be too large and out of character with the neighborhood and the applicant agreed to a continuance to address this concern. The applicant has addressed the concern by reducing the height of the building and creating a break in the building, which has in turn, reduced the developable area of the site. The revisions did not result in a reduction of bedrooms in seven of the units, in that the parking was revised to a tandem arrangement and the ground-floor third bedroom was relocated from the ground floor to the second floor. The family room, dining room, and kitchen were relocated to the ground floor and the ground floor area was expanded to allow for adequate living space in

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conjunction with the required parking. Two of the units, Unit 4 and Unit 9, were redesigned from three-bedroom units to two-bedrooms to allow for the break in the building to address the concerns of the Planning Commission. Case law has not established if a required reduction in the number of proposed bedrooms is considered a reduction in density, which would not be consistent with the regulations in SB330 for a housing development; however, the applicant and property owner prefer the design with the break in the building and are now proposing the reduction in bedrooms as a part of the project; therefore, it is not considered to be a required reduction in bedrooms.

The applicant is requesting a waiver of open space requirements, as discussed above. The applicant has voluntarily increased the affordability of the affordable unit, making the project eligible for two additional market rate units under Density Bonus law although the applicant does not propose these additional units. The requested waiver allows for adequate living spaces within the units, which is considered to be an amenity to future residents. The request was reviewed by John Barisone, the Deputy City Attorney, and his conclusion notes that density bonus case law has established that the stripping of amenities as a requirement to meet the development standard proposed to be waived in a density bonus eligible project has been deemed to be inconsistent with the spirit of the Density Bonus law (Attachment 3). Additionally, the applicant has acted in good faith to respond to the design concerns of the Planning Commission and has voluntarily increased the affordability level of the affordable unit and reduced the number of bedrooms in two of the units to reduce building massing. The proposed reduction in open space is a minor variation from the required development standards and would result in the construction of a housing development with an affordable unit that meets the increased affordability levels required by the Density Bonus ordinance. It has been demonstrated by the applicant that the requirement for additional open space would physically preclude the construction of the nine-unit townhouse development as proposed to be designed; therefore, a waiver of the open space requirement is recommended.

Alternatively, the density bonus ordinance allows for the proposed reduction of open space as an incentive/concession with the submittal of a pro forma to confirm that the reduction results in actual cost reductions to the project to provide for affordable ownership costs or affordable rent. Although the applicant has chosen to request a waiver in-lieu of an incentive/concession, it is clear that a further reduction in unit size would result in increased project costs and the applicant would otherwise be eligible for a reduction in open space area as an incentive/concession.

### *Housing Accountability Act.*

The Housing Accountability Act (HAA) is a California state law designed to promote infill development, and it empowers the State of California to limit the ability of local governments to restrict the development of new housing. The Act applies to housing applications submitted to local agencies that meet the following criteria.

- Meets a city's "objective general plan and zoning standards" including a provision that the receipt of a density bonus pursuant to government code Section 65915 shall not constitute a valid basis on which to find a proposed housing development project is

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inconsistent, not in compliance, or not in conformity, with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision specified in this subdivision.

- The development would not cause a "significant, adverse impact" to public health and safety; and
- The development meets the standards of the California Environmental Quality Act and the California Coastal Act.

If an application meets these criteria, the City Council or Planning Commission must vote to approve the application and provide necessary permits within 60 days from the determination by the lead agency that the project is exempt from the CEQA, if the project is exempt from that Act. If the city votes to deny the application that meets the City's objective standards, it must make a written finding that the project creates a "significant, adverse impact" to public health and safety and provide substantial evidence to support said finding. The HAA also, among other things, forbids jurisdictions from proposing modifications to a project that would reduce the number of units to be developed or passing new rules that would retroactively make the application non-compliant.

The proposed nine-unit townhouse development is consistent with all zoning and development standards and is consistent with State Density Bonus law with respect to the request for a waiver from the open space requirements in the Zoning Ordinance, and the project will not result in significant, adverse impacts to public health and safety. The HAA would not allow denial of the project unless substantial evidence can be provided that demonstrates that the project would cause significant adverse impacts to public health and safety, and staff does not believe that such a finding can be made.

### *Health in all Policies (HiAP)*

HiAP is a collaborative approach to improving the health of all people by incorporating health considerations into decision-making across sectors and policy areas. HiAP is based on 3 pillars: *equity, public health, and sustainability*. The goal of HiAP is to ensure that all decision-makers are informed about the health, equity, and sustainability impacts of various policy options during the policy development process. The project site is located on Seabright Avenue in an urban area that is improved with sidewalks, bike lanes, and street trees, and that is in close proximity to public transportation, commercial goods and services, and recreational areas including the beach. The staff recommendation to include a public pedestrian easement through the project site that will connect the cul-de-sac at the end of Sumner Street to Seabright Avenue to allow for ease of access between Murray Street and Soquel Avenue supports the sustainability pillar. Likewise, the development of residences in this central, urban location encourages a sustainable and healthy lifestyle by promoting alternative forms of transportation. The project supports the pillar of equity by providing a variety of unit types to promote social diversity. Therefore, the project is considered to be consistent with the three pillars of the HiAP and is recommended as an efficient use of the land.

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### **ENVIRONMENTAL REVIEW**

CEQA provides several “categorical exemptions” which are applicable to categories of projects and activities that the Natural Resource Agency has determined generally do not pose a risk of significant impacts on the environment. The Class 32 categorical exemption is for “infill development” projects that meet the following criteria:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations;
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
- (c) The project site has no value as habitat for endangered, rare or threatened species;
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- (e) The site can be adequately served by all required utilities and public services.

The proposed project meets all of the foregoing criteria making it eligible for the infill exemption. The project is consistent with General Plan and zoning designations, policies and regulations; the project site is 21,237 square feet in size; it is located within city limits and is surrounded by existing residential urban uses. The project site has no habitat value for special status species, the project would not result in any significant effects relating to traffic, noise, air quality or water quality, and the site can be adequately served by all required utilities and public services, as existing utility infrastructure already serves the project area and is sized sufficiently to serve the proposed use. Therefore, the project qualifies for the Categorical Exemption found in CEQA Guidelines Section 15332, the infill exemption.

### **SUMMARY**

Consistent with General Plan policies, the proposed plan maximizes infill density on an RL zoned lot unconstrained by environmental resources. Consistent with other General Plan policies, recommended conditions of approval require a public pedestrian easement across the parcel and precludes the Homeowner’s Association from prohibiting public pedestrian access. The proposed design reduces the building height, breaks up the building mass, and provides a more traditional architectural design that is consistent with the surrounding neighborhood, but necessitates a waiver of open space requirements under Density Bonus law. Staff recommends that the Planning Commission acknowledge the environmental determination and recommend that the City Council approve the Residential Demolition Authorization Permit, Design Permit, and Tentative Map for the proposed project based on the findings in the attached draft Resolution and the Conditions of Approval in Exhibit A.

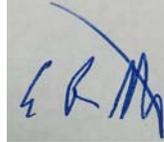
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Submitted by:



Samantha Haschert  
Principal Planner

Approved by:



Eric Marlatt  
Assistant Director

Attachments:

1. Resolution to approve the Tentative Map, Design Permit and Residential Demolition Authorization Permit
  - Exhibit A – Conditions of Approval
2. Project Plans, Revisions dated 3/9/2020
3. Memorandum Regarding the Application of the Density Bonus Statute, Prepared by John Barisone, Deputy City Attorney, Dated May 21, 2020
4. Minutes of the May 16, 2019 Planning Commission meeting
5. Staff Report to the Planning Commission, May 16, 2019
6. Additional Public Correspondence

## Tess Fitzgerald

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**From:** dantan@baymoon.com  
**Sent:** Wednesday, April 29, 2020 8:16 AM  
**To:** Samantha Haschert  
**Subject:** 916 Seabright Avenue - important images missing from revised plans

Good morning, Ms. Haschert,

First, I wish to thank the city for sending me a postcard about the Planning Commission hearing for 916 Seabright Ave. scheduled for May 7th since I am a neighbor following this project.

I am greatly concerned that the following important renderings are missing in the new plans:

3D rendered views (on Page 2 of original Plan Set)

- View from Seabright Ave showing more of the building down the driveway
- View from Sumner Street cul-de-sac down driveway
- View from backyards of Clinton Street residents

Without similar 3D images for the new plans the public and the Planning Commission cannot get an accurate picture of the project in its context with the neighboring homes and street.

Will these 3D views be added to the new plan set? If so, when might the public be able to view them? If not, can you clarify why they are not included? They are essential to both neighbors and planners and should be standard to projects of this nature where there will be a huge impact on the surrounding properties.

Thank you for your help.

Isabelle Scott  
418 Sumner St.  
(corner of Sumner and Clinton)

## Tess Fitzgerald

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**From:** Samantha Haschert  
**Sent:** Thursday, April 23, 2020 3:42 PM  
**To:** 'Sage Smiley'  
**Subject:** RE: questions for you

Hi Sage,

There isn't a requirement that new developments must be designed to allow for continuous solar access to existing solar panels on an adjacent parcel. However, we do analyze shading impacts and while we anticipate some level of impact in a dense area such as this, it would be concerning if a new development significantly shaded an adjacent property for the majority of the year (particularly a shade-sensitive property) and we would certainly ask for the project to be redesigned to minimize those impacts. In this case, I have a shading study that provides the shading impacts at the summer and winter solstices which should reflect the times when the sun is highest with the shortest shadows, and when the sun is lowest and with the longest shadows. Shadow studies are not required to provide a full year analysis of day-to-day shading impacts but we can assume that the shading is most extreme at the winter solstice. The study shows that the properties to the north are only partially shaded during the winter solstice and this is based on a taller development. It sounds like your solar panels will likely experience some shading during the afternoons in the winter when it is likely that the sun will also be obscured by cloud cover.

I hope that helps.

Thanks,  
Sam

**From:** Sage Smiley [mailto:sagesmiley1@gmail.com]  
**Sent:** Thursday, April 23, 2020 1:07 PM  
**To:** Samantha Haschert  
**Subject:** Re: questions for you

Ok thanks for that info. My question remains, are there rules about shading existing solar panels? While I understand the facts of the solstice, that does not tell me what the impact will be throughout the winter. And yes I am aware of the location of the proposed buildings. To be clear, the separation between buildings is not anywhere near our solar panels. You have not asked where they are located. They are very near the corner of our lot on our southern edge and close to Sumner St, close to the next door property.

We are still interested in knowing if our solar panels will be essentially blocked for weeks? months? during the winter months?

On Thu, Apr 23, 2020, 12:26 PM Samantha Haschert <[SHaschert@cityofsantacruz.com](mailto:SHaschert@cityofsantacruz.com)> wrote:

Hi Sage,

The shadow plan for the original, taller project indicates that the properties to the north will only experience shading on the southern portions of the north adjacent parcels during the winter months, when I would expect that your solar panels are also experiencing less sunlight due to the weather conditions. The winter solstice marks the date when the sun is the lowest in the sky, so we can assume that shading impacts at all other times of the year will be less impactful than that which is shown on this date. Additionally, we can assume that the shading won't be as impactful as shown on the original shading plan because the structure is now five feet lower and includes two separate buildings rather than one long continuous building. In urban areas, there are always shading impacts at some point of the year given the density of development but I think that in this case you benefit from the development being located at the south property line which provides some distance between the two properties for light, air, and privacy. The building is five

Attachment 6

feet less than the maximum height allowed in the zone district and is located 20 feet from the north property line where an 8 foot setback is required.

Thanks,  
Sam

**From:** Sage Smiley [mailto:[sagesmiley1@gmail.com](mailto:sagesmiley1@gmail.com)]  
**Sent:** Thursday, April 23, 2020 9:40 AM  
**To:** Samantha Haschert  
**Subject:** Re: questions for you

Thank you Sam

In the original design, we saw that our yard was significantly shaded by the structure. We are to the north. We now have solar panels just to the north of 916. Are there any rules about building a new structures that will shade existing solar panels on the next property? 5 feet shorter is better, but still is likely to shade our solar array. Is that allowed? Or did we just spend 25k on solar for nothing?

I realize that in your office the upper measure is the midline of the roof, but as some one living here. the height is actually 30 ft, and I am wondering why there is such a high peak in the design, it will tower over us. Why do you "encourage roof pitch"? How much pitch does the city prefer? Architectural recesses and balconies are a way to pretend this isn't a mildly monolithic structure. For whom or in what what way does that add light and air? They are nicer for the residents of the new building. I suppose it looks nicer than a flat front, which will face my house, but there is no added light or air for us. And now we get to have balconies staring into our yard and home. If you look at the city map, you will see that our home is not on the street, it is set back and turned south, looking right at the 916 property. Nothing you can do about that, but this is our dilemma.

I am venting a bit to you, and you don't control this design but you need to know there are neighborhood concerns. This design is better, but not as much as we had hoped. The break between buildings is good but seems minimal. The height is still...high. It is still a bit of a block of building, motel-ish. Just my opinion.

Our biggest concern is our solar.

sage

On Wed, Apr 22, 2020 at 11:13 PM Samantha Haschert <[SHaschert@cityofsantacruz.com](mailto:SHaschert@cityofsantacruz.com)> wrote:

Hi Sage,

Attachment 6

34.68

The project includes two tandem parking spaces for each unit in addition to the two guest parking spaces shown on the site plan. The parking spaces for each unit include one space in a pull through garage with a door and the other in front. The driveway at Sumner will consist of a locked gate and I believe that it is for emergency and sanitation truck access only so you won't get any cut-through traffic. I'm not sure where your solar panels are located but the previous shade study did show shading to the north in the winter. This project consists of two two-story structures that measure five feet shorter than the previous project so we did not require a new shading study as the reduction will result in less of an impact. The project also includes a break in the building as well as architectural recesses and new balconies to provide additional light and air through the structure. I'm not sure how to answer your question about height. We measure building height to the midpoint of the roofline which is halfway between the peak and top plate of the wall and I believe this is intended to encourage roof pitch. A two story, 24 foot tall structure is pretty typical and is significantly lower than the structure that was previously proposed.

Let me know if you have any other questions.

Thank,

Sam

**From:** Sage Smiley [mailto:[sagesmiley1@gmail.com](mailto:sagesmiley1@gmail.com)]

**Sent:** Wednesday, April 22, 2020 8:01 PM

**To:** Samantha Haschert

**Subject:** Re: questions for you

one more, if its two stories, why is the roof so high??

On Wed, Apr 22, 2020 at 7:59 PM Sage Smiley <[sagesmiley1@gmail.com](mailto:sagesmiley1@gmail.com)> wrote:

sorry, now I see a garage? and a carport? Am I reading that right?

On Wed, Apr 22, 2020 at 7:55 PM Sage Smiley <[sagesmiley1@gmail.com](mailto:sagesmiley1@gmail.com)> wrote:

Hi

I have questions for the 916 Seabright development. Where will people park? I see two spots on the plans, am I missing something? Also, will it only be the fire dept who can open the gate on Sumner? Or will residents be able to open this? If there is a walkway and no parking, residents are going to park on this cul de sac and walk in...gonna suck for us.

Is there a shade study? We have solar panels in the corner of our property which borders on this property.  
Thanks,

-Sage Smiley

Attachment 6

**From:** [Alison Russell](#)  
**To:** [City Plan](#)  
**Subject:** Public comment for Planning Commission meeting May 7, 2020 (Agenda Item #4)  
**Date:** Tuesday, May 05, 2020 8:28:11 PM

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Dear Santa Cruz Planning Commission:

I am submitting comments with regard to Item 4 on the May 7, 2020 agenda, 914-916 Seabright Avenue, CP18-0187.

My name is Alison Russell. I am a homeowner at 548 Sumner Street and would be directly impacted by this development. My comments are as follows:

1. I support the request for continuance so that the public can better visualize what this proposed project will look like.
2. I appreciate efforts made in the redesign to reduce the project's height and massing.
3. The project still does not reflect the local neighborhood. The existing two units facing Seabright represent the history, charm and character of the Seabright neighborhood. They should be left in place, refurbished, and continued to be rented to low-income residents as part of the larger project.
4. The proposed project will potentially bring several problems to the Sumner Street community. Each of these potential problems should be evaluated and solutions developed before the project goes forward.
  - a. Sumner Street is a mix of single-family and multi-family dwellings. Neighbors tend to know each other and watch out for each other. The south end of the Sumner cul-de-sac has many rental units, including a Section 8 property that has had previously had problems with drug dealers and in one instance, gun violence. Frequent renter turnover, parking and speeding issues and property crime have been common. Depending on the number of tenants and their friends, cars are often illegally double-parked, sometimes for days. The fact that the project units are planned to be rented, not sold, for the first 10 years at least could add to the impact on our street. Rental tenants often have frequent turnover. Sumner Street neighbors are concerned that parking, traffic, parties, drug use, trash and other problems could impact our street, making existing problems worse—including impeding access by fire trucks or ambulances.
  - b. Sumner Street cannot handle additional parking and traffic from residents and/guests of the proposed project. The City must provide signage that directs those residents and guests to park only in spaces provided by the project on project property.
  - c. Trash, green waste and recycling trucks should be required to enter and exit the proposed project from Seabright only. The proposed gate onto already crowded Sumner Street should be used **in emergencies only**.
  - d. Residents of Sumner Street are very concerned that the proposed public pedestrian easement will bring even more property crime into our neighborhood. If the purpose of the walkway is to help provide access for project residents to the beach, as one staff report suggested, then the walkway should lead from the project to Seabright. **It should not link the project to Sumner, and it should definitely not link Seabright to Sumner.** No one needs a shortcut from Seabright up Sumner to Windham, or vice versa. The proposed walkway will reduce the privacy and security of Sumner Street neighbors and should not be included as shown in the

design.

5. The existing property already provides housing for three low-to-moderate income households. Shouldn't the City require that at least two of the proposed units be inclusionary, rather than the one envisioned by the proposed project? Although the project was submitted under the previous 15% inclusionary rate, it would be preferable that it follow the 20% rate, as the law currently requires. Doing so would go further towards addressing the City's serious need for affordable housing.

6. Open/green space is an important characteristic of the Seabright neighborhood. The project needs to include as much open space as possible, both to benefit tenants and the neighborhood and to offset the project's increased contributions to climate change, per the City's stated climate change commitment.

Thank you for this opportunity to provide comment.

Sincerely,

Alison M. Russell  
548 Sumner Street  
Santa Cruz, CA 95062  
(831) 588-9455

**From:** [Sycha Spengemann](#)  
**To:** [City Plan](#)  
**Subject:** Please no more  
**Date:** Tuesday, May 05, 2020 12:36:33 PM

---

Planning Commission,  
Again we must ask you to please NOT drop a  
NINE unit block of townhouses into this beautifully  
established neighborhood. Strange that you are even considering such a dense thing in this  
time of "social  
distancing"

With concern,  
Bill and Sycha Spengemann  
213 Clinton Street  
Santa Cruz Ca 95062

**From:** [Lani Hall](#)  
**To:** [City Plan](#)  
**Subject:** CP 18-0187 APN011-123-66 Townhouse development at 914 and 916 Seabright Ave.  
**Date:** Tuesday, May 05, 2020 11:39:47 AM

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Planning Commission.....City Council

Dear Sirs,

As a family member and co-owner of the lot, 910 Seabright Ave, from 1906 to 2020+, I am strongly OPPOSED to the nine townhouse development next door, proposed for 914 and 916 Seabright Ave.

A large 9 townhouse development will shade and loom over 910 Seabright, will impact traffic and parking on Seabright Ave.and is not an appropriate residential size.

I also find it an highly inappropriate time to to repeat this proposal, when shelter-in-place is ordered, and there can be no public attendance at the council meeting.

I vote NO on this development on this residential block!

Please confirm receipt of this email with a reply. And thank you for your time.

Sincerely,  
Lani Hall

**From:** [sycha grabost](#)  
**To:** [City Plan](#)  
**Subject:** 914/916 seabright ave cp18-0187  
**Date:** Tuesday, May 05, 2020 11:16:18 AM

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City Council of Santa Cruz-

I am the resident and family owner of the shared fence of the new proposal of nine units - Our address is 910 seabright ave. . The monstrous houses being proposed would create a complete disaster to traffic on Seabright ave that is already over capacity. The designs and amount of townhouses come no where near the look, feel of the seabright neighborhood. This building would eclipse my existing yard and home by being three stories tall. . Seabright is already to capacity and not suited for more townhouses especially of that number. Please consider the the neighborhood the families that would be negatively impacted by this over sized , out of place development.

Sycha and Greg Grabost

910 seabright ave.

**From:** [Anthea Shore](#)  
**To:** [City Plan](#)  
**Subject:** 914/916 Seabright Ave  
**Date:** Tuesday, May 05, 2020 11:01:40 PM

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Dear Santa Cruz Planning Commission ,

I have become aware of the 9 plex apartment plan which is under review for 914-916 Seabright Ave. I do not feel this plan is the best for Santa Cruz and the Seabright neighborhood. This plan offers limited parking, invasion of privacy due to the projected building height, and the projected apartments do not match the feel of the neighborhood. I do not wish for this project to be approved or constructed at this time. Thank you.

Sincerely,  
Anthea Shore

May 5, 2020  
Santa Cruz City Council

Attention: Planning Commission,

Re: 914/916 Seabright Ave, proposal to build a nine-unit townhouse development

I have reviewed the plans of the proposed nine-unit townhouse development and contrasted them with the ones that were presented at the city Planning Commission meeting on 5/16/2019. I want to thank the owner and architect for reducing the townhome story from 3 to 2 and putting a space in the middle of the lot to separate units. In addition to reducing the units to a 1 car garage/carport as opposed to the original 2 car garage.

My concern as a home owner just 2 residences from this development is the number of units is **still too excessive** for the lot size. The development looks exactly the same as the original plans presented on 5/19/2019 and it does not look like the recommendations to break up the units was considered. The roofline is continuous and makes the townhomes look like 2 separate buildings as opposed to individual units. Other townhome projects on Seabright have tastefully structured the units like the one on Jacob's lane. The Jacob's lane townhome development took over 3 lots and there are only 11 units.

I am aware that a traffic study was done and with the 9 unit development will only add 1% of daily traffic to Seabright Ave. The existing traffic on Seabright is **far too excessive** in fact cars back up Friday and Saturday afternoons on Seabright from Murray past James street which makes it difficult to get in and out of our driveway.

In conclusion I don't think we need this additional density on a residential street that is already highly trafficked. I believe a **6 unit development** should be the max consideration for 914/916 Seabright.

Sincerely,

Denise Kubick  
Owner 1002 Seabright Ave.

**From:** [Jenny Billings](#)  
**To:** [City Plan](#)  
**Subject:** 914-916 seabright  
**Date:** Tuesday, May 05, 2020 10:15:28 PM

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Dear Santa Cruz planning commission ,

I am aware of the 9 plex apartment plan under review for 914-916 Seabright Ave. I do not feel this plan is the best for Santa Cruz and the Seabright neighborhood. This plan offers limited parking, invasion of privacy, due to the projected building height, and the projected apartments do not match the feel of the neighborhood. I do not wish for the project to be constructed at this time.

Thank you,  
Jenny Billings

**From:** [Raymond A Kubick III](#)  
**To:** [City Plan](#)  
**Subject:** 914/916 Seabright Avenue Development Plans  
**Date:** Wednesday, May 06, 2020 7:10:51 AM

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May 6, 2020

Attention: Santa Cruz City Planning Department

Re: 914/916 Seabright Avenue Revised Plans

To whom it may concern,

I have reviewed the revised plans posted earlier this week for the proposed development of 914/916 Seabright Avenue. I appreciate the effort to improve the appearance of the units from the front (lower maximum roofline, dormers/carport/deck to break up the roofline).

When comparing this design to the recent development at Jacobs Lane, the two blocks of units still look like more of a motel with one break in a continuous roof line than townhomes. With a small garage in the new design, at least 1 car from each home will be parked elsewhere, either in overflow parking or on the street. Only the carport will be used for parking.

I believe that a 6 unit development would allow the ability to break up the, now two solid roof lines, and would allow more realistic parking on the premises.

Please recommend a design that allows a varied roofline and allows for realistic parking on premises, either through larger overflow.

Thank you for your consideration.

Ray Kubick

Homeowner, 1002 Seabright Avenue

Attachment 6

34.78

**From:** [Tracey Weiss](#)  
**To:** [City Plan](#)  
**Subject:** 914 - 916 Seabright Ave  
**Date:** Tuesday, May 05, 2020 10:22:18 PM

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Dear Santa Cruz Planning commission ,

I am aware of the 9 plex apartment plan under review for 914-916 Seabright Ave. I do not feel this plan is the best for Santa Cruz and the Seabright neighborhood. This plan offers limited parking, invasion of privacy, and due to the projected building height the projected number of apartments do not match the feel of the neighborhood. The traffic up and down Seabright is already congested, adding more units is not in the best interest of our community. I do not wish for the project to be constructed at this time.

Thank you for your time and consideration,  
Tracey Weiss

**From:** [wwadlow@sbcglobal.net](mailto:wwadlow@sbcglobal.net)  
**To:** [City Plan](#)  
**Subject:** Comments on Item 4, May 7, 2020 Planning Commission Meeting: Public Hearing on 914/916 Seabright Avenue CP18-0187  
**Date:** Tuesday, May 05, 2020 8:30:26 PM

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Dear Members of the Planning Commission:

I write in support of staff's request for a continuance of this item to the hearing of May 21, 2020. Staff notes that the applicant did not provide a photo simulation and/or detailed rendering of the proposed project as part of their proposed redesign. As a resident of Sumner Street near the proposed development, I would appreciate the ability to review the required submittal to more fully understand the elements of the redesign as viewed from Seabright Avenue.

I have additional comments which I provide here in the hopes that, if a continuance is granted, the applicant or city staff will have sufficient time to provide answers.

1. I appreciate the applicant's efforts to reduce the massing of the project in response to direction regarding the redesign. Thank you.
2. The Cover Sheet of the Tentative Map Application included in the online plan set indicates that the water provider will be the Soquel Creek Water District. As this location is squarely within the service area of the Santa Cruz Water Department, I suspect that this is an error in the plan set. Could you please confirm or correct my understanding?
3. Thank you for providing a locking system that ensures the vehicular access to Sumner Street will be limited to emergency vehicles and sanitation trucks. Would it be possible to schedule sanitation service to Sumner Street from the same trucks that use the new access so that the total number of truck visits--and attendant noise and exhaust fumes--does not increase for existing Sumner Street residents as a result of the proposed development?
4. I note that new, unimpeded public pedestrian access from Seabright Avenue to Sumner Street continues to be proposed. The agenda report justifies this on the basis of reduced walking distance (1,000 feet) to Seabright Beach for Sumner Street residents, and as being in conformance with the General Plan and Local Coastal Program policies. This is a theoretical construct as virtually all of our neighbors on Sumner Street-- most of whom we know well-- access the beach via Frederick Street steps to the harbor and hence to the beach, rather than travelling down frequently traffic choked Seabright Avenue.

Further, the agenda report makes reference to this increased access supporting the City's new Health In All Policies Ordinance. The new ordinance specifically includes support for public safety in the Findings, and this raises an additional concern with

**Attachment 6**

regard to the access from Seabright Avenue to Sumner Street. Our neighborhood already experiences petty theft from vehicles parked on Sumner Street, as well as from our garages. In a discussion a couple of years ago with a Santa Cruz Police Officer, he noted that our neighborhood is along “the route” between Ocean View Park and Arana Gulch. Additional access which will accommodate not only pedestrians but bicycles will very likely increase access to (and potential escape from) our cul-de-sac, resulting in an increase in crime in our neighborhood. If residents of the proposed development choose to park their vehicles near the end of Sumner Street and walk through to their residences, this will increase the number of potential targets for crime.

Finally, if residents of the proposed development do choose to park their vehicles on Sumner Street and walk through to their residences, the additional vehicles will add to the large number of vehicles already parked at the end of the cul-de-sac (sometimes 3 deep from the curb under current conditions). The curb cut for vehicular access through the proposed development will reduce curb space for parking. This will make access for fire trucks even more difficult than it is currently-- and I note that a hydrant (with its further necessary reduction in curbside parking) is indicated immediately adjacent to the proposed pedestrian walkway, where new residents would be most likely to park.

Again, I provide these comments now so that, if the continuance is granted, city staff and the applicant have time to respond prior to the May 21 hearing.

Sincerely,

Walt Wadlow  
548 Sumner Street

Sent from Windows Mail

**From:** [barry streamline](#)  
**To:** [City Plan](#)  
**Subject:** CP 18-0187 APN011-123-66 Townhouse development at 914 and 916 Seabright Ave.  
**Date:** Wednesday, May 06, 2020 9:35:22 AM

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Planning Commission.....City Council

Dear Sirs,

As a family member of the co-owners of the lot, 910 Seabright Ave, which has been family owned from 1906 to present, I am strongly OPPOSED to the nine townhouse development next door, proposed for 914 and 916 Seabright Ave.

A large, two story, 9 townhouse development will basically tower over 910 Seabright, and the other residents on nearby plots, thus denying the occupants any semblance of privacy, let alone a feeling of having "real" neighbors. Nobody wants to live next to a giant project like the proposed, so appeal to reside in the neighborhood is immediately and drastically diminished if this project is built as described.

It offers no green-space as buffers to it's immediate neighbors, plus traffic, parking and the additional noise will definitely increase and cause increased concern.

This project would be a more appropriate fit with other like builds throughout the county. Downtown perhaps? It's just too big and is not an appropriate residential size! *Residential/Low Density* are the key words here!

Finally, I find it a highly unacceptable time to to repeat this proposal, when there can be no public attendance at the council meeting due to our current Covid pandemic.

I vote NO on this development on this residential block!

Please confirm receipt of this email with a reply.

And thank you for your time.  
Barry Hall

**From:** [Bruce Ashley](#)  
**To:** [City Plan](#)  
**Subject:** Comment on 914/916 Seabright Avenue CP18-0187  
**Date:** Wednesday, May 06, 2020 11:47:29 AM

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Gentlepeople of the Planning Commission,

As a resident of the Seabright neighborhood within a block of the planned development at 914/916 Seabright Avenue I'd like to make a comment. In the 33 years that my wife and I have enjoyed living on Owen Street in Seabright we've seen some changes. Primarily an increase in traffic on Seabright Avenue and a shift from owner occupied homes to rentals. As much as I respect the desire of the City Fathers to create affordable housing for our teachers, public service workers and other "middle class" citizens, I don't think the proposal in question is the right idea for our neighborhood or the city in general.

The biggest negative in my mind is the fact that our city is in denial about the relationship we have with our water supply. Despite the best intentions of our elected officials and dedicated Water Commission, Advisory Committee and Water Department Staff, we have not solved our "water problem". And this is not just a matter of having enough water for residential and business use; we, as a community, are unresponsive to the pending extinction of an endangered races of ocean going fish. Despite the reminders of the legal and ethical violations of the protections for Salmon and Steelhead from State and Federal officials, the City of Santa Cruz has taken steps to assure future water supply with blatant disregard for the Public Trust. We have no excuse for not keeping our city's growth under control just on the basis of water use alone. Please consider these animals as an indicator species and a reminder that we need to work in harmony with nature.

Secondly, this proposed project will only increase the already oversold traffic situation on Seabright Avenue, which was never designed to handle the current levels. In short, this development proposal is out of touch with the character of the neighborhood and infrastructure capacity. Please do the right thing and keep Seabright livable.

Best Wishes,  
Bruce Ashley

**From:** [Bonnie Bush](#)  
**To:** [Tess Fitzgerald](#)  
**Subject:** FW: 914/916 Seabright Avenue  
**Date:** Wednesday, May 06, 2020 11:22:42 AM

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*Bonnie Bush, CMC*

City Clerk Administrator

City of Santa Cruz

831-420-5035

**As part of the COVID-19 response, City offices will be closed beginning March 17, 2020. Accordingly, our response times for public records act requests during this closure will be delayed. We will, however, diligently process any pending requests as staff time permits or upon our return. In the meantime, thank you for your patience.**

**From:** Quincy Allison [mailto:quincydallison@gmail.com]  
**Sent:** Wednesday, May 06, 2020 11:18 AM  
**To:** Bonnie Bush  
**Subject:** 914/916 Seabright Avenue

Dear Planning Commission,

We own and live at 526 Sumner Street adjacent to the proposed development to the east.

We are very concerned about the possibility of non-emergency vehicle and pedestrian access from Sumner Street to 914/916 Seabright Avenue. This access would increase traffic and reduce parking on our already busy and congested cul-de-sac. This would also increase traffic and parking on Seabright Avenue which could create a safety issue if fire and rescue efforts are inhibited.

As for the development itself, we don't feel it is a good fit with our neighborhood. The sheer size and height are something we will have to look at every day while losing all privacy in our backyard.

We also don't believe the proposed two visitor parking spots are adequate for a 9-unit complex.

Please consider our concerns when making your decision about allowing this

**Attachment 6**

project to move forward.

Sincerely,

Lori and Quincy Allison

**From:** [Rebecca Silver](#)  
**To:** [City Plan](#)  
**Subject:** 914-916 Seabright development  
**Date:** Wednesday, May 06, 2020 1:29:39 PM

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Dear Santa Cruz planning commission,

Regarding the 9-plex apartment plan under review for 914-916 Seabright Ave:

This project would have an adverse impact on Santa Cruz and the Seabright neighborhood due to its limited parking, invasion of privacy, and the mismatch between the existing feel of the neighborhood and the building height/layout.

I wish to express my opposition to this project's approval.

Thank you,  
Rebecca Silver  
Hagemann Ave, Santa Cruz

**From:** [Alison Russell](#)  
**To:** [City Plan](#)  
**Subject:** Public comment re 914-916 Seabright Avenue, proposed project  
**Date:** Wednesday, June 03, 2020 11:59:17 AM

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Dear Santa Cruz Planning Commission:

I am submitting additional comments with regard to the continued Item 4 from the May 7, 2020 agenda, 914-916 Seabright Avenue, CP18-0187.

My name is Alison Russell. I am a homeowner at 548 Sumner Street and would be directly impacted by this development. My comments are as follows:

1. A major issue with the proposed project is that it will add traffic, parking and pedestrians/cyclists onto Seabright Avenue. Seabright Avenue is not a transportation corridor, and has two extremely problematic intersections at either end. It also has had several accidents involving pedestrians and cyclists. The project needs to reduce the number of units so that there is ample room on the property for vehicles, including emergency vehicles. It would NOT be a solution to pour traffic onto Sumner Street, which already is overly crowded with vehicles and has several households with small children who play in the street.
2. The project attempts to shoehorn too many units into a space that should accommodate fewer units, plus open space. To better reflect the local, historic neighborhood, the project should focus on fewer units, adequate space for vehicles, and more open space. More green space would also partly offset the project's increased contributions to climate change, per the City's stated climate change commitment.
3. The proposed project will potentially bring several problems to the Sumner Street community. Each of these potential problems should be evaluated and solutions developed before the project goes forward.
  - a. Because the proposed units are to be rented out initially, there is a high likelihood that groups of students could be the tenants. Sumner Street neighbors are concerned that parking, traffic, parties, drug use, trash and other problems could impact our street, making existing problems worse—including impeding access by fire trucks or ambulances.
  - b. Sumner Street cannot handle additional parking and traffic from residents and/guests of the proposed project. The City must provide signage that directs those residents and guests to park only in spaces provided by the project on project property.
  - c. Trash, green waste and recycling trucks should be required to enter and exit the proposed project from Seabright only. The proposed gate onto already crowded Sumner Street should be used **in emergencies only**.
  - d. Residents of Sumner Street are very concerned that the proposed public pedestrian easement will bring more property crime into our neighborhood. If the purpose of the walkway is to help provide access for project residents to the beach, as one staff report suggested, then the walkway should lead from the project to Seabright. **It should not link the project to Sumner, and it should definitely not link Seabright to Sumner.** No one needs a shortcut from Seabright up Sumner to Windham, or vice versa. The proposed walkway will reduce the privacy and security of Sumner Street neighbors and should not be included as shown in the design.
4. The existing property already provides housing for three low-to-moderate income

households. The two units facing Seabright represent the history, charm and character of the Seabright neighborhood. They should be left in place, refurbished, and continued to be rented to low-income residents as part of the larger project. Also, shouldn't the City require that at least two of the proposed units be inclusionary, rather than the one envisioned by the proposed project? Although the project was submitted under the previous 15% inclusionary rate, it would be preferable that it follow the 20% rate, as the law currently requires. Doing so would go further towards addressing the City's serious need for affordable housing.

Thank you for this opportunity to provide comment.

Sincerely,

Alison M. Russell  
548 Sumner Street  
Santa Cruz, CA 95062  
(831) 588-9455

**From:** [Alison Russell](#)  
**To:** [City Plan](#)  
**Subject:** Public comment re 914-916 Seabright Avenue, proposed project  
**Date:** Wednesday, June 03, 2020 11:59:17 AM

---

Dear Santa Cruz Planning Commission:

I am submitting additional comments with regard to the continued Item 4 from the May 7, 2020 agenda, 914-916 Seabright Avenue, CP18-0187.

My name is Alison Russell. I am a homeowner at 548 Sumner Street and would be directly impacted by this development. My comments are as follows:

1. A major issue with the proposed project is that it will add traffic, parking and pedestrians/cyclists onto Seabright Avenue. Seabright Avenue is not a transportation corridor, and has two extremely problematic intersections at either end. It also has had several accidents involving pedestrians and cyclists. The project needs to reduce the number of units so that there is ample room on the property for vehicles, including emergency vehicles. It would NOT be a solution to pour traffic onto Sumner Street, which already is overly crowded with vehicles and has several households with small children who play in the street.
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  - b. Sumner Street cannot handle additional parking and traffic from residents and/guests of the proposed project. The City must provide signage that directs those residents and guests to park only in spaces provided by the project on project property.
  - c. Trash, green waste and recycling trucks should be required to enter and exit the proposed project from Seabright only. The proposed gate onto already crowded Sumner Street should be used **in emergencies only**.
  - d. Residents of Sumner Street are very concerned that the proposed public pedestrian easement will bring more property crime into our neighborhood. If the purpose of the walkway is to help provide access for project residents to the beach, as one staff report suggested, then the walkway should lead from the project to Seabright. **It should not link the project to Sumner, and it should definitely not link Seabright to Sumner.** No one needs a shortcut from Seabright up Sumner to Windham, or vice versa. The proposed walkway will reduce the privacy and security of Sumner Street neighbors and should not be included as shown in the design.
4. The existing property already provides housing for three low-to-moderate income

households. The two units facing Seabright represent the history, charm and character of the Seabright neighborhood. They should be left in place, refurbished, and continued to be rented to low-income residents as part of the larger project. Also, shouldn't the City require that at least two of the proposed units be inclusionary, rather than the one envisioned by the proposed project? Although the project was submitted under the previous 15% inclusionary rate, it would be preferable that it follow the 20% rate, as the law currently requires. Doing so would go further towards addressing the City's serious need for affordable housing.

Thank you for this opportunity to provide comment.

Sincerely,

Alison M. Russell  
548 Sumner Street  
Santa Cruz, CA 95062  
(831) 588-9455

**From:** [Sycha Spengemann](#)  
**To:** [City Plan](#)  
**Date:** Thursday, June 04, 2020 2:12:55 PM

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Planning Commission,

Again we must ask you to please NOT drop a NINE unit block of townhouses into this beautifully established neighborhood. Strange that you are even considering such a dense thing in this time of "social distancing"

With concern,  
Bill and Sycha Spengemann  
213 Clinton Street  
Santa Cruz Ca 95062

**From:** [Mario Singleterry](#)  
**To:** [City Plan](#)  
**Cc:** [Samantha Haschert](#)  
**Subject:** 916 Seabright (for inclusion into the Planning Commission meeting 6/4/2020)  
**Date:** Wednesday, June 03, 2020 9:39:05 PM

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Dear Planning Commission,

We have lived in our current home for 39 years. Our home and adjoining rental property lie within 200 feet of 916 Seabright. We are neighbors and property owners (301 A&B Clinton Street and 303 Clinton Street) who will be directly impacted by the proposed development of 916 Seabright.

Having examined the redesigned plans, we would like to thank the architect for consideration of our previous concerns from the original design, especially the lowering of the height and the configuration of the roof shape.

We still have the following concerns:

- There are still 27 bedrooms in this plan which could translate to the possibility of up to 27 tenants or more. Overcrowding ultimately means a loss of living quality and also lessened property values for the surrounding property owners.
- Issues of traffic, parking and noise generally arising from the high density of this development, from impacts to Seabright Avenue as well as Sumner Street.

Our suggested changes are:

- Consider eliminating two of the original nine units. This would allow for more open space, better quality of light and air, less density and crowding, and a better overall sense of landscape and greenery. This would enhance the living experience for the remaining tenants and nearby neighbors.
- Consider changing the frontmost and backmost units to two bedrooms instead of three. This could lessen the massive profile with a tapering effect at each end of the building mass.
- For new tenants coming into our neighborhood, consider what values would be important to them—some garden elements, visually interesting spatial features, and a sense of fitting in with the neighborhood and the patterns of the existing architecture

We appreciate the efforts of the architect to try to integrate some visual elements of the surrounding Seabright neighborhood into the exterior facade.

We also appreciate the move towards providing needed housing, but we ask only for some balance and moderation in this attempt. We want to encourage good housing and hope for a good living experience for the future tenants. But we are hoping that it will not be at the expense of the established neighbors or neighborhood.

If every lot in Seabright was built out to the allowable limits of their properties with buildings and driveways, there would likely be an atmosphere of massive over-crowding and a degradation of the quality of life in the neighborhood. Maybe one thing that we have learned from the ongoing Coronavirus situation which may be with us for a long time to come, is the fact that it may be that we need to reconsider our reliance on solutions with more density and crowding as a normal part of growth and environmental planning.

The Seabright neighborhood is a unique and very special place, and as we build and make changes we must strive to preserve the elements that make it interesting and special to begin with.

Sincerely,  
Mario Singleterry & Lorraine Fukuda  
303 Clinton Street

**From:** [City Plan](#)  
**To:** [Mario Singleterry](#)  
**Subject:** RE: Planning Commission meeting 5/7/2020 (regarding 916 Seabright)  
**Date:** Monday, May 11, 2020 9:27:00 AM

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Hi Mario,

Your original correspondence (which I did receive), and all other correspondence received to the item will be forwarded to the Commission for the hearing on 5/21, and will be included in the record of the item. Anyone else that wants to submit comments may do so to the [cityplan@cityofsantacruz.com](mailto:cityplan@cityofsantacruz.com) email address up until 5:00 p.m. on 5/20/20.

As a matter of procedure, any correspondence received after 5:00 p.m. the Wednesday before the hearing is still included in the record (email received after a hearing is not--but this matter wasn't heard, so I collect them and forward them to the actual hearing date), the Commissioners just don't get the benefit of reading them prior to the hearing.

Have a good day!

Tess Fitzgerald  
Clerk to the Planning Commission

-----Original Message-----

From: Mario Singleterry [<mailto:masingle@ucsc.edu>]  
Sent: Thursday, May 07, 2020 3:14 PM  
To: City Plan <[cityplan@cityofsantacruz.com](mailto:cityplan@cityofsantacruz.com)>  
Subject: Planning Commission meeting 5/7/2020 (regarding 916 Seabright)

I sent an email yesterday submitting my comments regarding one of the topics of the upcoming Planning Commission meeting originally scheduled for 5/7/2020. I sent this email to you yesterday (5/6) at 4:40 p.m. which was later than the 12 noon deadline for comments. I had mistakenly thought that the deadline was 5 p.m. This means that my comments were not submitted in time, and thus were probably not accepted by your agency.

However, now it has been announced that this meeting has been postponed until 5/21/2020.

Does this mean that the period for submitting comments has been extended? I do know of a couple of people that missed the deadline.

Does this mean that the email that I sent on 5/6 is still valid and my comments are accepted, or not?

Could you please check and see if you did receive my email?

Thank you.

Sincerely,  
Mario Singleterry

**From:** [Nathaniel Brown](#)  
**To:** [City Plan](#)  
**Subject:** 914/916 Seabright Ave  
**Date:** Monday, May 25, 2020 8:26:31 AM

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The construction of a nine-unit townhouse isn't what this city needs. Low income housing would benefit the community more by providing housing for people who work regular jobs within the city of Santa Cruz.

**From:** [Sage Smiley](#)  
**To:** [City Plan](#)  
**Subject:** 916 Seabright Ave  
**Date:** Tuesday, May 19, 2020 2:42:42 PM

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This letter is to comment on the proposed project at 916 Seabright Ave. We live next to the back half of the property, at 527 Sumner St.

Our first comment is that we greatly appreciate the reduction in height. That 5 or 6 feet will make a substantial difference in the impact this development will have on our lives. However, while the new division into two buildings was suggested, it seems a minimal difference as designed. The two buildings are still monolithic structures quite out of proportion with all the surrounding and nearby homes. When the planning commission asked that the design be amended to reflect a more appropriate fit in the neighborhood, I assumed more of a change than this indicated.

We are very concerned about the proposed walkway. I have been trying to understand the purpose of this walkway. I have owned this house for many years. Walking to the beach or the Seabright stores is something we do frequently, and we have never once wished we had a shortcut as walking is part of our goal, and we love our neighborhood. It is the primary way I have gotten to know our neighbors, my son has met other kids nearby and we feel like a community. WE do not need or want a walkway.

This cul de sac (Sumner St) houses a combination of home owners and renters and there is never enough parking. Many times we have had to park around the corner on Windham St. If there is easy access from Sumner to these new units, any guests of or third cars for residents there will likely park on our street.

We also have fairly regular occurrences of crimes of opportunity. If we leave a car unlocked it is noticed, entered, rifled through and any valuables taken. Packages are taken, even backyard furniture. This seems to be normal for Santa Cruz, but by creating a new access route where one does not currently exist, I am fairly certain this activity will increase. Our feeling is that this walkway has more negative effects than positive.

The plans show the walkway as connecting the units to Sumner St, and the walkway as shown in the drawings is right along our property line. We would like to know if there are set back requirements for a walkway, also is there a plan for a fence there as there is along the property line?

We would like to see if the plan could be revised to make the fence between our property and the project 8' tall instead of 6' tall. As you may see from the drawings, our home is not facing the street like most. Our house is turned to the side, facing this new project. We have a barrier of plants between us, but we will be losing much of our privacy. Our living room and master bedroom has large windows that face south, looking directly at the property. Our yard, where we spend much of our time, especially now while in lockdown, will also be in direct line of sight to the front of these townhomes, and the new 2nd story balcony. An 8' tall fence would help with this, as well as possibly decreasing sound intrusion from our 9 new neighbors next door.

Lastly, assuming this project goes ahead, we will likely be living next to a major construction

project for a year, year and a half. We have heard that the city rules require that construction cannot start each day before 8 am, however vehicles and machines may arrive and noisily so at earlier times. We would ask this this start time include the arrival of all construction vehicles, for the peace of all our neighbors. We are trying to imagine how we will live next to this, working from home for the next long while. Thanks!

Sage Smiley & Fred Aron  
527 Sumner St.

**From:** [Lani Hall](#)  
**To:** [City Plan](#)  
**Subject:** CP 18-0187 APN011-123-66 Townhouse development at 914 and 916 Seabright Ave  
**Date:** Thursday, June 04, 2020 4:17:46 PM

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Planning Commission.....City Council

Dear Sirs,

As a family member and co-owner of the lot, 910 Seabright Ave, from 1906 to 2020, I am strongly OPPOSED to the nine townhouse development next door, proposed for 914 and 916 Seabright Ave.

A large 9 townhouse development will shade and loom over 910 Seabright, will impact traffic and parking on Seabright Ave, and is not an appropriate residential size.

I also find it an highly inappropriate time to to repeat this proposal, when shelter-in-place is ordered, and there can be no public attendance at the council meeting.

I vote NO on this development on this residential block!

Please confirm receipt of this email with a reply. And thank you for your time.

Sincerely,  
Lani Hall



CITY ATTORNEY

PO BOX 481, SANTA CRUZ, CA 95061-0481 • 831 420-6200 • Fax: 831 576-2269 • www.cityofsantacruz.com

## MEMORANDUM

May 21, 2020

**TO:** Lee Butler, Planning and Community Development Director;  
Eric Marlatt, Assistant Director;  
Samantha Haschert, Principal Planner

**FROM:** John G. Barisone, Deputy City Attorney

**RE:** 914/916 Seabright Project – Application of Density Bonus Statute

**CC:** Tony Condotti, City Attorney

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### 1. *Introduction*

You advise that the proposed captioned housing development qualifies for density bonuses and development standard waivers under the California density bonus statute, California Government Code Section 65915. Here the applicant has requested only a waiver for the project in the form of a reduction in the amount of open space the project would otherwise be required to provide. The project proposes open space in the amount of 2,902 square feet; absent the waiver the applicable City standard would call for 3600 square feet. In addition, two of the nine units will provide 70 square feet of private open space whereas the applicable City standard is 100 square feet. The other seven units each provide 122-125 square feet of private open space.<sup>1</sup>

### 2. *Reduced Unit Size Inquiry*

You ask whether the City has the authority to require the developer to reduce unit size so as to eliminate the need for the developer to request an open space modification, thereby allowing the City to fully enforce its otherwise applicable open space development standards.

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<sup>1</sup> The applicant has not requested a density bonus despite the fact that the project, offering a minimum of ten percent affordability, legally qualifies for a density bonus. (Government Code Section 65915(b)) A density bonus, if requested, must be granted by the City unless the City demonstrates, by way of substantial evidence that the density bonus concession sought by the applicant will not financially facilitate provision of the project's affordable units (Government Code Section 65915(d)) Reduction of open space otherwise required by a city's development standards can be requested in the form of a density bonus as well as in the form of a waiver (Government Code Section 65915(c)). Accordingly the applicant in this case has the option of requesting an open space reduction by way of a density bonus which would not require a "physical preclusion" determination.

Based upon my review of the California density bonus statute, the limited case law interpreting that statute and pertinent treatises concerning the statute, if presented with this question in the context of this project, in my opinion a court would conclude that the City could not exercise this authority for the purpose of denying a modification that the statute allows the developer to request in exchange for the provision of affordable housing units.

The California density bonus statute at Government Code Section 65915(e) unequivocally states, “In no case may a city...apply any development standard that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b)”, i.e. a project which qualifies for a density bonus or waives by virtue of its affordable housing component. Subdivision (e) proceeds to authorize the developer to determine what development standards in its estimation must be waived to accommodate the subdivision (b)-compliant housing project: “Subject to paragraph (3) [not applicable here], an applicant may submit to a city...a proposal for a waiver or reduction of development standards that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted under this section...”. In other words, once the developer submits a housing development application that qualifies for a Section 65915 density bonus, the developer is entitled to waivers/reductions of development standards that, if fully applied, would physically preclude the proposed development’s construction. And the City is without authority to enforce a development standard that would physically preclude construction of the project as proposed by the developer. The only exception to this rule is a case in which the proposed development standard waiver/reduction “would have a specific, adverse impact...upon health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.” Government Code Section 65915(e)(1)

The statute does not authorize a city to require the developer to redesign the project so that the need to modify a development standard is eliminated thereby allowing the city to fully apply that development standard to the project. The court of appeal in *Wollmer v. City of Berkeley* (2011) 193 Cal. App. 4<sup>th</sup> 1329 made it clear that it is the density bonus project *as proposed by the developer* which determines the need for a development standard waiver/reduction. In *Wollmer* a density bonus project opponent argued that the city wrongfully allowed a series of development standard modifications when it could have required the developer to redesign the project to eliminate the need for development standard modifications. On this point the court, at pages 1346-1347 of its decision, stated:

Second, nothing in the statute requires the applicant to strip the project of amenities, such as an interior courtyard, that would require a waiver of development standards. *Standards may be waived that physically preclude construction of a housing development meeting the requirements for a density bonus, period...* The statute does not say that what must be precluded is a project with no amenities, or that amenities may not be a reason that the waiver is needed. *Wollmer’s* argument goes nowhere. Had the City failed to grant the waiver and variances, such action would have had the effect of physically precluding the

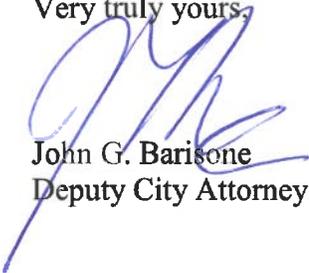
construction of the development meeting the criteria of the density bonus law. If the project were not built, it goes without saying that housing units for lower income households would not be built and the purpose of the density bonus law to encourage such development would not be achieved. The trial court properly interpreted the statute, and the City proceeded in the manner *required by law* in granting the waivers.” (emphasis added)

With respect to the Seabright project, the size of the units and the number of bedrooms they offer are certainly amenities that the developer took into account in designing the proposed housing development. Accordingly, in our opinion, a court, applying the *Wollmer* rationale, would in all likelihood conclude that the applicant here is entitled to the requested modifications and cannot be compelled by the City to reduce project square footage or bedroom count so as to increase project open space to City standards. In *Wollmer*, the developer requested development standard waivers reducing setbacks, increasing stories and increasing building height so as to accommodate project amenities in the form of a project interior courtyard, a project community plaza, fifteen foot ceilings in the project’s commercial units and nine foot ceilings in the project’s residential units. By comparison the waiver requested by the applicant here to facilitate unit size and bedroom count, i.e. a reduction of 698 square feet of project open space and sixty square feet of private open space, is modest.

It should be noted that the penalty for enforcing a development standard in contravention of Section 65915(e) is significant. The statute provides, “If a court finds that the refusal to grant a waiver or reduction of development standards is in violation of this section, the court shall award the plaintiff reasonable attorney’s fees and costs of suit.” Government Code Section 65915(e)(1)

I trust the foregoing is responsive to your inquiry. Please call if I can be of further assistance.

Very truly yours,



John G. Barisone  
Deputy City Attorney

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



## PLANNING COMMISSION

### Regular Meeting MINUTES

May 16, 2019

7:00 P.M. **GENERAL BUSINESS AND MATTERS OF PUBLIC INTEREST, COUNCIL CHAMBERS**

Call to Order- The meeting was called to order at 7:07 pm.

Roll Call-Commissioners Schiffrin, Conway, Spellman, Nielsen, Singleton, Pepping present. Commissioner Greenberg present at 7:10 pm.

Absent w/notification-None.

Statements of Disqualification-Commissioner Schiffrin indicated he would be abstaining from the vote on item 3, to avoid the appearance of a conflict due to his position on the Santa Cruz Housing Authority Board.

Oral Communications-None.

### Approval of Minutes

1. Approve the minutes of May 02, 2019.

MOTION: Motion made by Commissioner Schiffrin, seconded by Commissioner Spellman, to approve the minutes of May 2, 2019, with the correction to remove the words “generally 15 minutes total” as follows:

#### ▪ **Oral Communications**

- The presiding officer may set the time limit, ~~generally 15 minutes total~~, for members of the public to address the advisory body on any item not on the agenda. Total time may be revised by the presiding officer as needed for orderly conduct of business.

ACTION: The motion passed by the following vote:

AYES: Schiffrin, Conway, Spellman,, Nielsen, Greenberg, Singleton, Pepping

NOES: None

ABSECTIONS: None

ABSENT: None

## Attachment 3

**Consent Agenda - Public Hearing**

The public hearings were opened. No members of the public addressed the Commission. The public hearings were closed.

2. **155 River Street South APN 005-053-28 CP19-0009**

Special Use Permit to allow for the establishment of a high-risk alcohol outlet consisting of a cafe with beer and wine service in an existing comedy club (DNA’s Comedy Lab) and within 600 feet of another high risk alcohol outlet on a parcel located in the CBD/FP-O (Central Business District/Floodplain Overlay) zone district and within the Front St/Riverfront subarea of the Downtown Plan.

Applicant Mike Pappas addressed the commission.

**MOTION:** Motion made by Commissioner Schiffrin, seconded by Commissioner Greenberg to acknowledge the environmental determination and approve the Special Use Permit based on the attached Findings and Conditions of Approval in Exhibit "A".

**ACTION:** The motion passed by the following vote:

- AYES: Schiffrin, Conway, Spellman, Nielsen, Greenberg, Singleton, Pepping
- NOES: None
- ABSENTIONS: None
- ABSENT: None

3. **2929 Mission Street CP19-0049**

Major Modification of existing permit (CP14-0156) to expand a fitness facility (Toadal Fitness) within an existing building in the PF/CZO/SPO zone district. (Environmental Determination: Categorical Exemption)

**MOTION:** Motion made by Commissioner Schiffrin, seconded by Commissioner Greenberg to acknowledge the environmental determination and approve the Major Modification to a Special Use Permit based on the findings listed below and the Conditions of Approval listed in Exhibit “A”.

**ACTION:** The motion passed by the following vote:

- AYES: Conway, Spellman,, Nielsen, Greenberg, Singleton, Pepping
- NOES: None
- ABSTENTIONS: Schiffrin
- ABSENT: None

**General Business**

4. **2020-2024 Capital Improvement Program Consistency with General Plan**

-

**Attachment 3**

Principal Planner Sarah Fleming presented the staff report.

No members of the public addressed the Commission.

**MOTION:** Motion made by Commissioner Conway, seconded by Commissioner Nielsen making the finding the 2020-2024 proposed Capital Improvement Program is consistent with the General Plan (GP 2030).

**MOTION:** Motion made by Commissioner Schiffrin to amend the main motion to amend the Downtown library project description in the first year of the Capital Improvement Program to “early phase design and development of downtown library”.

**ACTION:** Motion to amend the main motion failed due to lack of a second.

**ACTION:** The main motion passed by the following vote:

AYES: Conway, Spellman, Nielsen, Greenberg, Singleton, Pepping

NOES: Schiffrin

ABSENTIONS: None

ABSENT: None

## Public Hearings

### 5. [914/916 Seabright Avenue CP18-0187](#)

Tentative Map, Design Permit and Residential Demolition Authorization Permit to demolish three residential units and construct a nine-unit townhouse development on a 21,237 square foot parcel located within the Multiple Residential - Low Density (R-L) zone district. (Environmental Determination: Categorical Exemption) (Derek Van Alstine applicant/Filed: 10/17/18)

Michael Ferry, Senior Planner presented the staff report to the Commission. Applicant Derek Van Alstine and Assistant Public Works Director Christophe Schneider addressed the Commission.

The public hearing was opened.

The following members of the public addressed the Commission: Scott Harriman; unidentified speaker; Sage Smiley; Katherine Norton; Candace Brown; Fred Aron; Gail Jack; Evan Siroky; Ruth Miller; Jane Mio; David Hill; Greg Bengtson.

The public hearing was closed.

**MOTION:** Motion made by Commissioner Schiffrin, seconded by Commissioner Greenberg, to continue the public hearing, send the project back for redesign to reduce the massing, to stay within the density range, and if possible, to provide diversity of housing types within that range and return to the Planning Commission when the project is ready to review. Consideration of the application of the density bonus shall not be precluded.

# Attachment 3

34,104

**ACTION:** The motion passed by the following vote:

AYES: Schiffrin, Conway, Spellman, Nielsen, Greenberg, Pepping  
 NOES: Singleton  
 ABSECTIONS: None  
 ABSENT: None

6. [601 Branciforte Drive CP18-0075](#)

Lot line adjustment, Design Permit, Slope Variance, and Watercourse Development Permit to combine four lots and construct a 3,264 square foot single family dwelling on a substandard lot, on a slope exceeding 30 percent, and within the setback areas of a Category "A" Watercourse, on a site in the R-1-7 (single family residential) and F-P (Flood Plain) zone district. This project includes the removal of three Heritage sized trees. (Environmental Determination: Exempt pursuant to CEQA Guidelines Section 15183)(Courtney Hughes, Applicant/Filed 4/17/2018)

Clara Stanger, Associate Planner, presented the staff report to the Commission.

Applicant Courtney Hughes addressed the Commission.

The public hearing was opened.

The following members of the public addressed the Commission: Frank Menagle

**MOTION:** Motion made by Commissioner Singleton, seconded by Commissioner Spellman, to acknowledge the environmental determination and approve the Lot Line Adjustment, Design Permit, Slope Variance, and Watercourse Development Permit based on the findings listed below and the Conditions of Approval listed in Exhibit "A".

**ACTION:** The motion passed by the following vote:

AYES: Conway, Spellman, Nielsen, Greenberg, Singleton, Pepping  
 NOES: Schiffrin  
 ABSECTIONS: None  
 ABSENT: None

**Information Items**-Principal Planner Eric Marlatt advised the Commission the 517 High Street right of way application and the appeal of the medical facility at 110 Cooper Street will be heard at the June 6, 2019 meeting.

**Subcommittee/Advisory Body Oral Reports**-Commissioner Schiffrin advised the Coastal Resilience TAC held a virtual meeting and will be meeting about the Local Coastal Program amendment process in the next few months.

**Adjournment-** The meeting adjourned at 10:34 pm.

Attachment 3

34.105



## PLANNING COMMISSION AGENDA REPORT

DATE: May 10, 2019

AGENDA OF: May 16, 2019

ITEM NO.: CP18-0187

914/916 Seabright Avenue

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**RECOMMENDATION:** That the Planning Commission recommend to the City Council acknowledgment of the environmental determination and approval of the Tentative Map, Design Permit and Residential Demolition Authorization Permit to demolish three residential units and construct a nine-unit townhouse development on a 21,237 square foot parcel located within the Multiple Residential - Low Density (R-L) zone district, based on the Findings listed in the attached Draft Resolution and the Conditions of Approval listed in Exhibit A.

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### PROJECT DATA

Property Owner: Houston Family Trust APN: 011-123-66  
Applicant: Derek Van Alstine

Application type: Tentative Map, Design Permit and Residential Demolition Authorization Permit to demolish three residential units and construct a nine-unit townhouse development on a 21,237 square foot parcel located in the R-L zone district.

Zoning: Multiple Residence-low density (RL) Coastal Zone Overlay (CZO)  
Project Consistency: Consistent with RL zoning; CZO Exclusion Zone A  
General Plan: Low Medium Residential (10.1 – 20 DU per acre)  
Project consistency: Consistent with Low Density designation (18.4 DU per acre)

Land Use - Existing: One duplex, one single family dwelling  
- Proposed: Nine new townhomes  
- In area: Single and multi-family residential uses

Lot Area: 21,237 square feet

Lot Dimensions: Irregular shape  
Environmental Review: Categorical Exemption per State CEQA Guidelines Section 15332 (Class 32 – Infill Exemption).

Planning Staff: Michael S. Ferry, AICP

# Attachment 4

## **PROJECT DESCRIPTION/BACKGROUND**

The proposed project includes a request for a Residential Demolition Authorization Permit to demolish a duplex and a single family dwelling, a Tentative Subdivision Map to create nine townhome lots and one common lot and a Design Permit to approve nine townhomes that each include approximately 2,100 square feet of habitable floor area and a two car garage.

The applicant held a Community Outreach Meeting on Thursday November 8, 2018 from 6:00 PM to 7:30 PM at the Pacific Cultural Center in the upper Seabright neighborhood. Approximately 35 people attended the meeting. Staff summarized Zoning and General Plan requirements for the property, as well as the entitlement process for this particular project. A number of design concerns were also presented by staff including lack of a street presence, parking in front of the Seabright elevation, overall massing and lack of pedestrian access connecting Sumner Street to Seabright Avenue (see Vehicular and Pedestrian Access and Design Sections below for additional discussion). Some residents expressed a desire to maintain the existing homes as they were thought to be historic. Others agreed with staff that the unit on Seabright should face the street and that a guest parking space should be moved to the rear of the lot. The recurring comment was that the development was too tall and didn't fit into the neighborhood. Another concern was that the new residents and their guests would park their cars on Sumner and walk to the new homes. The applicants provided a summary of how they have responded to various public concerns (attached).

## **ANALYSIS**

### *Site and Surrounding Land Uses*

The project site is a 21,237 square foot rectangular lot located on the east side of Seabright Avenue approximately 130 feet north of Clinton Street. The parcel is located just north of the Seabright Area Plan boundary in the upper Seabright neighborhoods. The lot fronts on Seabright Avenue, as well as Sumner Street. The project site is bordered by single and multi-family residential developments to the north, south, east and west that includes a mix of one and two-story homes of various ages and architectural styles. Some 2 ½- three-story townhouses and apartments are located in the neighborhood, as well. The site is primarily flat and developed with a duplex and a single family dwelling.



## AGENDA REPORT

PC Meeting of May 16, 2019

SUBJECT: **914/916 Seabright Avenue – Application No. CP18-0187**

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### *Archaeological Resources*

The project site is within a mapped archeological sensitive area; there are no other mapped resources or constraints. The applicant provided an archeological report dated April 2018 that included a background records search as well as field investigation and a shovel survey at the project site. The report concluded that the parcel does not contain intact cultural resources and recommends no further action in regards to cultural resources. A condition of approval is attached requiring all construction activities to cease if unexpected resources are discovered and that the applicant hire a qualified archeologist to evaluate and prepare recommendations for a future course of action.

### *Historic Resources*

The California Environmental Quality Act Sec.21084.1 requires all properties fifty years of age or older to be reviewed for potential historic significance. A Phase I Historic Review dated October 16, 2018 was submitted to evaluate the three units to be demolished for potential historic significance. The homes are not included in the California Office of Historic Preservation-maintained "Historic Data File for Santa Cruz County". They are not listed in the California Register, or the National Register of Historic Places. Nor are they listed in the City's Historic Building Survey.

The original design of 916 Seabright Avenue has been sufficiently altered over time that it lacks any architectural distinction. The original fenestration has been compromised by replacement, in the 1970s with modern window types affecting its original materials and workmanship. The property, as modified over time, does not evoke a strong sense of time and place or feeling and association with its 1940 period of construction and no architect or builder has been identified with the property. Although the residence at 914 Seabright Avenue appears to retain most of its physical integrity as constructed in 1938, no architect or builder has been identified with its design or construction. No event of significance to the nation, state or region, nor any significant individuals during the productive period of their lives, have been identified with the existing property.

The report concludes that the residential units at 914 and 916 Seabright Avenue, lacking physical integrity and/or historic significance do not meet the necessary criterion for listing in the California Register of Historical Resources, nor do they meet the criterion established by the City of Santa Cruz to qualify for inclusion in the local Historic Building Survey, and therefore cannot be considered a historic resource as defined by CEQA. The Phase I Historic Report is attached to the staff report.

### *General Plan*

The General Plan designation for the property is Low Medium Residential which includes a density range from 10.1 – 20 dwelling units per acre. Low-Medium-Density Residential provides moderately higher densities in areas with a mix of single-family and multifamily residential uses. It accommodates a variety of residential building types that can fit within a single-family

Attachment 4

## AGENDA REPORT

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neighborhood, including low-rise apartments, condominiums, and townhomes. The proposed nine unit townhome project is consistent with Low Density designation in that it will have 18.4 dwelling units per acre. The higher end of the density range is supported by General Plan Goal LU1 that seeks residential land use intensities to ensure optimum utilization of infill parcels. General Plan Policy LU3.7 encourages higher-intensity residential uses and maximum densities in accordance with the General Plan Land Use designations while General Plan Policy LU3.7.1 allows and encourages development that meets the high end of the General Plan Land Use designation density unless constraints associated with site characteristics and zoning development standards require a lower density. Policy LU4.1 encourages a transition to higher densities along the city's transit and commercial corridors. Other than archeology, there are no mapped resources on the project site.

### *Vehicular and Pedestrian Access*

The access for the proposed development is off of Seabright Avenue, a local transit corridor. The site plan provides an internal roadway that can be used as an emergency and trash truck access connection from Seabright Avenue to Sumner Street. A locked gate (Knox Box) on the east or Sumner side of the development will prevent cut-through automobile and pedestrian access. A pedestrian path extends along the south side of the internal roadway to provide pedestrian and bicycle access for the residents of the development to Seabright Avenue.

The General Plan goals and policies noted below encourage interconnected pedestrian access. A pedestrian path at this location would reduce the walking distance from the immediate neighborhood to Seabright Avenue by approximately 1,000 feet, making it more convenient to access the neighborhood commercial uses south of the project site. Incorporating site design features such as this reduces reliance on cars incrementally reducing greenhouse gas emissions that contribute to climate change and sea level rise.

Based on the General Plan policies noted below, staff has included Conditions of Approval prohibiting the Homeowner's Association from precluding pedestrian access through the site either through signage or physical barriers.

- General Plan Policy CD3.1.4 Revise the Zoning Ordinance to require that the design of public and private development promote connectivity between neighborhoods and districts.
- Goal CD5.1 Create a well-connected street and pedestrian network.
- Policy CD5.1.1 Implement the Master Transportation Study's recommendations for improving the city's pedestrian network.
- Policy M3.3.5 Require new development to be designed to discourage through traffic in adjacent neighborhoods and to encourage bicycle or pedestrian connections.
- Goal M4 A citywide interconnected system of safe, inviting, and accessible pedestrian ways and bikeways.
- Policy M4.1.3 Encourage pedestrian travel by providing pedestrian pathways on cul-de-sac and loop streets.
- Policy M4.1.7 Require that site and building design facilitate pedestrian activity.

**Attachment 4**

Objectives and Policies from the Active Transportation Plan:

- Objective 1. Comprehensive Bicycle and Pedestrian Network Establish a comprehensive bicycle and pedestrian transportation system that is integrated with the existing City network and connected to the countywide network.
- Policies 1.1. Provide a complete bicycle and pedestrian network among residential areas, downtown and major activity centers.
- 1.2. Complete and maintain the City’s sidewalk system
- 1.3. Require new development to implement the planned bicycle and pedestrian network.

*Zoning*

The Zoning for the property is Multiple Residence Low Density (RL). The purpose of the zone district is to promote the development of multifamily townhouses, condominiums and apartments at a low to medium density of 10.1 to twenty-seven units per acre (depending on unit mix) to stabilize and protect the residential characteristics of the district and to promote and encourage a suitable environment for the lives of families and single persons. The proposed development will provide nine townhome units for purchase. A townhouse lot is not subject to the minimum lot area/width standards for the underlying zoning district. The lot line generally follows the footprint of townhouse dwelling but may include private open space area for the townhouse dwelling. This project includes ten foot deep rear yards for each unit providing 314 square feet of private open space as well as 183 square foot decks for each unit. The design of the development exceeds the 400 square feet of open space per unit in the RL zone district.

**Project Site Standards**

	R-L Zone District	SITE PLAN
Front Setback	15 feet	15 + feet
Garage Door Setback	20 feet	25 + feet
Side Yard Setback	5 feet	10 feet (based on 30’ height)
Rear Setback	10 feet	15 feet
Minimum Lot Width	50 feet	65 feet
Minimum Lot Depth	95 feet	317 feet
Minimum Lot Area	5,000 square feet	21,218 square feet

The proposed development meets or exceeds all of the RL zone district standards.

## AGENDA REPORT

PC Meeting of May 16, 2019

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Site amenities include a bio-swale drainage system that incorporates native grass species selected to provide year round erosion control and filtering of sediments. The system will remove pollutants such as suspended solids, hydrocarbons and metals before entering the storm drain system at predevelopment rates. An extensive landscape treatment is proposed on both the Seabright Avenue entrance and Sumner Street frontage with a three foot wide landscape strip along the north property line with climbing vines and shrubs to accent the new six foot high fencing. Two guest parking spaces are located on the east side of the internal roadway as required in Section 24.12.180 of the Zoning Ordinance. Required frontage improvements include a 24-foot long recessed parking bay (for a future bicycle lane on the south end of the Seabright Avenue frontage and a new street light. New driveways including accessible sidewalks will be installed on the frontage of Seabright Avenue and Sumner Street. Staff has included a Condition of Approval to enlarge the planting area in front of the garages to enable a more substantial tree to be planted to break up the mass of the garages.

Section 24.16.020 of the Zoning Ordinance requires projects creating five or more new ownership units to provide 15 percent of the units available to lower income and median income households. The inclusionary requirement for this project is 1.35 units which will requires one of the nine units to be designated as an affordable unit at 80-percent of the area median income and the applicant to pay .35 fractional in-lieu fee in accordance with Section 24.16.030(6).

The median income for a 4 person family is \$98,000 reflecting a recent update on May 6, 2019 by the United States Department of Housing and Urban Development (HUD) and the California Department of Community Housing and Development (HCD). In-lieu fees are established by having the developer provide the City with an appraisal of the property which is the market rate value of the units to be created. Based on the appraised value of the homes staff calculates the affordable sales price of the same kind of unit. The difference between the market rate value and the affordable value determines the full in-lieu fee. The applicant would be required to provide .35 percent of the full in-lieu fee.

### *Design*

The project site is located within a developed single-family neighborhood, which includes a mix of one- and two-story homes of various ages and architectural styles. Subdivisions similar in scale to the proposed project are found on the west side of Seabright Avenue just north of Windsor Street and on the east side of Seabright Avenue, south of Pine Street. The proposed residences are three-story homes that range in size from approximately 1,982 to 2,201 square feet, each unit includes a two car garage and more than 400 cubic feet of storage space as required in Section 24.12.180 of the Zoning Ordinance. The homes include three bedrooms and three bathrooms located on the first and third floors while the kitchen, dining, living room and half bathroom are located in the second floor. Each unit includes a 183 square foot deck located on the south side of the building on the second floor. The development has been sited on the south side lot to reduce shading on the homes to the north.

**Attachment 4**

## AGENDA REPORT

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The design of the nine units includes an eclectic mixture of Victorian, Craftsman and Cape Cod elements selected from the palette of existing homes in the Seabright area. Various complimentary architectural features including pitched roof lines, balconies, exposed rafter tails, multi-pane windows and decorative garage doors break up wall planes and overall building mass. The walls on the first floor are stucco while the second and third floors have shingle siding. All of the proposed homes front a new private road serving the subdivision. At staff request, the applicant revised the plans to orient the house on the Seabright Avenue frontage towards Seabright including a porch and front door facing the street. The plans were also revised to move guest parking to the rear of the development. A recommended condition of approval (No. 49) has been included to further break up the mass of the development by requiring the exterior wall materials to vary from unit to unit. Horizontal planks, shingles, vertical board and batt, stucco and color could be used to distinguish each individual unit from the other.

Most the homes in the immediate area are older homes comprised of single story and two story developments. The RL zone district limits the average height for new development to 30 feet. The average height is the average of the measurement from finish grade to the height of the highest plate and from finished grade to the peak of the roof. The highest plate is 24 feet from finished grade and the highest roof peak is 36 feet from finished grade. The average height of the proposed project is 30 feet.

The Breakers development on the east side of Seabright Avenue, south of Pine Street was approved with an average height of 29.5 feet where the peak of the roof was 33 feet in height. Another project on the west side of Seabright Avenue just north of Windsor Street was a four unit development approved with an average height of 28 feet where the peak of the roof was approximately 35 feet in height. Just south of that development at 1205 Seabright an existing home was moved to a new location and an additional three units were approved where the average height of the new structures was 28 feet with the peak of the roof at 30 feet. A six unit development was approved at 627 Seabright Avenue with the unit facing Seabright approved at the average height of 26.5 feet with the peak of the roof approximately 30 feet in height.

### *Traffic*

The nine units will result in approximately 57 (net) new daily trips, with 7 AM peak hour trips and 9 PM peak hour trips. All traffic will enter and exit the site off of Seabright Avenue, except in the case of emergency services, if required, and trash trucks. A condition of approval requires the applicant to pay the Traffic Impact fees for the additional trips at the time of building permit issuance.

### **Environmental Review**

CEQA provides several “categorical exemptions” which are applicable to categories of projects and activities that the Natural Resource Agency has determined generally do not pose a risk of

significant impacts on the environment. The Class 32 categorical exemption is for “infill development” projects that meet the following criteria:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations;
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
- (c) The project site has no value as habitat for endangered, rare or threatened species;
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- (e) The site can be adequately served by all required utilities and public services.

The proposed project meets all of the foregoing criteria making it eligible for the infill exemption. The project is consistent with General Plan and zoning designations, policies and regulations; the project site is 21,237 square feet in size; it is located within city limits and is surrounded by existing residential urban uses. The project site has no habitat value for special status species, the project would not result in any significant effects relating to traffic, noise, air quality or water quality, and the site can be adequately served by all required utilities and public services, as existing utility infrastructure already serves the project area and is sized sufficiently to serve the proposed use. Therefore, the project qualifies for the Categorical Exemption found in CEQA Guidelines Section 15332, the infill exemption.

### **SUMMARY**

Consistent with General Plan policies, the proposed plan maximizes infill density on an RL zoned lot unconstrained by environmental resources. Consistent with other General Plan policies, recommended conditions of approval require a pedestrian easement across the parcel and precludes the Homeowner’s Association from prohibiting pedestrian access. The proposed design meets all of the zone districts standards. Conditions of approval directed at further breaking up massing impacts through color and material variations have also been recommended such that findings in support of the Design Permit can be made.

Submitted by:

Approved by:

Michael Ferry, AICP  
Senior Planner

Eric Marlatt  
Principal Planner

Attachments:

1. Resolution to approve the Tentative Map, Design Permit and Residential Demolition Authorization Permit

**Attachment 4**

AGENDA REPORT

PC Meeting of May 16, 2019

SUBJECT: **914/916 Seabright Avenue – Application No. CP18-0187**

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- Exhibit A – Conditions of Approval
- 2. Applicant's summary of community meeting and corresponding plan revisions dated January 22, 2019
- 3. Phase I Historic Review Report, dated October 16, 2018

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**RESOLUTION NO.**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ  
ACKNOWLEDGING THE CATEGORICAL EXEMPTION AND APPROVING A TENTATIVE  
MAP, DESIGN PERMIT AND RESIDENTIAL DEMOLITION AUTHORIZATION PERMIT  
TO DEMOLISH THREE RESIDENTIAL UNITS AND CONSTRUCT A NINE-UNIT  
TOWNHOUSE DEVELOPMENT ON A 21,237 SQUARE FOOT PARCEL LOCATED IN THE  
R-L ZONE DISTRICT. (APPLICATION NO. CP18-0187)**

WHEREAS, On October 17, 2018 Derek Van Alstine submitted an application for a Tentative Map, Design Permit and Residential Demolition Authorization Permit to demolish three residential units and construct a nine-unit townhouse development on a 21,237 square foot parcel located in the R-L zone district; and

WHEREAS, the project site and its development is governed by the standards and guidelines contained in Municipal Code Title 23 and 24, the Subdivision and Zoning Ordinances, and the City of Santa Cruz General Plan; and

WHEREAS, the project qualifies for a Categorical Exemption in State CEQA Guidelines Section 15332 (Class 32 – Infill Exemption) consistent with the CEQA; and;

WHEREAS, the Planning Commission conducted a public hearing on May 16, 2019 after which voted \_\_\_\_\_ to recommend that the City Council \_\_\_\_\_ of the application; and

WHEREAS, the City Council conducted a public hearing on \_\_\_\_\_ to consider the application; and

WHEREAS, the City Council now makes the following findings:

***With Respect to the Environmental Determination***

The Planning Commission has considered the Categorical Exemption found at Guidelines Section 15332 and finds that it is consistent with the California Environmental Quality Act in that the project is an In-Fill Development Project, consistent with the applicable General Plan and Zoning designations and all applicable General Plan policies as well as with applicable zoning regulations; less than five acres in size, within city limits and surrounded by urban uses with no wildlife habitat value for endangered, rare or threatened species; will not result in any significant effects relating to traffic, noise, air quality, or water quality; and can be adequately served by all required utilities and public services. After reviewing the project plans, the staff report as well as any comments received and supporting documentation provided, the Planning Commission finds, on the basis of the whole record before it, that the project is Categorically Exempt under Section 15332 of the California Environmental Quality Act and this finding reflects the City’s independent judgment and analysis.

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**With Respect to the Tentative Subdivision Map, Section 23.26.050**

**1. The proposed tentative map is consistent with the applicable general and specific plans.**

The General Plan designation for the property is Low Medium Residential which includes a density range from 10.1 – 20 dwelling units per acre. Low-Medium-Density Residential provides moderately higher densities in areas with a mix of single-family and multifamily residential uses. It accommodates a variety of residential building types that can fit within a single-family neighborhood, including low-rise apartments, condominiums, and townhomes. The proposed nine unit townhome project is consistent with Low Density designation in that it will have 18.4 dwelling units per acre. The higher end of the density range is supported by General Plan Goal LU1 that seeks residential land use intensities to ensure optimum utilization of infill parcels. General Plan Policy LU3.7 encourages higher-intensity residential uses and maximum densities in accordance with the General Plan Land Use designations while General Plan Policy LU3.7.1 allows and encourages development that meets the high end of the General Plan Land Use designation density unless constraints associated with site characteristics and zoning development standards require a lower density. Policy LU4.1 encourages a transition to higher densities along the city's transit and commercial corridors. Other than archeology, there are no mapped resources on the project site.

The project site is not within any area or specific plan boundaries.

**2. The design or improvements of the proposed subdivision are consistent with applicable general and specific plans.**

The access for the proposed development is off of Seabright Avenue, a local transit corridor. The site plan provides an internal roadway that can be used as an emergency and trash truck access connection from Seabright Avenue to Sumner Street. A locked gate (Knox Box) on the east or Sumner side of the development will prevent cut-through automobile and pedestrian access. A pedestrian path extends along the south side of the internal roadway to provide pedestrian and bicycle access for the residents of the development to Seabright Avenue. The General Plan goals and policies noted below encourage interconnected pedestrian access. The General Plan goals and policies noted below encourage interconnected pedestrian access. A pedestrian path at this location would reduce the walking distance from the immediate neighborhood to Seabright Avenue by approximately 1,000 feet, making it more convenient to access the neighborhood commercial uses south of the project site. Incorporating site design features such as this reduces reliance on cars incrementally reducing greenhouse gas emissions that contribute to climate change and sea level rise.

Based on the General Plan policies noted below, staff has included Conditions of Approval prohibiting the Homeowner's Association from precluding pedestrian access through the site either through signage or physical barriers.

- General Plan Policy CD3.1.4 Revise the Zoning Ordinance to require that the design of public and private development promote connectivity between neighborhoods and districts.

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- Goal CD5.1 Create a well-connected street and pedestrian network.
- Policy CD5.1.1 Implement the Master Transportation Study's recommendations for improving the city's pedestrian network.
- Policy M3.3.5 Require new development to be designed to discourage through traffic in adjacent neighborhoods and to encourage bicycle or pedestrian connections.
- Goal M4 A citywide interconnected system of safe, inviting, and accessible pedestrian ways and bikeways.
- Policy M4.1.3 Encourage pedestrian travel by providing pedestrian pathways on cul-de-sac and loop streets.
- Policy M4.1.7 Require that site and building design facilitate pedestrian activity.

### Objectives and Policies from the Active Transportation Plan:

- Objective 1. Comprehensive Bicycle and Pedestrian Network Establish a comprehensive bicycle and pedestrian transportation system that is integrated with the existing City network and connected to the countywide network.
- Policies 1.1. Provide a complete bicycle and pedestrian network among residential areas, downtown and major activity centers.
- 1.2. Complete and maintain the City's sidewalk system.
- 1.3. Require new development to implement the planned bicycle and pedestrian network.

### **3. The site is physically suitable for the type of development proposed.**

A geotechnical report, drainage, grading and erosion control plans have been reviewed and approved by Public Works, Building and Water Conservation Departments for the proposed development. The site will be served by public water and sewer. The project Conditions of Approval will assure that the site is physically suitable for the type of development proposed.

### **4. The site is physically suitable for the proposed density of development.**

The site is primarily flat and is within a mapped archeological sensitive area; there are no other mapped resources or constraints. The applicant provided an archeological report dated April 2018 that included a background records search as well as field investigation and a shovel survey at the project site. The report concluded that the parcel does not contain intact cultural resources and recommends no further action in regards to cultural resources. A condition of approval is attached requiring all construction activities to cease if unexpected resources are discovered and that the applicant hire a qualified archeologist to evaluate and prepare recommendations for a future course of action.

### **5. The design of the subdivision or proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

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The design and improvements of the subdivision will not cause substantial environmental damage or injure fish or wildlife in that there are no mapped biotic resources on the site and it is currently developed with a duplex and a single family dwelling.

- 6. The design of the subdivision or the type of improvements is not likely to cause serious public health problems.**

As the proposed improvements and design of the subdivision are in accordance with the State Subdivision Map Act and City's Subdivision Ordinance, the proposed improvements will not cause serious health problems. The site will be served by public water and sewer.

- 7. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or the use of, property within the subdivision.**

The design of the subdivision will not conflict with public easements for access through it since no such easements are known on the subject parcel.

**With Respect to the Design Permit, Section 24.08.430**

- 8. The site plan shall be consistent with physical development policies of the General Plan, any required or optional element of the General Plan, any area plan or specific plan or other city policy for physical development. If located in the Coastal Zone, a site plan shall also be consistent with policies of the Local Coastal Program.**

The General Plan designation for the property is Low Medium Residential which includes a density range from 10.1 – 20 dwelling units per acre. Low-Medium-Density Residential provides moderately higher densities in areas with a mix of single-family and multifamily residential uses. It accommodates a variety of residential building types that can fit within a single-family neighborhood, including low-rise apartments, condominiums, and townhomes. The proposed nine unit townhome project is consistent with Low Density designation in that it will have 18.4 dwelling units per acre. The higher end of the density range is supported by General Plan Goal LU1 that seeks residential land use intensities to ensure optimum utilization of infill parcels. General Plan Policy LU3.7 encourages higher-intensity residential uses and maximum densities in accordance with the General Plan Land Use designations while General Plan Policy LU3.7.1 allows and encourages development that meets the high end of the General Plan Land Use designation density unless constraints associated with site characteristics and zoning development standards require a lower density. Policy LU4.1 encourages a transition to higher densities along the city's transit and commercial corridors. Other than archeology, there are no mapped resources on the project site.

- 9. The exterior design and appearance of buildings and structures and the design of the site plan shall be compatible with design and appearance of other existing buildings and structures in neighborhoods which have established architectural character worthy of preservation.**

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The project site is located within a developed single-family neighborhood, which includes a mix of one- and two-story homes of various ages and architectural styles. Subdivisions similar in scale to the proposed project are found on the west side of Seabright Avenue just north of Windsor Street and on the east side of Seabright Avenue, south of Pine Street. The proposed residences are three-story homes that range in size from approximately 1,982 to 2,201 square feet, each unit includes a two car garage and more than 400 cubic feet of storage space as required in Section 24.12.180 of the Zoning Ordinance. The homes include three bedrooms and three bathrooms located on the first and third floors while the kitchen, dining, living room and half bathroom are located in the second floor. Each unit includes a 183 square foot deck located on the south side of the building on the second floor. The development has been sited on the south side lot to reduce shading on the homes to the north.

The design of the nine units includes an eclectic mixture of Victorian, Craftsmen and Cape Cod elements selected from the palette of existing homes in the Seabright area. Various complimentary architectural features including pitched roof lines, balconies, exposed rafter tails, multi-pane windows and decorative garage doors break up wall planes and overall building mass. The walls on the first floor are stucco while the second and third floors have shingle siding. All of the proposed homes front a new private road serving the subdivision. At staff request, the applicant revised the plans to orient the house on the Seabright Avenue frontage towards Seabright including a porch and front door facing the street. The plans were also revised to move guest parking to the rear of the development. A recommended condition of approval (No. 49) has been included to further break up the mass of the development by requiring the exterior wall materials to vary from unit to unit. Horizontal planks, shingles, vertical board and batt and stucco and color could be used to distinguish each individual unit from the other.

- 10. Design of the site plan shall respect design principles in terms of maintaining a balance of scale, form and proportion, using design components that are harmonious, materials and colors that blend with elements of the site plan and surrounding areas. Location of structures should take into account maintenance of view; rooftop mechanical equipment shall be incorporated into roof design or screened from adjacent properties. Utility installations such as trash enclosures, storage units, traffic-control devices, transformer vaults and electrical meters shall be accessible and screened.**

Most the homes in the immediate area are older homes comprised of single story and two story developments. The RL zone district limits the average height for new development to 30 feet. The average height is the average of the measurement from finish grade to the height of the highest plate and from finished grade to the peak of the roof. The highest plate is 24 feet from finished grade and the highest roof peak is 36 feet from finished grade. The average height of the proposed project is 30 feet.

The Breakers development on the east side of Seabright Avenue, south of Pine Street was approved with an average height of 29.5 feet where the peak of the roof was 33 feet in height. Another project on the west side of Seabright Avenue just north of Windsor Street

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was a four unit development approved with an average height of 28 feet where the peak of the roof was approximately 35 feet in height. Just south of that development at 1205 Seabright an existing home was moved to a new location and an additional three units were approved where the average height of the new structures was 28 feet with the peak of the roof at 30 feet. A six unit development was approved at 627 Seabright Avenue with the unit facing Seabright approved at the average height of 26.5 feet with the peak of the roof approximately 30 feet in height.

- 11. Where a site plan abuts, or is in close proximity to, uses other than that proposed, the plan shall take into account its effect on other land uses. Where a nonresidential use abuts or is in close proximity to a residential use, the effect of the site plan should maintain the residential quality of adjacent or nearby areas.**

The site abuts residential uses to the north, south, east and west.

- 12. The orientation and location of buildings, structures, open spaces and other features of the site plan shall be such as to maintain natural resources including significant trees and shrubs to the extent feasible, maintain a compatible relationship to and preserve solar access of adjacent properties, and minimize alteration of natural land forms, building profiles, location, and orientation must relate to natural land forms.**

The development has been sited on the south side lot to reduce shading on the homes to the north. The house fronting Seabright Avenue is oriented towards Seabright with a porch and front door facing the street. The location and orientation of the structures does not impede any public views and the site plan provides adequate accessibility. The building materials proposed are compatible with and will complement structures in the surrounding areas.

- 13. The site plan shall be situated and designed to protect views along the ocean and of scenic coastal areas. Where appropriate and feasible, the site plan shall restore and enhance visual quality of visually degraded areas.**

The project will not impact views along the ocean or public views of any scenic coastal areas. The project will enhance the visual quality of the area by the construction of nine attractive townhomes with extensive landscaping on the frontage of Seabright Avenue and Sumner Street.

- 14. The site plan shall minimize the effect of traffic conditions on abutting streets through careful layout of the site with respect to location, dimensions of vehicular and pedestrian entrances, exit drives and walkways; through the adequate provision of off-street parking and loading facilities; through an adequate circulation pattern within the boundaries of the development; and through the surfacing and lighting of off-street parking facilities.**

The site plan provides two garage parking spaces for each unit and two guest parking spaces in the rear portion of the development. This project complies with the parking requirements found in Sections 24.12.180 and 24.12.200 of the Zoning Ordinance.

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The access for the proposed development is off of Seabright Avenue, a local transit corridor. The site plan provides an internal roadway that can be used as an emergency and trash truck access connection from Seabright Avenue to Sumner Street. A locked gate (Knox Box) on the east or Sumner side of the development will prevent cut-through automobile and pedestrian access. A pedestrian path extends along the south side of the internal roadway to provide pedestrian and bicycle access for the residents of the development to Seabright Avenue. The General Plan goals and policies previously noted in Finding No. 2 encourage interconnected pedestrian access and a pedestrian path at this location would reduce the walking distance from the neighborhood to Seabright Avenue by approximately 1,000 feet. Based on the General Plan policies previously noted above, staff has included Conditions of Approval prohibiting the Homeowner's Association from precluding pedestrian access through the site either through signage or physical barriers.

15. **The site plan shall encourage alternatives to travel by automobile where appropriate, through the provision of facilities for pedestrians and bicyclists, including covered parking for bicycles and motorcycles where appropriate. Public transit stops and facilities shall be accommodated as appropriate, and other incentive provisions considered which encourage non-auto travel.**

The project includes a functional two car garage for each unit and a rear yard for all single-family dwellings. Based on the General Plan policies noted above in Finding No 2, staff has included Conditions of Approval prohibiting the Homeowner's Association from precluding pedestrian access across the site either through signage or physical barriers. The access for the proposed development is off of Seabright Avenue, a local transit corridor.

16. **The site shall provide open space and landscaping which complement buildings and structures. Open space should be useful to residents, employees, or other visitors to the site. Landscaping shall be used to separate and/or screen service and storage areas, separate and/or screen parking areas from other areas, break up expanses of paved area, and define open space for usability and privacy.**

The site plan provides private and common open space areas that exceed the Zoning Ordinance standards. The open space will complement the homes and will be useful to the residents and visitors. An extensive landscape treatment is proposed on both the Seabright entrance and Sumner frontage with a three foot wide landscape strip along the north property line with climbing vines and shrubs to accent the new six foot high fencing. All of the proposed residential units include outdoor yard areas.

17. **The site plan shall reasonably protect against external and internal noise, vibration and other factors, which may tend to make the environment less desirable. The site plan should respect the need for privacy of adjacent residents.**

The site plan will protect against external and internal noise and vibration by building to current uniform building code requirements for insulation and sound attenuation. The site is

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designed to maximize privacy by orienting the proposed houses rear yards to the existing homes to the south.

- 18. Building and structures shall be so designed and oriented to make use of natural elements such as solar radiation, wind, and landscaping for heating, cooling and ventilation.**

The buildings will require the issuance of a building permit that meets the Uniform Building Code requirements relative to energy efficiency.

- 19. The site plan shall incorporate water-conservation features where possible, including in the design of types of landscaping and in the design of water-using fixtures. In addition, water restricting shower heads and faucets shall be used, as well as water-saving toilets utilizing less than three gallons per flush.**

The Inspections section of the Planning and Community Development Department will ensure that the low-flow water fixtures will be installed in accordance with City Ordinance 90-17 through the building permit process. The Water Department will ensure that the final landscape plans are consistent with Chapter 16.16 of the Municipal Code (Water Efficient Landscaping) through the building permit process.

**With respect to the Demolition or Conversion of Multiple Dwellings, Section 24.08.1340**

- 20. The project to replace the demolished or converted units has been approved and an appropriate building permit has been issued; unless a hardship can be documented rendering this finding inappropriate;**

The applicant will submit replacement house plans and will be required to have the Building Department issue the replacement house building permit in conjunction with the demolition permit.

- 21. The proposed demolition or conversion of use will not have a substantial adverse impact on housing opportunities for low- and moderate-income households; or**

The property owner will have to provide relocation assistance to eligible tenants consistent with Section 24.08.1350 of the Municipal Code as well as replacement housing consistent with Section 24.08.1390 if the Municipal Code.

- 22. If the proposed demolition or conversion of use will have a substantial adverse impact on housing opportunities for low- and moderate-income households, adequate mitigation measures will be undertaken. Such mitigation measures include relocation assistance, and may include construction of replacement housing, in-lieu fees, other measures, or a combination of the above as provided by council resolution. For purposes of this section, a residential dwelling unit shall be occupied by a person or family of low or moderate income, if a low or moderate-income household currently occupies or had occupied the dwelling unit within one year prior to the date of**

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**submission of the application for the demolition/conversion permit; or, in addition, if substantial evidence exists that a low- or moderate-income household had occupied the unit within two years of the date of the submission of the application for the demolition/conversion authorization permit and had been evicted for the purpose of avoiding the requirements of this section.**

The property owner has been conditioned to provide relocation assistance to eligible tenants consistent with Section 24.08.1350 of the Municipal Code as well as replacement housing consistent with Section 24.08.1390 if the Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz that it hereby acknowledges the Categorical Exemption and approves the Tentative Map, Design Permit and Residential Demolition Authorization Permit to demolish three residential units and construct a nine-unit townhouse development on a 21,237 square foot parcel located in the R-L zone district subject to the Findings listed above and the Conditions of Approval listed in Exhibit "A," attached hereto and made a part hereof.

PASSED AND ADOPTED this \_\_\_ day of \_\_\_\_\_, 2019, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk

EXHIBIT "A"

CONDITIONS OF APPROVAL FOR THE PROJECT ON PROPERTY AT

914/916 Seabright Avenue – Application No. CP18-0187

**Tentative Map, Design Permit and Residential Demolition Authorization Permit to demolish three residential units and construct a nine-unit townhouse development on a 21,237 square foot parcel located in the R-L zone district.**

*Regarding the Subdivision:*

1. If one or more of the following conditions is not met with respect to all its terms, then this approval may be revoked.
2. The Tentative Map shall be exercised by filing a Final Map within thirty-six (36) months of the date of final approval, unless extended by city ordinance or state law, or it shall become null and void.
3. The Final Map of the subdivision shall be submitted showing compliance with all the provisions of Title 23 of the Santa Cruz Municipal Code, or with approved exceptions thereto.
4. Vertical-face type curbs, standard gutters and sidewalks shall be installed along all public streets in the subdivision, in accordance with the approved Tentative Map.
5. All utility easements shall be provided as shown on the approved tentative map on file to meet the requirements of the utility companies and of the Director of Public Works.
6. Water mains shall be installed in the subdivision, and water services shall be installed to the property line for each individual lot included within the tract, prior to surfacing the streets.
7. Gas mains shall be installed in the street and utility easements to serve all lots within the subdivision; and gas service shall be installed to all lots, prior to surfacing the streets.
8. Sanitary sewers, including manholes and other appurtenances, shall be constructed in the subdivision, and laterals extending to the property line of each lot shall be installed so as to provide service to all lots within the subdivision.
9. All sewer laterals shall be in accordance with the Standard Detail (3471-A-1) and shall be capped at the property line in a manner approved by the Director of Public Works.
10. Storm drainage facilities shall be installed in accordance with the specifications of the Director of Public Works.
11. All necessary easements shall be acquired prior to City Council acceptance of the Final Map.
12. The specified common area shall be designated as a public utility easement.
13. A public pedestrian access along the pedestrian path across the parcel between Seabright Avenue and Sumner Street shall be included in the Final Map.

CONDITIONS OF APPROVAL  
FOR 914/916 Seabright Avenue – Application No. CP18-0187

14. Each unit/lot shall have separate utility service.
15. Electroliers shall be installed in the subdivision as shown on the approved Tentative Map, and in accordance with the specifications of the Director of Public Works.
16. Standard fire hydrants shall be installed in accordance with the specifications of the City Fire Department and the Director of Public Works.
17. Street name and traffic control signs shall be installed as required, in accordance with the specifications of the Director of Public Works.
18. Permanent monuments shall be furnished and installed by the subdivider as required by the Director of Public Works.
19. All plans and profiles of improvements shall be approved by the Director of Public Works prior to the filing of the Final Map, and the construction of said improvements shall be in accordance with the City specifications and shall be inspected by the Director of Public Works or his authorized agent.
20. The reproducible mylars of the plans and profiles for said improvements shall be furnished to the Public Works Department and shall become the property of the City of Santa Cruz at the time of approval.
21. Approval of the final plans and the conditions necessary for said approval are not necessarily limited to the approved Tentative Map conditions listed herein.
22. The development of the site shall be subject to the provisions of the Zoning Ordinance of the Santa Cruz Municipal Code.
23. Prior to the approval of the final map, Covenant, Conditions and Restrictions (CC&Rs), containing the provisions set forth in Section 23.37.010.1 of the Subdivision Ordinance, shall be filed with the City Planning Director.
24. Prior to the approval of the final map, Covenants, Conditions and Restrictions (CC&Rs) containing the provisions set forth in Section 23.37.010 of the Subdivision Ordinance, shall be filed with the Planning Director. The CC&Rs shall include provisions for:
  - A requirement that any unit that is rented be managed by a single management company designated by the homeowners association to manage all rental units in the residential project.
  - Public pedestrian access across the parcel between Seabright Avenue and Sumner Street shall not be prohibited either through signage or physical barriers.
  - Common area landscape and drainage maintenance.
  - Language shall be included that subsequent homeowner agreements shall not remove any conditions and/or restrictions specifically required by the City without first obtaining an amendment to this approval. The agreement shall be recorded and in full effect prior to issuance of any grading or building permits for the residences.

CONDITIONS OF APPROVAL  
FOR 914/916 Seabright Avenue – Application No. CP18-0187

25. Approval of final plans and any conditions necessary for implementation of same in no way modify the original conditions of approval.
26. No permits or work shall commence on the subject property until approval of the final map.
27. Installation and testing of the sewer lines, water systems, and fire hydrants must also be conducted to satisfy the requirements of the Public Works Department, the Water Department, and the Fire Department, prior to the issuance of the building permit.
28. Prior to the issuance of a building permit, following approval of the final map, all underground utilities, curbs, gutters, final road grading, and on-site grading shall be completed and approved by the Public Works Department. If necessary, the Public Works Department may also require the installation of base rock on the finished grading for the road, prior to the issuance of the building permit.
29. All grading within the boundaries of the subdivision shall be done under the direction and supervision of a soils engineer. Upon completion of all grading, a final soils report shall be submitted to the Public Works Department by the soils engineer, certifying compliance with the City's grading ordinance. The report shall include locations and elevations of field density tests, summaries of field and laboratory tests, and any other substantiating data developed by the soils engineer.
30. The applicant shall submit evidence to the Zoning Administrator that these conditions have been recorded with the Office of the County Recorder prior to filing of final map.
31. Requirements for the approval of grading:
  - All grading shall be done in accordance with the latest City of Santa Cruz Municipal Code, Chapter 24.27.
  - All work shall be in accordance with recommendations specified in the geotechnical investigation report prepared.
  - All clearing, site preparation or earth work shall be performed under inspection by the Soils Engineer and to the satisfaction of the Soils Engineer.
  - Dust caused by the grading operations shall be controlled by proper watering.
  - A grading permit from the Chief Building Official will be required prior to commencement of work.
  - A pre-grading conference at the site is required prior to the start of grading with the following people present: owner, contractor, engineer, soils engineer, and City Inspector, or their representatives.
  - The engineer will inspect the site after grading has been completed, and inform the City of Santa Cruz whether grading was done in conformance with the grading plans.
  - Plans set forth in the schedule, location, and type of planting shall be submitted to the Planning Department for approval upon completion.
  - Work shall be done in accordance with approval plans on file in the Building Department.
  - Grading shall be done during periods of dry weather, and protective measures shall be incorporated during grading to prevent siltation from any grading project halted due to rain. No earth-moving activities shall occur between October 15 and April 1.

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FOR 914/916 Seabright Avenue – Application No. CP18-0187

32. Pedestrian pathway shall be installed to the specifications of the Director of Public Works.
33. Final building plans shall include a modified vehicular gate on the Sumner Street frontage that does not obstruct pedestrian access through the site to Seabright Avenue.
34. Prior to site grading, all trees and/or tree stands indicated for preservation on approved plans shall be protected through fencing or other approved method. Such fencing shall protect vegetation during construction and shall be installed to the satisfaction of the Director of Planning and Community Development.
35. No alteration of grade shall occur within the drip line of any tree or tree stand marked for preservation.
36. No equipment storage, filling/stockpiling or storage and/or dumping of construction-related materials shall occur within the drip line of any tree and/or tree stand marked for preservation.
37. Trees damaged in the course of construction shall be repaired in accordance with accepted arboreal methods. All required tree repair shall be completed and accepted by the City of Santa Cruz prior to occupancy of the premises.
38. Any tree marked for preservation which is subsequently removed shall be replaced by two (2) specimen trees of a variety and at locations specified by the Director of Planning. All such trees shall be replaced prior to occupancy of the premises.
39. An erosion-control plan shall be approved upon submission of grading plans. All erosion measures shall be installed prior to December 1 or before notice of completion of the subdivision improvements.
40. Public driveway shall be constructed to standards approved by the Department of Public Works.
41. Modified street lamp details shall be provided by the subdivider prior to the filing of the final map and installed in accordance with the specifications of the Director of Public Works.

*Regarding the Design Permit:*

42. The use shall meet the standards and shall be developed within limits established by Chapter 24.14 of the Santa Cruz Municipal Code as to the emission of noise, odor, smoke, dust, vibration, wastes, fumes or any public nuisance arising or occurring incidental to its establishment or operation.
43. The applicant shall be responsible for the completeness and accuracy of all forms and supporting material submitted in connection with any application. Any errors or discrepancies found therein may result in the revocation of any approval or permits issued in connection therewith.
44. All final working drawings shall be submitted to the Zoning Administrator for review and approval in conjunction with building permit application. The plans submitted for building permits shall have the same level of articulation, detailing, and dimensionality as shown in the

CONDITIONS OF APPROVAL  
FOR 914/916 Seabright Avenue – Application No. CP18-0187

approved plans. All approved exterior finishes and materials shall be clearly notated on the building permit plans.

45. The exterior wall materials shall vary from unit to unit. Horizontal planks, shingles, vertical board and batt, stucco and color shall be used to distinguish each individual unit.
46. The applicant and contractor who obtains a building permit for the project shall be required to sign the following statement at the bottom of these conditions, which will become conditions of the building permit:
47. “I understand that the subject permit involves construction of a building (project) with an approved Design Permit. I intend to perform or supervise the performance of the work allowed by this permit in a manner which results in a finished building with the same level of detail, articulation, and dimensionality shown in the plans submitted for building permits. I hereby acknowledge that failure to construct the building as represented in the building permit plans, may result in delay of the inspections process and/or the mandatory reconstruction or alteration of any portion of the building that is not in substantial conformance with the approved plans, prior to continuation of inspections or the building final.”

Signature of Building Contractor \_\_\_\_\_ Date \_\_\_\_\_

48. Except as provided in Condition No. 48 above, the development of the site shall be in substantial accordance with the approved plans submitted and on file in the Department of Planning and Community Development of the City of Santa Cruz. All aspects of construction must be completed prior to occupancy. Major modifications to plans or exceptions to completion may be granted only by the City authority which approved the project.
49. All refuse and recycling activities during construction shall be done in accordance with Chapter 6.12 of the Santa Cruz Municipal Code. Be aware that private companies offering refuse or debris box services are not allowed to operate within the City limits, except under certain limited circumstances detailed in Chapter 6.12.160.
50. All requirements of the Building, Fire, Public Works and Water Departments shall be completed prior to occupancy and continuously maintained thereafter.
51. Prior to the issuance of a building permit, the applicant shall pay park dedication fees based on the final building permit plans.
52. Adequate provisions shall be made to supply water to each of the premises covered by this application. The design of water facilities shall be to standards of the Water Department, and plans therefore must be submitted to the Water Department Director for review and approval prior to the issuance of a building permit.
53. Plans submitted for building permit issuance shall include electric vehicle charging stations as required per Section 24.12.241 of the Zoning Ordinance.
54. Landscape and irrigation plans shall be submitted at the time of the building permit application and will be reviewed by both the Planning Department and Water Department. The landscape

CONDITIONS OF APPROVAL  
FOR 914/916 Seabright Avenue – Application No. CP18-0187

and irrigation plans shall demonstrate compliance with all requirements of the City’s Water-Efficient Landscaping Ordinance in Chapter 16.16 of the Santa Cruz Municipal Code prior to issuance of the building permit.

55. Turf is not permitted in new non-residential landscape projects.
56. The final landscape plan shall include an enlarged the planting area in front of the garages to enable a more substantial tree to be planted to break up the mass of the garages.
57. All landscaping shall be installed prior to final utility release or issuance of occupancy permits.
58. Subsequent to occupancy of the premises, all landscaping shall be permanently maintained. Such maintenance shall be secured through an 18-month bond prior to occupancy.
59. All trees shall be a minimum 15-gallon size.
60. Bike parking shall be provided in accordance with Section 24.12.250-252 of the City's Zoning Ordinance.
61. All utilities and transformer boxes shall be placed underground in accordance with the provisions of Section 24.12.700 through 24.12.740 of the Zoning Ordinance.
62. A drainage plan shall be submitted in conjunction with application for building permits.
63. Any person exercising a development permit or building permit who, at any time in the preparation for or process of excavating or otherwise disturbing earth, discovers any human remains of any age or any artifact or any other object which reasonably appears to be evidence of an archaeological/cultural resource or paleontological resource, shall:
  - Immediately cease all further excavation, disturbance, and work on the project site;
  - Cause staking to be placed completely around the area of discovery by visible stakes not more than ten feet apart forming a circle having a radius of not less than one hundred feet from the point of discovery; provided, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking;
  - Notify the Santa Cruz County sheriff-coroner and the city of Santa Cruz planning director of the discovery unless no human remains have been discovered, in which case the property owner shall notify only the planning director;
  - Grant permission to all duly authorized representatives of the sheriff-coroner and the planning director to enter onto the property and to take all actions consistent with this section.
64. The plan for erosion control approved as part of this application shall be submitted and all work installed by November 1.
65. Plans submitted for building permits shall demonstrate compliance with Stormwater Best Management Practice (BMP) and Low Impact Development (LID) requirements for single family residential dwelling projects contained in “Chapter 6 of the Best Management Practices Manual for the City’s Storm Water Management Program” dated October 2011. At a minimum, downspouts shall be disconnected from underground pipes or prohibited from directly flowing onto impervious surfaces and instead be redirected to landscaping or bioswales. Pervious

CONDITIONS OF APPROVAL  
FOR 914/916 Seabright Avenue – Application No. CP18-0187

walkway surfaces and driveways shall be installed where possible. Show all implemented LID measures on the plans.

66. Prior to site grading or any disturbance all trees and/or tree stands indicated for preservation or approved plans shall be protected through fencing or other approved barricade. Such fencing shall protect vegetation during construction and shall be installed to the satisfaction of the Director of Planning and Community Development.
67. Handicap access shall be provided in accordance with California Building Code.
68. All new mechanical equipment and appurtenances, including gas and water meters, electrical boxes, roof vents, air conditioners, antennas, etc. visible from the public way and from adjacent properties, shall be screened with material compatible with the materials of the building and shall be subject to the approval of the Zoning Administrator.
69. Final colors shall be approved by the Zoning Administrator prior to application for building permits.
70. The owner shall comply with the inclusionary housing requirements as outlined in Section 24.16.010 of the Zoning Ordinance. A Participation Agreement establishing compliance with inclusionary housing requirements shall be entered into prior to recordation of the final subdivision map and recorded prior to either sale of the first subdivision lot or final occupancy of the first unit, whichever occurs first.
71. The inclusionary requirement for this project is 1.35 units.
72. The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government code Section 66474.9, defend, indemnify and hold harmless the City of Santa Cruz or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of such action. City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of the City Attorney or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The City shall promptly notify the property owner of any such claim, action or proceeding and the City shall cooperate fully in the defense thereof. If the City fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the City harmless.
73. The owner shall comply with the replacement housing requirements as outlined in Section 24.08.1360 of the Zoning Ordinance.

# DEREK VAN ALSTINE RESIDENTIAL DESIGN, INC.

Jan. 22, 2019

To:  
Mike Ferry, Senior Planner  
Department of Planning and Community Development  
City of Santa Cruz

Re:  
Houston Seabright  
914 Seabright Ave.  
Santa Cruz, CA. 95062  
apn 011-123-66

Mr. Ferry,

Thank you for your assistance with the Community Outreach meeting on Nov. 29, 2018 regarding our project at 914 Seabright Ave. Below is a summary of the comments received by the community and the responding revisions made to the design.

- Concern regarding Seabright Ave. elevation not looking like a residence.
  - Revised Seabright elevation to be the entry. Including: entry door, front porch, walkway, and landscaping
- Concern regarding concern of setback to Seabright Ave.
  - Each unit was reduced in 1'-0" in width to pull the front wall back and allow the guest parking to be moved to the back of the property allowing for more landscaping at the front. The required setback is 15'-0", the proposed setback to the building (not including the porch) is 20'-2".
- Concern regarding lack of landscaping in front, on Seabright Ave.
  - Each unit was reduced 1'-0" in width to pull the front wall back and allow all guest parking to be moved to the rear of the property allowing for more landscaping at the front.
- Concern regarding type of fence separating project from adjacent neighbors. Concern regarding chain link or cinder block
  - Fence will be a 6'-0" wood fence.
- Concern regarding parking on Seabright and Sumner
  - All required parking and guest parking are located on site.
- Concern regarding traffic using project as cut-thru around traffic congestion.
  - A gate will be located at the Sumner Ct. entrance. This gate will remain locked.
- Concern regarding pedestrian traffic using project as a cut-thru.
  - No pedestrian gate will be provided.

1535 Seabright Avenue, Suite 200, Santa Cruz, CA 95062

Attachment 4  
831-426-8400

KENT L. SEAVEY  
310 LIGHTHOUSE AVENUE  
PACIFIC GROVE, CALIFORNIA 93950  
(831) 375-8739

October 16, 2018

The Houston Living Trust  
166 Alice Avenue  
Campbell, CA 95008

Dear Trustees:

Thank you for the opportunity to prepare Phase 1 Historic Review for the commercial residential property owned by the Huston Living Trust, located at 914-916 Seabright Ave. (APN# 011-123-066) in Santa Cruz, as required by the California Environmental Quality Act (CEQA) and the City of Santa Cruz. The property is not significant.

According to Santa Cruz building records the subject two unit property was constructed in 1938 (duplex), and 1940 (single family residence), with substantial and unsympathetic alterations in to the 1940 residence in 1977 (MCBP# 27269).

The 1938 duplex (914), is one-story, wood-framed and H-shaped in plan, resting on a concrete foundation. The exterior wall-cladding is a medium-width horizontal lapped wood siding.

The roof form is cross-gabled, with low-pitched front-gabled bays facing Seabright Ave. toward the north, separated by an east-west running side-gabled hyphen. The bays have slightly flared eaves, fronting the hyphen, that act as door-hoods for the raised, side-approach concrete-step entries to each living space. There are overhanging eaves with exposed rafter-tails present, with simple wood facias. All roof covering is in composition shingles.

Fenestration is irregular, with a combination single and banked multi-paned fixed & 1/1 double-hung wood windows is a variety of sizes and shapes, but mirrored on both duplex units. The rear (south) of the H plan forms an open patio space. The duplex is sited on the south side of Seabright Ave. set well back from the street behind a grassed lawn (see photos provided).

Character-defining features of 914 Seabright Ave., consist of its one-story duplex design; H plan; medium-width horizontal wood siding; flared roof detailing and multi-paned fenestration.

The 1940 detached, single family residence (916), to the rear (south) of the duplex, is an altered, Minimal Traditional Style one-story, wood-framed residence, irregular in plan, resting on a concrete foundation. The exterior wall-cladding is a medium-width horizontal lapped wood siding not dissimilar to the duplex.

The roof form is gable-and-wing, with a roof ridge of uniform height and slightly overhanging eaves. A partial-width extension of the roof plane on the west facing facade acts as a door-hood, carried on solid wood brackets over the west facing front entry. A shed-roofed addition is found off the rear (east) at its corner with the north side-elevation. There is one exterior eave-wall brick chimney present. It is located near the facade on the north side-elevation. The roof covering is in composition shingles except for the shed-roofed addition which appears to be in roll-roofing.

Fenestration is irregular, with single 1/1 double-hung wood windows, in varying sizes and shapes, and very large, fixed multi-paned focal windows, flanking either side of the principal entry. These appear to be from the 1977 alterations & additions.

916 Seabright Ave. is sited well to the rear of 914, separated by a large, much altered non-historic garage. Landscaping is limited to a grassed areas and a built-up planting bed to the NW of the building envelope, with one or two mature trees.

Character-defining features include its Minimal Traditional design, one-story gable-and-wing plan; medium-width horizontal wood siding; 1/1 double-hung fenestration. As noted the large focal windows are modern additions and inconsistent with the original style of the house.

Both 914 and 916 Seabright Ave., are located on the same Assessor's parcel, on the south side of Seabright Ave., in a residential neighborhood of one and two-story homes of varying ages, sizes and styles (see photos provided).

The California Environmental Quality Act (CEQA), PRC Sec.21084.1 requires all properties fifty years of age or older to be reviewed for potential historic significance. Criteria for that significance is addressed in PRC Sec. 5024.1 (a). It asks, did any event important to the region, state or nation occur on the property. Did anyone important to the region, state or nation occupy the property

## Attachment 4

during the productive period of their lives. Does the building represent an important architectural type, period or method of construction, or is it a good example of the work of a noted architect or master-builder. The criteria also asks if the property is likely to yield information significant to the understanding of the areas history.

Eligibility for historic listing of buildings, structures, objects, sites and districts, i.e., rests on the twin factors of historic significance and integrity to be considered for listing in the National Register of Historic Places, the California Register of Historical Resources, and the Santa Cruz Historic Resources Inventory. Loss of integrity, if sufficiently great, will overwhelm the historic significance a resource may possess and render it ineligible for historic listing. Likewise, a resource can have complete integrity, but if it lacks significance, it must also be considered ineligible.

Integrity is measured by the application of seven aspects, defined by the National Register Criteria for Evaluation. They include: Location, the place where the historic property was constructed, or an historic event occurred; Design, the combination of elements that create the form, plan, space, structure, and style of a building; Setting, the physical environment of the historic property; Materials, the physical elements that were combined during a particular period of time and in a particular pattern or configuration to form a historic property; Workmanship, the physical evidence of the crafts of a particular culture or people during any given period in history; Feeling & Association are subjective elements that assess a resources ability to evoke a sense of time and place.

The subject property is not included in the California Office of Historic Preservation-maintained “Historic Data File for Santa Cruz County” (updated July, 2018). It is not listed in the California Register, or the National Register of Historic Places. Nor is it listed in the Historic Building Survey in Santa Cruz.

Both 914 and 916 Seabright Ave. retain their original locations and setting. The duplex (916), is an odd mixture of bungalow windows and Tudor-like flared eaves above the respective entries, applied to an otherwise standard gable-and-wing design in a mirrored composition, connected by the side-gabled hyphen that contains the common interior wall. Like much post-depression housing, it looks as if it borrowed freely from available builder’s pattern books. The commercial residential building appears to be relatively unaltered from its 1938 date of construction.

## Attachment 4

The original owners for 914 Seabright Ave., were Ms. Hetty Cox, a registered nurse working at the Santa Cruz county Hospital, and her sister Florence. "The Santa Cruz Sentinel" for 6/22/1938 under New Building, on page 1, indicated she had filed plans for the duplex dwelling. Based on the Chain of Title, the subject property changed hands about 5 to 7 times between 1941 and 1945.

916 was constructed two year later, in the gable-and-wing Minimal Traditional Style, providing as small extension of living space in its extended bay off the facade. The usual 1/1 double-hung wood window sash associated with the style, has been sufficiently altered by the large 1977 modern focal windows flanking the entry door on the south facing facade to compromise the integrity of the 1940 design.

Based on the same Chain of Title, for 916 Seabright Ave., the original owners appear to have been James and Peggy Leavett, from San Jose where James was a gardner. The property was sold to the Penniman Title Company in 1942, and like its immediate neighbor, changed ownership several times before the end of WWII. Both properties continued to change hands every three or four years until the recent purchase by the Huston Living Trust. No original architect or builder appears in any of the official documentation.

The minimal Traditional Style was a product of the Great Depression. In the early 1930s, as a direct result of the depression, the home-building industry essentially shut down. Due in part to bank failures, there were no funds for new construction, or for insuring long-term mortgages at reasonable interest rates. The U.S. government created the Federal Housing Administration (FHA) in 1934, with the mandate to produce small homes that the average working class family could afford. The program provided for insurance that covered the mortgage loan a bank made. The FHA's programs proved essential to home building not only to ease the housing shortage established by the Great Depression, but also provide for industrial war housing during WWII, and for millions of returning veterans in the post-war era. These ubiquitous gable-and-wing, and "Cape Cod" cottages, were the most common design forms of this period, and were only superseded by the California Ranch House in the later 1940s. There are many good examples of the Minimal Traditional Style of architecture in Santa Cruz.

## Attachment 4

As noted in the 2000 Historic Context Statement for the City of Santa Cruz, by Susan Lehman, “It is unfortunate that the California Ranch Style is associated with these mass produced and often cheaply made off-shoots, which can be seen as in fill, and in small tracts all over the City of Santa Cruz” The same may be said of the Minimal Traditional Style that preceded the California Ranch mode, but in smaller numbers. The Minimal Traditional Style is not addressed in the 2000 historic context statement, nor is the duplex form, in the multi-unit residential section of the context statement, although many can be found in the city.

The Seabright neighborhood, among several others, is identified as having special character, although this is not clearly defined, nor is it officially designated as an historic district, and only three or four houses in the area are identified in its three local historic building surveys. As stated above, CEQA’s criteria for significance, as addressed in PRC Sec. 5024.1 notes that loss of integrity, if sufficiently great, will overwhelm the historic significance a resource may possess and render it ineligible for historic listing. Likewise, a resource can have complete integrity, but if it lacks significance, it must also be considered ineligible. Such is the case with both 914 and 916 Seabright Avenue.

The original original design of 916 has been sufficiently altered over time that it lacks any architectural distinction. The original fenestration has been compromised by replacement, in the 1970s with modern window types affecting its original materials and workmanship. The property, as modified over time, does not evoke a strong sense of time and place or feeling and association with its 1940 period of construction., and no architect or builder has been identified with the property.

In the case of 914, although it appears to retain most of its physical integrity as constructed in 1938, no architect or builder has been identified with its design or construction. No event of significance to the nation, state or region, nor any significant individuals during the productive period of their lives, have been identified with the existing property. As noted above, no original architect or builder has been identified with the property.

The residential units at 914 & 916 Seabright Ave., lacking physical integrity and/or historic significance do not meet the necessary criterion for listing in the California Register of Historical Resources, nor do they it meet the criterion established by the City of Santa Cruz to qualify for inclusion in the Historic Building Survey in Santa Cruz, and therefore cannot be considered a historic resource as defined by CEQA. The property is not significant.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Kent S. Seaver". The signature is written in a cursive, somewhat stylized font.

914-916 Seabright Avenue –Santa Cruz



Photo #1. Looking NE at the west facing facade of 914 Seabright Ave.,  
Kent Seavey, October, 2018.



Photo #2. Looking NE at the south facing facade & west side-elev. of  
916 Seabright Ave., note inappropriate modern windows,  
Kent Seavey, October, 2018.

**From:** [Alison Russell](#)  
**To:** [City Plan](#); [City Council](#)  
**Subject:** Proposed development at 916 Seabright Avenue  
**Date:** Wednesday, May 15, 2019 3:18:26 PM

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Dear Planning Commissioners and City Councilmembers,

If approved, the proposed development at 916 Seabright Avenue would exacerbate existing traffic and parking problems, and would greatly detract from the neighborhood's character and integrity. It would jam a huge, long, overly tall continuous structure into an area of historic family homes with setbacks and mature landscaping. Seabright is considered desirable precisely because of its history, integrity and green spaces.

Furthermore, because the proposed development lacks adequate onsite resident and guest parking, residents and guests will want to park on Sumner Street and walk into the development's back entrance. Sumner Street is already very dense and is parked in completely most days. We cannot take more cars. We already have an unmanageable level of property crime. We do not want the City's proposed pedestrian/bike pathway, which would bring more strangers to our street, and potentially more crime.

Please consider the following:

- Retain the existing duplex on Seabright, which contributes to our neighborhood character;
- Reduce the number of units to six or fewer;
- Reduce height by replacing underground parking with ground level parking;
- Provide enhanced screening and landscaping to protect neighbors' privacy;
- Limit use of the back gate onto Sumner Street to emergency vehicles only. Require garbage and recycling trucks to enter and exit the development via Seabright Avenue only;
- Increase the number of affordable units from one to two;
- Remove any pedestrian or bike path that would connect Seabright Avenue and the development with Sumner Street; and
- Commit funding to a Seabright Area Plan (long overdue).

Please prioritize the interests and quality of life for existing Seabright area residents as you consider this proposal. Allowing the proposal to go forward as planned will set a negative precedent in our area, exacerbate existing problems and contribute to neighborhood tensions.

Thank you,

Alison M. Russell  
548 Sumner Street  
Santa Cruz, CA 95062

**From:** [Connie Bertuca](#)  
**To:** [City Plan](#)  
**Cc:** [James Burr](#)  
**Subject:** 914/916 Seabright  
**Date:** Wednesday, May 15, 2019 2:45:49 PM

---

Dear Planning Commission and Mr. Burr,

While I don't like the idea or the design of this project, I heartily support the inclusion of a pedestrian walkway from Sumner to Seabright. I hope that doesn't get lost in all the confusion!

And for Mr. Burr, wouldn't this project, coupled with the other townhome development closer to Murray St, indicate it's time to consider raised crosswalks along Seabright? The only one now is across from the Seabreeze. This new project could actually be a benefit to the community if it included both a walkway and crosswalks - at Clinton? Windham?

Thank you for your consideration,

Connie Bertuca  
125 Francis Ct

Yep! I'm in the neighborhood!

**From:** [David Scholar](#)  
**To:** [City Plan](#)  
**Subject:** 916 Seabright  
**Date:** Wednesday, May 15, 2019 2:05:43 PM

---

Dear City of Santa Cruz,

I wish to express my objection to the proposed development at 916 Seabright.

The proposed development has minimal landscaping due to very tight setbacks. Parking is unsubstantial with only two guest spaces. This will force more cars to park on Seabright which is already crowded.

Above all the proposed development is hugely out of character with the Seabright neighborhood and would adversely affect quality of life for the surrounding neighbors.

Sincerely

David Scholar

**From:** [Scott Family](#)  
**To:** [City Plan](#)  
**Cc:** [City Council](#)  
**Subject:** 914/916 Seabright Avenue CP18-0187  
**Date:** Wednesday, May 15, 2019 2:10:26 PM

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May 15, 2019

To: Santa Cruz Planning Commission

Re: 914/916 Seabright Avenue CP18-0187

We strongly urge you to deny the 914/916 Seabright Avenue development as currently proposed due to its significant negative impacts on the residential neighborhood.

The design and size are a very bad fit. It is too high and large for this long, narrow parcel. Though the architect has added some traditional touches with dormers and siding, this design is monotonous and intrusive. With its one long roof line of 276 ft. and 36-ft. height it resembles a narrow commercial or industrial building. It will rise over all the nearby residences and be out-sized for the neighbors especially along Clinton Street. The height will remove privacy and light on adjacent properties, and the balconies facing south will loom over the single-story home only a few feet away.

Since most of the lot is taken up by this one large building there is not enough room to adequately screen Sumner and Clinton neighbors with landscaping. Also, two-thirds (67.1%) of the lot will be impervious buildings or paving which will have negative environmental impacts for the vicinity. Such extensive roof and paved areas will result in higher temperatures in the immediate area and more rainwater run-off, thus less ground water for mature trees and bushes nearby.

Our neighborhood is known for the charm and variety of residences of different ages, styles, and sizes giving it a genuine small town feel. It would be sensitive to the neighborhood to keep the little 1940 duplex on Seabright Ave., adding some larger units with varied roof lines and other features to the rear. It would be a good compromise to save some older housing and build some new housing stock which would blend in more with the existing neighborhood while allowing more space for landscaping to increase privacy.

This development as proposed does not meet the guidelines of our General Plan, which stresses that development should be sensitive to the character and scale of our residential neighborhoods. We strongly urge you to deny it as currently proposed. Thank you for your time and effort to support our neighborhood concerns.

*Isabelle B. Scott and Michael A. Scott*  
418 Sumner St.  
Santa Cruz, CA 95062

cc: Santa Cruz City Council

Attachment 4

34.142

**From:** [Mike Ferry](#)  
**To:** [John Ritchey](#)  
**Cc:** [Tess Fitzgerald](#)  
**Subject:** RE: Opposed to Proposed Development at 916 Seabright Avenue  
**Date:** Thursday, May 16, 2019 7:36:39 AM

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[John: thanks for the comment, I'll be sure the Planning Commission receives it.](#)

[Michael Ferry, Senior Planner](#)  
[Department of Planning and Community Development](#)  
[City of Santa Cruz](#)

[809 Center Street, Room 206](#)  
[Santa Cruz, CA 95060](#)

[831-420-5118](#)

Share your experience with us. Take our [Department Customer Survey](#).

**From:** John Ritchey [mailto:[johnritchey@gmail.com](mailto:johnritchey@gmail.com)]  
**Sent:** Wednesday, May 15, 2019 10:03 PM  
**To:** Mike Ferry <[mferry@cityofsantacruz.com](mailto:mferry@cityofsantacruz.com)>; City Plan <[cityplan@cityofsantacruz.com](mailto:cityplan@cityofsantacruz.com)>;  
[citycouncil@cityofsantacruz.com](mailto:citycouncil@cityofsantacruz.com)  
**Subject:** Opposed to Proposed Development at 916 Seabright Avenue

To Whom it May Concern:

I'm writing to voice my concerns about the development at 916 Seabright Avenue. I was lucky enough to be born and raised in Santa Cruz. As an adult I made the choice to move myself and my family back to my hometown. I have spoken relentlessly about what this city has to offer: beautiful ocean front, mountains, hiking trails and surrounding nature. Nowhere in my descriptions has ever been overcrowded streets, minimal parking or monstrous housing developments. That description appears to be changing.

Not too long ago, I proposed to open a business on Seabright Avenue. I was given a firm "no" by the city planning department because there was not a sufficient number of parking spaces per city use and parking codes. In fact, the proposed plan was short just one half of a car parking space. One half of a space kept me from being able to start a business in my neighborhood. Yet, here we are a few years later facing a project that has a much greater impact to the parking and neighborhood setting than my business ever would have.

My family of two kids, my wife and I live in a 1,400 sq foot house on a 6,000 sq foot lot, on James Street (very close to the site of this proposal). We have four vehicles, one parked in a garage, two in the driveway and one on the street. It is beyond fathomable to me that nine 2,400 sq foot plus units could fit on a 21,000 sq foot lot and have sufficient parking. There is already a shortage of parking and an overload of traffic on Seabright Avenue. I would urge anyone who thinks we have space for this size development to spend some time in a car on

## Attachment 4

Seabright Avenue during rush hours. Or in the peak of tourist season where cars sit bumper to bumper from the stoplight of Murray Street all the way back to Broadway or further. There is no doubt there is a housing shortage in Santa Cruz but our streets are not built to handle converting our neighborhoods to higher density residential uses such as proposed in this case

More importantly, this project has a direct impact on my ability to raise my children in a community similar to the one I grew up in. Building this monstrosity at what is essentially the end of the street on which I own my home, will increase traffic and create a parking mess. Given the current rents and mortgages in Santa Cruz, it is without a doubt that these units will house far more than the single family that it is intended for and far more cars than can fit on the property. Currently on my street, there are 6 adults living in a 4-bedroom, 1-bathroom house all with their own car. That's 3 people per bedroom and at that rate, the proposed 3 bedroom, 3 bathroom units could fit up to 9 people!

My primary concern is not for the size of the house, although these proposed units are far outside the norm for the Seabright neighborhood. My primary concern is where are all of these residents are going to park. Currently, I am lucky if I am able to park in front of my own home. I cannot imagine this will be the case when residents from this development will be utilizing my street for parking. Given that many garages in our neighborhood have been converted to living spaces, there is a shortage of on-site parking for many residences and also more cars per residential lot than the neighborhood was originally designed for.

I understand the need for more housing, but more housing at the expense of our neighborhood and community is not the answer. Please don't approve this proposal and revise this development so that the character of the Seabright area and Santa Cruz is preserved rather than turned into San Jose.

Sincerely,

John Ritchey  
831.535.8444

--

**From:** [Mike Ferry](#)  
**To:** [Katharine Norton](#)  
**Cc:** [Tess Fitzgerald](#)  
**Subject:** RE: Opposition to 916 Seabright Avenue Development  
**Date:** Thursday, May 16, 2019 7:35:02 AM

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**Katherine: I'll be sure the Planning Commission gets your comment.**  
Thanks

Michael Ferry, Senior Planner  
Department of Planning and Community Development  
City of Santa Cruz

809 Center Street, Room 206  
Santa Cruz, CA 95060

831-420-5118

Share your experience with us. Take our [Department Customer Survey](#).

**From:** Katharine Norton [mailto:nortonke@gmail.com]  
**Sent:** Wednesday, May 15, 2019 9:59 PM  
**To:** Mike Ferry <mferry@cityofsantacruz.com>; City Plan <cityplan@cityofsantacruz.com>; City Council <citycouncil@cityofsantacruz.com>  
**Subject:** Opposition to 916 Seabright Avenue Development

Dear Mr. Ferry & Santa Cruz City Council:

As a nine-year resident of Seabright I adamantly oppose the development of 916 Seabright Avenue. My family and I own a home on James Street and I feel this development will directly impact the family friendly nature of our neighborhood. When my husband and I bought our home in Seabright we were most impressed by the quiet streets and small old Victorian homes. This proposed development at 916 Seabright takes away from the neighborhood feeling. It creates more traffic, more noise, and less parking.

One of my biggest concerns is parking for this development. My understanding is that there will only be two guest parking spaces for the entire development. This is not near enough for a development this size. Not to mention, the two car garages that are included with the units will likely not be utilized for cars; rather they will go the American way and be allocated for storage, home gyms, and surfboards. This will heavily impact parking along the streets and side streets of the Seabright neighborhood.

After reviewing the floor plans for these units, it is clear that these units are being built to pack in as many people as possible. With rent and mortgages in their current state, a 3 bed/3bath house could easily fit 6 - 8 adults. Especially since these floor plans provide a somewhat separate unit on the ground floor. The impact for street parking would be exponential.

## Attachment 4

**34.145**

Currently, Seabright Avenue gets very impacted during rush hour. As a commuter myself, I understand the frustration of being stuck in traffic at the end of a long day. The addition of a nine-unit development would bring exponentially more traffic. At times, these cars speed down my small 1-block street trying to avoid Seabright traffic making it a danger for my kids to play outside.

I understand the need for more housing in Santa Cruz. While Seabright is comprised of many different types of homes, very few have the square footage of this proposed development. Packing in nine-unit development like it is a can of sardines is not the answer to the housing needs. Building a smaller number of homes that align with the aesthetics of the community would be more beneficial to current and future Seabright residence.

Thank you for your consideration,

Katharine Norton

[nortonke@gmail.com](mailto:nortonke@gmail.com)

312.218.4886

**From:** [Mario Singleterry](#)  
**To:** [City Plan](#)  
**Subject:** 916 Seabright Ave  
**Date:** Wednesday, May 15, 2019 3:06:44 PM

---

Dear Planning Commission,

We have lived in our current home for 39 years. Our home lies within 200 feet of 916 Seabright. As neighbors and property owners (301 A&B Clinton Street and 303 Clinton Street) who will be directly impacted by the proposed development of 916 Seabright, we have the following concerns:

- The building as currently designed would suggest a huge barrack/warehouse-like structure or a monolithic block-shaped building. There is too much mass which results in blocking the available light, air, and views of the neighbors
- As currently designed, each balcony/deck is looking down into the neighbors' yards. Loss of privacy is an important issue for the properties directly to the south and southeast.
- There is a distinct lack of open/green space that would provide a variety of garden and landscape views. Our idea of open space means green landscaping, not counting the paved driveways or parking spaces.
- Overcrowding ultimately means a loss of property values for the surrounding property owners. There are 27 bedrooms in this plan which can translate to at least 27 tenants or the possibility of many more than that.
- If every lot in Seabright was built out to the allowable limits of their properties with buildings and driveways, there would likely be an atmosphere of massive over-crowding and a degradation of the quality of life in the Seabright neighborhood.
- In each proposed unit, access to outdoor activities is limited to the paved driveway or to a tiny yard which is half covered by the deck above. This arrangement discourages families with children from living here.

Our suggested changes are:

- Why should the main concern be to maximize profits for the owners and thus build out to the very edges of the property? We can have fewer units which would allow for more green space, less crowding, and would enhance the living experience for the remaining tenants and nearby neighbors. Eliminate at least one unit and create a garden in the front setback and in the back setback.
- For tenants coming into our neighborhood, what values would be important to them? A green and visually interesting, welcoming appearance in keeping with the attractions of the neighborhood.
- At the very least, we suggest a decrease to two stories in the front unit #1 and two stories on furthest back unit #9 to ameliorate the impact of the massive feeling by tapering the outline/impact/silhouette.

We appreciate the efforts of the architect to try to integrate some visual elements of the surrounding Seabright neighborhood into the exterior facade. But overall, the lack of restraint in terms of quantity and sheer volume is beyond the spirit of neighborly goodwill. We appreciate the move towards providing needed housing, but we ask only for some balance and moderation in this attempt.

We want to encourage good housing and also hope for a good living experience for the future tenants, but we are hoping that it will not be at the expense of the established neighbors or neighborhood!

## Attachment 4

Thank you for considering our input,

Lori Fukuda and Mario Singleterry  
Owners of 301(A&B) & 303 Clinton Street

**From:** [myra ritchey](#)  
**To:** [City Plan](#)  
**Subject:** 916 Seabright Ave. development  
**Date:** Sunday, May 12, 2019 9:59:08 PM

---

To the City Planning Department,

I'm writing to express my opposition to the development of 9 townhomes at 916 Seabright Avenue.

Santa Cruz is highly crowded already and the traffic in the Seabright area is already a huge problem. Adding more density to an already packed place is a horrible idea. We don't want to live in San Jose, we want to live in a quaint beach side community and with every high density development we are getting further and further away from the nice beach town that I grew up in.

I'm very concerned with the parking situation of the proposal of only 2 guest parking spaces! So everybody will park in our already congested neighborhoods.

Why does the city feel the need to overdevelop our once beautiful town. This needs to be put to a halt. We can't house EVERY SINGLE PERSON that wants to live here. There's a limit to our space and resources and when is our government going to give a thought and care to the people who currently live here and stop the development.

Regards,  
Myra Ritchey

From: [Oliver Ziff](#)  
To: [City Plan](#)  
Subject: CAUTION: Verify Sender Before Opening! Proposed 9 Unit Development at 916 Seabright Ave  
Date: Wednesday, May 15, 2019 3:59:42 PM  
Attachments: [916 Seabright.docx](#)

---

**Hi Planning Dept.**

**Hope this letter (attached and added below) isn't too late to be considered in the May 16th hearing for this development.**

**Thanks,  
Ollie Ziff  
216 Clinton St.  
429-8026**

**5/15/19**

**Dear Planning Commission:**

**I am submitting this public comment regarding the proposed development at 916 Seabright Ave. I am against this proposed building:**

**I have lived at 216 Clinton, around the corner from this site for 21 years. In that time, I have seen my neighborhood grow exponentially. For example, what once were 2 small single story houses at 716 Seabright Ave. is now a group of 11 two story condos. What is happening is under the auspices of "affordable housing" (i.e. one low priced unit in each complex or money donated to the City), we are gradually eroding the quality of life for all residents. Water, traffic, noise, less open space need to be considered**

**This is not simply NIMBYism; directly bordering our house lot are 3 properties: 2 are 4 plexes, and 1 is a single family dwelling. Density of population for the various neighborhoods in Santa Cruz doesn't seem to be addressed by the Planning Commission. (Has there ever been a study comparing the density of population in Seabright with that of other neighborhoods such as the upper Westside for example?) Instead, we are told we are in a "Multiple Residential-Low Density (R-L) zone." This seems to mean we are out of luck if we want to challenge developments in the neighborhood. I would ask you at what point does the density in a Santa Cruz neighborhood become high enough to merit no greater density?**

**Clearly, Santa Cruz has a housing shortage. We cannot build our way out of this shortage. We cannot build our way into affordable housing. Housing pressures from Silicon Valley to UCSC and other factors will always keep rent and home prices high. But at what price are we creating greater and greater density in our neighborhood?**

**Thanks for your consideration.**

**Sincerely,**

**Oliver Ziff**

**Attachment 4**

**34.150**

[olziff@gmail.com](mailto:olziff@gmail.com)

216 Clinton 95062

**P.S. Come and stand on Seabright at Clinton any afternoon during rush hour. The street is already a major artery with a huge amount of traffic backed up from Murray many afternoons.**

**From:** [Ruth Miller](#)  
**To:** [Mike Ferry](#); [City Plan](#); [City Council](#); [Janice Bisgaard](#)  
**Subject:** 916 Seabright Development  
**Date:** Monday, May 13, 2019 8:25:52 PM

---

Mr. Ferry and Planning Commission:

As residents of the Seabright area, we strongly object to the size of the development proposed for 916 Seabright.

1) The size is far out of character and scale for the immediate neighborhood. It is higher than any other house, multi-family residence and business within several blocks. What is proposed, is massive in both appearance and scale. It was either the architect or developer who stated at the community meeting in November, that the owner had to have the 2,400 sq. ft. per unit to maximize profits, "anything less wouldn't work for him". Quite frankly, I think the city should be concerned about the neighborhood residents and the character of the neighborhood, not an out of town owner who wants solely to make money. Smaller units would be more in character for the neighborhood and would still address the need for increased housing for Santa Cruz.

2) Eight of the units are scheduled to be rented for 10 years at market rate. The average Santa Cruz one bedroom apartment could house up to 3 people, a three bedroom up to 7 people and the higher number is larger with larger units. The proposed development is for 3 bedroom units. Their plan only allows for a two car garage for each unit. What couple working in Santa Cruz, or two singles, could afford a monthly rent of near or above 5k? The answer is that there will have to be 3-5 people, or more, living in each unit to be able to pay that high a rent. Even with 2 car garages, this will translate to eighteen or more cars on the street. More, if like most people, the garage is used for storage and not parking. Seabright is at its narrowest in the section between Windsor and Clinton Streets, and there already is no room for additional car parking. Of even greater concern is that there is no room for emergency vehicles during peak hours. Between the hours of 4-6 PM, Seabright backs up 80% of nights from East Cliff to Clinton and often to James and beyond. We have witnessed emergency vehicles struggling to make it through this traffic during an emergency, significantly slowing their response times. This development will only add to this already difficult situation.

When I called the Public Works Department, Chris Schneider told me there were currently no plans for street improvements in this area. Since then I read that there may be a plan to close parking on Seabright in this narrowest section. Should that happen, more cars will move to the side streets such as James and Windham (which are even narrower), and Clinton and Sumner which would only exacerbate the problem. This isn't just an inconvenience, it is creating a true safety issue. It seems that neither Public Works nor the Planning Commission is taking the real impact on parking and emergency vehicle response times, along with the added congestion, into consideration. Neither the applicant nor any city department, have responded to this very real concern.

3) Seabright is at continued risk of becoming a "condo corridor" because the city does not have an updated plan. Seriously, there is not a successful business operating today that doesn't have a clear plan that included input from its key stakeholders. Without a current plan, the Planning Department is at risk of approving anything that crosses their desks. So when the next developer comes along in the next 3 months with an equal or larger project, what's the plan? What happens to the residents in Seabright who are forced to live with huge developments or move? Not having a current plan is truly unacceptable.

Please understand that we are acutely aware of the need for increased housing in Santa Cruz, and we are in support of plan that would help do this. This is not a "not in my backyard" plea. We would support smaller size units with less of an impact on parking and street safety. And because we are in an affordable housing crisis, making more of the units affordable. We highly recommend that you have the developer scale back the size of the units and provide more off-street parking.

Ruth Miller  
Jon Girvetz  
Seabright Owners and Residents

## Attachment 4

**34.152**

--



**Ruth Miller**  
CAO, EdCaliber  
831-331-8883  
*Lessoneer. Prepare to Inspire.*

**From:** [Sage Smiley](#)  
**To:** [City Plan](#)  
**Subject:** 914 Seabright Ave  
**Date:** Tuesday, May 14, 2019 11:42:43 AM

---

To the City Council Members

I am writing you today about the development of 914 Seabright Ave. I own and live in a home at 527 Sumner St. My family and I live directly next to this proposed development.

I am pro development and fully grasp the need for in-filling or greater density rather than greater expansion. We are in a housing crisis and we need new units to address this. However, it is clear that this project in no way addresses the problems we face and is a terrible waste of an opportunity to actually address the problem. These 9 units are clearly being designed to offer high cost, market rate rentals. I work every day with UCSC students who are living in their cars, **and** I have watched 3 local middle class families, good friends and their kids, move out of state because they couldn't afford to rent here. I know there are many views about solutions, but it seems we have not mandated that developers make any real dent in this problem as evidenced by recent projects in town and on the east side, including this one. I wonder who will do that job? What council members will take a stand and recognize that we have the power to require developers to build REAL affordable units if we choose to?

I want to address the specifics of this project. First of all, how and why is 36' tall allowed? There is NOTHING that tall here in Seabright as far as I know. The recently built townhouses on Seabright Ave. are apparently 4' shorter and they are looming. This is a 277' long, 36' tall unbroken block unit, like a solid wall. At the public meeting held in November we were told the height was planned for 30'. **Now** we find out **this week** that what the City Planning Dept reports as the "height" of the building is actually the mid line of the roof, **and** I have been told that Santa Cruz is the only municipality in this region which uses this strange definition. I was also told by Mike Ferry about 3-4 weeks ago that the city wanted the units to be broken up, which I assumed meant that this was being required but now we see that in fact the design is still one long unbroken block. These strange communications feel like obfuscation. I accepted these "facts" as presented and now have to adjust to or argue with these new facts. Lastly, at the public meeting I asked if any other designs without garages or two stories, were ever considered. I was told no, not ever. Later that evening another employee of the design firm told me that in fact the first designs were two stories. We were then told that "it wasn't affordable" for the developer to build less units (less height) and more parking. Honestly, I don't believe this but regardless I don't think their profits are my concern. I understand the bottom line but this design affects a lot of people's homes; their privacy, views, relationship to community etc, which I hope you feel a duty to consider with this project. I also wonder about precedent. What about the next one? 3 Stories? 4? 5? Are apartment buildings on the horizon for this neighborhood and will they be affordable? People love the Seabright neighborhood. Why? What do they like about it and what are you allowing it to be turned into? Silicon Beach? Vacation spots for the wealthy?

Finally, a practical concern for those of us who live next to this development is parking and the proposed pedestrian access on Sumner St. Each of these proposed units has 3 bedrooms, and a 2 car garage. The entire site will have two guest parking spots. As expensive rentals, they are likely to attract wealthy UCSC students, or students who have to double up in rooms to afford the projected rent. Even if this only happens with a few of the units, where will they park? If there is pedestrian access from Sumner St. to these units, residents are much more

Attachment 4

likely to try to use this for their parking needs. Sumner St parking is deeply impacted already. We often have to park around the block on Windham St. so the impact of the lack of available parking on site will greatly inconvenience us. While this may seem like a small concern, it affects our quality of life and access to our home on a regular basis. For this reason, I ask that you consider not allowing pedestrian access.

I hope you might consider some of these concerns and possibly consider your role in making the kind of change we need here in Santa Cruz. It is clear that we cannot keep gentrifying without dire costs to our own families and friends.

Thanks for reading this.

-Sage Smiley  
527 Sumner St.

**From:** [Shelley Hatch](#)  
**To:** [City Plan](#)  
**Subject:** Fwd:  
**Date:** Tuesday, May 14, 2019 8:28:08 PM

---

Dear Planning Commissioners,

If the Seabright Area Plan had been written, as called for in the General Plan, would this project as designed be before us now? Had the Seabright Plan occurred, would this project have been the poster child of a building in scale and in character with the surrounding area, as the General Plan requires? I hope not. This 277 foot long structure, with no variation in the roof line, will tower over neighbor's yards and homes, and will be especially intrusive due to its 36 foot height. I was told that this is not the original design, but it's what we got after many hands joined in the changes. The parking was not enclosed under the units, but in carports, which would lower the overall height in a building of this extraordinary length... Is that still an option to review and consider as an improvement?

The staff report states that variation in materials will be used to clad the building, but variation in the roofline is more important, because the roofline will be the predominant visual feature from many houses, decks, yards, balconies, sidewalks and streets, for many blocks around this project.

This is not an innovative design, as it resembles a motel or a commercial storage locker business designed to look like a motel. This is due to the continuous, unbroken 277 foot length. The very large Seabright Breakers @ 719 Seabright is divided into smaller structures of several units each, which at least offers some relief from bulk and mass. Empty spaces matter in design. Landscaping and screening seem to be minimal, I wonder why.

Was any consideration given to neighborhood impacts, now and cumulatively in the future of Seabright? These higher density projects are an important issue to our residents and our neighborhoods. No concern is shown in the staff reports about what will be lost by the neighbors, whether it pencils out at all for them, as well as for the developer who demands penciling out for THEIR very new investment. Many of us have made long time investments in Santa Cruz, do they matter at all compared to new in town developers? Does neighborhood integrity or integrity toward the neighborhoods even exist anymore? Most residents do not feel included in the vision of who we are as a city or what we want in our future. The family compound to the south will be greatly impacted by this wall of a project. Three generations occupy it now, with only the first generation 1906 "investors" not alive to see how their family environment will be compromised, with the Great Wall of Seabright only 10' away, and many balconies and the Wall will directly loom over many other homes too.

The building of luxury housing, causing more gentrification and displacement is in evidence here. This project of 2,000 square foot units will not provide housing for the most overlooked income categories that the recently reviewed RHNA findings address. Why keep RHNA

## Attachment 4

records if they are not utilized in planning decisions ? The exact rental prices are not known , but the Seabright Breakers units are several hundred feet smaller and rent for \$4,600 monthly. and have never been fully rented out since completion. There will be 1 inclusionary unit, but will it's bargain rental price be around \$3,000 ?

Too expensive, too long and too tall . I am hopeful that this commission can ask for or contribute to an improved redesign of this project , in order to diminish it's impacts. It is the combination of the football field length, the height, and roofline non-elements that create it's incompatibility with the surrounding area.

Thank You, Shelley Hatch

**From:** [sycha grabost](#)  
**To:** [City Plan](#)  
**Subject:** proposed 9 unit development at 916 Seabright ave  
**Date:** Monday, May 13, 2019 8:32:25 AM

---

You cannot be seriously thinking of allowing a 9 unit WALL of a development to be approved in a single level neighbor hood!! This is extremely, grossly over sized , in a over run street as it is. This neighborhood has stood as a green, trees, family compound acre since 1906!!! Please stop!! or reduce greatly the size and over kill these buildings are going to be. You will be destroying a neighborhood for \$\$\$\$ with no considerations for anyone around. These 36' tall buildings will dwarf all family life around. Disgusting !!!

Please stop!!! and think past the money- save our city charm . You are making a terrible, terrible mistake.

Sycha Grabost  
910 seabright ave. -4th generation family on corner Seabright and Clinton st.

**From:** [Sycha Spengemann](#)  
**To:** [City Plan](#)  
**Subject:** Seabright is a fine neighborhood  
**Date:** Sunday, May 12, 2019 2:06:10 PM

---

Please, please, please think of the city and its unique style and character.  
Seabright is an established family neighborhood, homes with yards and trees and places to sit outside!  
How can you justify squeezing a NINE unit condominium box into this area.? Shame, shame on you

MICHAEL FERRY  
SENIOR PLANNER:

SURELY THE SENIOR  
PLANNER CAN CONVINC  
THE REST OF HIS DEPARTMENT  
NOT TO MAKE THE THOUGHTLESS  
MISTAKE OF DROPPING AN OUT  
OF PROPORTION BOX OF CON-  
DOMINIUMS INTO AN OLD,  
GRACEFUL, ESTABLISHED,  
FAMILY RESIDENTIAL  
NEIGHBORHOOD THAT INCLUDES  
A FINE ELEMENTARY SCHOOL +  
LIBRARY, POST OFFICE, GROCERY  
STORES, AND A BEAUTIFUL  
COASTLINE, ALL WITHIN WALKING  
DISTANCE.

RESPECTFULLY,

*Sybil Spensley*

213 CLINTON STREET  
SANTA CRUZ CA 95062

**From:** [Vivian Snyder](#)  
**To:** [City Plan](#)  
**Subject:** Proposed 9 units at 916 Seabright Ave  
**Date:** Tuesday, May 14, 2019 8:28:43 PM

---

Vivian Snyder  
510 Windham St  
Santa Cruz, CA 95062  
831-431-6786

Dear Planning Commission,

Although we support more housing in SC, we object to the Seabright proposal.

1. Small, reasonably priced units are needed, not 2,400 sf townhouses that will be expensive to rent or purchase.
2. They are not in keeping with the neighborhood. I know there are other apartments in our neighborhood, of course, but it is the scope of these that I object to.
3. The parking problem will make all of our lives miserable.

Is it really true that there are only 2 guest spaces for the entire project or are there two per unit? Knowing that would make a difference to me.

It is extremely high and large.

I would not object to more smaller units with adequate parking.

Thank you,  
Vivian

# HOUSTON SEABRIGHT

DEREK VAN ALSTINE  
RESIDENTIAL DESIGN INC.  
1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA  
(831)426-8400 PHONE (831)426-8446 FAX

DVRD, INC.  
DEREK VAN ALSTINE  
DESIGNER  
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HOUSTON SEABRIGHT  
914-916 SEABRIGHT AVE.  
SANTA CRUZ, CA 95062

AIN: 011-123-66

ISSUE DESCRIPTION

SCHEMATIC DESIGN  
DEC. 22, 2017  
DESIGN DEVELOPMENT  
PLANNING SUBMITTAL  
OCT. 15, 2018  
BUILDING SUBMITTAL

REVISIONS:

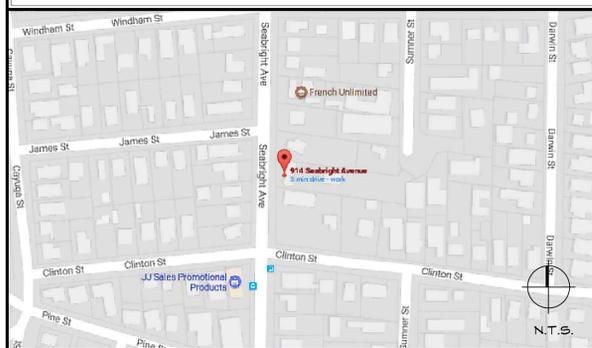
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T1

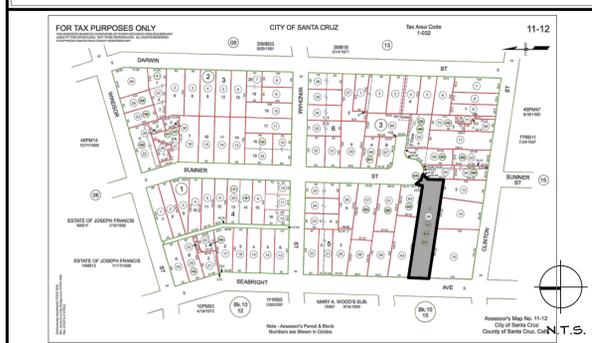
34.162



## VICINITY MAP



## PARCEL MAP



## BUILDING INFORMATION SUMMARY

**PROJECT DESCRIPTION:** CONSTRUCT NINE NEW TOWNHOUSES TOTALING 22,067 S.F., WITH 18 COVERED PARKING SPACES AND 2 UNCOVERED PARKING SPACES

**PROJECT ADDRESS:** 914-916 SEABRIGHT AVE.  
SANTA CRUZ, CA. 95062

**PARCEL NUMBER:** 011-123-066

**ZONING DESIGNATION:** R-1

**OCCUPANCY CLASSIFICATION:** R-3

**CONSTRUCTION TYPE:** TYPE V-B, SPRINKLERED

**LOT AREA:** 21,237 SQ.FT.

**SETBACK INFORMATION:**

	FRONT YARD	SIDE YARD	REAR YARD
REQUIRED	15'-0"	10'-0" L / 15'-0" R	15'-0"
PROPOSED	15'-0"	10'-0" L / 21'-10 1/2" R	15'-0"

**PROPOSED FLOOR AREA:**

	UNIT 1	UNIT 2	UNIT 3	UNIT 4	UNIT 5	UNIT 6	UNIT 7	UNIT 8	UNIT 9
GARAGE:	380 SQ.FT.								
FIRST FLOOR AREA:	597 SQ.FT.	502 SQ.FT.							
SECOND FLOOR AREA:	806 SQ.FT.	738 SQ.FT.	737 SQ.FT.						
THIRD FLOOR AREA:	798 SQ.FT.	742 SQ.FT.	741 SQ.FT.						
TOTAL FLOOR AREA:	2,581 SQ.FT.	2,362 SQ.FT.	2,360 SQ.FT.						

**TOTAL PROJECT FLOOR AREA:** 21,475 SQ.FT.

**STORAGE PER UNIT:**

	UNIT 1	UNIT 2-9
400 CU.FT. MIN PER 2410.180	578 CU.FT.	714 CU.FT.

**YARD SPACE PER UNIT:**

	UNIT 1	UNIT 2-9
400 SQ.FT. MIN PER 2410.450	304 SQ.FT. (YARD) 112 SQ.FT. (PORCH)	304 SQ.FT. (YARD) 50 SQ.FT. (PORCH)
TOTAL FLOOR AREA	416 SQ.FT.	354 SQ.FT.

**PRIVATE OPEN SPACE PER UNIT:** UNIT 1-9  
100 SQ.FT. MIN PER 2410.180  
183 SQ.FT. (DECK)

**PARKING (PROVIDED):** 18 COVERED  
2 UNCOVERED

**CODE NOTE:** THESE PLANS CONFORM TO THE 2016 CALIFORNIA RESIDENTIAL, MECHANICAL, PLUMBING, ELECTRICAL AND ENERGY CODE. STRUCTURAL ENGINEERING TO CONFORM TO 2016 CALIFORNIA BUILDING CODE (I.E., IRC, IBC, UMC, UPC, AND NEC) AS AMENDED BY THE STATE OF CALIFORNIA.

## CONTACTS

**OWNER:**  
JERRY AND JILL HOUSTON  
410 N. SANTA CRUZ AVENUE  
LOS GATOS, CA 95030  
(408) 355-1507

**PROJECT DESIGNER:**  
DEREK VAN ALSTINE RESIDENTIAL DESIGN, INC.  
DEREK VAN ALSTINE  
1535 SEABRIGHT AVE SUITE 200  
SANTA CRUZ, CA 95062  
PH: (831) 426-8400  
FAX: (831) 426-8446  
derek@vanalstine.com

**CIVIL ENGINEER**  
CIVIL CONSULTANTS GROUP, inc.  
TODD GREAMER  
4444 SCOTTS VALLEY DR. SUITE 6  
SCOTTS VALLEY, CA 95066  
PH: (831) 439-4420  
FAX: (831) 431-3561

**LANDSCAPE ARCHITECT**  
ELLEN COOPER & ASSOCIATES  
ELLEN COOPER  
612 WINDSOR STREET  
SANTA CRUZ, CA 95062  
PH: (831) 426-6845  
FAX: (831) 426-6845

## DRAWING INDEX

### BUILDING DESIGN

T1 TITLE SHEET  
T2 STREET VIEW  
A1 SITE PLAN  
A2 GROUND LEVEL FLOOR PLAN  
A3 LOWER LEVEL FLOOR PLAN  
A4 UPPER LEVEL FLOOR PLAN  
A5 EXTERIOR ELEVATIONS  
A6 EXTERIOR ELEVATIONS

### CIVIL DRAWINGS

CO1 COVER SHEET  
CO2 TENTATIVE PLAN  
C1.1 EXISTING SITE / DEMOLITION PLAN  
C2.1 TENTATIVE HORIZONTAL CONTROL PLAN  
C3.1 TENTATIVE GRADING PLAN  
C4.1 TENTATIVE UTILITY PLAN  
C5.1 TENTATIVE STORMWATER MANAGEMENT PLAN  
C6.1 TENTATIVE DETAILS  
C6.2 TENTATIVE DETAILS

### LANDSCAPE DESIGN

L1 PRELIMINARY LANDSCAPE PLAN

34.163



1 STREET VIEW  
SCALE: 1/8"

DEREK VAN ALSTINE  
RESIDENTIAL DESIGN INC.  
1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA  
(831)426-8400 PHONE (831)426-8446 FAX

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AIN: 011-123-66

ISSUE DESCRIPTION

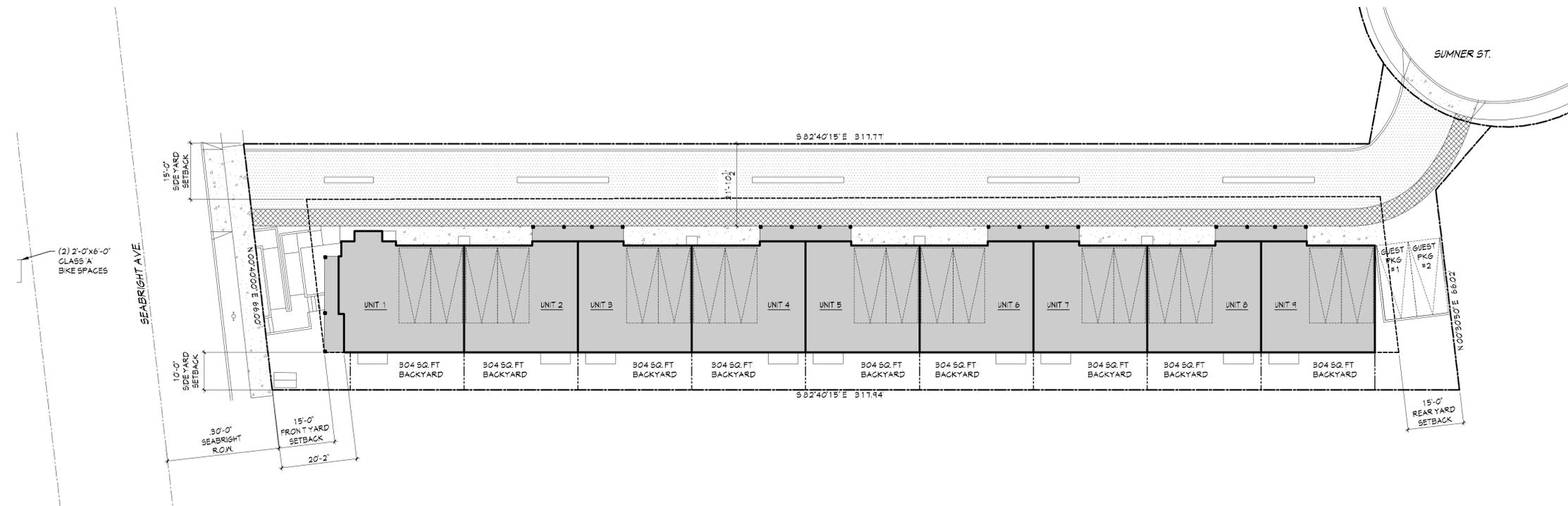
SCHEMATIC DESIGN
DEC. 22, 2017
DESIGN DEVELOPMENT
PLANNING SUBMITTAL:
OCT. 15, 2018
BUILDING SUBMITTAL:

REVISIONS:


STREET VIEW

T2

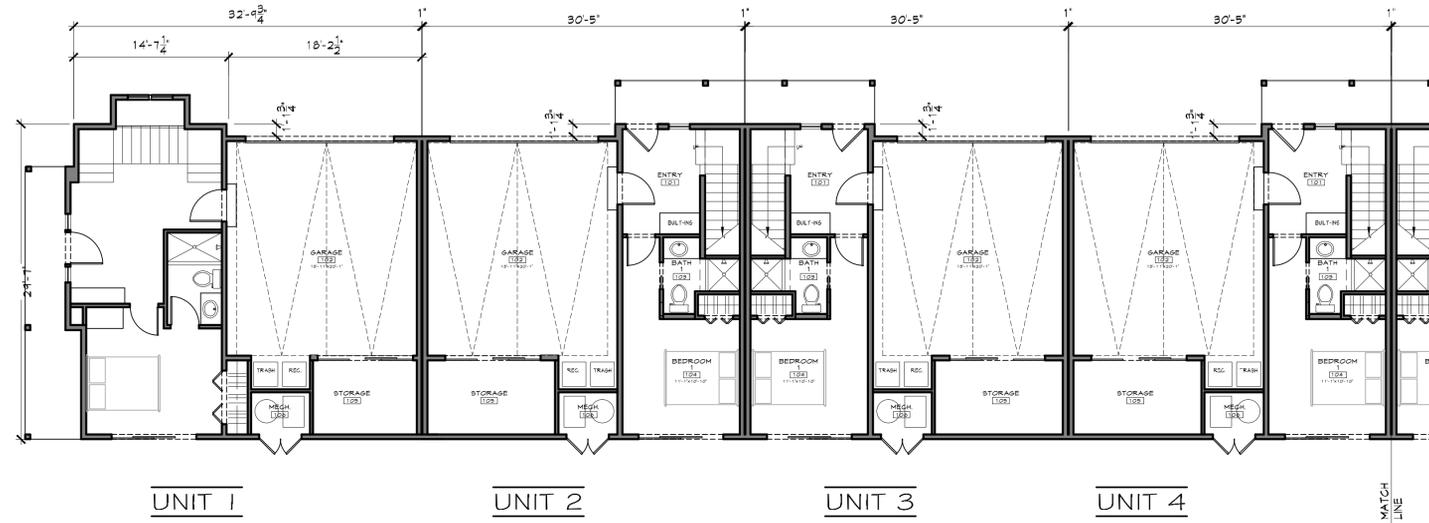
1/21/2018 4:40 PM



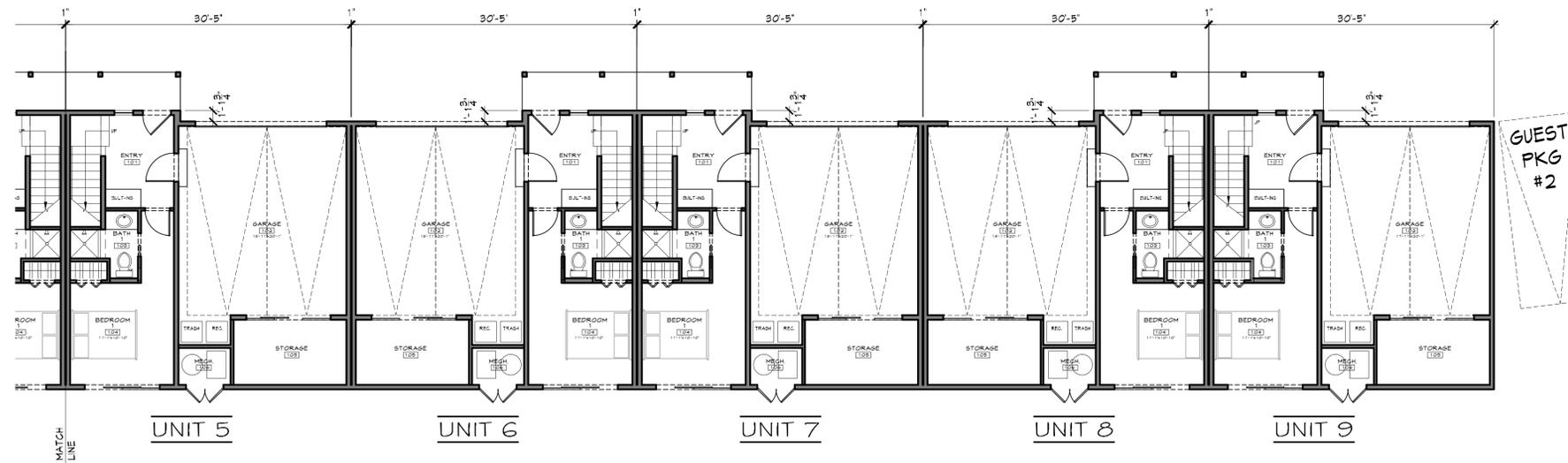
1 SITE PLAN  
SCALE: 1/16" = 1'-0"



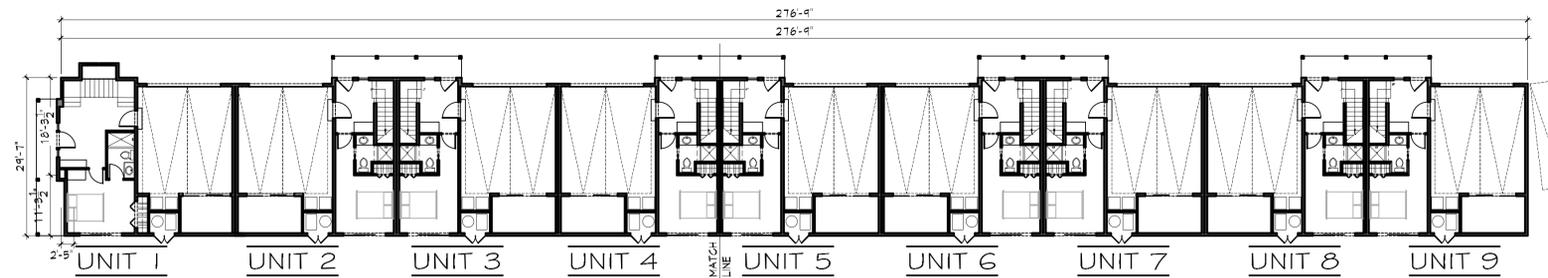
34.165



**3** GROUND LEVEL FLOOR PLAN  
SCALE: 1/8" = 1'-0"



**2** GROUND LEVEL FLOOR PLAN  
SCALE: 1/8" = 1'-0"



**1** GROUND LEVEL KEY PLAN  
SCALE: 1/16" = 1'-0"

WALL LEGEND	
	NEW 2x4 STUD WALL
	NEW 2x6 STUD WALL

**DEREK VAN ALSTINE**  
RESIDENTIAL DESIGN INC.  
1535 SEABRIGHT AVENUE SUITE 200 SANTA CRUZ, CALIFORNIA  
(831) 426-8400 PHONE (831) 426-8446 FAX

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DESIGNER  
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**HOUSTON SEABRIGHT**  
914-916 SEABRIGHT AVE.  
SANTA CRUZ, CA 95062

ASN: 011-123-66

ISSUE DESCRIPTION

SCHEMATIC DESIGN  
DEC. 22, 2017  
DESIGN DEVELOPMENT

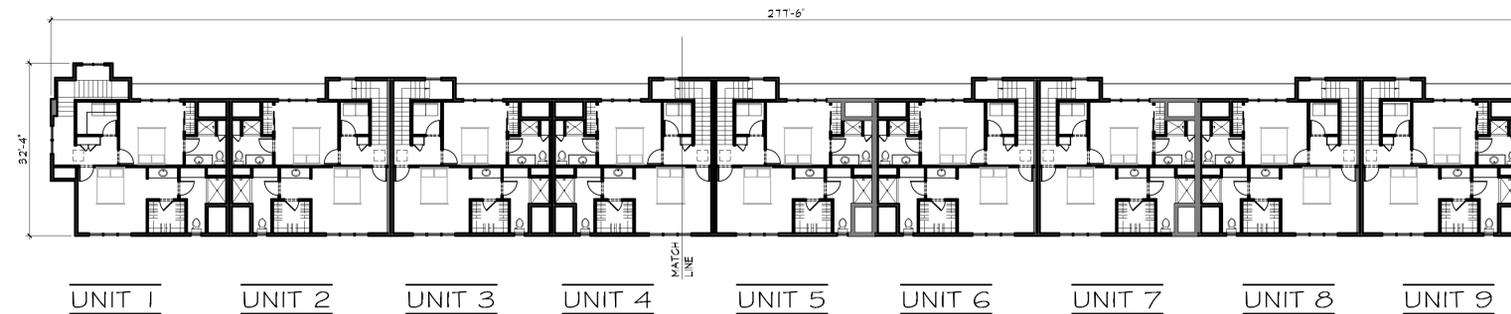
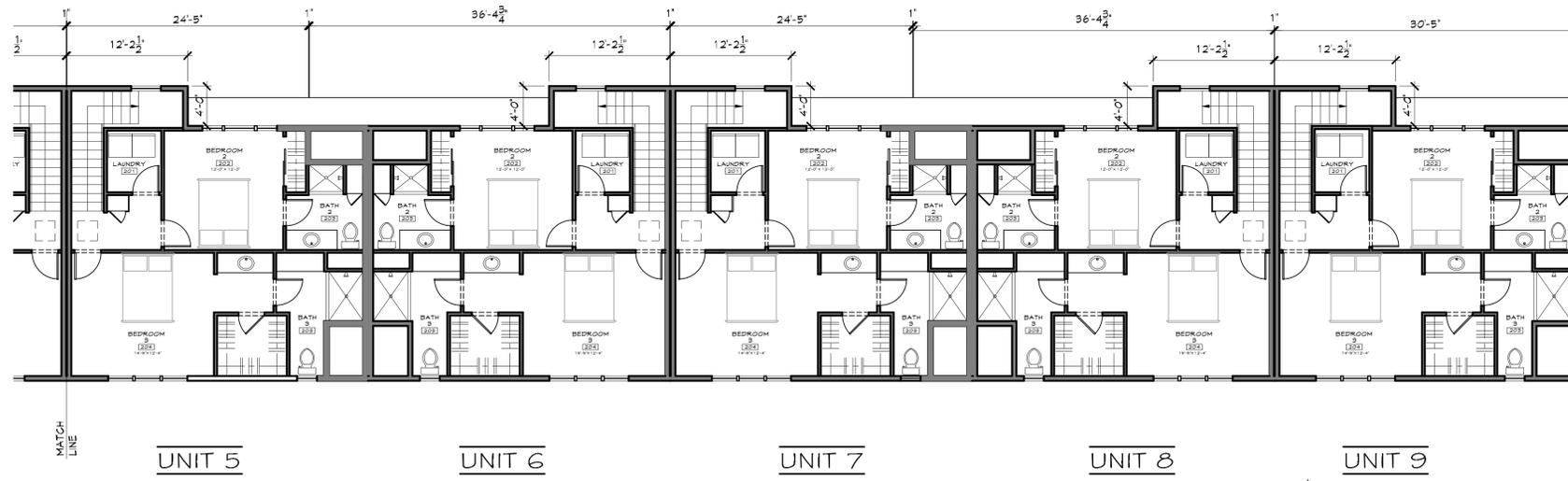
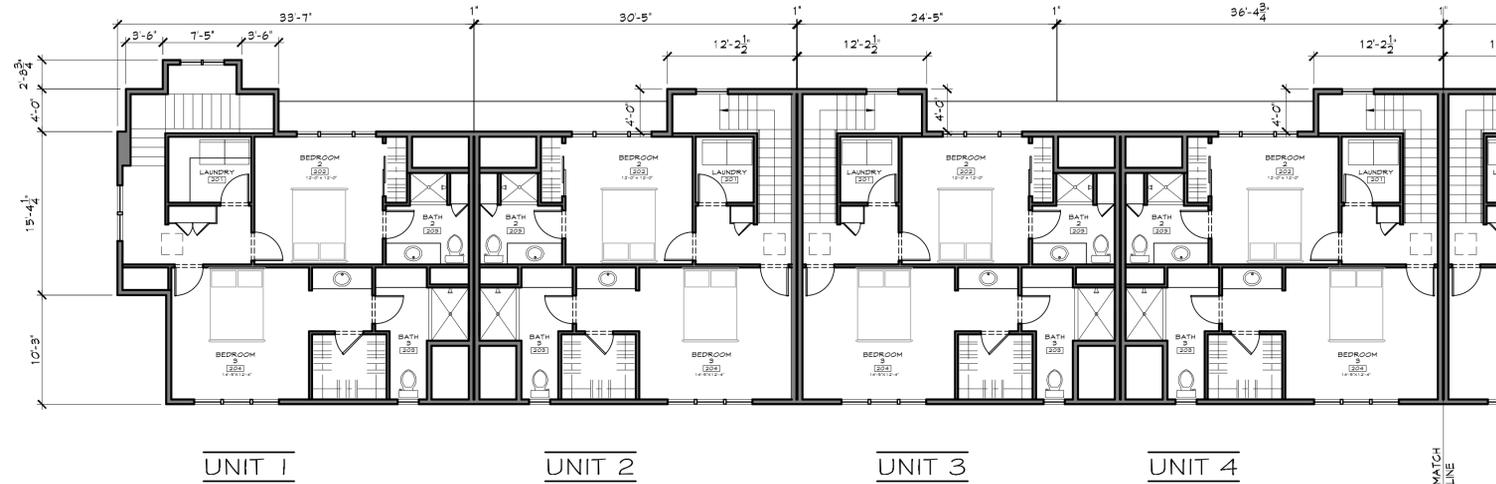
PLANNING SUBMITTAL:  
OCT. 15, 2018  
BUILDING SUBMITTAL:

REVISIONS:

GROUND LEVEL  
FLOOR PLAN

**A2**





**WALL LEGEND**

	NEW 2x4 STUD WALL
	NEW 2x6 STUD WALL

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SANTA CRUZ, CA 95062

ISSUE DESCRIPTION

011-123-66	SCHEMATIC DESIGN
DEC. 22, 2017	DESIGN DEVELOPMENT
OCT. 15, 2018	PLANNING SUBMITTAL
	BUILDING SUBMITTAL

REVISIONS:


UPPER LEVEL FLOOR PLAN  
**A4**



UNIT 9

4 EAST ELEVATION  
SCALE: 1/8" = 1'-0"



UNIT 9

UNIT 8

UNIT 7

UNIT 6

3 NORTH ELEVATION  
SCALE: 1/8" = 1'-0"



UNIT 5

UNIT 4

UNIT 3

UNIT 2

UNIT 1

2 NORTH ELEVATION  
SCALE: 1/8" = 1'-0"



UNIT 9

UNIT 8

UNIT 7

UNIT 6

UNIT 5

UNIT 4

UNIT 3

UNIT 2

UNIT 1

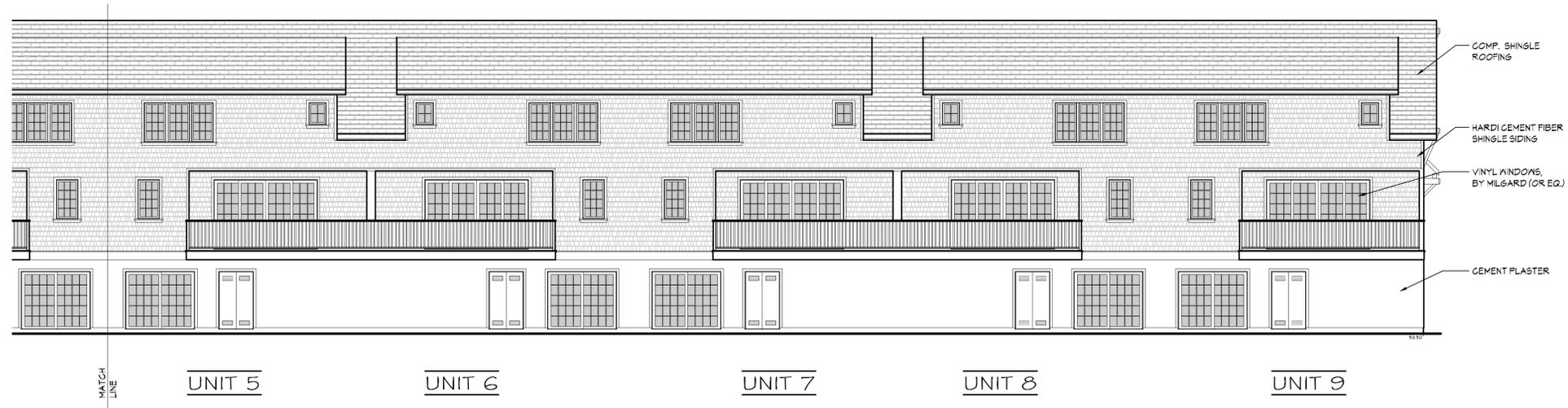
1 NORTH ELEVATION - KEY PLAN  
SCALE: 1/16" = 1'-0"



4 WEST ELEVATION  
SCALE: 1/8" = 1'-0"



3 SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"

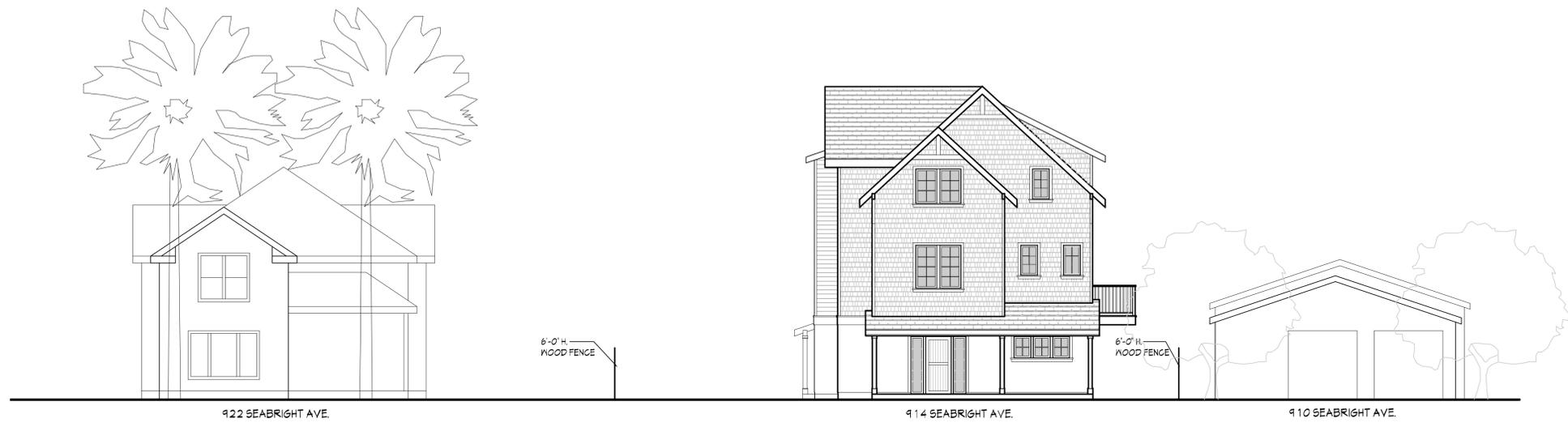


2 SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"

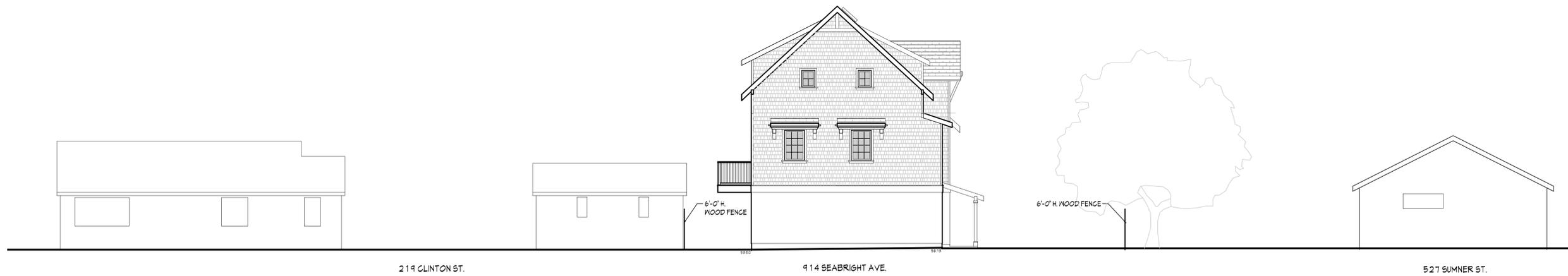


1 SOUTH ELEVATION - KEY PLAN  
SCALE: 1/16" = 1'-0"

34.170



**1 SEABRIGHT AVE. ELEVATION**  
SCALE: 1/8" = 1'-0"



**2 SUMNER CT. ELEVATION**  
SCALE: 1/8" = 1'-0"

4/25/2018 2:11 PM

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914-916 SEABRIGHT AVE.  
SANTA CRUZ, CA 95062

AIN: 011-123-66

ISSUE DESCRIPTION

SCHEMATIC DESIGN  
DEC. 22, 2017  
DESIGN DEVELOPMENT

PLANNING SUBMITTAL:  
OCT. 15, 2018  
BUILDING SUBMITTAL:

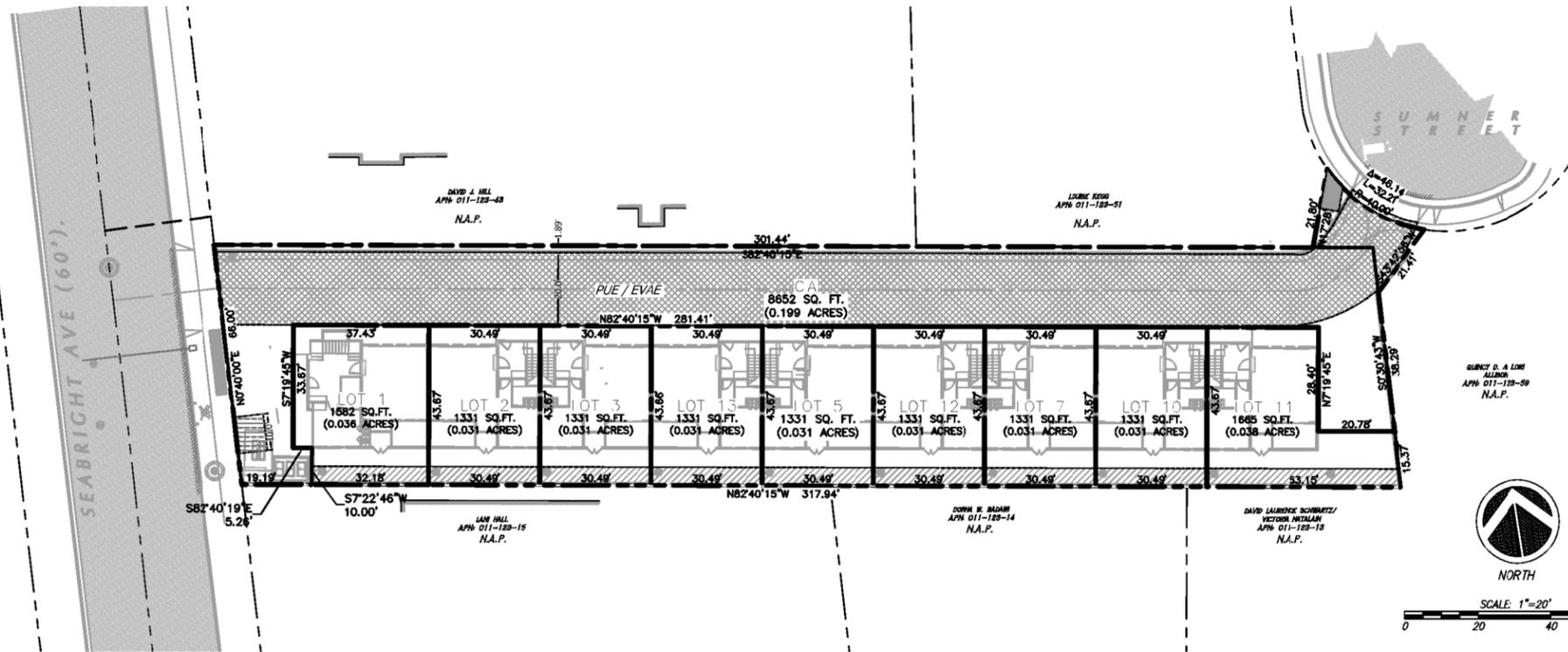
REVISIONS:

STREET  
ELEVATIONS

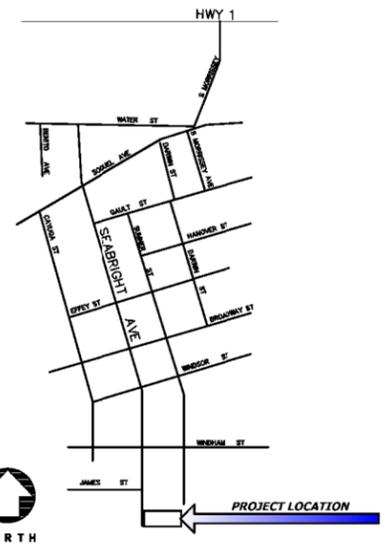
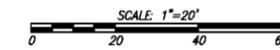
A7



34.172



**PROPOSED SITE**



**VICINITY MAP**  
SCALE: NTS

**ELEVATION DATUM**

ELEVATIONS WERE DERIVED USING A GPS OBSERVATION AND ARE BASED UPON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).

**BASIS OF BEARINGS**

BEARINGS ARE BASED UPON THE EAST LINE OF SEABRIGHT AVENUE AS SHOWN ON THAT CERTAIN MAP RECORDED IN BOOK 40 OF MAPS AT PAGE 62, SANTA CRUZ COUNTY RECORDS

NORTH 00° 40' 00" EAST

**SURVEYOR'S STATEMENT**

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE.



**EASEMENT LEGEND**

- EMERGENCY VEHICLE ACCESS EASEMENT (EVAE) / PUBLIC UTILITY EASEMENT (PUE)
- RETAINING WALL AND PRIVATE STORM DRAINAGE EASEMENT
- SANTA CRUZ WATER DISTRICT (KCWD) EASEMENT
- PACIFIC GAS AND ELECTRIC (PG&E) EASEMENT

**TEN LOT SUBDIVISION FOR SINGLE FAMILY RESIDENTIAL PURPOSES TOTALING 9 UNITS AND A COMMON AREA**

**ABBREVIATIONS**

- CA COMMON AREA
- NAP NOT A PART
- NTS NOT TO SCALE
- SQ. FT. SQUARE FEET

**EASEMENT NOTES**

THE AREA DESIGNATED AS EMERGENCY VEHICLE ACCESS EASEMENT (EVAE) IS FOR EMERGENCY VEHICLE ACCESS.

THE PUBLIC UTILITIES EASEMENT (PUE) IS DEDICATED FOR PUBLIC USE OF UTILITIES, INCLUDING ACCESS, CONSTRUCTION, INSTALLATION AND MAINTENANCE OF WORKS, IMPROVEMENTS AND THEIR APPURTENANCES FOR THE PURPOSES OF INSTALLATION AND MAINTENANCE OF PUBLIC UTILITY FACILITIES.

**GENERAL**

- OWNERS / SUBDIVIDER: JERRY & JILL HOUSTON  
410 N. SANTA CRUZ AVENUE  
LOS GATOS, CA 95030
- CIVIL ENGINEER: CIVIL CONSULTANTS GROUP, C2G INC.  
4444 SCOTTS VALLEY DRIVE, SUITE 6  
SCOTTS VALLEY, CA 95066
- EXISTING USE: RESIDENTIAL
- EXISTING ZONING: MULTIPLE RESIDENCE LOW-RISE (RL)
- PROPOSED USE: RESIDENTIAL
- PROPOSED ZONING: MULTIPLE RESIDENCE LOW-RISE (RL)

**ZONING NOTES**

- RL ZONING
- TOTAL LOT AREA = 21,218 SQ. FT.
- MIN. LOT AREA REQ.
- PER RL ZONING (NET) = 2,200 SQ. FT.
- MIN. ALLOWABLE LOTS = 9.63
- PROPOSED LOTS = 9**

REVISIONS	BY

TENTATIVE MAP



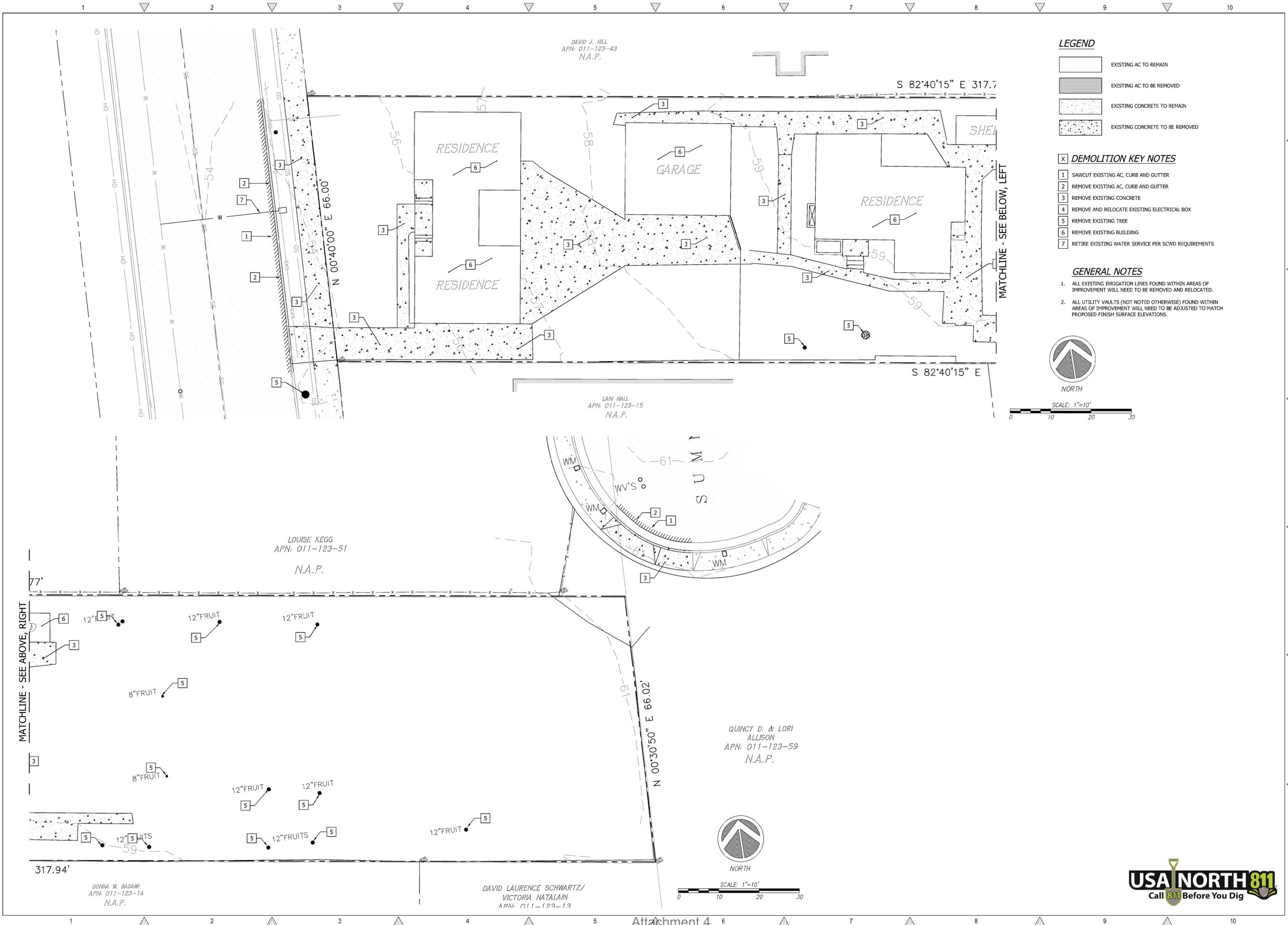
**C2G / CIVIL CONSULTANTS GROUP, INC.**  
Engineers/Planners  
4444 SCOTTS VALLEY DRIVE / SUITE 6  
SCOTTS VALLEY, CA 95066

**914 - 916 SEABRIGHT AVENUE  
SANTA CRUZ, CA 95062  
APN: 011-123-66**

Date: 07.18.11  
Scale: 1" = 20'  
Drawn: DD/JJ  
Jcb: 476-51

Sheet:  
**C0.2**  
Of 9 Sheets

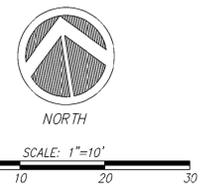
34.173



- LEGEND**
- EXISTING AC TO REMAIN
  - EXISTING AC TO BE REMOVED
  - EXISTING CONCRETE TO REMAIN
  - EXISTING CONCRETE TO BE REMOVED

- DEMOLITION KEY NOTES**
- 1 SAWCUT EXISTING AC, CURB AND GUTTER
  - 2 REMOVE EXISTING AC, CURB AND GUTTER
  - 3 REMOVE EXISTING CONCRETE
  - 4 REMOVE AND RELOCATE EXISTING ELECTRICAL BOX
  - 5 REMOVE EXISTING TREE
  - 6 REMOVE EXISTING BUILDING
  - 7 RETIRE EXISTING WATER SERVICE PER SCWD REQUIREMENTS

- GENERAL NOTES**
1. ALL EXISTING IRRIGATION LINES FOUND WITHIN AREAS OF IMPROVEMENT WILL NEED TO BE REMOVED AND RELOCATED.
  2. ALL UTILITY VAULTS (NOT NOTED OTHERWISE) FOUND WITHIN AREAS OF IMPROVEMENT WILL NEED TO BE ADJUSTED TO MATCH PROPOSED FINISH SURFACE ELEVATIONS.



REVISIONS	BY

**EXISTING SITE AND DEMOLITION PLAN**



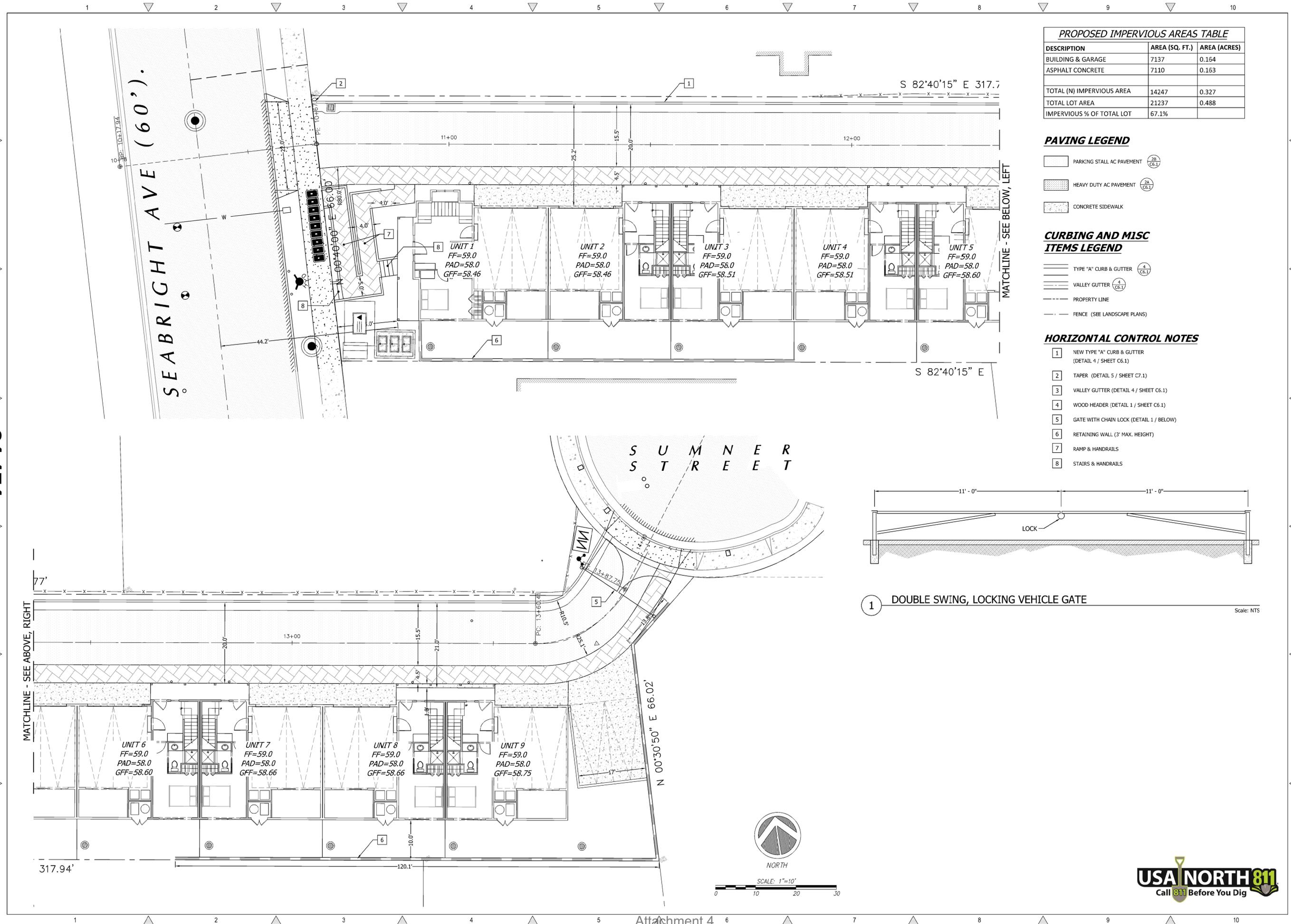
**C2G / CIVIL CONSULTANTS GROUP, INC.**  
 Engineers/Planners  
 4444 Scots Valley Drive / Suite 6  
 Scots Valley, CA 95066  
 T (931) 938-4420 F (931) 938-4420  
 Last Printed: Tue Jan 15, 2019 - 11:45am By: dwe

914 - 916 SEABRIGHT AVENUE  
 SANTA CRUZ, CA 95062  
 APN: 011-123-66

Date: 07.18.18  
 Scale: 1" = 10'  
 Drawn: DD/JB  
 Job: 476-50  
 Sheet:  
**C1.1**  
 Of 9 Sheets



34.174



**PROPOSED IMPERVIOUS AREAS TABLE**

DESCRIPTION	AREA (SQ. FT.)	AREA (ACRES)
BUILDING & GARAGE	7137	0.164
ASPHALT CONCRETE	7110	0.163
<b>TOTAL (N) IMPERVIOUS AREA</b>	<b>14247</b>	<b>0.327</b>
TOTAL LOT AREA	21237	0.488
IMPERVIOUS % OF TOTAL LOT	67.1%	

**PAVING LEGEND**

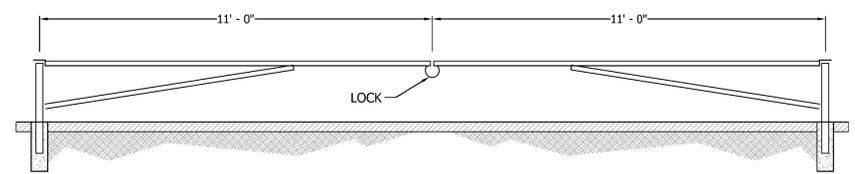
- PARKING STALL AC PAVEMENT (2B C6.1)
- HEAVY DUTY AC PAVEMENT (2A C6.1)
- CONCRETE SIDEWALK

**CURBING AND MISC ITEMS LEGEND**

- TYPE "A" CURB & GUTTER (4 C6.1)
- VALLEY GUTTER (3 C6.1)
- PROPERTY LINE
- FENCE (SEE LANDSCAPE PLANS)

**HORIZONTAL CONTROL NOTES**

- 1 NEW TYPE "A" CURB & GUTTER (DETAIL 4 / SHEET C6.1)
- 2 TAPER (DETAIL 5 / SHEET C7.1)
- 3 VALLEY GUTTER (DETAIL 4 / SHEET C6.1)
- 4 WOOD HEADER (DETAIL 1 / SHEET C6.1)
- 5 GATE WITH CHAIN LOCK (DETAIL 1 / BELOW)
- 6 RETAINING WALL (3' MAX. HEIGHT)
- 7 RAMP & HANDRAILS
- 8 STAIRS & HANDRAILS



REVISIONS

NO.	DESCRIPTION	DATE

TENTATIVE  
HORIZONTAL CONTROL  
PLAN



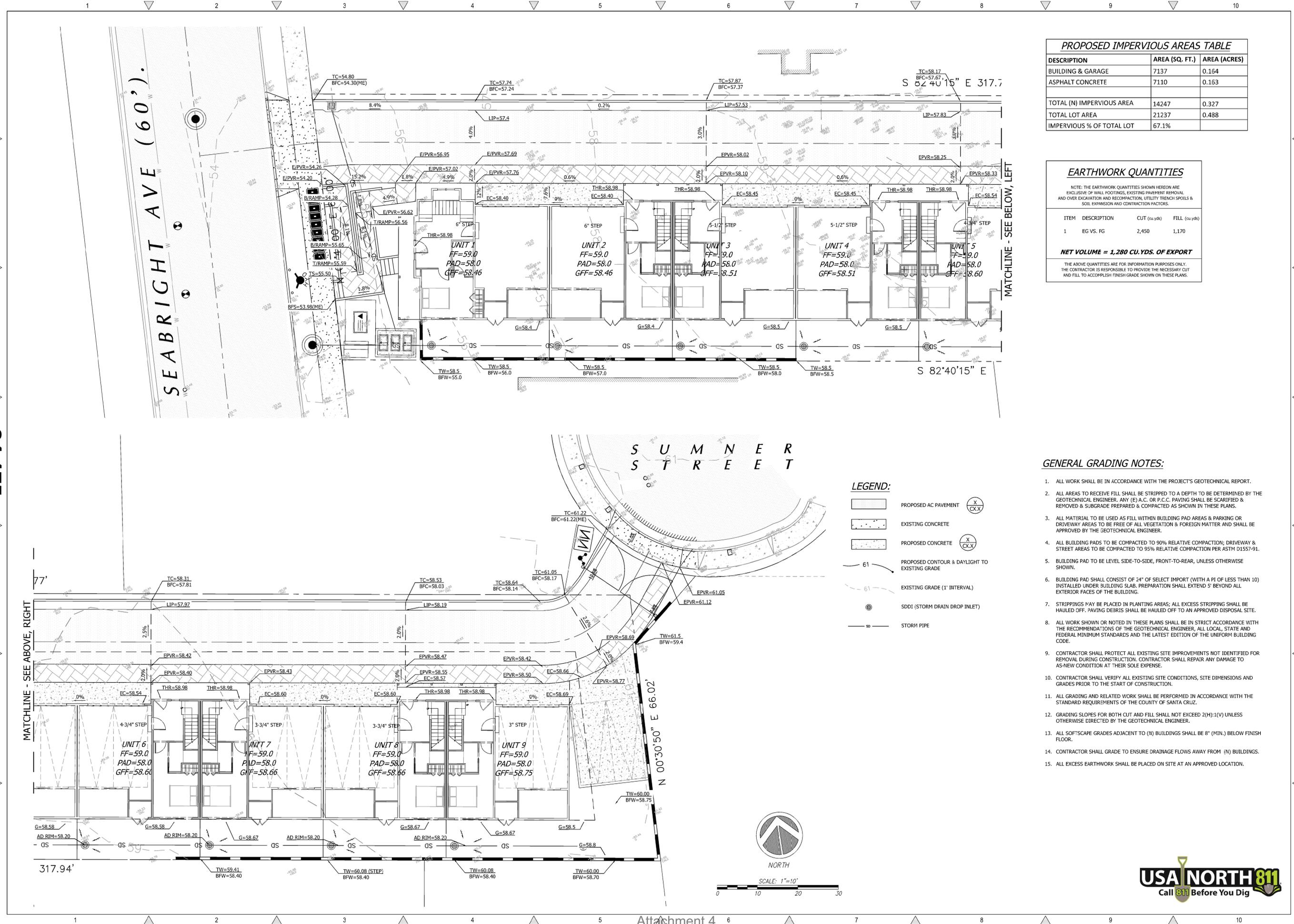
**C2G / CIVIL CONSULTANTS GROUP, INC.**  
 Engineers/Planners  
 4444 Scots Valley Drive / Suite 6  
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 T (931) 938-4420 F (931) 938-4420  
 Email: info@c2g.com Website: www.c2g.com

914 - 916 SEABRIGHT AVENUE  
 SANTA CRUZ, CA 95062  
 APN: 011-123-66

Date: 07.18.18  
 Scale: 1" = 10'  
 Drawn: DD/JB  
 Job: 476-50  
 Sheet:  
**C2.1**  
 Of 9 Sheets



34.175



**PROPOSED IMPERVIOUS AREAS TABLE**

DESCRIPTION	AREA (SQ. FT.)	AREA (ACRES)
BUILDING & GARAGE	7137	0.164
ASPHALT CONCRETE	7110	0.163
<b>TOTAL (N) IMPERVIOUS AREA</b>	<b>14247</b>	<b>0.327</b>
<b>TOTAL LOT AREA</b>	<b>21237</b>	<b>0.488</b>
<b>IMPERVIOUS % OF TOTAL LOT</b>	<b>67.1%</b>	

**EARTHWORK QUANTITIES**

NOTE: THE EARTHWORK QUANTITIES SHOWN HEREON ARE EXCLUSIVE OF WALL FOOTINGS, EXISTING PAVEMENT REMOVAL AND OVER EXCAVATION AND RECOMPACTION, UTILITY TRENCH SPOILS & SOIL EXPANSION AND CONTRACTION FACTORS.

ITEM	DESCRIPTION	CUT (cu.yds)	FILL (cu.yds)
1	EG VS. FG	2,450	1,170

**NET VOLUME = 1,280 CU.YDS. OF EXCESS**

THE ABOVE QUANTITIES ARE FOR INFORMATION PURPOSES ONLY. THE CONTRACTOR IS RESPONSIBLE TO PROVIDE THE NECESSARY CUT AND FILL TO ACCOMPLISH FINISH GRADE SHOWN ON THESE PLANS.

**GENERAL GRADING NOTES:**

- ALL WORK SHALL BE IN ACCORDANCE WITH THE PROJECT'S GEOTECHNICAL REPORT.
- ALL AREAS TO RECEIVE FILL SHALL BE STRIPPED TO A DEPTH TO BE DETERMINED BY THE GEOTECHNICAL ENGINEER. ANY (E) A.C. OR P.C.C. PAVING SHALL BE SCARIFIED & REMOVED & SUBGRADE PREPARED & COMPACTED AS SHOWN IN THESE PLANS.
- ALL MATERIAL TO BE USED AS FILL WITHIN BUILDING PAD AREAS & PARKING OR DRIVEWAY AREAS TO BE FREE OF ALL VEGETATION & FOREIGN MATTER AND SHALL BE APPROVED BY THE GEOTECHNICAL ENGINEER.
- ALL BUILDING PADS TO BE COMPACTED TO 90% RELATIVE COMPACTION; DRIVEWAY & STREET AREAS TO BE COMPACTED TO 95% RELATIVE COMPACTION PER ASTM D1557-91.
- BUILDING PAD TO BE LEVEL SIDE-TO-SIDE, FRONT-TO-REAR, UNLESS OTHERWISE SHOWN.
- BUILDING PAD SHALL CONSIST OF 24" OF SELECT IMPORT (WITH A PI OF LESS THAN 10) INSTALLED UNDER BUILDING SLAB. PREPARATION SHALL EXTEND 5' BEYOND ALL EXTERIOR FACES OF THE BUILDING.
- STRIPPINGS MAY BE PLACED IN PLANTING AREAS; ALL EXCESS STRIPPING SHALL BE HAULED OFF. PAVING DEBRIS SHALL BE HAULED OFF TO AN APPROVED DISPOSAL SITE.
- ALL WORK SHOWN OR NOTED IN THESE PLANS SHALL BE IN STRICT ACCORDANCE WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER, ALL LOCAL STATE AND FEDERAL MINIMUM STANDARDS AND THE LATEST EDITION OF THE UNIFORM BUILDING CODE.
- CONTRACTOR SHALL PROTECT ALL EXISTING SITE IMPROVEMENTS NOT IDENTIFIED FOR REMOVAL DURING CONSTRUCTION. CONTRACTOR SHALL REPAIR ANY DAMAGE TO AS-NEW CONDITION AT THEIR SOLE EXPENSE.
- CONTRACTOR SHALL VERIFY ALL EXISTING SITE CONDITIONS, SITE DIMENSIONS AND GRADES PRIOR TO THE START OF CONSTRUCTION.
- ALL GRADING AND RELATED WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE STANDARD REQUIREMENTS OF THE COUNTY OF SANTA CRUZ.
- GRADING SLOPES FOR BOTH CUT AND FILL SHALL NOT EXCEED 2(H):1(V) UNLESS OTHERWISE DIRECTED BY THE GEOTECHNICAL ENGINEER.
- ALL SOFTSCAPE GRADES ADJACENT TO (N) BUILDINGS SHALL BE 8" (MIN.) BELOW FINISH FLOOR.
- CONTRACTOR SHALL GRADE TO ENSURE DRAINAGE FLOWS AWAY FROM (N) BUILDINGS.
- ALL EXCESS EARTHWORK SHALL BE PLACED ON SITE AT AN APPROVED LOCATION.

**LEGEND:**

- PROPOSED AC PAVEMENT
- EXISTING CONCRETE
- PROPOSED CONCRETE
- PROPOSED CONTOUR & DAYLIGHT TO EXISTING GRADE
- EXISTING GRADE (1' INTERVAL)
- SDDI (STORM DRAIN DROP INLET)
- STORM PIPE

REVISIONS

NO.	DESCRIPTION	DATE

**TENTATIVE GRADING PLAN**

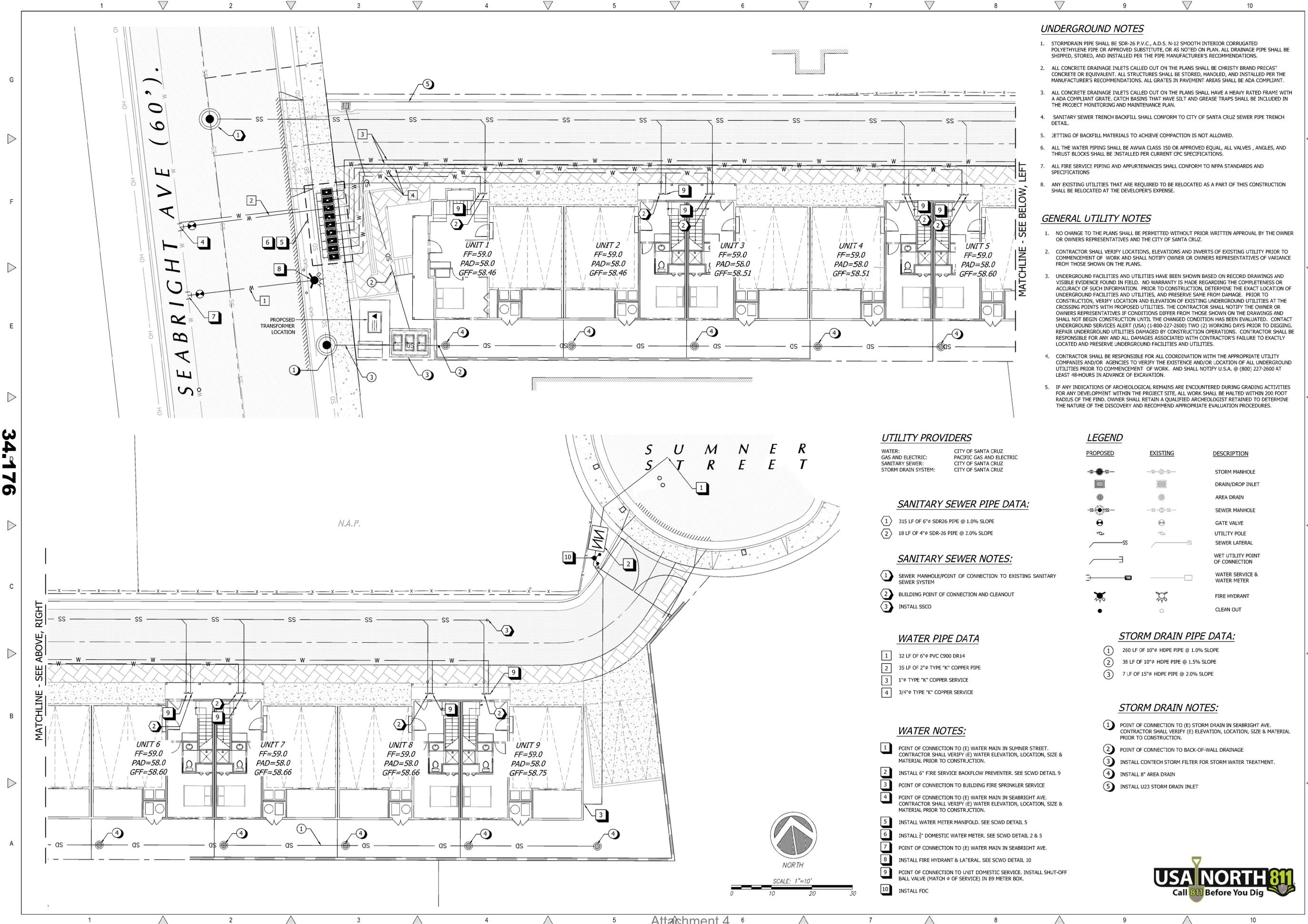


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 Engineers/Planners  
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 Scotts Valley, CA 95066  
 T (931) 938-4420 F (931) 938-4420  
 Lic# 70168 Lic# 70168

**914 - 916 SEABRIGHT AVENUE**  
**SANTA CRUZ, CA 95062**  
**APN: 011-123-66**

Date: 07.18.18  
 Scale: 1" = 10'  
 Drawn: DD/JB  
 Job: 476-50  
 Sheet: **C3.1**  
 Of 9 Sheets





**UNDERGROUND NOTES**

1. STORM DRAIN PIPE SHALL BE SDR-26 P.V.C., A.D.S. N-12 SMOOTH INTERIOR CORRUGATED POLYETHYLENE PIPE OR APPROVED SUBSTITUTE, OR AS NOTED ON PLAN. ALL DRAINAGE PIPE SHALL BE SHIPPED, STORED, AND INSTALLED PER THE PIPE MANUFACTURER'S RECOMMENDATIONS.
2. ALL CONCRETE DRAINAGE INLETS CALLED OUT ON THE PLANS SHALL BE CHRISTY BRAND PRECAST CONCRETE OR EQUIVALENT. ALL STRUCTURES SHALL BE STORED, HANDLED, AND INSTALLED PER THE MANUFACTURER'S RECOMMENDATIONS. ALL GRATES IN PAVEMENT AREAS SHALL BE ADA COMPLIANT.
3. ALL CONCRETE DRAINAGE INLETS CALLED OUT ON THE PLANS SHALL HAVE A HEAVY RATED FRAME WITH A ADA COMPLIANT GRATE. CATCH BASINS THAT HAVE SILT AND GREASE TRAPS SHALL BE INCLUDED IN THE PROJECT MONITORING AND MAINTENANCE PLAN.
4. SANITARY SEWER TRENCH BACKFILL SHALL CONFORM TO CITY OF SANTA CRUZ SEWER PIPE TRENCH DETAIL.
5. JETTING OF BACKFILL MATERIALS TO ACHIEVE COMPACTION IS NOT ALLOWED.
6. ALL THE WATER PIPING SHALL BE AWWA CLASS 150 OR APPROVED EQUAL, ALL VALVES, ANGLES, AND THRUST BLOCKS SHALL BE INSTALLED PER CURRENT CPC SPECIFICATIONS.
7. ALL FIRE SERVICE PIPING AND APPURTENANCES SHALL CONFORM TO NFPA STANDARDS AND SPECIFICATIONS.
8. ANY EXISTING UTILITIES THAT ARE REQUIRED TO BE RELOCATED AS A PART OF THIS CONSTRUCTION SHALL BE RELOCATED AT THE DEVELOPER'S EXPENSE.

**GENERAL UTILITY NOTES**

1. NO CHANGE TO THE PLANS SHALL BE PERMITTED WITHOUT PRIOR WRITTEN APPROVAL BY THE OWNER OR OWNERS REPRESENTATIVES AND THE CITY OF SANTA CRUZ.
2. CONTRACTOR SHALL VERIFY LOCATIONS, ELEVATIONS AND INVERTS OF EXISTING UTILITY PRIOR TO COMMENCEMENT OF WORK AND SHALL NOTIFY OWNER OR OWNERS REPRESENTATIVES OF VARIANCE FROM THOSE SHOWN ON THE PLANS.
3. UNDERGROUND FACILITIES AND UTILITIES HAVE BEEN SHOWN BASED ON RECORD DRAWINGS AND VISIBLE EVIDENCE FOUND IN FIELD. NO WARRANTY IS MADE REGARDING THE COMPLETENESS OR ACCURACY OF SUCH INFORMATION. PRIOR TO CONSTRUCTION, DETERMINE THE EXACT LOCATION OF UNDERGROUND FACILITIES AND UTILITIES, AND PRESERVE SAME FROM DAMAGE. PRIOR TO CONSTRUCTION, VERIFY LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AT THE CROSSING POINTS WITH PROPOSED UTILITIES. THE CONTRACTOR SHALL NOTIFY THE OWNER OR OWNERS REPRESENTATIVES IF CONDITIONS DIFFER FROM THOSE SHOWN ON THE DRAWINGS AND SHALL NOT BEGIN CONSTRUCTION UNTIL THE CHANGED CONDITION HAS BEEN EVALUATED. CONTACT UNDERGROUND SERVICES ALERT (USA) (1-800-227-2600) TWO (2) WORKING DAYS PRIOR TO DIGGING. REPAIR UNDERGROUND UTILITIES DAMAGED BY CONSTRUCTION OPERATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGES ASSOCIATED WITH CONTRACTOR'S FAILURE TO EXACTLY LOCATED AND PRESERVE UNDERGROUND FACILITIES AND UTILITIES.
4. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COORDINATION WITH THE APPROPRIATE UTILITY COMPANIES AND/OR AGENCIES TO VERIFY THE EXISTENCE AND/OR LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO COMMENCEMENT OF WORK. AND SHALL NOTIFY U.S.A. @ (800) 227-2600 AT LEAST 48-HOURS IN ADVANCE OF EXCAVATION.
5. IF ANY INDICATIONS OF ARCHEOLOGICAL REMAINS ARE ENCOUNTERED DURING GRADING ACTIVITIES FOR ANY DEVELOPMENT WITHIN THE PROJECT SITE, ALL WORK SHALL BE HALTED WITHIN 200 FOOT RADIUS OF THE FIND. OWNER SHALL RETAIN A QUALIFIED ARCHEOLOGIST RETAINED TO DETERMINE THE NATURE OF THE DISCOVERY AND RECOMMEND APPROPRIATE EVALUATION PROCEDURES.

**UTILITY PROVIDERS**

WATER: CITY OF SANTA CRUZ  
 GAS AND ELECTRIC: PACIFIC GAS AND ELECTRIC  
 SANITARY SEWER: CITY OF SANTA CRUZ  
 STORM DRAIN SYSTEM: CITY OF SANTA CRUZ

**SANITARY SEWER PIPE DATA:**

- 1 315 LF OF 6" SDR26 PIPE @ 1.0% SLOPE
- 2 18 LF OF 4" SDR-26 PIPE @ 2.0% SLOPE

**SANITARY SEWER NOTES:**

- 1 SEWER MANHOLE/POINT OF CONNECTION TO EXISTING SANITARY SEWER SYSTEM
- 2 BUILDING POINT OF CONNECTION AND CLEANOUT
- 3 INSTALL SSCO

**WATER PIPE DATA**

- 1 32 LF OF 6" PVC C900 DR14
- 2 35 LF OF 2" TYPE "K" COPPER PIPE
- 3 1" TYPE "K" COPPER SERVICE
- 4 3/4" TYPE "K" COPPER SERVICE

**WATER NOTES:**

- 1 POINT OF CONNECTION TO (E) WATER MAIN IN SUMNER STREET. CONTRACTOR SHALL VERIFY (E) WATER ELEVATION, LOCATION, SIZE & MATERIAL PRIOR TO CONSTRUCTION.
- 2 INSTALL 6" FIRE SERVICE BACKFLOW PREVENTER. SEE SCWD DETAIL 9
- 3 POINT OF CONNECTION TO BUILDING FIRE SPRINKLER SERVICE
- 4 POINT OF CONNECTION TO (E) WATER MAIN IN SEABRIGHT AVE. CONTRACTOR SHALL VERIFY (E) WATER ELEVATION, LOCATION, SIZE & MATERIAL PRIOR TO CONSTRUCTION.
- 5 INSTALL WATER METER MANIFOLD. SEE SCWD DETAIL 5
- 6 INSTALL 3/4" DOMESTIC WATER METER. SEE SCWD DETAIL 2 & 5
- 7 POINT OF CONNECTION TO (E) WATER MAIN IN SEABRIGHT AVE.
- 8 INSTALL FIRE HYDRANT & LATERAL. SEE SCWD DETAIL 10
- 9 POINT OF CONNECTION TO UNIT DOMESTIC SERVICE. INSTALL SHUT-OFF BALL VALVE (MATCH # OF SERVICE) IN B9 METER BOX.
- 10 INSTALL FDC

**LEGEND**

PROPOSED	EXISTING	DESCRIPTION
		STORM MANHOLE
		DRAIN/DROP INLET
		AREA DRAIN
		SEWER MANHOLE
		GATE VALVE
		UTILITY POLE
		SEWER LATERAL
		WET UTILITY POINT OF CONNECTION
		WATER SERVICE & WATER METER
		FIRE HYDRANT
		CLEAN OUT

**STORM DRAIN PIPE DATA:**

- 1 260 LF OF 10" HDPE PIPE @ 1.0% SLOPE
- 2 38 LF OF 10" HDPE PIPE @ 1.5% SLOPE
- 3 7 LF OF 15" HDPE PIPE @ 2.0% SLOPE

**STORM DRAIN NOTES:**

- 1 POINT OF CONNECTION TO (E) STORM DRAIN IN SEABRIGHT AVE. CONTRACTOR SHALL VERIFY (E) ELEVATION, LOCATION, SIZE & MATERIAL PRIOR TO CONSTRUCTION.
- 2 POINT OF CONNECTION TO BACK-OF-WALL DRAINAGE
- 3 INSTALL CONTECH STORM FILTER FOR STORM WATER TREATMENT.
- 4 INSTALL 8" AREA DRAIN
- 5 INSTALL U23 STORM DRAIN INLET



SCALE: 1"=10'  
 0 10 20 30

REVISIONS	BY

TENTATIVE  
 UTILITY  
 PLAN



C2G / CIVIL CONSULTANTS GROUP, INC.  
 Engineers/Planners  
 4444 Scots Valley Drive / Suite 6  
 Scots Valley, CA 95066  
 T (931) 938-4420 F (931) 938-4420

914 - 916 SEABRIGHT AVENUE  
 SANTA CRUZ, CA 95062  
 APN: 011-123-66

Date: 07.18.18  
 Scale: 1" = 10'  
 Drawn: DD/JB  
 Job: 476-50  
 Sheet: C4.1  
 Of 9 Sheets

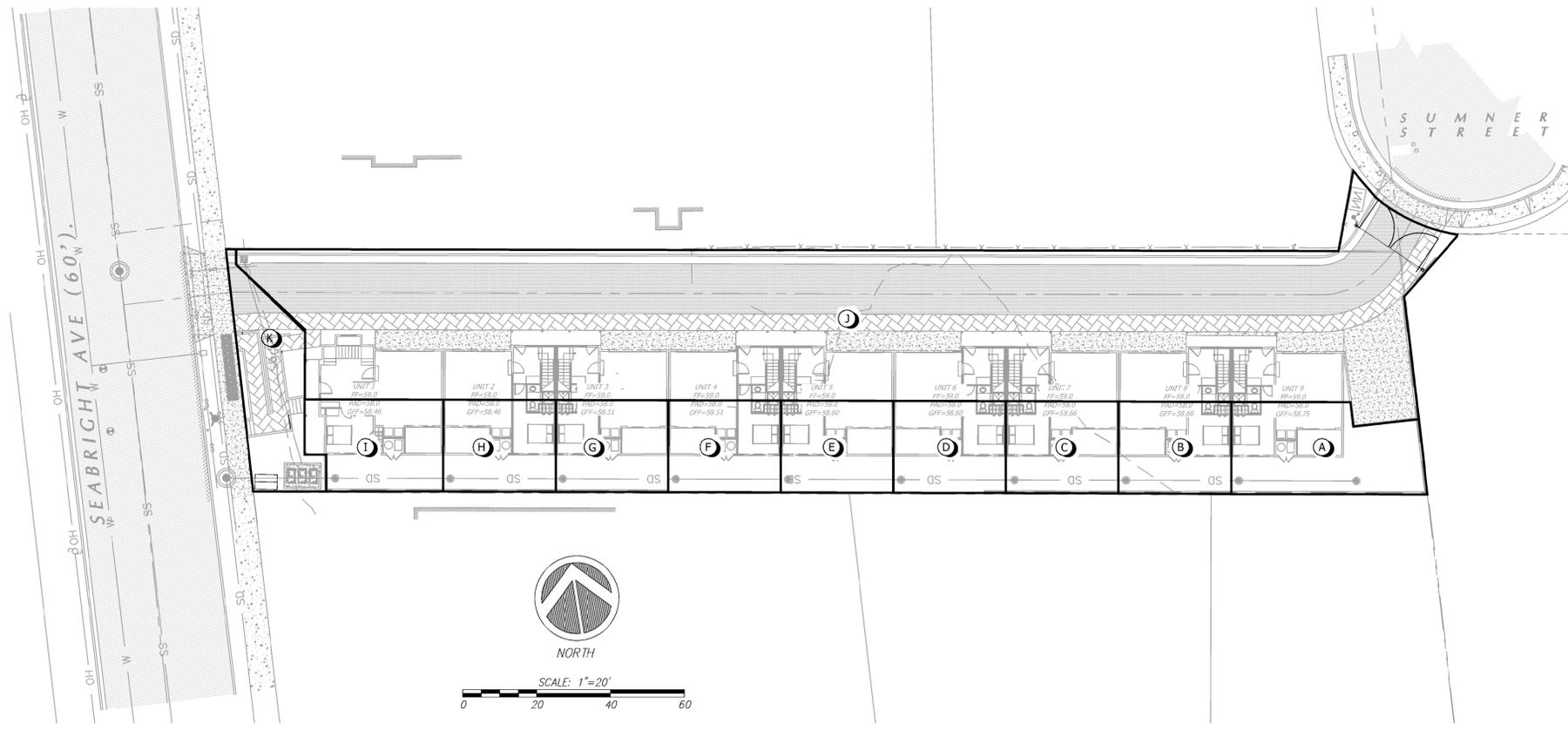


34.176

MATCHLINE - SEE ABOVE, RIGHT

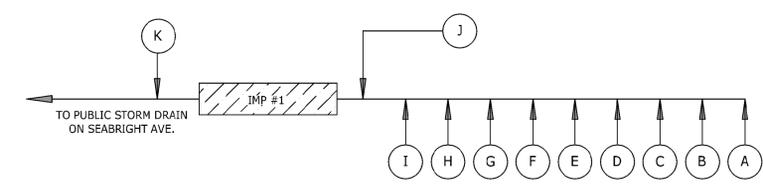
MATCHLINE - SEE BELOW, LEFT

34.177



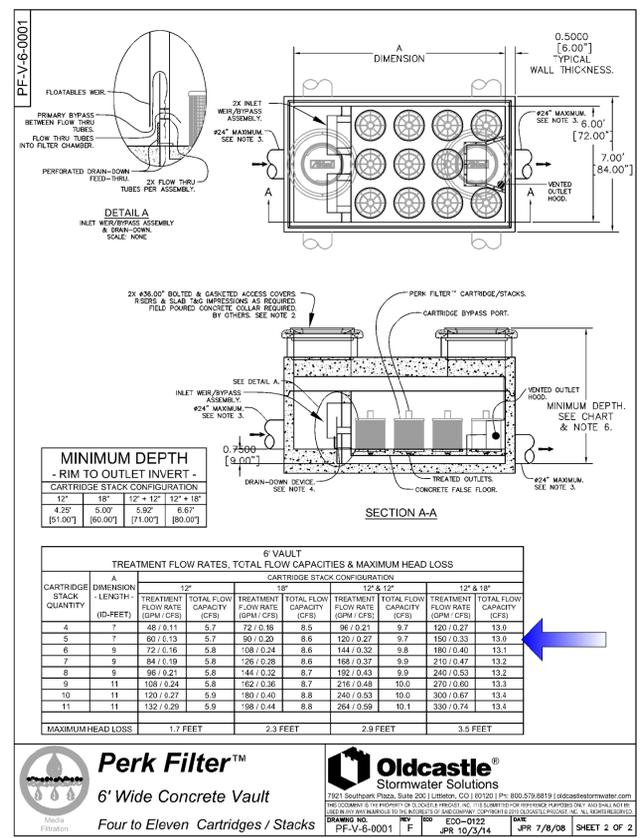
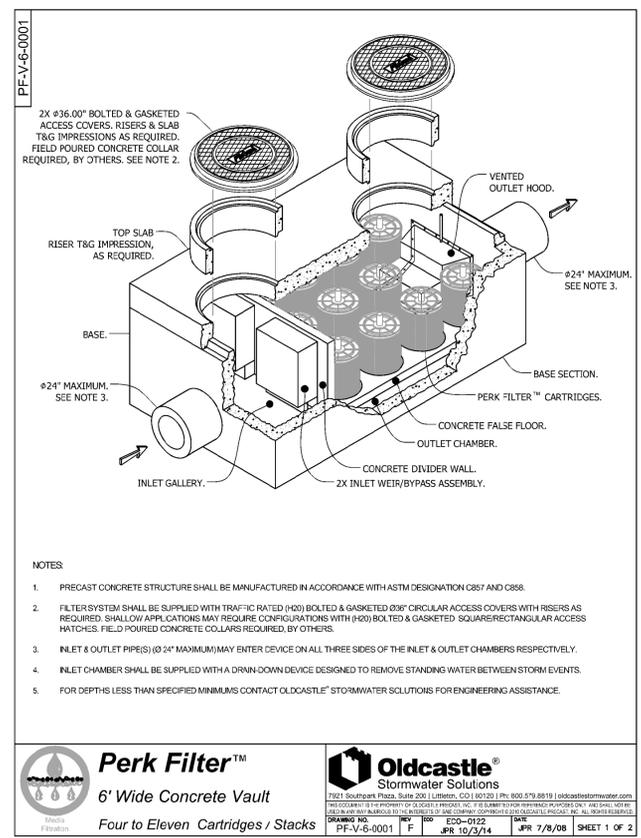
PROPOSED IMPERVIOUS AREAS TABLE

DESCRIPTION	AREA (SQ. FT.)	AREA (ACRES)
BUILDING & GARAGE	7137	0.164
ASPHALT CONCRETE	7110	0.163
TOTAL (N) IMPERVIOUS AREA	14247	0.327
TOTAL LOT AREA	21237	0.488
IMPERVIOUS % OF TOTAL LOT	67.1%	



1 ONSITE DRAINAGE DIAGRAM

Scale: NTS



1 UNDERGROUND STORMWATER FILTRATION SYSTEM (STORM WATER TREATMENT DEIVCE)

Scale: NTS

REVISIONS

NO.	DESCRIPTION	DATE	BY

TENTATIVE  
STORM WATER  
CONTROL PLAN

REGISTERED PROFESSIONAL ENGINEER  
TOM R. CREWES  
No. C 64561  
Exp. 6/30/19  
CIVIL  
STATE OF CALIFORNIA

C2G / CIVIL CONSULTANTS GROUP, INC.  
Engineers/Planners  
4444 Scots Valley Drive / Suite 6  
Scots Valley, CA 95066  
T (931) 938-4420 F (931) 938-4420

914 - 916 SEABRIGHT AVENUE  
SANTA CRUZ, CA 95062  
APN: 011-123-66

Date: 07.18.18  
Scale: 1" = 10'  
Drawn: DD/JB  
Job: 476-50  
Sheet: C5.1  
Of 9 Sheets



34.178

1

2

3

4

5

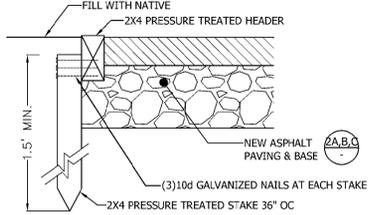
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7

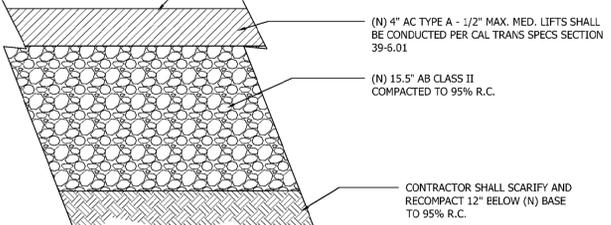
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9

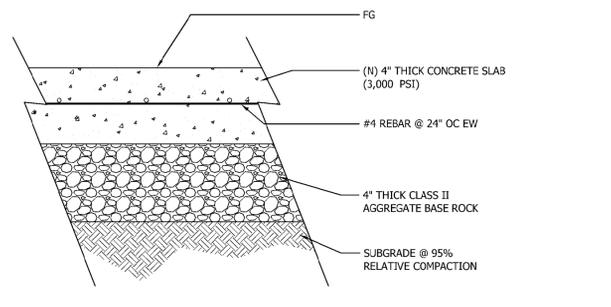
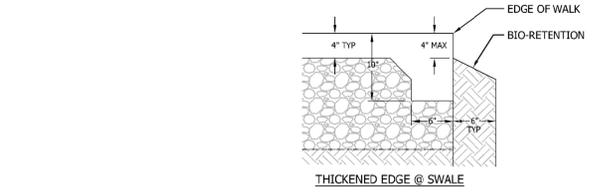
10



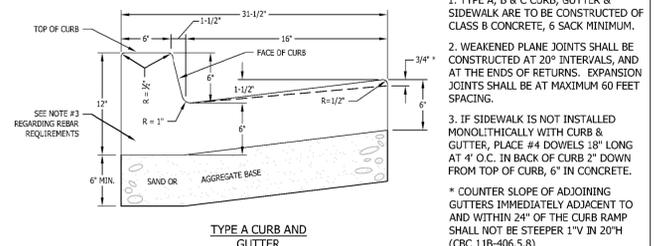
**1** PRESSURE TREATED WOOD HEADER DETAIL  
SCALE: NTS



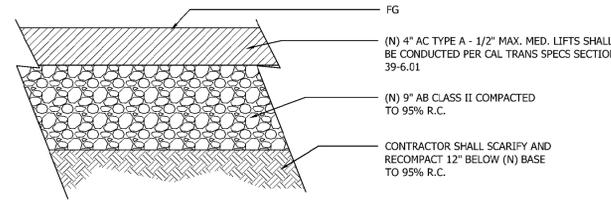
**2A** "HEAVY DUTY" VEHICULAR AC PAVEMENT SECTION  
Scale: NTS



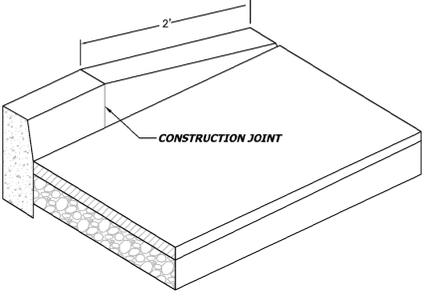
**3** CONCRETE SIDEWALK SECTION  
Scale: NTS



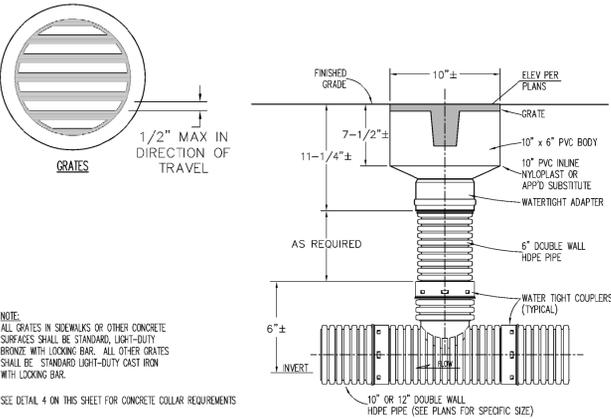
**4** CONCRETE CURB TYPES  
Scale: VTS



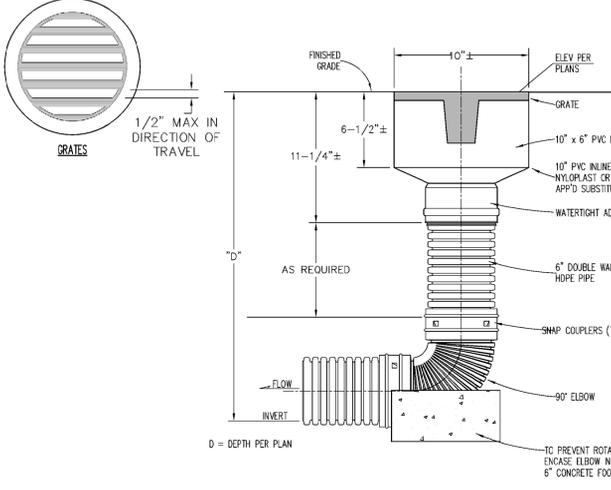
**2B** PARKING STALL AC SECTION  
Scale: NTS



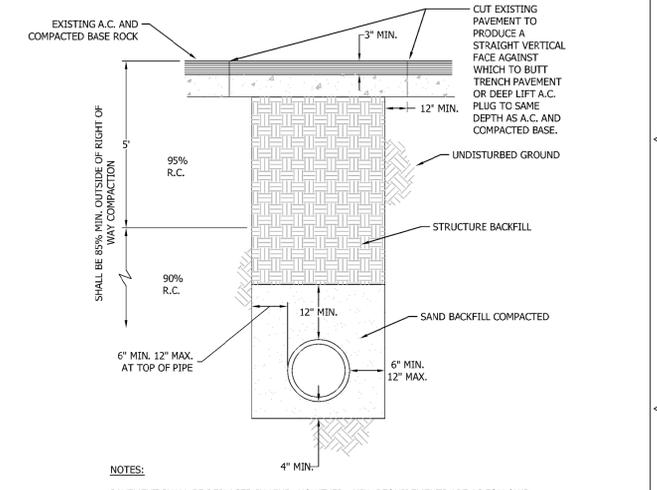
**5** CURB TAPER DETAIL  
Scale: NTS



**6** 10"  $\square$  INLINE AREA DRAIN  
Scale: NTS



**7** 10"  $\square$  TERMINAL AREA DRAIN  
Scale: NTS



**8** STANDARD TRENCH BACKFILL  
Scale: NTS

REVISIONS	BY

**TENTATIVE DETAILS**



**C2G / CIVIL CONSULTANTS GROUP, INC.**  
Engineers/Planners  
4444 Scots Valley Drive / Suite 6  
Scotts Valley, CA 95066  
T (931) 938-4420 F (931) 938-4420

**914 - 916 SEABRIGHT AVENUE  
SANTA CRUZ, CA 95062  
APN: 011-123-66**

Date: 07.18.18  
Scale: AS SHOWN  
Drawn: DD/JB  
Job: 476-50  
Sheet:  
**C6.1**  
Of 9 Sheets



**W.E.L.O. Notes**

(1) Plant material shall comply with all of the following:

(A) For residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 75% of the plant area excluding edibles and areas using recycled water; For non-residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 100% of the plant area excluding edibles and areas using recycled water;

(B) A minimum three inch (3") layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.

(2) Turf shall comply with all of the following:

(A) Turf shall not exceed 25% of the landscape area in residential areas, and there shall be no turf in non-residential areas;

(B) Turf shall not be planted on sloped areas which exceed a slope of 1 foot vertical elevation change for every 4 feet of horizontal length;

(C) Turf is prohibited in parkways less than 10 feet wide, unless the parkway is adjacent to a parking strip and used to enter and exit vehicles. Any turf in parkways must be irrigated by sub-surface irrigation or by other technology that creates no overspray or runoff.

(3) Irrigation systems shall comply with the following:

(A) Automatic irrigation controllers are required and must use evapotranspiration or soil moisture sensor data and utilize a rain sensor.

(B) Irrigation controllers shall be of a type which does not lose programming data in the event the primary power source is interrupted.

(C) Pressure regulators shall be installed on the irrigation system to ensure the dynamic pressure of the system is within the manufacturers recommended pressure range.

(D) Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be installed as close as possible to the point of connection of the water supply.

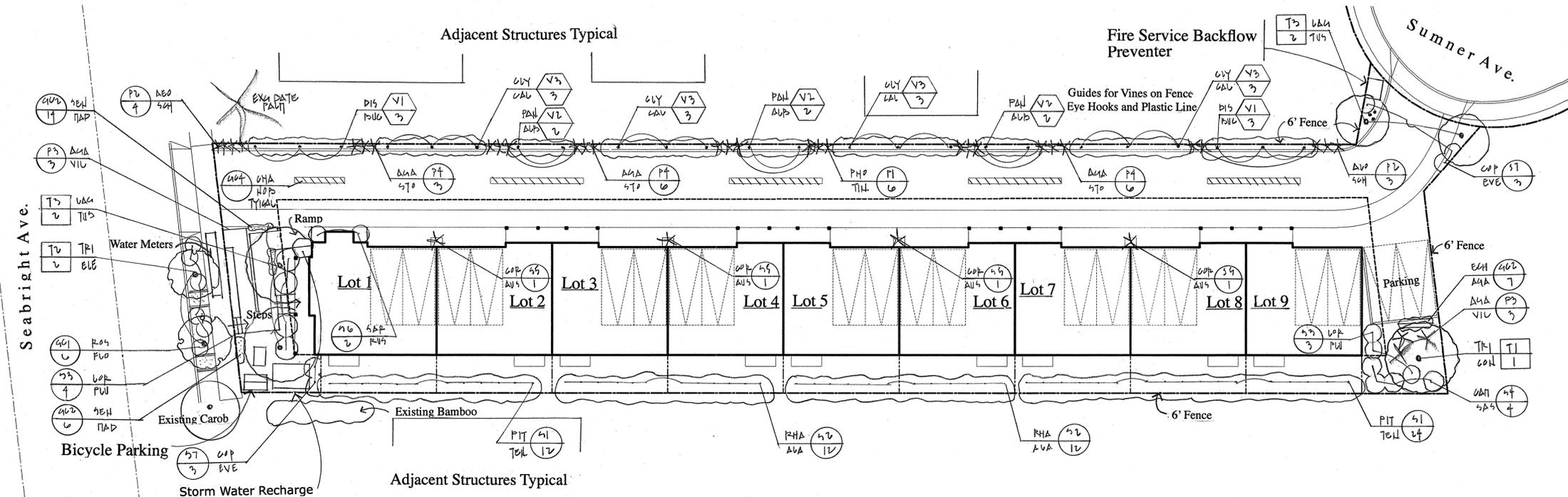
(E) All irrigation emission devices must meet the requirements set in the ANSI standard, ASABE/ICC 802-2014. "Landscape Irrigation Sprinkler and Emitter Standard." All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.

(F) Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.

(G) For non-residential projects with landscape areas of 1,000 sq. ft. or more, a private submeter(s) to measure landscape water use shall be installed.

(H) At the time of final inspection, the permit applicant must provide the owner of the property with a certificate of completion, certificate of installation, irrigation schedule and a schedule of landscape and irrigation maintenance.

Sym	Botanical Name	Common Name	Size	Quan
<b>Trees</b>				
T1	Tristania conferta	Brisbane Box	24" Box	1
T2	Tristania 'Elegant'-street tree	Swamp Myrtle	24" Box	2
T3	Lagerstromia 'Tuscarora'	Pink Crepe Myrtle	24" Box	4
<b>Shrubs</b>				
S1	Pittosporum tenuifolium -standard	Pittosporum Kohuhu- Single Trunk	15GC	36
S2	Rhamnus alaternus-standard	Italian Buckthorn-Single Trunk	15GC	24
S3	Loropetalum 'Plum Delight'	Red-leafed Magenta Fringe Flower	5GC	7
S4	Camellia sasanqua 'Sersugekka'	White Sasanqua Camellia	5GC	4
S5	Cordyline australis 'Red Star'	Bronze-leafed Dragon Tree	15GC	4
S6	Sarcococca ruscifolia	Sarcococca	5GC	2
S7	Coprosma 'Evening Glow'	Red/Yellow Leaf Mirror Plant	5GC	6
<b>Perennials</b>				
P1	Phormium 'Tiny Tiger'	Green/White Variegated Dwarf Flax	1GC	6
P2	Aeonium 'Schwarzcopf'	Deep Burgundy Tree Aeonium	5GC	7
P3	Agave villmoriniana	Octopus Agave	5GC	3
P4	Agapanthus 'Storm Cloud'	Deep purple Lily of the Nile	1GC	15
<b>Vines</b>				
V1	Distictus buccinatoria	Red Trumpet Vine	5GC	6
V2	Pandorea 'Alba'	White Bower Vine	5GC	6
V3	Clytostoma callestegiodes	Violet Trumpet Vine	5GC	12
<b>Groundcovers</b>				
GC1	Senecio madraliscae	Blue Chalk Fingers	1GC	14
GC2	Echevaria agavioides 'Red Edge'	Red Edge Hen and Chicks	1GC	20
GC3	Rosa 'Flower Carpet Amber'	Gold Flower Carpet Rose	1GC	6
GC4	Chamaemelum nobile 'Treneague'	Non-flowering Chamomile	Flats	



1 LANDSCAPE PLAN  
SCALE: 1/16" = 1'-0"

Ellen Cooper  
Landscape Architect  
CA Lic. #2937  
831-426-6845

DVRD INC.  
DEREK VAN ALSTINE  
DESIGNER  
2017 COPYRIGHT  
ALL RIGHTS RESERVED

HOUSTON SEABRIGHT  
914-916 SEABRIGHT AVE.  
SANTA CRUZ, CA 95062

ISSUE DESCRIPTION
SCHEMATIC DESIGN DEC. 22, 2017
DESIGN DEVELOPMENT
PLANNING SUBMITTAL: JULY 23, 2018
BUILDING SUBMITTAL:
REVISIONS:
1-11-19

LANDSCAPE PLAN  
L1



## Rosemary Balsley

---

**From:** Oliver Ziff <olziff@gmail.com>  
**Sent:** Wednesday, June 17, 2020 1:22 PM  
**To:** City Council  
**Subject:** Development at 916 Seabright

Hi City Council,

Hope this is going out to the right people and thank you for serving on the City Council.

I am writing about the proposed development at 916 Seabright Ave. I have lived for 22 years around the corner at 216 Clinton St.

It seems to me that this development is out of scale with our neighborhood. Just in the last few years, Seabright has had more than its fair share of building. The 12 (2 story) apartments at 722-724 Seabright replaced 3 single story residences. Now one block away we are faced with demolition of 3 units to be replaced by this (2 story) 9 unit townhome project.

While I appreciate the need for housing, couldn't we share the wealth, spread the construction projects around the city more equitably? Has the Westside and particularly the upper Westside received the same level of development as Eastside Santa Cruz? Does providing one or two units of affordable housing justify wrecking the character of the neighborhood? How much will these townhomes sell for?

Seabright is pretty densely populated as it is with Seabright Ave. a major traffic artery often backed up from Murray St. Simply because we are zoned for multiple residences doesn't mean we need to promote this gradual erosion of the character of our neighborhood.

Anyway, thanks for your attention to this matter.

Best,

Oliver Ziff

216 Clinton St.

Santa Cruz, CA 95062

## Rosemary Balsley

---

**From:** Shelley Hatch <scghia@gmail.com>  
**Sent:** Thursday, June 18, 2020 10:14 AM  
**To:** City Council; Justin Cummings; dmyers@cityofsantacruz.com; Katherine Beiers; Martine Watkins; Renee Golder; Cynthia Mathews  
**Subject:** Fwd: 914-916 Seabright project

When I studied the agenda report before the Planning Commission hearing for 914-916 Seabright I looked for and did not find ANY words or mapping to denote the location of the proposed path. There were not any specifications showing the width of the path and whether or not it is physically separated from where cars will be entering and exiting. Staff was clearly pushing for the path, but why was no useful information provided in the agenda report so commissioners and the public could understand more about it.

Danger for cyclists and pedestrians should be a major concern if a barrier is not part of the plan, but no one knew it's location, if there was a barrier planned or any design specs about it. Planning commissioners voted 5-2 against a path, without seeing this information, thus not knowing if it's design would make it dangerous for users.

While watching the meeting I learned that the 24' requirement for backing up cars and turning to leave has not been met. One commissioner said that this will make it more difficult when maneuvering a car, while the driver also has to remember to watch for cyclists and pedestrians. Learning this heightened my concerns about safety, so I contacted the planner and she verified that there was no information about the path in the commissioner's packets.

The combination of less than 24' for maneuvering a car and a path that wasn't shown to have a specific location on the plans indicates that this unsafe dual usage was not fully thought through. The developer, commissioners and Sumner Street residents all agree that they do not want or need this path. My concerns for safety and my respect for Health in All Policies prompt me to feel that this path would be a danger to those who use it.

Shelley Hatch

## Rosemary Balsley

---

**From:** Shelley Hatch <scghia@gmail.com>  
**Sent:** Thursday, June 18, 2020 4:19 PM  
**To:** City Council  
**Subject:** for 914-916 Seabright council hearing packets

Because 914-916 Seabright is not a vested project it's inclusionary percentage should be set at our current 20% rate , not at past percentages that no longer exist.

The Planning Commission voted for increasing the number of inclusionary units from 1 to 2 as their recommendation to the council. If the duplex and house were retained rather than demolished there would be 3 separate 1 bedroom units that would be excellent small, lower income units . Since keeping them is not the developer's plan, the council could achieve providing 2 inclusionary units by using the current 20% rate. Without their being vested, the 20% is their expected rate , especially when the goal of providing, not removing, lower income housing is important to our city and our city council . Shelley Hatch



## CITY COUNCIL AGENDA REPORT

DATE: June 17, 2020

AGENDA OF: June 23, 2020  
DEPARTMENT: Finance  
SUBJECT: Fiscal Year 2021 Proposed Budget Adoption (FN)

---

RECOMMENDATION: Continue to the July 2, 2020 City Council Special meeting.

---

BACKGROUND:

DISCUSSION:

FISCAL IMPACT:

Prepared by:

Submitted by:

Approved by:

ATTACHMENTS:

None.

## Rosemary Balsley

---

**From:** Carol Long <cjlong3@sbcglobal.net>  
**Sent:** Thursday, June 18, 2020 11:13 AM  
**To:** Justin Cummings; Donna Meyers; City Council; Martin Bernal; Martine Watkins; Sandy Brown; Katherine Beiers; Renee Golder; Cynthia Mathews  
**Subject:** Fw: For June 23rd Budget Meeting: Reduce Police budget; Reallocate funds

Please read forwarded message with organizational affiliation under signature:

On Jun 18, 2020, at 5:06 AM, Carol Long <cjlong3@sbcglobal.net> wrote:

Composed in response to the Environmental youth group Sunrise Santa Cruz' Defund Campaign. Their Facebook post said:

"On June 23rd the City Council of Santa Cruz is meeting to discuss the preliminary 2021 budget. As part of this budget, the Santa Cruz Police Department is asking for an 18% budget from 2020, about \$4.7 million. At the same time, the City has announced it will be cutting \$6 million from the 2021 budget (find more info at [bit.ly/3dejZ7L](https://bit.ly/3dejZ7L)).

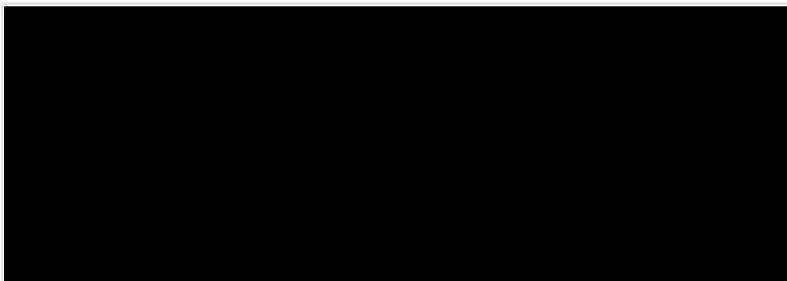
Sunrise Santa Cruz is planning on joining the budget meeting and demanding that these funds be used in a way that represents the interests of the community, not the police. Therefore, we're seeking to gather as many ideas from the Santa Cruz community as possible. We want to ensure that our voices are not the only ones represented.

Please share your own ideas on how we could reallocate these funds in the 2021 budget to improve our community. These ideas will be presented to the committee in order to show that the citizens of Santa Cruz do not support increases in the police budget. In addition, we aim to illustrate the many different ways in which these funds could be put to better use.

If it were up to you; how would you reallocate these funds to improve the health & safety of our community?"

Send your response to the officials addressed above, and share it with Sunrise at their Facebook page:

[Sunrise Santa Cruz DEFUND Campaign](#)





## Sunrise Santa Cruz DEFUND Campaign

On June 23rd the City Council of Santa Cruz is meeting to discuss the preliminary 2021 budget. As part of this b...

My response:

First, rent motel/hotel rooms, then buy some motels and use them to house our 2,000-plus houseless people along with their children & pets. Provide those people with adequate healthy food for free; same with clothing and laundry facilities, job & literacy training, help with enrolling houseless children in school & help with homework; social workers to help the houseless find medical, educational, social, and other services, drug rehabilitation and other counseling like vocational advice. Use some of the money to subsidize rent for people in danger of houselessness because they have been thrown out of work by Pandemic.

Suspend cause-less (except for financially caused) evictions. Use the money to buy up land & homes for truly affordable housing, affordable to anyone making minimum wage or living on Social Security or Supplemental Security Income.

Plant and water for 3 years: our share of the trillion and a half trees needed worldwide to draw down enough CO2 to stop global warming. Subsidize solar in all new construction; finance solar for all buildings suitable for but currently without it.

Reallocate funds to hire more medical workers to deal with Pandemic AND all other medical needs.

Finance or subsidize high speed internet for all households; provide good computers and training in using them to all households now without them.

Use some of the money to provide opportunities for public to create public and private art and sport, music and recreation.

Use money to help subsidize electric cars, electric bicycles, electric scooters and motorcycles. Use money to expand public transit and create personal high-speed transit along railway.

Use money to help find volunteers or to pay helpers to visit nursing homes with animal visitors; finance animal shelter to create better conditions for animals, like grassy play areas; more and better veterinary care; to subsidize vet care for low-income individuals, or anyone without funds to get medical care for their companion animals.

Help low-income people, especially houseless, and restaurants survive by allowing EBT to be used for take-out. Supplement EBT.

Stop using police officers to harrass, drive off, and rob the houseless of their meager possessions. Hire social workers to do much of the police work; give police officers training in martial arts to use as non-violent as possible techniques to disarm potentially threatening persons. Buy and train officers in their use, other non-injurious devices to control violent individuals, like nets.

Pass law requiring all candidates for city office to disclose their campaign donors & how much they each donated. Provide public financing for candidates for municipal office. Raise city council salaries to at least half of that paid to supervisors on Santa Cruz county board of Supervisors. Hire assistants for each council member with same expertise levels and qualifications, as well as salaries comparable to (but not more than 3/5 that paid to council members) County Supervisors' assistants. Reduce city manager's salary by half; halve the number and salaries of his staff.

Use some of the remaining police budget to provide training to all police officers, including chief, in how to non-violently perform their duties. Training in non-violent communication, in conflict resolution, and aikido are some possibilities. Meeting with representatives of community organizations concerned about police violence and treatment of poor and minorities would take up more police time, effectively allocating those salaries to improving peace officers' effectiveness in keeping the peace rather than oppressing the disadvantaged.

Thank you.

Carol Long, member  
Santa Cruz Climate Action Network

## Rosemary Balsley

---

**From:** Joanne Long <dakotajolong@hotmail.com>  
**Sent:** Thursday, June 18, 2020 10:34 AM  
**To:** Carol Long  
**Cc:** Justin Cummings; Donna Meyers; City Council; SCCAN; santa-cruz-progressive-email-list@googlegroups.com  
**Subject:** Re: For June 23rd Budget Meeting: Reduce Police budget; Reallocate funds

The youth of Santa Cruz All right in tune with current thinking. Maybe somewhat utopian but to put money into efforts to help people might be more effective then putting money into putting them down.

Sent from my iPhone

On Jun 18, 2020, at 5:06 AM, Carol Long <cjlong3@sbcglobal.net> wrote:

Composed in response to the Environmental youth group Sunrise Santa Cruz' Defund Campaign. Their Facebook post said:

"On June 23rd the City Council of Santa Cruz is meeting to discuss the preliminary 2021 budget. As part of this budget, the Santa Cruz Police Department is asking for an 18% budget from 2020, about \$4.7 million. At the same time, the City has announced it will be cutting \$6 million from the 2021 budget (find more info at [bit.ly/3dejZ7L](http://bit.ly/3dejZ7L)).

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Thank you.

Carol Long

## Rosemary Balsley

---

**From:** Garrett <garrettphilipp@aol.com>  
**Sent:** Friday, June 19, 2020 1:27 PM  
**To:** City Council  
**Subject:** 6.23.20 Agenda Item # 35, 2021 Budget

6.23.20 Agenda Item # 35, 2021 Budget

Dear Council,

I am writing this reminding you you have the safety and health (Hey, remember Health in All Policies?) responsibilities of all the citizens here at stake.

Any attempt to de-fund the police by pie-in-the-sky-utopian socialist, communists, leftists who wish to hi-jack the George Floyd hysteria for their own agendas must be shut down, and a go slow process of liberals and conservatives in rational discussion must take place before trashing our institutions in a hissie-fit tantrum of radical leftism hi-jacking racial tensions.

I see you have letters where everything is free, everything is subsidized, everything is paid for by no police. Can you say idiots?

The rich and powerful will still have their paid armed security, but a de-funded police's effects will be felt more harshly on those less fortunate.

I see Beverley Hills outlawed assembly of more than 10 people. Now those celebs can all apoligize for their whiteness and "bravely" condemn racism from the safety of their looting mob free police protected mansions.

Ask the residents in Baltimore if they are more afraid of the police, or gangs?

Ask the store owners of looted and burned out business if they are more afraid of the police or gangs of out of control rioters, arsonists, or antifa?

The result of such is going to be a massive arming of society as it finds other ways to protect itself, and the lack of control will not be pretty.

Ask yourself why anyone would even obey any laws when their are no police?

Ask yourself, who is going to obey YOUR laws and what kind of authority will you still have as a government without your armed servants?

Where is the proof the police in Santa Cruz have systemically violated the trust we put in them that justifies such extreme radicalism?

Hey, not everyone is an Einstein, and many of the citizens in Santa Cruz prove it every week with letters like the ones you have received, and the hordes of misguided types that will surely call in on this one.

If you really want to save some money, I suggest eliminating the position of climate action manager and all associated employees from the city budget.

After all, they have represented extremely poor judgement in all things climate.

While I won't go through it all, that last ordinance about banning new natural gas heating and cooking in new homes was based on so many unfounded, unproven, immeasurable statements masquerading as facts I am appalled at your gullibility.

Man cannot predict climate at this time.

Man does not posses a climate model that can be tested/proven with back tested history.

Much of what passes as climate history is very, very short lived in historical context and really unknown precisely as to causation.

Man cannot prove climate can be controlled as CO2 barely contributes to 2% of climate control, and man's part in that is a tiny bit of that.

Man cannot measure the effects of CO2 control on climate.

Radicals confuse the Earth's turbulent weather with climate, as your very own "WHEREAS's" you spout by the climate action managers approval easily show.

Every single meeting the council shows it's radical leftist bent.

I'm surprise you don't blame climate on racism, sexism, homophobia, and white male greedy capitalist pigs since nearly every other malady seems to go that way.

Let this time be different.

How about punting that one to your ever favored committee to study police behavior?

Why not. But how's about this time inviting half conservatives to be on that committee so that, not as the usual, actual rational discussion with pros/cons and people engaged in rational discussion takes place instead of the knee jerk unanimous "let's tear everything down damn the consequences, socialism for all, tyranny for us" usual progressive leftist agenda?

You would make far less mistakes that way, and incremental progress would be achieved.

Sincerely, Garrett Philipp - Westside

## **Rosemary Balsley**

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**From:** , MylesMade <mstanford456@g.rwu.edu>  
**Sent:** Sunday, June 21, 2020 10:55 AM  
**To:** City Council  
**Subject:** '6/23 Budget Adoption Meeting

Hello Mayor Cummings,

I urge you to reallocate funding from the police to prevention programs and human resources. I believe we should be following in the footsteps of communities like Eugene, OR who are redefining how police are to utilized by our communities. We should no longer send police to non-criminal calls and instead send first responders in the form of unarmed, peace keeping and mental health professionals. We should use our budget to focus on preventative and educational measures for reducing violent crime and also to create better peace training and racism training programs for the police force.

Thank you very much for reading,  
Myles Stanford, Santa Cruz County resident

## Rosemary Balsley

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**From:** Carolyn Trupti Israel <cappy@baymoon.com>  
**Sent:** Saturday, June 20, 2020 11:34 AM  
**To:** Justin Cummings; City Council  
**Subject:** Fwd: Fwd: [SCCAN] For June 23rd Budget Meeting: Reduce Police budget; Reallocate funds

Att'n: Justin Cummings, Mayor, and Santa Cruz City Council members--

Thoughtful letters from different folks in SC:

It is appalling that our town is on it's way to moving backward into the same type of build up of automobile centric infrastructure we got trapped into during the mid 20th century.

We need, instead, to be tearing much of that infrastructure down and replacing it with pedestrian and cycling friendly, genuinely affordable neighborhoods where working people can live near their jobs, families can have enough free time to spend in nature, and all can live convivial lives all living creatures are meant live.

Today I heard about a Sunday event at the downtown farmers mkt site in support of The Commons and against a garage, scheduled for 10:30 - 12:30.

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We may have exceeded the city's budget, but we should aim for what we need and want.

We also need to lobby our Congressional reps and Senators to get this Titanic turned around.

Meanwhile, let's deal with our local needs.

The police chunk is a huge fraction of the entire City budget.

P.S. To get enough \$\$ for all that needs to get done, the entire City budget is not enough. There is enough money, but it is being wasted elsewhere. Start with the "defense" budget. Some is useful, advanced research like that which became the internet, some is waste, and a lot is to keep the world destabilized and intimidated at the same time like about 800 foreign bases and research for a new generation of atomic weapons. WILPF knows a lot about the problem and possible solutions. It is a very challenging political problem as military contractors have scattered facilities in a very large number of congressional districts to build a stable constituency for preserving the distorted economy. The US military is the biggest consumer of fossil fuels.

Another aspect is the vast structure of subsidies for the fossil fuel incumbency, including the likelihood of a bailout because of the threat of bankruptcy due to the price war between Russia and Saudi Arabia along with the impact of the Coronavirus.

There is plenty that Jimmy Panetta and his colleagues, Diane Feinstein and Kamala Harris could go after if they were so inclined. I don't recall a peep from them in my lifetime.

It is important for Santa Cruz to look at how all money is spent.

We need safe separated bike lanes, slow streets and more community gardens.

We need to support a Green New Deal to employ those who need a job.

We cannot be spending money on wider highways, intersections or garages if we are to have a future. We already have a City so overwhelmed with cars that we have become focused on where to park and how to remain safe as bicyclists and pedestrians. Increasingly we need to choose between space for cars or people.

Please share your own ideas on how we could reallocate these funds in the 2021 budget to improve our community. These ideas will be presented to the committee in order to show that the citizens of Santa Cruz do not support increases in the police budget. In addition, we aim to illustrate the many different ways in which these funds could be put to better use.

If it were up to you; how would you reallocate these funds to improve the health & safety of our community?"



First, rent motel/hotel rooms, then buy some motels and use them to house our 2,000-plus houseless people along with their children & pets. Provide those people with adequate healthy food for free; same with clothing and laundry facilities, job & literacy training, help with enrolling houseless children in school & help with homework; social workers to help the houseless find medical, educational, social, and other services, drug rehabilitation and other counseling like vocational advice. Use some of the money to subsidize rent for people in danger of houselessness because they have been thrown out of work by Pandemic.

Suspend cause-less (except for financially caused) evictions. Use the money to buy up land & homes for truly affordable housing, affordable to anyone making minimum wage or living on Social Security or Supplemental Security Income.

Plant and water for 3 years: our share of the trillion and a half trees needed worldwide to draw down enough CO2 to stop global warming. Subsidize solar in all new construction; finance solar for all buildings suitable for but currently without it.

Reallocate funds to hire more medical workers to deal with Pandemic AND all other medical needs.

Finance or subsidize high speed internet for all households; provide good computers and training in using them to all households now without them.

Use some of the money to provide opportunities for public to create public and private art and sport, music and recreation.

Use money to help subsidize electric cars, electric bicycles, electric scooters and motorcycles. Use money to expand public transit and create personal high-speed transit along railway.

Build a local light rail system to replace most auto commuting.

Use money to help find volunteers or to pay helpers to visit nursing homes with animal visitors; finance animal shelter to create better conditions for animals, like grassy play areas; more and better veterinary care; to subsidize vet care for low-income individuals, or anyone without funds to get medical care for their companion animals.

Help low-income people, especially houseless, and restaurants survive by allowing EBT to be used for take-out. Supplement EBT.

Stop using police officers to harrass, drive off, and rob the houseless of their meager possessions. Hire trained social workers to do much of the police work; give police officers training in martial arts to use as non-violent as possible techniques to disarm potentially threatening persons. Mental health facilities do not kill persons having a psychotic break. Buy and train officers in their non-injurious methods.

Pass law requiring all candidates for city office to disclose their campaign donors & how much they each donated. Provide public financing for candidates for municipal office. Raise city council salaries to at least half of that paid to supervisors on Santa Cruz county board of Supervisors. Hire assistants for each council member with same expertise levels and qualifications, as well as salaries comparable to (but not more than 3/5 that paid to council members) County Supervisors' assistants. Reduce city manager's salary by half; ditto the number and salaries of his staff.

Use some of the remaining police budget to provide training to all police officers, including chief, in how to non-violently perform their duties. Training in non-violent communication, conflict resolution and aikido are some possibilities. Meeting with representatives of community organizations concerned about police violence and treatment of poor and minorities would take up more police time, effectively allocating those salaries to improving peace officers' effectiveness in keeping the peace rather than oppressing the disadvantaged.

Thank you.

You're subscribed to the riseup list [SCruz-CAN@lists.riseup.net](mailto:SCruz-CAN@lists.riseup.net).  
To unsubscribe from the list, send a message to [scrucz-can-unsubscribe@lists.riseup.net](mailto:scrucz-can-unsubscribe@lists.riseup.net).

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To unsubscribe from the list, send a message to [scrucz-can-unsubscribe@lists.riseup.net](mailto:scrucz-can-unsubscribe@lists.riseup.net).

## Rosemary Balsley

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**From:** Katie <loud.exclamation@gmail.com>  
**Sent:** Monday, June 22, 2020 3:17 PM  
**To:** Justin Cummings; Donna Meyers; Katherine Beiers; Sandy Brown; Renee Golder; Cynthia Mathews; Martine Watkins; City Council  
**Subject:** Santa Cruz City Budget, City Council Meeting Tomorrow  
**Attachments:** image0.jpeg; ATT00001.txt

Hello All,

My name is Katie Brooks and I am a resident of Santa Cruz. I grew up here. I live and work and pay taxes here in our beautiful city.

I am writing to you today to ask you to not increase the budget for the Santa Cruz Police department. Better yet defund the SCPD and reallocate the funds to education, social services like food assistance and homelessness services.

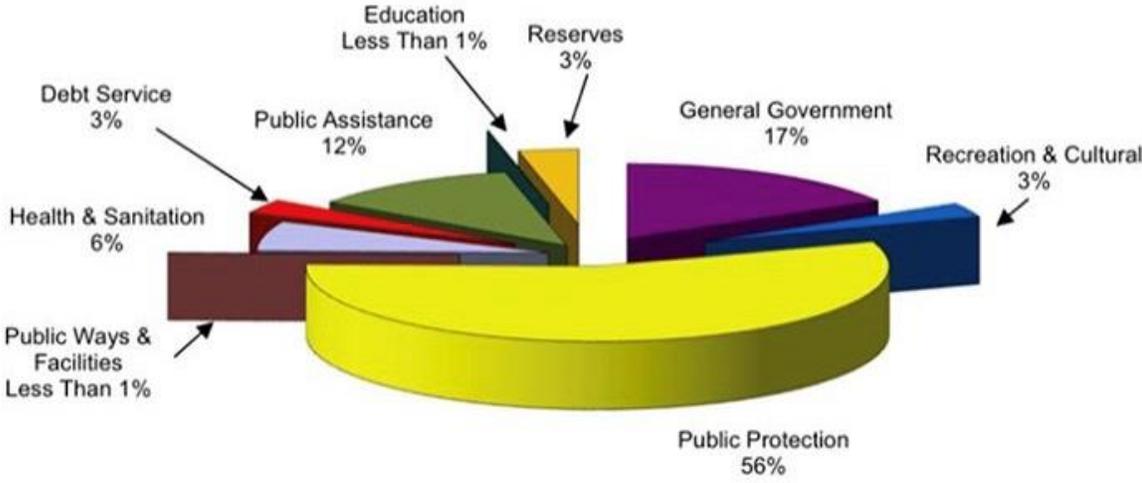
In the wake of protest in Santa Cruz the people, like myself, are demanding change in the way our city budget allocates its funding to city services. Please take these requests with absolute sincerity and priority to make a positive change to the status quo.

I look forward to our Mayor and City Council to do the right thing and defund the SCPD.

Thank you for your time.

Sincerely,  
Katie Elaine Brooks  
1127 1/2 Soquel Ave. Santa Cruz  
831-515-9863

**Percent of Local and State Taxes  
Used to Finance County Government  
(Also Known as Net County Cost)  
\$169 Million**



## Rosemary Balsley

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**From:** Anna Koplos-Villanueva <annakoplos@gmail.com>  
**Sent:** Monday, June 22, 2020 7:42 PM  
**To:** City Council  
**Subject:** 6/23 Budget Adoption Meeting

Hi there,

I'm writing as a local of over 9 years in town. I'm concerned about the upcoming police budget, and would be furious if I was to learn that it is being increased, when it should be seeing a vast decrease. While the police protect property, they do not protect citizens, and their presence does not make me feel safer in my community. I have personally seen the unprofessionalism of the SCPD countless times, most obviously when someone was arrested on my doorstep and denied their rights read to them. It was a blatant disregard for due process. The officer responded to the man being arrested, when asked on what charges, "I don't know, man. You really pissed someone off." How can we hold someone in such high regard? The lack of accountability surrounding the death of Tamario Smith only furthers my mistrust with the SCPD. How did he die in custody and why do we not have answers? It is unacceptable that our city sent police to Oakland to assist their department during the past few weeks. We are clearly spending too much on police already if we can afford such an expense.

The budget for police desperately needs to be reallocated. Our city completely neglects the homeless population on every front. From lack of rent control, to allowing vacation rentals to buy up property, to not providing adequate renters protections, to a lack of resources for people struggling, our city does a pathetic job at addressing homelessness. As someone who was homeless as a child, I fully understand the realities of being on the street. Having volunteered with the Homeless Garden Project, I understand how difficult it is for people to stay clean when the police force people out of sight and into close quarters. People are suffering on the streets and you have an opportunity to redistribute our tax dollars into creating infrastructure to house people - expanding shelters and resources, building rehabilitation centers and programs.

I resent that my tax dollars go towards boosting tourism, which destroys housing and our natural resources, instead of focusing on compassionate community solutions. Our shelters have a 3-6 month wait. There is a housing and job crisis (covid-19 aside). Invest in your people, and divest from our police. We are watching, and voting.

Thank you for your time.  
Kindly,  
Anna Koplos-Villanueva

## Rosemary Balsley

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**From:** Dude Haley <dudehaleymedia@gmail.com>  
**Sent:** Monday, June 22, 2020 8:50 PM  
**To:** City Council  
**Subject:** 6/23 Budget Adoption Meeting

Members of the Council,

My name is Olivia Haley and I am a resident of Santa Cruz.

I understand that the SCPD has requested a 18% budget increase from 2020 and that the City has announced it will be cutting \$6 million from the 2021 budget.

We are facing a time where we have a unique opportunity to defund unnecessary policing and reinvest in a likeminded community vision centered in safety, accessible resources, systems of restorative justice, and infrastructure that is redesigned to support disabled folks in having access to public space.

The police have historically targeted our community members who are black, people of color, disabled, living in poverty, and people living without access to reliable shelter and healthcare. The Santa Cruz Police Department is not in any way exempt from carrying out these systemic/cultural biases that perpetuate harm, fear, and economic terrorism/ suppression for individuals and families.

The police and you, members of the city council, our supposed representatives of the people, vocalize constantly that you hear us. That you are on our side. That you are doing everything in your power to ensure our safety and wellbeing. Yet you send officers to the protests in Oakland to brutalize people advocating for human rights with militarized weapons. Yet you do not protect tenants and do not impose rent control thus perpetuating a housing crisis. Yet you dismantle the ross camp and displace communities.

The reality is, you are not doing everything in your power to protect our people, you are actively using your power to put many people, who simply want to have their basic needs met, in danger.

We have the economic resources to provide informed, specialized programs that work to meet people's basic needs but you continue allocating funds to ensure that these peoples needs will not be met. This perpetuates what you refer to as crime. When people are able to meet their needs, provide for themselves and their loved ones, they are not put in a position where they need to steal resources

If you want to earn the trust of the people you say you serve then I implore you to recognize the power you have over them. Take transparent accountability for that power by listening and abiding to the inputs of our targeted populations.

These inputs are as follows:

-Defund the Police and reinvest in systemic emergency response services that specialize in each unique divisions of meeting peoples needs. These divisions are inclusive of but not limited to: mental health services, domestic violence emergency response specialists, sexual violence emergency response specialists, trauma and oppression informed counseling services for community members and students, city employees who have an extensive knowledge base of mutual aid organizations they can't point those in need to, traffic safety and roadside assistance, paramedics, social workers and child advocates, and violent conflict resolution/ de-escalation responders. None of these emergency response programs should be connected to law enforcement to ensure to felt safety of our community members.

-End the housing crisis by implementing rent control and provide long term affordable housing to those in need.

-Demilitarize police presences in our community.

-Discontinue criminalizing poverty and drug/alcohol related crimes and fund resource/ rehabilitation centers for those struggling with addiction. Additionally decriminalize poverty, decriminalize people sleeping in the streets, parks, or their cars.

-Hire educators and emergency responders who are black, indigenous, and people of color.

-Immediately release prisoners awaiting trial and end cash bail. Work to dismantle privatized prisons and decenter criminal punishment replacing it with systems centered in community resilience and restorative justice.

-Fund permanent spaces that provide resources such as free food, free first aid training, and free community teach ins.

-Do not allow ICE to cooperate with SCSO under any circumstances.

-Take police off of school campuses.

-Support queer and transgender individuals and spaces. Work directly with LGBTQ+ community members to seek their input on how they can better be served in schools, education, healthcare, and community.

-Extend tenant protections, eviction moratorium, and unemployment benefits for those impacted by the COVID-19 pandemic.

To quote my former peer and recent Berkly graduate, Teddy Lake, “When you serve marginalized, targeted communities you can serve EVERYBODY, The reverse is not true.” Our community is relying on you in your position power for not only their quality of life but their survival. Lives are in your hands. Defunding the police means reinvesting in those lives.

“We will no longer be told what we deserve is not possible.”

The people of Santa Cruz, the people residing on this stolen Ohlone, Awaswas land, have been coming together and imaging, actualizing the world we all deserve to live in. The world we are confident we can create with or without you. So what do you say? Do you want to be apart of this transformation.. or not?

Thank you for your time and consideration.

Olivia Haley



## CITY COUNCIL AGENDA REPORT

DATE: June 16, 2020

AGENDA OF: June 23, 2020

DEPARTMENT: Economic Development

SUBJECT: COVID-19 Pandemic Response: Options for Consideration to Assist Local Residents and Businesses (ED)

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**RECOMMENDATION:** Receive report on actions to date to assist local residents and businesses and provide direction and potential action on considerations to lessen the financial burden of COVID-19 on local businesses.

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**BACKGROUND:** In response to the COVID-19 pandemic, the City Council adopted an emergency ordinance (Ordinance 2020-07) at its March 24, 2020 meeting prohibiting residential and commercial evictions due to non-payment of rents where the failure to pay rent results from COVID-19-related income or business losses. On May 23, 2020, the City Council adopted an additional emergency ordinance (Ordinance 2020-11) extending the validity of the prior emergency ordinance through June 30, 2020. A third related emergency ordinance has been prepared for the current Council meeting recommending that the City Council further extend the temporary COVID-19 commercial and residential protections beyond the current June 30, 2020 deadline.

Also on May 23, 2020, in addition to passing a motion providing direction to monitor State policies to include possible extension of the Governor's orders, or state legislation focused on rental relief actions that are longer-term and evaluate for action by City Council, the City Council directed staff to return to City Council at the June 23<sup>rd</sup> meeting as part of the City's COVID-19 pandemic response, with additional options to provide temporary relief to residential and local business tenants, including:

- An evaluation of the need and potential for adopting temporary moratorium on commercial and residential rent increases, in consultation with community members and partners;
- Possibilities for developing a payment plan program for residential and commercial tenants to pay back rents over time; and
- Other possibilities for the City to provide additional support to local residents and small businesses.

As the first two bulleted items above are being addressed as separate items on the current or future Council agendas, the purpose of this staff report and recommendation is focused on options for the City to provide additional support to local residents and small businesses.

*Pending State Legislation.* As referenced in a related staff report, a number of bills are working their way through the State legislature that could directly impact local businesses and residents, such as:

- **AB 1436:** Prohibits landlords from seeking evictions for any rent not paid during the state of emergency declared by Gov. Newsom, for 90 days after it is rescinded. Tenants also would have a year to start repaying back-rent accumulated during the pandemic. As of the drafting of this report, this bill passed in the Assembly and is in Senate committees.
- **SB 1410:** Creates a tax-payer financed fund to cover 80% of rent that tenants could not afford retroactive to April 1, 2020 through December 31, 2020. As of the drafting of this report, this bill was still in the Senate.
- **AB 828:** Freezes evictions and allows courts to set up repayment plans. As of the drafting of this report, this bill was still in the Assembly.
- **SB 795:** Creates a sustainable state funding source (\$2 billion annually for five years) to address homelessness, affordable housing and economic recovery. As of the drafting of this report, this bill was still in the Senate, set for hearing in Appropriations.
- **SB 939:** Prohibits a commercial landlord from evicting a commercial tenant until 90 days after the state of emergency is lifted by the Governor (note: the City enacted an emergency ordinance for Santa Cruz which is currently in effect that addresses this issue locally; however the proposed bill would not sunset until Dec. 31, 2021).

With the potential for these bills to be amended and with the larger potential for these bills to still pass or fail, staff will continue watching these as they proceed and will provide the Council with an update on their status at future meetings.

*Community Outreach.* A limited amount of time was available between the Council's May 26<sup>th</sup> direction and the preparation of this report. In response to Council direction, after consultation with the Mayor, staff from Planning and Community Development and Economic Development developed a survey to hear feedback from local residents, tenants and landlords on the financial hardship the pandemic has had on their ability to pay rent, make their mortgage payment as well as specific feedback on possible relief actions that the City could consider to help residential and commercial tenants navigate the COVID-19 pandemic. The survey was posted on Thursday, June 11, 2020 and will run until Monday, June 22<sup>nd</sup> at 8:00 a.m., but may be continued beyond the Council meeting of June 23<sup>rd</sup>. The survey is available online in English and Spanish at [www.cityofsantacruz.com/surveys](http://www.cityofsantacruz.com/surveys). Separately, staff from Economic Development developed a business outreach survey in May to gather industry specific needs from our local businesses. The survey is ongoing and is available to local businesses on the [ChooseSantaCruz](http://ChooseSantaCruz) website of the Economic Development Department. Staff will present preliminary survey results to the City Council at the June 23<sup>rd</sup> Council meeting.

DISCUSSION: Despite the recent modifications to the County Health Officer’s Order aligning with the State’s orders for businesses to reopen with modifications, the impacts on residents and local businesses is far reaching. The country is facing a severe recession, and it will be considerable time before individuals, families and businesses will be able to recover financially from the impacts of the continuing pandemic. Given the current environment and the uncertainty of the time or duration of recovery and based on the City Council’s previous direction, staff is recommending that the City Council approve specified immediate actions to lessen hardships on residents and local businesses, such as grant applications for a county-wide revolving loan program for businesses and funding for GetVirtual.com and consideration of a second micro-loan program, as discussed below in more detail.

*City Efforts to Support Local Residents and Small Businesses.* The City has taken a variety of deliberate steps to directly support local residents and businesses since March 2020. The following overview highlights the recent programs and initiatives the City has implemented to help offset the impact of the current pandemic.

1) Community Development Block Grant CARES Act Funding:

Through the federal CARES Act, the City received approximately 283,000 in Community Development Block Grant (CDBG) funding to distribute to grant recipients providing relief to local residents and tenants impacted by COVID-19. Consistent with CDBG guidelines, all grant recipients must adhere to existing CDBG guidelines for eligibility and reporting. The City Council made awards to the following grantees. Please find brief descriptions below along with funding amounts.

Community Bridges-Elderday program (**\$24,746**) will support the coordination and implementation of the “Elderday without Walls” project, aimed to reduce senior isolation caused by COVID-19 restrictions, through virtual daily enrichments and activities. “Elderday without Walls” will provide 100 City of Santa Cruz older adults (60+) with daily virtual activities (chair yoga, Tai Chi, book club, art, movie club, fall prevention, etc.). These activities will help address isolation, fall prevention, provide general health benefits, increase balance and increase cognitive performance. Funding will support Elderday’s program coordinator at 20 hours a week to plan the 10 weekly activities.

Estimated cost per unduplicated persons served: \$247.46

Community Bridges- Meals on Wheels (**\$51,648**) program will expand home-delivered meals and sustainability of service for all older adults 60 years of age and older vulnerable to COVID-19 and residing in the City of Santa Cruz. Funding will allow the expansion of home-delivered meals to City of Santa Cruz seniors, two shelf-stable meals for Saturdays and Sundays to homeless seniors, to purchase additional home-delivered meals as well as increase our output of meals to two-daily meals a day through the end of June. MOW will seek to serve nearly 500 participants.

Estimated cost per unduplicated persons served: \$103.30

Santa Cruz Community Health Centers (**\$30,000**) (SCCHC) in response to COVID-19, will provide medical visits for COVID-19, non-COVID-19 related urgent care and behavioral health services, testing for COVID-19, tracking results, and contacting local public health where results are positive. This will be accomplished with phone, in person and curbside visits and converting

the Women's Health Center as the "well" clinic and East Cliff Family Health Center is the "sick" clinic. A food pantry will be created at the Women's Health Center of non-perishable food and other essential items such as baby food, diapers, basic and feminine hygiene supplies, and oral health care supplies. Additionally SCCHC will increase food distribution services at the East Cliff Family Health Clinic distribution which has grown from 1,500 pounds of food per month to over 18,000 pounds of food per month.

Estimated cost per unduplicated persons served: \$7.50

Dientes (**\$46,750**) due to COVID-19, Dientes is currently only open for emergency care at our main Commercial Way clinic (5 days a week) and the Watsonville clinic (4 days a week). To continue with service a dedicated administrative position will be created to address the new safety protocols and measures being introduced at the clinics in response to COVID-19. This will allow a continuation of services for approximately 2800 patients.

Estimated cost per unduplicated persons served: \$16.70

Second Harvest (**\$51,648**) ability to ensure basic healthy foods reach those in need in the City of Santa Cruz has been impacted by COVID-19. Since March 2020, Second Harvest Food Bank has recognized the rippling impact of COVID-19. During the countywide Shelter-in-Place order there was a tripling of the number of people attending these distributions and a ten-fold increase in the number of calls to our community food hotline. These distributions are serving roughly 25,000 people needing food assistance county-wide with a large portion residing within the City of Santa Cruz, including newly unemployed and furloughed residents.

Estimated cost per unduplicated persons served: \$10.33

Santa Cruz Farmers Market (**\$30,000**) in response to COVID-19 and the demand for fresh, affordable foods in low income communities will provide expanded SNAP benefits purchasing power through funding support for the USDA Market Match program for the month of June. This will provide an additional dollar per dollar match (up to \$10) serving approximately 4000 participants.

Estimated cost per unduplicated persons served: \$12.00

HOPE Services (**\$17,979**) due to the long-term public health implications of COVID-19, will transition day programs/ services to home-based, remote service delivery, or distance learning for clients with developmental and intellectual disabilities in Santa Cruz. The funding will transition clients to a distance learning service model to reduce isolation as a result of Shelter in Place orders. Projected costs of the transition include internet connectivity, Chromebooks, laptops or tablets, headsets with mic or webcams with mics, and human support for home setup for approximately 57 clients.

Estimated cost per unduplicated persons served: \$315.42

Community Action Board (CAB) (**\$30,000**) in response to COVID-19 will administer a Tenant Based Rental Assistance program on behalf of the City of Santa Cruz for extremely low, very low and low income residents who cannot pay rent due to unexpected job/ income loss. This program will be paired with HOME funded TBRA, and CDBG-CV funds will be used for the administrative portion of the program. Administration covers screening, referrals, income verification, documentation, reporting, operational expenses and staff costs.

Estimated cost per month's rent assistance assisted: \$187.50

2) *Tenant Based Rental Assistance (TBRA)* Additionally, the City funds the following programs and recently increased funding allocations to provided additional financial assistance to tenants experience financial hardships who earn less than, on average, 60% or less of area medium income (AMI).

Housing Authority of the County of Santa Cruz Security Deposit Program (**\$125,000 HOME and \$11,000 Red Cross**) assists eligible households with Security Deposits which are paid directly to the landlord. At least 90% of households must be at or below 60% of area median income (AMI) and the remaining 10% can be at the 80% AMI or low income level. Though, more than half of those served are generally at the 30% AMI, or extremely low-income level. At least 50 households are expected to be assisted with these funds.

Community Action Board (CAB) Pilot Eviction Prevention Program and existing TBRA (**\$200,000 HOME, \$30,000 CDBG, and \$11,000 Red Cross**) will extend existing eviction prevention programming administered by Community Action Board for City of Santa Cruz residents to provide direct rental assistance to income eligible households. Those served are expected to be in the 30%, 50% and 80% AMI income levels. Pending expected HUD waivers, not yet issued, up to two month's past due rent will be paid for eviction prevention. A number of HOME waivers have already been issued by HUD to help with administration of a TBRA program during the Shelter-in-Place including: income self-certification, exemption for unit inspection, shorter lease requirements and others.

3) *Business Assistance.* The Economic Development Department has implemented a number of programs and initiatives to help mitigate the impacts of the COVID-19 pandemic. Brief descriptions providing an overview of services are listed below.

ChooseSantaCruz Website COVID-19 Page: To help businesses navigate the overwhelming information and varied resources available in relation to COVID-19, staff developed the following landing page which organizes resources into the following categories: Latest News, Financial Resources for Employers & Workers, Preparing for Reopening, Tax Extensions & Relief Options, Events and Training Resources and Temporary Outdoor Expansion Program for Restaurants and Retail, further defined below. Please visit the ChooseSantaCruz website and click on the main button at the top of the header titled, "[Information and Resources for Businesses in Response to COVID-19](#) for more information".

Santa Cruz Resilience Microloan Program: In response to business feedback regarding the inability to quickly access needed emergency capital following the shelter in place orders closing all non-essential businesses, the City developed the Santa Cruz Resilience Microloan Program. In less than a week, staff partnered with Santa Cruz Community Credit Union to develop the program designed to assist small for-profit businesses in the City that are not well served by other state and federal loan programs or are in need of bridge funding to meet immediate working capital needs. Loans ranging from \$5,000-\$10,000 were allocated to eligible, qualified small businesses based on availability of funds, program guidelines and the submission of the online application with required documentation. Loan funds were used for operating expenses such as rent, payroll, utilities, inventory and supplies. Interest rates varied from 0% for bridge loans up to 3% for terms up to 3 years. No application fee or collateral were needed to apply. Council authorized \$500,000 for the program and 51 loans were awarded to retail, restaurant and service and entertainment-oriented small businesses in our community. Staff will present brief program statistics at the June 23<sup>rd</sup> Council meeting.

Jumpstart your Restart Business Kits: In response to business feedback of the difficulty in preparing for reopening, particularly for retail and restaurants and the challenge in sourcing hand sanitizer and face coverings and navigating the required social distancing guidelines, staff sourced and developed the following materials:

- 1-2 gallons hand sanitizer (2<sup>nd</sup> gallon available to high volume businesses and restaurants)
- Up to 25 Face coverings for employees sewn by volunteer community stitchers through the City's 10,000 Masks Project
- Floor Distancing Signage including 6 foot rulers, queuing markers and arrows
- 18" by 24" Social Distancing guidelines Poster for entrances and exits compliant with the County's Health Order

To date, more than 250 Santa Cruz businesses have received Jumpstart kits.

Temporary Outdoor Expansion Program for Restaurants and Retail Program. The City of Santa Cruz Temporary Outdoor Expansion Area Program provides an opportunity for restaurants and retailers to safely reopen by utilizing new or additional outdoor space for dining or displaying retail merchandise, while meeting physical social distancing requirements. The program allows for the following expanded areas:

- Expansion of retail and restaurant activity on sidewalks where 8ft of clearance is maintained next to the expansion area;
- Expansion of retail and restaurant activity into private parking lots and setback areas;
- Expansion of retail and restaurant activity into adjacent on-street parking spaces where appropriate;
- Street Closures and traffic modifications that allow for the expansion of retail and restaurant activity into public right-of-way where appropriate;
- Expansion of retail and restaurant activity into alleyways (Frazier Lewis Lane, Plaza Lane, Pearl Alley).

Businesses interested in utilizing a temporary expansion may apply online for a no-cost Temporary COVID-19 Outdoor Use Permit from the Economic Development Department on the ChooseSantaCruz website at the following link: [Temporary Outdoor Expansion Program](#). All applicants must agree to indemnify the City and provide a certificate of insurance for the expanded activity. The 1100 block of Pacific Avenue is the first street closure pilot, closely followed by Cathcart Street between Pacific Avenue and Cedar.

[GetVirtual.org](#). City staff partnered with UCSC, adjunct lecturer Nada Miljkovic and local tech entrepreneur Toby Corey to bring GetVirtual to Santa Cruz businesses. In response to the economic fallout of the pandemic, GetVirtual helps community businesses get "virtual" by connecting them to online experts, student volunteers, and knowledgeable mentors. The program to date has helped over 30 local businesses with another 50 local businesses in the queue. To date, the program has function on private donations and in-kind civic and private donations. Future funding from the City could enable the program to extend throughout the summer and fall, enabling on the job training for many university students and providing free business assistance and web development platforms for our local businesses in need during the pandemic.

State and Federal Grant Relief Actions. The City is pursuing all opportunities for state and federal grant relief. Currently, the City is pursuing additional CDBG funding through the

CARES Act as well has submitted an initial application to the federal Economic Development Administration (EDA) through their Economic Adjustment Assistance Grant Program for the Wharf infrastructure underneath the demolished Miramar building. Federal assistance will enable staff to reinvest in aging infrastructure and release a competitive Request for Proposals for new economic business activity in the future. Staff is currently working with neighboring jurisdictions in the County to jointly submit an additional grant application to the EDA for a county-wide revolving loan program (approval for submittal contingent upon Council approval at the June 23<sup>rd</sup> Council meeting).

Other Business Assistance. In addition to the above programs and initiatives, the City staff have provided one on one business assistance to help navigate new required County and State guidelines, developed and participated in numerous webinars specially designed to meet local business needs, and stay abreast of local, state and federal initiatives and programs to help provide local assistance and provide information to our local businesses of funding and technical assistance and opportunities. The Water and Public Works Departments have additionally providing free and reduced downtown parking, waived parking deficiency fees during the pandemic and allowed for relief on utility bills during the pandemic. The Finance Department has currently allowed hoteliers to defer the payment of Transient Occupancy Tax due from February through June to the end of July, 2020.

#### *Summary & Recommendations.*

Business Assistance: Staff recommends that the City Council consider the following business assistance recommendations:

- 1) Approval of EDA grant application for a County-wide Revolving Loan Program (considered as a separate agenda item); and
- 2) Approval of an additional EDA grant application to support GetVirtual.org; and
- 3) Consideration of Round 2 microloan funding following Council review of budget forecasting model by Management Partners and initial review and recommendation by the Council Recovery Plan Committee; and
- 4) Consideration of \$30,000 in the proposed FY 2021 Economic Development budget from the Economic Development Trust Fund to allocate to GetVirtual.org to enable the program providing free business website and e-commerce development for local businesses by UCSC students to continue throughout the summer and fall; and
- 5) Direct staff to return to City Council in August with additional recommendations and a preliminary overview and outline of an economic recovery plan phased approach which will include analysis, projections and longer term considerations for Council action.

FISCAL IMPACT: All the recommended actions above would have no impact on the General Fund other than through a dedication of staff resources to submit the applications and implement the programs and grants, if awarded. Funding for any grant matches, if required, along with funding for GetVirtual and a second round of microloan funding would be allocated from the Economic Development Trust Fund and would be added to the FY 2021 Economic Development budget for approval.

Prepared and Submitted by:

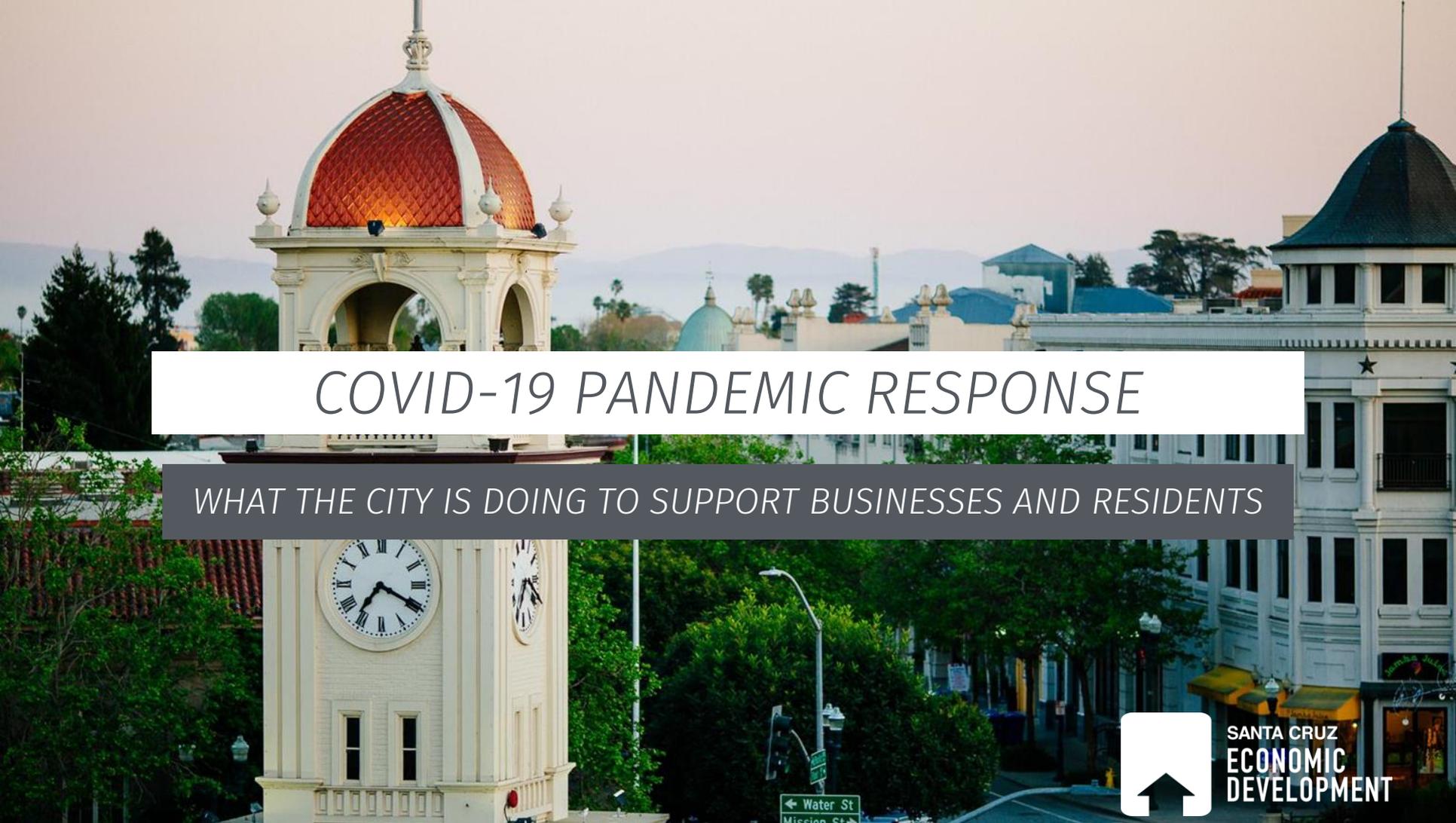
Bonnie Lipscomb  
Director of Economic Development

Approved by:

Martin Bernal  
City Manager

ATTACHMENTS:

None.



# *COVID-19 PANDEMIC RESPONSE*

*WHAT THE CITY IS DOING TO SUPPORT BUSINESSES AND RESIDENTS*



**SANTA CRUZ  
ECONOMIC  
DEVELOPMENT**

# THREE STAGES OF RESILIENCY SUPPORT

## ***Survival/Rescue (March through May)***

*Immediate Needs, Deferments*

## ***Stabilization ( May through October)***

*More Substantial Assistance, SBA Loans*

## ***Recovery & Rebuilding (Late 2020 and beyond)***

*Largest \$ Needs, Permanent Working Capital, Fixed Assets*

## **STAGE ONE:** SURVIVAL AND RESCUE

- *Residential and Commercial Eviction Moratorium*
- *Emergency rental assistance for income qualified residents*
- *Rent deferment for City tenants*
- *City Utility and Parking Fee payment flexibility*
- *Alternative City tax payment schedules*
- *City Executive Order limiting delivery fees on food deliveries*
- *Resolution supporting Business Interruption insurance*
- *Community Support Platforms: [RideOutTheWave.Org](https://RideOutTheWave.Org)*

# BUSINESS RESOURCES LANDING PAGE

BUSINESS SUPPORT:

INFORMATION FOR

BUSINESSES IN

RESPONSE TO COVID-19

36.12

**[choosesantacruz.com/coronavirus](https://choosesantacruz.com/coronavirus)**



Latest News



Financial Resources for Employers & Workers



Preparing For Reopening



Tax Extensions & Relief Options



Events & Training Resources



Temporary Outdoor Expansion Program for Restaurants & Retail

# STAGE ONE: SURVIVAL

## SANTA CRUZ RESILIENCE MICROLOAN PROGRAM\*

- *Funded through the Economic Development Trust Fund*
- *Provides critical funding to cash strapped businesses*
- *Easy online application process*
- *Rapid application review and loan funding*
- *Low interest rates (0-3%)*
- *Repayment terms from 3 months to 3 years*

***\*Partnering with Santa Cruz Community Credit Union***

# SANTA CRUZ RESILIENCE MICROLOAN PROGRAM

- *Businesses waiting for SBA funding*
  - *3 month term (convertible)*
  - *No (0%) interest*
- *Businesses not well served by other lending programs*
  - *Low Interest Rates (1-3%)*
  - *Term from 18 months to 3 years*
  - *No payment for six months*

# RESILIENCE MICROLOAN PROGRAM LANDING PAGE



INDUSTRIES

RESOURCES

CULTURE

PROJECTS

JOURNAL

SHOP



COVID-19 RESPONSE:

SANTA CRUZ RESILIENCE  
MICROLOAN PROGRAM

[choosesantacruz.com/microloan](https://choosesantacruz.com/microloan)

# SANTA CRUZ MICROLOAN STATISTICS

## SANTA CRUZ RESILIENCE MICROLOAN PROGRAM

IN PARTNERSHIP WITH  
SANTA CRUZ COMMUNITY CREDIT UNION

**51** BUSINESSES FUNDED



4% Entertainment  
25% Restaurant  
33% Retail  
37% Service

**\$700K** LOANS  
REQUESTED

**\$500K** LOANS  
FUNDED

WESTSIDE 6%

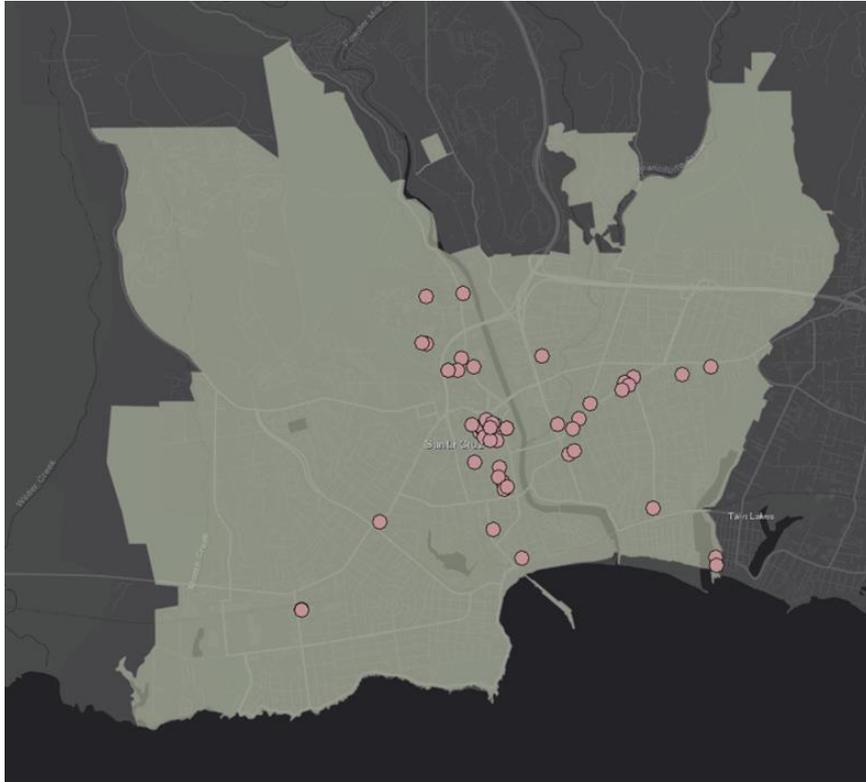
EASTSIDE 25%

DOWNTOWN 39%

59% WOMEN-OWNED

25% MINORITY-OWNED

# GEOGRAPHIC DISTRIBUTION OF MICROLOAN PROGRAM



Loans made Citywide

- Downtown
- Eastside
- Harvey West
- Westside

# *Santa Cruz Microloan Program Feedback & Impact*

36.19

“My husband and I own the Crepe Place here in town and we were the recipients of a micro loan from your agency. This loan helped us purchase the supplies to reopen for takeout and with the remainder of the cash, we decided that it would be great to keep the cash in Santa Cruz and pay all our local vendors with the loan in order to help them out too. I’ve attached a picture of all the local bills we were able to pay with the money and of the little note that we put with all the checks, letting the local vendors know that we were able to pay thanks to your agency!

Keep up the good work and thank you from the bottom of our hearts for all the hard work you and your colleagues do to help local businesses!”

# ***Santa Cruz Microloan***

## *Program Feedback & Impact*

“This is the best news since the pandemic started. Thank you so much for not only accepting my application, but starting this amazing program. Thank you!!” - Home/Work

36:20

“I’m so excited, looking forward to receiving the documents for me to sign. And thank you for all your efforts and help to keep our local community thriving and staying alive.” - Childish Toy Shop

“It will be a big help and I really appreciate the city taking steps to help our local small businesses.” - John’s Electric Motor Service

# STAGE ONE: SURVIVAL

## JUMPSTART YOUR RESTART KITS

36.21



<https://vimeo.com/421748357>

# ***JUMPSTART YOUR RESTART KITS***

## *Program Feedback*

“Our stores have really appreciated the restart kits so much, it’s amazing that they were provided for SC businesses! Thank you!” - Sockshop & Shoe Co.

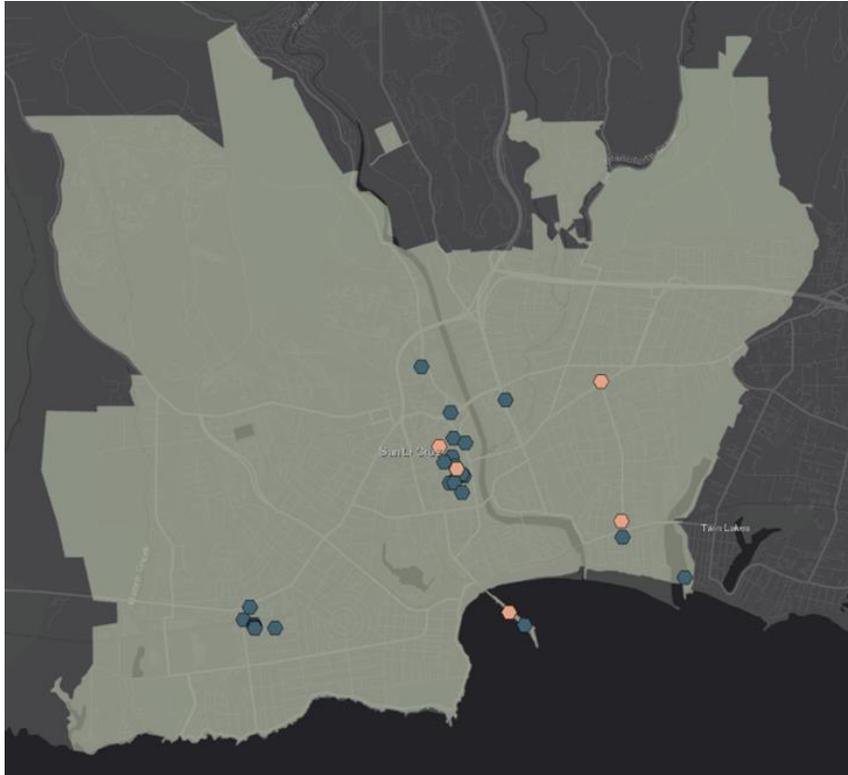
**36.22** “I just signed up for the Restart Kit. Thanks for sending that and for being all around awesome!!! You and the EDD make a big difference in Santa Cruz and it's so reassuring to know that small businesses are being supported in Santa Cruz.” -Midtown Surf Shop

“Just wanted to say thank you again for the kit and all you are doing to help local businesses.” - Kumon of Santa Cruz

# **STAGE ONE: SURVIVAL**

## *TEMPORARY OUTDOOR EXPANSION PROGRAM*

36.23



Application Period Opened  
June 8th

- 24 Businesses Permitted
- 12 In Progress

Street closures on 1100  
block of Pacific & portion of  
Eastbound Lane of Cathcart

# STAGE ONE: SURVIVAL

## TEMPORARY OUTDOOR EXPANSION PROGRAM



# STAGE ONE: SURVIVAL

## TEMPORARY OUTDOOR EXPANSION PROGRAM



***STAGE ONE: SURVIVAL***  
*TEMPORARY OUTDOOR EXPANSION PROGRAM*

Retailers & Restaurants interested in the program can  
learn more on our website:

**[ChooseSantaCruz.com/OutdoorExpansion](https://ChooseSantaCruz.com/OutdoorExpansion)**

# STAGE ONE: SURVIVAL

*GetVirtual.org*



UNIVERSITY OF CALIFORNIA  
**SANTA CRUZ**

**GET**   
**VIRTUAL**.ORG

In response to the devastating economic fallout of the COVID 19 pandemic, GetVirtual helps community businesses get “virtual” by connecting them to online experts, student volunteers, and knowledgeable mentors.

**GetVirtual**

The Virtual Backbone of Small  
Business

# GetVirtual.org



UNIVERSITY OF CALIFORNIA  
**SANTA CRUZ**

**GET**   
**VIRTUAL**.ORG

36.28



Currently helping 100 local businesses with website development, expansion, e-commerce platforms and interactive, fully functional platforms

# GetVirtual.org

## Currently helping....



UNIVERSITY OF CALIFORNIA  
**SANTA CRUZ**

**GET**   
**VIRTUAL.ORG**

- Santa Cruz Hostel
- RealSeq Biosciences, Inc.
- Eco Goods
- Event Santa Cruz
- Head Heart & Hands
- Fortress and Flourish
- Vintage Nouveau
- Childish Toy Shop
- Massage Therapy
- TOMBOY
- Luma Yoga, Inc.
- Home/Work
- The Nook
- Natural Selection Furniture
- Full Spectrum Counseling
- Maggie's Place
- The Human Fulfillment Institute
- Enlighten Me...TV (Productions & Gifts)
- Mavericks Fitness
- Cameron Marks
- Cycle Imagery
- MusicalMe, Inc.
- Cal Sup Surf
- Positive Pressure
- Beach Street Pizza
- Judy's Hand and Foot Detailing
- Illuminée

# GetVirtual.org

Currently helping local business owners adapt to a changing environment



UNIVERSITY OF CALIFORNIA  
SANTA CRUZ

GET   
VIRTUAL.ORG



Local business owners don't feel capable using virtual tools.



Local businesses need to operate remotely during social distancing orders.



Local businesses lack the training and support needed to use virtual tools in the long-term

# GetVirtual.org



UNIVERSITY OF CALIFORNIA  
SANTA CRUZ



Currently helping local business owners adapt to a changing environment...

- 40 businesses assisted, 60 more in the queue
- Students receive college credit
- Job training, apprenticeship, mentoring
  - Funding needed to help students complete business websites through the fall

# STAGE ONE: SURVIVAL AND RESCUE

## CARES ACT CDBG FUNDING

CDBG CARES Act Funding \$283,000

36.32



# **STAGE ONE: SURVIVAL AND RESCUE** CARES ACT CDBG FUNDING

CDBG CARES Act Funding \$283,000 total



## Community Bridges

- Elderday Program \$24,746
  - Aimed to reduce senior isolation through daily enrichment
- Meals on Wheels \$51,648
  - Expands home-delivered meals for older adults 60 years of age or older. Estimated 500 participants

# **STAGE ONE: SURVIVAL AND RESCUE** CARES ACT CDBG FUNDING

CDBG CARES Act Funding \$283,000 total



36.34

Community Action Board (CAB) \$30,000

- Allows for expansion of the HOME leveraged Tenant Based Assistance Program for extremely low, very low and low income residents who cannot pay rent due to unexpected job/income loss.

# **STAGE ONE: SURVIVAL AND RESCUE** CARES ACT CDBG FUNDING

CDBG CARES Act Funding \$283,000 total



36.35

Santa Cruz Community Health Center \$30,000

- Will provide medical visits for COVID-19, non-COVID-19 related urgent care and behavioral health services, testing for COVID-19, tracking results, and contacting local public health where results are positive.
- Will create food pantry and expand food distribution services.

# **STAGE ONE: SURVIVAL AND RESCUE** CARES ACT CDBG FUNDING

CDBG CARES Act Funding \$283,000 total



36.36

Dientes \$46,750

- Allowed for continued emergency care and the implementation of safety protocols and measures for continuation of services to 2800 patients.

# **STAGE ONE: SURVIVAL AND RESCUE** CARES ACT CDBG FUNDING

CDBG CARES Act Funding \$283,000 total



36.37

Santa Cruz Community Farmers' Markets \$30,000

- Will provide expanded Supplemental Nutrition Assistance Program (SNAP) benefits by providing fresh food purchasing assistance at the Farmers' Market for low income and no-income individuals and families-serving 4,000 participants

# **STAGE ONE: SURVIVAL AND RESCUE** CARES ACT CDBG FUNDING

CDBG CARES Act Funding \$283,000 total



36.38

Second Harvest Food Bank \$51,648

- Increased food distributions to 25,000 individuals and families, a tripling over their usual distribution

# **STAGE ONE: SURVIVAL AND RESCUE**

## CARES ACT CDBG FUNDING

CDBG CARES Act Funding \$283,000 total



36.39

Hope Services \$17,979

- Will transition clients with developmental and intellectual disabilities to a distance learning service model to reduce isolation. Will provide internet connectivity, Chromebooks, laptops or tablets, headsets with mic or webcams with mics, and human support for home setup for approximately 57 clients

# **STAGE ONE: SURVIVAL AND RESCUE** *CARES ACT Funding, HOME and Red Cross Funding*

Housing Authority of the County of Santa Cruz  
\$125,000 HOME funding and \$11,000 Red Cross



- Security Deposit Program: assists eligible households with Security Deposits which are paid directly to the landlord. At least 90% of households must be at or below 60% of area median income (AMI). More than half of those served are generally at the 30% AMI, or extremely low-income level.
- At least 50 households are expected to be assisted with these funds.

# **STAGE ONE: SURVIVAL AND RESCUE** *CARES ACT Funding, HOME and Red Cross Funding*

Community Action Board (CAB)

Pilot Eviction Prevention Program/TBRA

\$200,000 HOME, \$30,000 CDBG, \$11,000 Red Cross

- Extends existing eviction prevention program to provide up to 2 months direct rental assistance to income eligible households (30%, 50% and 80% AMI income levels).



# **STAGE ONE: SURVIVAL AND RESCUE** *CORE and CDBG Funding*

## Legal Assistance

- CRLA \$20,000 CDBG, \$20,000 CORE

## Homelessness Prevention

- \$457,000 for homeless prevention infrastructure
- \$35,128 for homeless program services



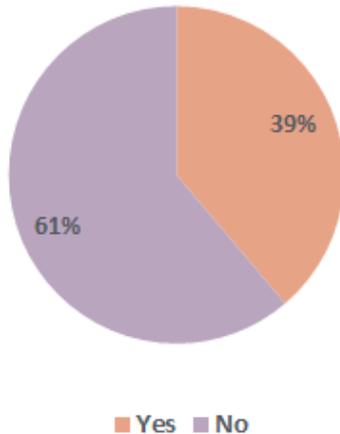
# STAGE TWO: STABILIZATION

## COMMUNITY OUTREACH ...IN PROGRESS

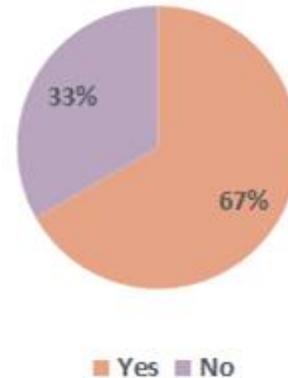
*SURVEY RESULTS SNAPSHOT: 119 responses, 81 renters, 29 landlords, 11 other*

36.43

**Have you been laid off or lost your job as a result of COVID-19?**



**Have you experienced a reduction in pay or a reduction in income (such as tenants not able to pay rent) as a result of COVID-19?**



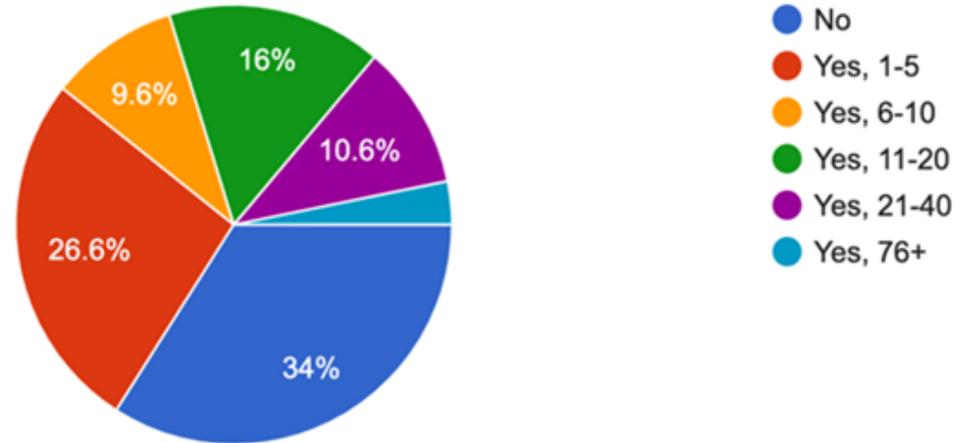
# STAGE TWO: STABILIZATION

## COMMUNITY OUTREACH

### Industry Outreach Survey:

- Received a total of 94 responses to date.
- Approximately 2/3 of respondents had 5 employees or less.
- 56.9% of respondents had laid off or furloughed workers.
- 3 businesses reported that they have closed permanently

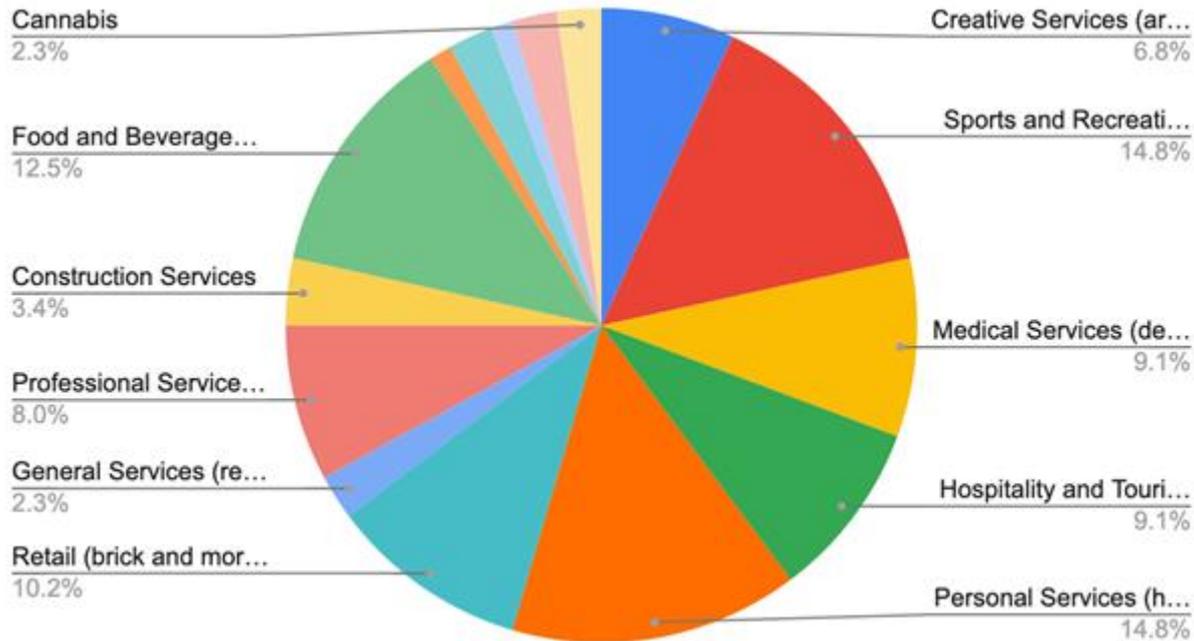
### Number of Employees:



# STAGE TWO: STABILIZATION

## COMMUNITY OUTREACH

### Responses by Industry:



# **STAGE TWO: STABILIZATION**

## COMMUNITY OUTREACH

### *Summary of Needs by Industry:*

#### *FOOD AND BEVERAGE INDUSTRY*

36.46

- Need more foot traffic downtown
- Approval of assistance for outdoor seating/eating
- Ability to qualify for a Santa Cruz loan if young business
- Commercial Rent/Landlord Assistance
- More city cost control of water, garbage, fees, inspection, expedited permits, etc.

# **STAGE TWO: STABILIZATION**

## COMMUNITY OUTREACH

### *Summary of Needs by Industry:*

#### RETAIL INDUSTRY

36.47

- *Sales through events, online and in-person*
- *Balancing safety needs of customers and employees*
- *Assistance taking on new business models (i.e., website, curbside pickup, operations)*
- *Signage and communication about reopening*
- *Online infrastructure*

# **STAGE TWO: STABILIZATION**

## COMMUNITY OUTREACH

### *Summary of Needs by Industry:*

#### SERVICES AND OTHER INDUSTRIES

36.48

- *Employee and customer safety with proper protocols, additional supplies, bulk sanitizers and masks*
- *Extended rent abatement for small businesses*
- *Assistance with new modes of operation, such as website content writing*
- *Enhanced marketing and advertising to reach new client base and refine offerings*

## STAGE TWO: STABILIZATION

- *City application for funds to US Economic Development Administration*
  - *Revolving Loan Fund Program (in progress)*
  - *Capital Projects - Wharf infrastructure (submitted)*
- *Apply for other funding from CARES Act/Other State/Fed.*
  - *CDBG - State and Federal allocations (\$3B)*
  - *LHTF (Local Housing Trust Fund Match)*
  - *PLHA (Permanent Local Housing Allocation)*
- *Continuation and expansion of existing programs*
- *Support for state legislation providing relief*

## **STAGE THREE: RECOVERING AND REBUILDING**

- *Capital projects including mixed use affordable housing development, downtown revitalization and support of existing projects in the pipeline*
- *Creative partnerships with UCSC, partners, foundations and local companies and nonprofits*
- *Potential Grow Santa Cruz Recovery Loan (expansion)*
- *Reinvestment in key commercial areas to help revitalize and encourage reinvestment*

## ***Recommendation: Stage Two: Stabilization***

- 1) Approval of EDA Revolving Loan grant application*
- 2) Consideration of Round 2 microloan funding following Council review of budget forecasting model and recommendation by the Council Recovery Plan Committee*
- 3) Consideration of \$30,000 in the proposed FY 2021 Economic Development budget from the ED Trust Fund to allocate to GetVirtual.org to enable the program providing free business website and e-commerce development for local businesses by UCSC students to continue throughout the summer and fall*
- 4) Direct staff to return to City Council in August with an update and preliminary overview of longer term recovery recommendations*

*QUESTIONS?*



## CITY COUNCIL AGENDA REPORT

DATE: June 12, 2020

AGENDA OF: June 23, 2020

DEPARTMENT: City Council

SUBJECT: Display of Pan-African and Black Lives Matter Flag at City Hall and Approval of Black Lives Matter Mural – Regular Encroachment Permit (CN)

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### RECOMMENDATION:

1. Motion to approve the display of the Pan-African and Black Lives Matter Flag on the front of City Hall every year through the month of July.
  2. Motion to approve a proposal for the installation of a Black Lives Matter Mural on Center Street between Church and Locust at City Hall and direct Public Works to issue a regular encroachment permit upon submission of required documentation.
- 

**BACKGROUND:** In the United States of America, Black Americans are disproportionately victims of systemic racism and police violence, which contributes to the marginalization of the Black community. On July 13, 2013 #BlackLivesMatter was founded by Alicia Garza, Patrisse Cullors, and Opal Tometi in response to the acquittal of George Zimmerman, who was responsible for the murder of 17 year old Trayvon Martin. Today, the Black Lives Matter Foundation, Inc. is a global organization in the US, UK, and Canada, whose mission is to eradicate white supremacy and build local power to intervene in violence inflicted on Black communities by the state and vigilantes.

On May 25, 2020 George Floyd, a 46 year old black man, was arrested for allegedly purchasing a pack of cigarettes from a convenience store with a counterfeit \$20 bill. After being handcuffed, George Floyd was pinned to the ground by four Minneapolis Police Officers, including Officer Derek Chauvin who knelt on Floyd's neck for roughly eight minutes, which resulted in Floyd's inability to breathe, and ultimately his death. This act of police violence resulted in weeks of protests across the nation and the world demanding for a restructuring of policing, and end to all forms of systemic racism and discrimination.

The community of Santa Cruz has come together to embrace the loss of George Floyd and stand together against all forms of racism in our community. The Police Chief Andy Mills and Mayor Justin Cummings have begun holding numerous community meetings to continue a path towards changing the culture of policing in Santa Cruz and have been outspoken about the need to

eliminate racism from police culture, the criminal justice system, and in our community as a whole. The purpose of the commemorative month of July as Black Lives Matter month is to recognize and acknowledge that black and African American people still face racial discrimination in many parts of our society and continue to fight for equal rights and treatment under the law.

#### DISCUSSION:

The display of flags at City Hall symbolizes solidarity with our community and movements around the world. The Pan-African flag, is a tri-color flag consisting of three equal horizontal bands of red, black, and green, which was designed to represent people of the African diaspora and to symbolize black freedom. The phrase Black Lives Matter highlights the fact that black people are not afforded the same treatment within our society and under the law, and represents the ongoing struggle for equal rights and justice under the law. By displaying the Pan-African and Black Lives Matter flags during the month of July in front of City Hall, the City would send the message that the City embraces our Black community members and guests, and that our City is an committed to ending systemic racism and discrimination of all forms in our community. Mayor Cummings has offered to use funds from his discretionary account to cover the costs of the flags.

In addition to displaying the flags, there has been rallying action of the Black Lives Matter movement to paint large street murals with the message of Black Lives Matter. It started with the bold initiative of the Mayor of Washington, D.C. who authorized the installation of a mural on 16th Street and renamed the nearby space Black Lives Matter Plaza. From South Carolina, to Seattle, Oakland, the murals are a highly impactful way for to give voice to communities to express the social message that is foremost in the push for equity and social justice at this time.

Santa Cruz is characterized as a city with a vibrant, engaged, and activist arts community. The City has long nurtured the arts recognizing the role of artists as both a uniting social force and an economic engine in Santa Cruz. Several leaders in the arts community, led by local artist Abi Mustapha, muralist Taylor Reinhold, and Vice Chairperson of the City Arts Commission Sean McGowen approached the City for permission to lead a community project to paint a Black Lives Matter mural on a City street. Black artists and artists of color will be prioritized for consideration to work on the mural.

To use a City street in this manner would require the issuance of a Regular Encroachment Permit. The authority to issue this permit rests with City Council. Public Works does not generally support the painting of City streets out of concern for safety, traffic circulation protocols and standards, coordination of street openings for utility work, and regular maintenance.

To show support for the Black Lives Matter movement in Santa Cruz, it is proposed that Council support the painting of a City street with a Black Lives Matter mural. Public Works staff has identified Center Street between City Hall and the Library as a location that would provide significant square footage for a high impact mural without interfering with public safety and traffic circulation. This site provides about 22 feet of width and 150 feet in length. The mural

will be planned to not obscure the Stop legends and there are no other traffic markings other than parking T's and street centerline.

If an encroachment permit is approved by Council, then Public Works will work with the Black Lives Matter mural organizers in order to issue the permit. Along with Council approval, the mural sponsors must also satisfy all other conditions for the issuance of a permit including the provision of appropriate insurance coverage, removal or repainting of the mural with a 30 day notice to if it is in the way of a utility project or it is not maintained, a dimensioned plan that is specific to the installation, a traffic control plan, specifications of the appropriate nonslip traffic paint, and storm water pollution and spill prevention plans.

By permitting the display of the Pan African and Black Lives Matter flags and the installation of the Black Lives Matter mural at City Hall, Council is affirming a commitment to racial equality and promoting an opportunity for the community to collectively express their support for the black community.

FISCAL IMPACT: The cost of the flags should be less than \$100 and Mayor Cummings has offered funds from his discretionary account to cover the costs. At this time there is no anticipated fiscal impact since the Black Lives Matter Mural organizers will provide mural materials, insurance, and funding for other related costs.

Submitted by:  
Justin Cummings  
Mayor

ATTACHMENTS:  
Black Lives Matter mural proposal  
Examples of Pan-African and Black Lives Matter Flags

# BLM Mural Proposal

**Donor/Sponsors:** Yoga for All

**Date:** June 29th-30th, July 6th-7th, or by council direction

**Primary Contacts:**

Abi Mustapha - [emustapha02@gmail.com](mailto:emustapha02@gmail.com)

Event Visionary

Artist

Taylor Reinhold - [taylor@pangeaseed.org](mailto:taylor@pangeaseed.org)

Artist

Community Organizer

Sean McGowen - [sean.s.mcgowen@gmail.com](mailto:sean.s.mcgowen@gmail.com)

Vice Chair Santa Cruz Arts Commission

Unsolicited Proposals sub committee

**Project Summary:**

We, as concerned citizens of Santa Cruz, are imploring the city council to take immediate and definitive action regarding the Black Lives Matter movement by issuing a permanent encroachment permit for the painting of a Black Lives Matter mural in our city streets on June 29th-30th, July 6th-7th, or a date decided with council direction. With the help of the City Council, the Economic Development Department, Public works, and the volunteers, we seek to create a long lasting, community maintained mural. This event will allow our community another small step toward the goal of breaking down systematic racism and oppression through an act of equity. We, as artists and community organizers, come before you asking for support, but more importantly understanding. Understanding of the importance of the tumultuous times we are living and the message that our city will leave for generations to come.

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We understand this proposal is being brought forth in an unorthodox fashion, and appreciate the opportunity city council has extended by allowing us to present today.

*Sean McGowen*

Sean McGowen

*Taylor Reinhold*

Taylor Reinhold

*Abi Mustapha*

Abi Mustapha

## **Letter of Intent:**

My name is Abi Mustapha. I am a Santa Cruz and Bay Area Artist. My intention for this BLACK LIVES MATTER mural is a dramatic call to action, on the part of the City of Santa Cruz's government, organizations, businesses, and everyone involved throughout every stage of this project. Anyone who partakes in this incredible work is also called to the tremendously difficult, long-term act of deconstructing racism in our community and in ourselves. This mural is more than a symbolic action. Every participant is called to action.

As we participate in this movement - including but not limited to, making phone calls, signing petitions, protesting, marching, making art, writing poetry and music, and speaking publicly - ask yourself what does it mean to stand up for racial justice and equality? What are each of us doing personally to change the systemic racism that is killing black people in this country? Have you taken the time to look at your own privileges, implicit biases, education, and how these affect our interactions with others and especially Black, Indigenous, and People of Color? How do we want our government to implement racial equity in our community? How do we hold them and ourselves accountable in a transformational way?

My intention is that various organizations will have the opportunity to take turns in maintaining this mural. Furthermore, the group in charge for that year will describe what their organization/group has done over the past year to address racial and LGBTQIA+ equity, environmental justice and human rights in this community. So together we may celebrate achievements and analyze ways in which we can improve. It is a chance for the community to come together and continue to actively be the change we want to see.

This mural and its maintenance are a statement of intent and accountability to what our community is doing to create a more just world, which is why it is important to see our city government doing everything it can to push this project through to the people, in vehement radical truth that BLACK LIVES MATTER.

Abi Mustapha

“Speaking like this doesn't mean that we're anti-white, but it does mean we're anti-exploitation, we're anti-degradation, we're anti-oppression.”

~Malcom X

### **Statement of Equity and Inclusivity:**

In supporting the creation of this mural, the City of Santa Cruz, will dedicate public space within our city that visualizes a value system that will spark collaboration, connection, and support for voices calling for an equitable future. The design process proposed and implementation is a microcosm of the action our community needs to take to begin to dismantle the systemic barriers that have denied equal access and safety to every individual within our community.

The open call for individual letters to be designed creates space for a multitude of diverse voices to be acknowledged and participate in the creation of what ultimately will add to the visual identity of our community. The creation of this mural is also uniquely positioned to promote equal access to all members of our community. So often murals are painted on vertical walls which inherently limits those who can participate. Because this mural will be painted on a city street, anyone who can grasp a paint brush can contribute to its creation and maintenance regardless of race, age, gender, stature, or mobility. The ongoing maintenance of this mural creates a consistent opportunity for individuals within our community to connect with each other and collaborate to preserve a statement of solidarity as well as the continually work needed to create an equitable community.

This mural is a small step but more importantly a constant reminder that BLACK LIVES MATTER and will amplify discussions within our community to identify the work that must be done to build a more equitable community.

### **Project Documentation:**

Project documentation is very important for the arts, it creates a viable point of access for those who are unable to participate or view the action itself. We have been in contact with Joel Hersch and Michael Daniel, of Swan Dive Media, a local Santa Cruz film and media production company. They are interested in documenting the process of the mural and producing a short film. Project documentation will allow our city's community and government to create and direct our narrative and inform future discussions about our intent and execution.

## Examples of Precedence, Locations, and Actions:

DC:

The DC Public Works staff helped paint the mural. The space was also renamed “Black Lives Matter Plaza” by the DC Mayor, Muriel Bowser. This mural was commissioned by Muriel Bowser.

(source: <https://www.newyorker.com/culture/dept-of-design/the-mimetic-power-of-dcs-black-lives-matter-mural>)

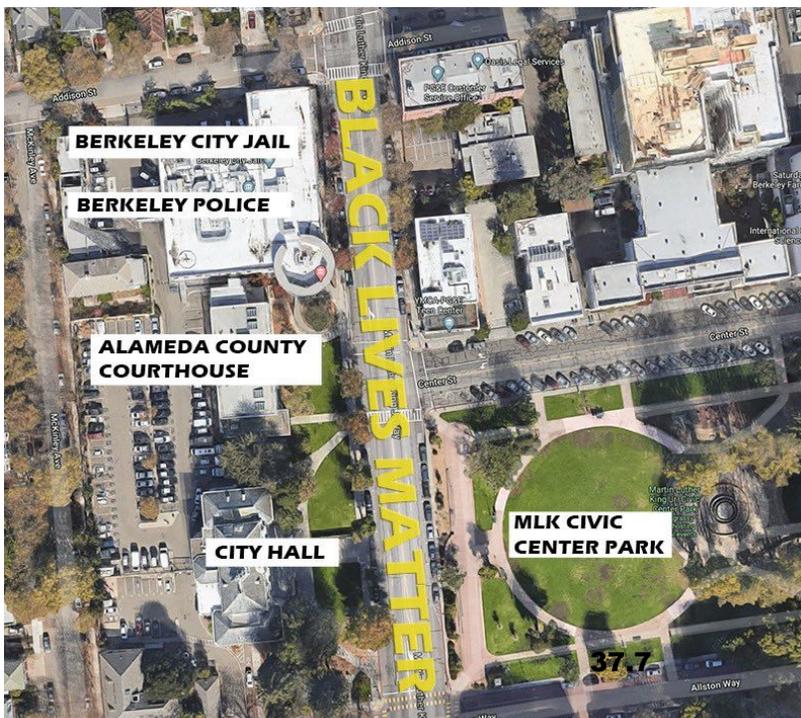


Photograph by Khalid Naji-Allah / Executive Office of the Mayor / AP

Berkeley:

In the Jun 9th Berkeley City Council meeting, an emergency Item for Agenda Material was drafted, creating a legal and expedient solution for their action. (source:

<https://www.berkeleyside.com/wp-content/uploads/2020/06/2020-06-09-Urgency-Item-Black-Lives-Matter.pdf>)



source :

[https://twitter.com/actvstArchitect/status/1269386680286339072?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Cwterm%5E1269386680286339072&ref\\_url=https%3A%2F%2Fwww.berkeleyside.com%2F2020%2F06%2F08%2Fberkeley-to-paint-black-lives-matter-mural-on-downtown-street](https://twitter.com/actvstArchitect/status/1269386680286339072?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Cwterm%5E1269386680286339072&ref_url=https%3A%2F%2Fwww.berkeleyside.com%2F2020%2F06%2F08%2Fberkeley-to-paint-black-lives-matter-mural-on-downtown-street)

Montpelier, VT:

On June 12th the city of Montpelier became the first city council to vote on a BLM Mural, they did so unanimously. The Mural was also approved by the state governor.

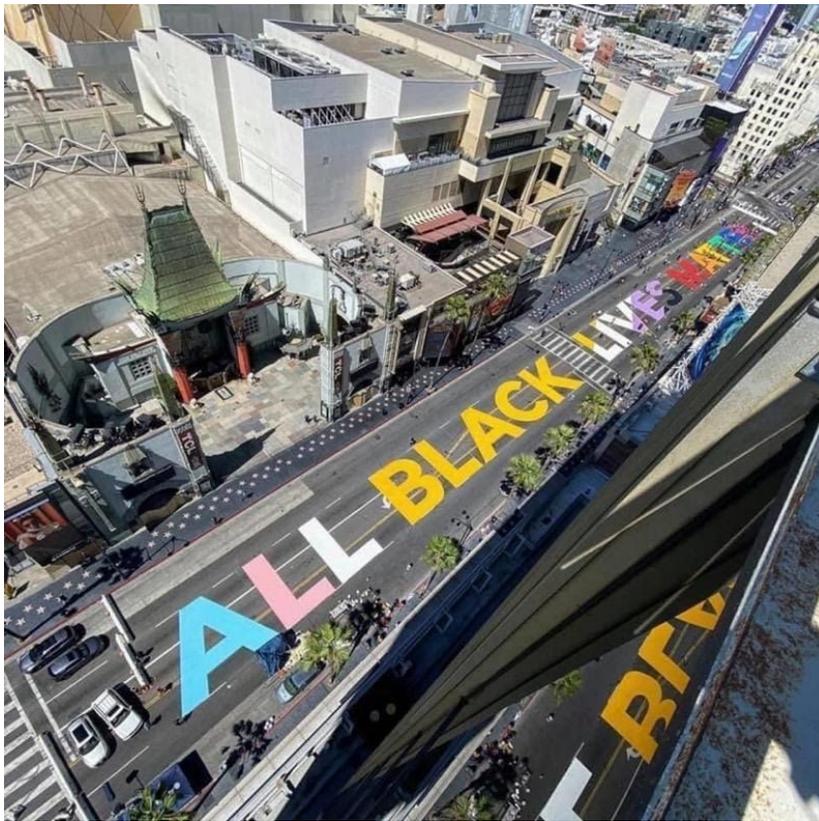
Sources:

<https://www.montpelier-vt.org/129/Agendas-Minutes>

<https://www.wcax.com/content/news/Montpelier-to-vote-571210811.html>

<https://www.facebook.com/MontpelierVT/posts/3228277597212095>

Los Angeles, CA:



(Source: <https://www.latimes.com/california/story/2020-06-14/all-black-lives-matter-painted-on-hollywood-boulevard>)

Queens, New York:



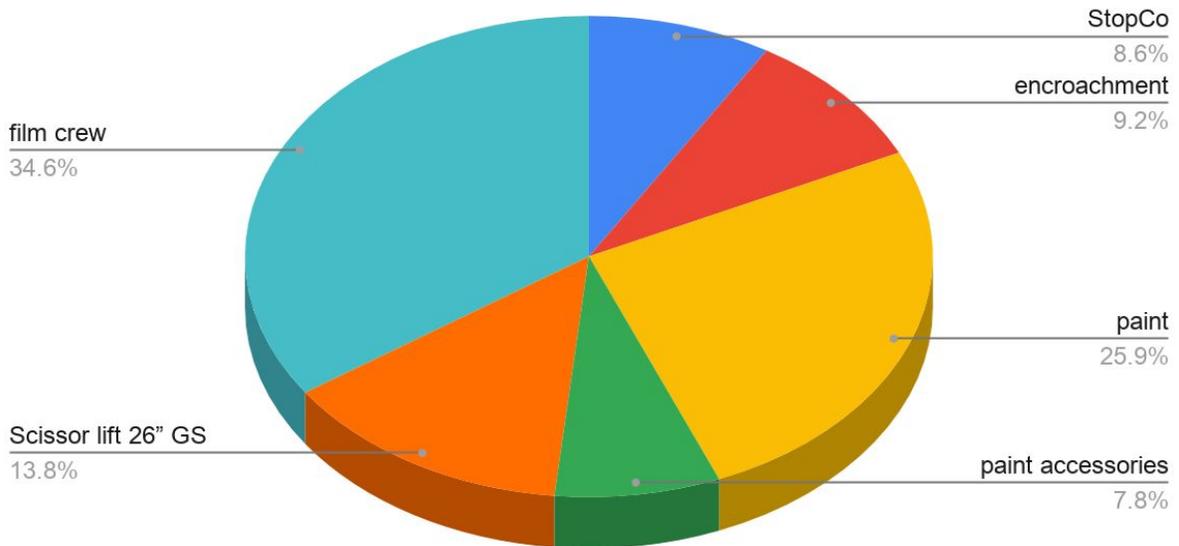
“...a number of local leaders helped begin the work. People like Attorney General Letita James and the Reverend Al Sharpton. Mayor de Blasio says he wants a 'Black Lives Matter' mural on a prominent street in every borough.” The mayor has also been quoted saying he will rename the streets with murals after prominent black leaders.

(Source: <https://abc7ny.com/black-lives-matter-street-mural-brooklyn-nyc/6246788/>)  
<https://www.facebook.com/255254888495114/posts/554367158583884/?vh=e>

**Project Budget: Yoga for All Movement (501c3) and community funded.**

This project will be privately funded through grass roots campaigning and crowd sourced funding.

Item	Cost
StopCo	500
encroachment permit	535
paint	1500
paint accessories	450
Scissor lift 26" GS	800
film crew	2000
<b>Total Project Cost</b>	<b>5785</b>



ATTN: Members of Santa Cruz City Council

Hello, my name is Shandara Gill. I am writing you with a heavy, activated heart in vehement support for Black Lives Matter. As the director of Yoga For All Movement (YFAM), I understand the need for creative pathways towards the change we wish to see in our community. I understand the need for demonstrative activism that calls attention to a mighty and frankly, long-overdue policy shift in our country. I have seen Santa Cruz's full capacity to step-up when it hears this call. This is why I, along with my team at YFAM, am supporting this mural project. Just like yoga can be one path towards social justice, art is another.

From myself, our board members, our volunteers and staff at YFAM, we are fired up. We are outraged. We believe that our liberation is bound with the liberation of Black lives. We have never been more inspired to keep doing our work- with the resounding understanding that Black life not only matters, but is beloved. In commitment to this work, to earn our place as allies and impassioned advocates for anti-racism, we support the Santa Cruz BLM Mural Project in the following ways: With our time as a collaborator, we are committed to recruiting other non-profit involvement to ensure the success of this project. With our financial support as a non-profit, community sponsor. And lastly, as an ongoing, long-term partner to ensure the maintenance of this mural for the community to enjoy, if necessary, within its first year. We fully anticipate supporting the Santa Cruz Arts Commission with this maintenance as activists, not as artists.

I very much appreciate the time and consideration of the City Council in perusing the proposal of this project and I support its approval. We are hearing the call, and we are ready. Thank you for your urgency and hearing the commitment of these courageous artists.

With Immense Gratitude,

Shandara Gill, MSW

A handwritten signature in black ink, appearing to read 'Shandara Gill', written in a cursive style.

## **Project Maintenance:**

Yoga For All Movement has offered, in conjunction with other community sponsors will support the fundraising efforts that will be needed for first year's maintenance of the mural. Proposed community involvement for the maintenance is suggested in the letter of intention as well as Yoga For All Movement letter of intention and sponsorship. Other community sponsors to be discussed at the meeting.

In the past decade, Taylor Reinhold has produced some of the largest public art installations around Santa Cruz County. His projects, which emphasize the beauty of the natural environment, ocean health and social justice, have been implemented through public and private partnerships around the world. Reinhold has brought numerous, internationally acclaimed artists to California to work on murals throughout the Santa Cruz and greater Bay Area. He has successfully honored ongoing ten-year contracts with local municipalities throughout Santa Cruz County and Monterey. Reinhold is also the art director for Pangeaseed Foundation, the largest international mural non-profit focusing on empowering individuals and communities to create meaningful change at the intersection of culture and environmentalism. The proposed BLACK LIVES MATTER mural installation will be a permanent community public art project that invites a diverse variety of stakeholders to continue and take ownership for years to come. In collaboration with the City of Santa Cruz, local organizations and sponsors will coordinate an annual repainting of the mural in order to maintain the messaging and artistic quality. If street repair or construction damages the mural DPW will notify the lead artist who will be responsible for a ten year contract to maintain the mural.

## **Public Safety, Environmental, and Liability Concerns :**

We have been in contact with Ed DaRoza from Stop Co Barricades & Cones who has agreed to supply barricades, safety signage, and a traffic plan to comply with city traffic procedures.

During a global pandemic, public safety is a primary concern for any city, especially with groups of people congregating. This is a topic we have addressed in our planning sessions and we would like to relate our intentions. Our goal is to have a community driven, socially engaging collaborative mural painted, while still maintaining a social distancing procedure. We aim to designate several volunteers to address the public as they enter the area to ask participants to maintain and respect social distancing and the use of masks, kindly reminding individuals who are not in compliance. We would like to request that the city open its public bathrooms during this time to allow for attendees to wash their hands regularly.

Environmental considerations and impacts have been considered and will be addressed appropriately. Taylor Reinhold has worked with the city on numerous murals and has extensive experience producing large scale public art works while protecting the environment. We have his expertise, and SC Street supervisor Rich Smith to thank for helping to create a plan that will use top quality, non-toxic paint that has been especially selected for road safety(example cal

spec: item# 980521). We will also be blocking storm drains in the area to help mitigate any potential risks.

Project Liability will be maintained through Sean McGowen, the required Certificate Of Insurance stating the city as a certificate holder has already been submitted to the City's Department of Economic Development.

All Artists are expected to complete a contract with the city including but not limited to Visual Artists Rights Act (VARA) and California Art Preservation Act (CAPA) waivers.

**Call for Volunteers:**

Call for artists/Volunteers.

As part of the Black Lives Matter Mural project we would like to open up the painting of the letters to the community. Two to four Lead artists will Block out/ stencil the letter design onto the street and there will be a community volunteer sign up for times that anyone from the community will be able to volunteer to come and fill in the letters with paint. The sign up will be in blocks of 1 hour at a time and a lead artist will stay on site to direct volunteers at all times. Call for volunteers to be distributed through artists, sponsor, and any voluntary community social media channels. A collection of letters documenting community support will be presented at City Council Meeting on the 23rd as well as available immediately upon request. [Emustapha02@gmail.com](mailto:Emustapha02@gmail.com)

“Call for Volunteers.”

Purpose: Black Lives Matter Mural

Deadline: TBD after permit approval by City Council and mural date are confirmed

Sign up sheet available upon request- [Emustapha02@gmail.com](mailto:Emustapha02@gmail.com)

**Proposed Site locations:**

Option 1:

Center St. between Church st and Locust st.

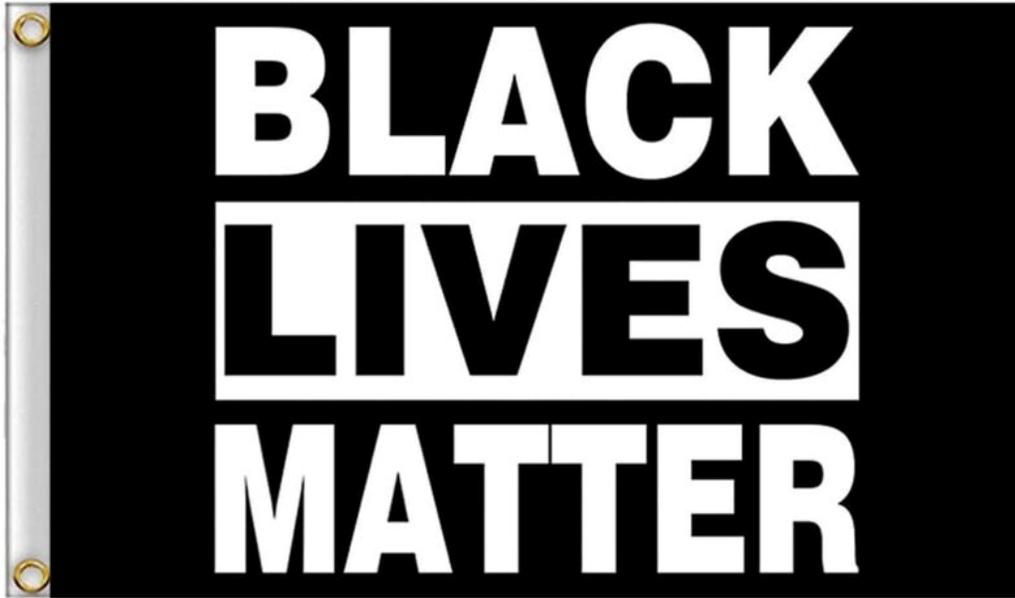


**Recommendation from Organizers:**

The organizers of this mural suggest to city council that a motion be made to issue an encroachment permit immediately. In art, location matters. Painting this statement in front of city hall will send a simple message. Our city supports Black Lives Matter and will make changes within our system to promote equity and help break traditional patterns of systemic racial injustice.

**Follow Up Initiative:**

The organizers, and Department of Economic Development suggest that a follow up initiative be brought to the City Arts Commission in order to involve the Equity, Inclusivity and Environmental Justice subcommittee in the ongoing maintenance of this project. This subcommittee may want to be involved with organization, partial funding, and identification of partner organizations for a yearly community driven action to repaint the mural. It will also be recommended that this committee examine the City Arts Commission commitment to its own equity and inclusivity guidelines and draft an annual report of their findings. In this way, the City Arts will be held accountable through community action and dialogue. We will also ask that City Council create an annual rapport to coincide with this event, regarding their Health in All policy, which is the city's policy for equity, inclusivity, and sustainability.



## Rosemary Balsley

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**From:** Garrett <garrettphilipp@aol.com>  
**Sent:** Thursday, June 18, 2020 8:16 PM  
**To:** City Council  
**Subject:** 6/23/20 Agenda Item # 37 Display permanently BLM flag in July in front of city hall

6/23/20 Agenda Item # 37 Display permanently BLM flag in July in front of city hall

Dear Council,

This agenda item is the kind of pandering by leftist government we don't need. It serves no purpose except pandering, and is permanent.

The BLM movement is infected with many who are not peaceful, but quite violent, and have zero in common with MLK non-violent protest, but are a black power group with an agenda with a non-peaceful agenda.

Some of them are not about equal treatment under the law, but again a black power group. Have you seen the video of some making white people lick the boots of black BLM advocates? Do you really think this is right? Do you think looting, vandalism, arson is right and justified? Swell, they do.

You are making matters worse, not better, shame on you. It will lead to civil war.

You all voting "aye" on this need to be removed from office as early as possible.

Garrett Philipp

## Rosemary Balsley

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**From:** Garrett <garrettphilipp@aol.com>  
**Sent:** Monday, June 22, 2020 2:42 PM  
**To:** City Council  
**Subject:** 6.23.20 Agenda Item #37 Black Lives Matter street proposal

### 6.23.20 Agenda Item #37 Black Lives Matter street proposal

Dear Council,

The proposal letter suggesting the idea of a BLM permanent street mural in front of City Hall quoted the Black Marxist Malcolm-X. I also have Malcolm –X quotes for you. *“...respect everyone; but if someone puts his hand on you, send him to the cemetery.” Or “Show me a capitalist, I’ll show you a bloodsucker”*. Malcolm-X was a Marxist black power activist of the 60’s and was no MLK. He believed in violence if necessary. The so-called artist petitioner is coming from the wrong place in 2020. Abi’s degree is in political science, not art, figures.

Black Lives Matter co-founder Patrisse Cullors admitted during a Friday night interview with CNN that "our goal is to get Trump out." She said in 2015 she and Alicia Garza are trained Marxists. The UK BLM founder Natalie Jeffers wants followers to fight capitalism and “dedicate ourselves to revolutionary politic power”. None of those things are about police tactics.

The BLM movement didn’t come out early and condemn the looting, vandalism, rioting in response to George Floyd’s death, and there sure are a lot of people still doing violence in the name of the BLM. This really sends the wrong message that current black people’s problems are due to police systemic racism. Don’t insult us to say this black power billboard for BLM is art.

The Ferguson killing, the riots, the looting in 2014 and the foundation of the BLM movement was based on a lie. After a local grand jury and federal investigation, it was found no evidence existed, all testimony as such recanted, that Michael Brown ever had his hands up or said “don’t shoot”, and the officer Wilson acquitted because Brown tried to assault then steal the officer’s gun, and later continuously charged the officer full speed. Does “No justice, No peace” sound non-violent to you?

If black lives are to improve, the voice of black conservatives should also be heard, not just leftist, Marxist, and black power radicals throwing a tantrum. Rethink making Santa Cruz a defective copy cat of radical conquered cities like Portland or Seattle. I think a peace sign would be as original and a better message.

If black conservatives had a voice we could acknowledge the pervasive black culture problem priorities for black lives matter more so than free advertising for a black power activist Marxist political organization's agenda . I mention but a few.

- 1) Sky high black male rates of violent crime relative to any other race.
- 2) Ultra low black marriage rates, matriarchal families leading to poor outcomes for children.
- 3) High teen pregnancy and overall sky high abortion rates.
- 4) Developmental problems in children a cause of which I will include a lack of the presence of a male father's discipline leading to undisciplined adult males leading to even more undisciplined absent father children and poor economic attainment in a vicious circle.
- 5) High divorce rates.
- 6) Glorification of drugs, guns, gangs, ho's in black popular culture.
- 7) Pervasive childhood aspirations of playing in the NBA or NFL instead of more attainable goals. This is bad or non-existent mentoring.

That is not my opinion. That is what prominent black conservatives say is fact.

Little of this entire agenda item has to do with equality, legitimate civil rights abuses, or actually improving black lives. It is a symptom of a radicalism that actually will promote racial tension and division. It should not be on the agenda.

I don't see a mention if auto traffic will be disallowed on the mural, but I protest if so as that is the first major traffic route from Water st to South before Mission. Traffic would be diverted over a block to the more congested down town. Find a wall somewhere and be original, you know, like art.

If you have ever listened to me (questionable that) you know I consider Marxists to be traitors to American values and principles. I'm against that in any disguise or form.

Once again the idea of waving special interest flags in front of city hall in perpetuity beyond your terms is hubris social justice warrior-ing without justice or any public benefit. Not your job. Wake me when the sky high poverty and homelessness in Santa Cruz comes down instead of more flag waving.

Peruse some of these links and tell me I'm wrong. There are so many others.

<https://youtu.be/XkoGZIYvWm0>

<https://youtu.be/Pyhy4lvkENg>

<https://twitter.com/i/status/1274076999192018945>

Garrett Philipp - Westside



## CITY COUNCIL AGENDA REPORT

DATE: 6/18/2020

AGENDA OF: 6/23/2020 – **Updated 6.22.20**

DEPARTMENT: Police

SUBJECT: Surveillance Ordinance: Facial Recognition Technology and Predictive Policing (PD)

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RECOMMENDATION: Introduce for publication an ordinance adding Chapter 9.85 “Surveillance Technology” to Article 9 “Peace, Safety and Morals” of the Santa Cruz Municipal Code.

Establish a temporary ad hoc police reform measures advisory committee comprised of the Mayor and two other Councilmembers.

---

BACKGROUND: As more technology intended to assist with public safety becomes available, there are increasing concerns around privacy and the accuracy of these technologies. The ordinance before Council addresses two technologies specifically: predictive policing technology and face recognition technology.

Predictive policing technology uses algorithms to analyze large sets of data, including historical crime data. “Place based” predictive policing, the most widely used method, is intended to help police departments decide where to deploy police. A less common form of predictive policing is “person based,” which may even include attempting to identify individuals or groups who are purportedly more likely to commit or be victims of crime. Nationally, many commenters have expressed concerns that the data used in predictive policing algorithms could be based on racially biased practices, and therefore, predictive policing could unintentionally exacerbate discriminatory policing behavior. The Santa Cruz Police Department ceased using “place-based” predictive policing in November 2017 and has never used “person-based” predictive policing technology.

Face recognition technology is another tool that has been used by law enforcement. Despite purported technological advances, a recent National Institute of Standards and Technology (NIST) study found that some forms of face recognition technology were 100 times more likely to misidentify people of African and Asian descent (see attachment). Given the potential for discrimination and misidentification of people, Amazon and Microsoft recently placed moratoriums on the sale of face recognition software to police agencies. IBM has not only placed a moratorium on the sale of facial recognition software to police agencies, but is abandoning the research and development of face recognition technology as a whole. The Santa Cruz Police Department has never used face recognition technology.

On January 28, 2020, Councilmembers Krohn, Glover, and Mayor Cummings brought forward an item that would increase oversight of the Santa Cruz Police Department’s acquisition and deployment of predictive policing and face recognition technology for the purposes of investigating crimes within the community. This item was sent to the Public Safety Committee for further consideration, review, and public input, and was discussed on March 11, 2020. Councilmembers Krohn and Glover voted to recommend that facial recognition and predictive policing software be banned when used for the purpose of the City’s policing. Councilmember Watkins was absent from this Public Safety Committee meeting and did not vote on this matter.

Due to COVID-19, this item was put on hold as the City needed to focus on necessary actions to respond to State and County shelter in place orders and to make emergency operational adjustments. Council approved adjusted dates to various items, including this one, on April 14, 2020 and again on June 9, 2020.

DISCUSSION: The Santa Cruz Police Department believes that whenever possible, decisions relating to surveillance technology should occur with strong consideration of the impact that such technologies may have on civil rights and civil liberties. Currently, the propensity for face recognition technology and predictive policing technology to endanger civil rights and civil liberties outweighs these technologies’ purported benefits.

Therefore, this proposal would add the attached “Surveillance Technology Ordinance” as Chapter 9.85 to the City of Santa Cruz Municipal Code. The purpose and intent of this Chapter is to prohibit the City’s acquisition and/or use of face recognition technology and predictive policing technology, until we are confident that these technologies will neither perpetuate bias nor violate civil rights or liberties.

Additionally, it is recommended that the City Council authorize the creation of an ad hoc advisory committee of Councilmembers, to be comprised of Mayor Cummings and two other Councilmembers. This ad hoc committee could make recommendations for additional police reform measures to address racial equity and social justice in policing, seeking opinions and advice from the Chief of Police and from the local community, including the African American, Latinx, and LGBTQ+ communities.

FISCAL IMPACT: None.

Prepared and Submitted by:  
Andy Mills  
Chief of Police

Submitted by:  
Justin Cummings  
Mayor

Approved by:  
Martín Bernal  
City Manager

ATTACHMENTS:

Draft Ordinance – Redline with edits 6.22.20

Draft Ordinance – clean with edits 6.22.20

Draft Ordinance

National Institute of Standards and Technology (2019)



## CITY COUNCIL AGENDA REPORT

DATE: 6/18/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Police

SUBJECT: Surveillance Ordinance: Facial Recognition Technology and Predictive Policing (PD)

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Face recognition technology is another tool that has been used by law enforcement. Despite purported technological advances, a recent National Institute of Standards and Technology (NIST) study found that some forms of face recognition technology were 100 times more likely to misidentify people of African and Asian descent (see attachment). Given the potential for discrimination and misidentification of people, Amazon and Microsoft recently placed moratoriums on the sale of face recognition software to police agencies. IBM has not only placed a moratorium on the sale of facial recognition software to police agencies, but is abandoning the research and development of face recognition technology as a whole. The Santa Cruz Police Department has never used face recognition technology.

On January 28, 2020, Councilmembers Krohn, Glover, and Mayor Cummings brought forward an item that would increase oversight of the Santa Cruz Police Department’s acquisition and deployment of predictive policing and face recognition technology for the purposes of investigating crimes within the community. This item was sent to the Public Safety Committee for further consideration, review, and public input, and was discussed on March 11, 2020. Councilmembers Krohn and Glover voted to recommend that facial recognition and predictive policing software be banned when used for the purpose of the City’s policing. Councilmember Watkins was absent from this Public Safety Committee meeting and did not vote on this matter.

Due to COVID-19, this item was put on hold as the City needed to focus on necessary actions to respond to State and County shelter in place orders and to make emergency operational adjustments. Council approved adjusted dates to various items, including this one, on April 14, 2020 and again on June 9, 2020.

DISCUSSION: The Santa Cruz Police Department believes that whenever possible, decisions relating to surveillance technology should occur with strong consideration of the impact that such technologies may have on civil rights and civil liberties. Currently, the propensity for face recognition technology and predictive policing technology to endanger civil rights and civil liberties outweighs these technologies’ purported benefits.

Therefore, this proposal would add the attached “Surveillance Technology Ordinance” as Chapter 9.85 to the City of Santa Cruz Municipal Code. The purpose and intent of this Chapter is to prohibit the City’s acquisition and/or use of face recognition technology and predictive policing technology, until we are confident that these technologies will neither perpetuate bias nor violate civil rights or liberties.

Additionally, it is recommended that the City Council authorize the creation of an ad hoc advisory committee of Councilmembers, to be comprised of Mayor Cummings and two other Councilmembers. This ad hoc committee could make recommendations for additional police reform measures to address racial equity and social justice in policing, seeking opinions and advice from the Chief of Police and from the local community, including the African American, Latinx, and LGBTQ+ communities.

FISCAL IMPACT: None.

Prepared and Submitted by:	Approved by:
Andy Mills	Martín Bernal
Chief of Police	City Manager

ATTACHMENTS:  
Ordinance Draft  
National Institute of Standards and Technology (2019)

ORDINANCE NO. 2020-\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ ADDING  
CHAPTER 9.85 “SURVEILLANCE TECHNOLOGY” TO ARTICLE 9 “PEACE, SAFETY AND  
MORALS” OF THE SANTA CRUZ MUNICIPAL CODE

WHEREAS, the City Council desires to have an informed public debate about decisions related to surveillance technology.

WHEREAS, whenever possible, decisions relating to surveillance technology should occur with strong consideration given to the impact that such technologies may have on civil rights and civil liberties.

WHEREAS, currently, the propensity for Face Recognition Technology and Predictive Policing Technology to endanger civil rights and civil liberties outweighs these technologies’ purported benefits.

WHEREAS, currently, Face Recognition Technology and Predictive Policing Technology appear to have the propensity to potentially exacerbate racial injustice.

WHEREAS, the City Council finds that Face Recognition Technology and Predictive Policing Technology currently lack the protections needed to adequately safeguard the rights and liberties of all people.

WHEREAS, the City Council supports, approves, and hereby establishes a temporary, ad hoc advisory committee of councilmembers, to be comprised of Mayor Cummings and two other councilmembers. This ad hoc committee is hereby tasked with returning to the City Council with recommendations for police reform measures to address racial equity and social justice in policing. The committee shall seek opinions and advice from the Chief of Police and from the local community, including the African American and Latinx communities.

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

**SECTION 1. Chapter 9.85 “Surveillance Technology Ordinance” is hereby added to Article 9 “PEACE, SAFETY AND MORALS” of the City of Santa Cruz Municipal Code to read as follows:**

**9.85.010 PURPOSE AND INTENT OF CHAPTER.**

This Chapter shall be known as the Surveillance Technology Ordinance.

The purpose and intent of this Chapter is to prohibit the City’s acquisition and/or use of Face Recognition Technology and Predictive Policing Technology, prior to obtaining City Council approval, by resolution, based on the City Council’s finding that the technology meets scientifically validated and peer reviewed research, protects and safe guards the civil rights and liberties of all people, and will not perpetuate bias.

**9.85.020 DEFINITIONS.**

For purposes of this Chapter, the following words, terms, and phrases shall have these definitions:

- A. "City Department" means any City department and its officers and employees.
- B. "Face Recognition Technology" means an automated or semi-automated process that assists in identifying or verifying an individual based on an individual's face.
- C. "Predictive Policing Technology" means software that is used to predict information or trends about crime or criminality in the past or future, including but not limited to the characteristics or profile of any person(s) likely to commit a crime, the identity of any person(s) likely to commit crime, the locations or frequency of crime, or the person(s) impacted by predicted crime.

**9.85.030 PROHIBITION ON CITY'S ACQUISITION OR USE OF PREDICTIVE POLICING TECHNOLOGY AND FACE RECOGNITION TECHNOLOGY.**

- A. Notwithstanding any other provision of this Chapter, it shall be unlawful for any City Department to obtain, retain, access, or use Predictive Policing Technology and/or Face Recognition Technology prior to obtaining City Council approval, by resolution, based on the City Council's finding that the technology meets scientifically validated and peer reviewed research, protects and safe guards the civil rights and liberties of all people, and will not perpetuate bias.
- B. City staff's inadvertent or unintentional receipt, access of, or use of any information obtained from Predictive Policing Technology or Face Recognition Technology shall not be a violation of this Section provided that: (1) City staff did not request or solicit the receipt, access of, or use of such information, and (2) City staff logs such receipt, access, or use and publishes that information on the City Council's website within thirty (30) days or in the agenda for the next regular meeting of the City Council. Such report shall not include any personally identifiable information or other information the release of which is prohibited by law.

**9.85.040 ENFORCEMENT**

Any City resident or other person injured by a violation of this Chapter may institute proceedings for injunctive relief or writ of mandate in any court of competent jurisdiction to enforce this Chapter. An action instituted under this paragraph may be brought against the City of Santa Cruz, if necessary to effectuate compliance with this Chapter (including to expunge information unlawfully collected, retained, or shared thereunder). Prior to the initiation of any legal proceeding, the City of Santa Cruz shall be given written notice of the alleged violation(s) and an opportunity to correct such alleged violation(s) within 90 days of receipt of the notice. If the alleged violation is substantiated and subsequently cured, a notice shall be posted in a conspicuous space on the City's website that generally describes the corrective measure(s) taken to address the violation(s).

**9.85.050 SEVERABILITY**

The provisions of this Chapter are declared to be separate and severable. The invalidity of any clause, phrase, sentence, paragraph, subdivision, section, or portion of this Chapter, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this Chapter, or the validity of its application to other persons or circumstances. Nothing in this Chapter is intended to, or shall be interpreted to, conflict with the Constitution of the United States, the Constitution of the State of California or with any State or federal law.

SECTION 2. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same or a summary thereof to be published as required by law.

SECTION 3. This Ordinance shall take effect and be in full force and effect thirty (30) days from and after the date of its final passage and adoption.

PASSED FOR PUBLICATION this 23<sup>rd</sup> day of June, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

PASSED FOR FINAL ADOPTION this \_\_\_\_ day of , 2020, by the following vote:

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ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

This is to certify that the above and foregoing document is the original of Ordinance No. 2020- and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

\_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

ORDINANCE NO. 2020-\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ ADDING  
CHAPTER 9.85 “SURVEILLANCE TECHNOLOGY” TO ARTICLE 9 “PEACE, SAFETY AND  
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WHEREAS, whenever possible, decisions relating to surveillance technology should occur with strong consideration given to the impact that such technologies may have on civil rights and civil liberties.

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DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

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ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

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Bonnie Bush, City Clerk Administrator

ORDINANCE NO. 2020-

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ORDINANCE NO. 2020-

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NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

ORDINANCE NO. 2020-

PASSED FOR FINAL ADOPTION this X<sup>th</sup> day of X, 2020 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Justin Cummings, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

This is to certify that the above and foregoing document is the original of Ordinance No. 2020-xx and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

\_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

**NISTIR 8280**

# **Face Recognition Vendor Test (FRVT) Part 3: Demographic Effects**

Patrick Grother  
Mei Ngan  
Kayee Hanaoka

This publication is available free of charge from:  
<https://doi.org/10.6028/NIST.IR.8280>

**NIST**  
**National Institute of  
Standards and Technology**  
U.S. Department of Commerce

NISTIR 8280

# Face Recognition Vendor Test (FRVT) Part 3: Demographic Effects

Patrick Grother  
Mei Ngan  
Kayee Hanaoka  
*Information Access Division  
Information Technology Laboratory*

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December 2019



U.S. Department of Commerce  
*Wilbur L. Ross, Jr., Secretary*

National Institute of Standards and Technology  
*Walter Copan, NIST Director and Undersecretary of Commerce for Standards and Technology*

Certain commercial entities, equipment, or materials may be identified in this document in order to describe an experimental procedure or concept adequately. Such identification is not intended to imply recommendation or endorsement by the National Institute of Standards and Technology, nor is it intended to imply that the entities, materials, or equipment are necessarily the best available for the purpose.

**National Institute of Standards and Technology Interagency or Internal Report 8280  
Natl. Inst. Stand. Technol. Interag. Intern. Rep. 8280, 81 pages (December 2019)**

**This publication is available free of charge from:  
<https://doi.org/10.6028/NIST.IR.8280>**

EXECUTIVE SUMMARY

OVERVIEW This is the third in a series of reports on ongoing face recognition vendor tests (FRVT) executed by the National Institute of Standards and Technology (NIST). The first two reports cover, respectively, the performance of one-to-one face recognition algorithms used for verification of asserted identities, and performance of one-to-many face recognition algorithms used for identification of individuals in photo data bases. This document extends those evaluations to document accuracy variations across demographic groups.

MOTIVATION The recent expansion in the availability, capability, and use of face recognition has been accompanied by assertions that demographic dependencies could lead to accuracy variations and potential bias. A report from Georgetown University [14] work noted that prior studies [22], articulated sources of bias, described the potential impacts particularly in a policing context, and discussed policy and regulatory implications. Additionally, this work is motivated by studies of demographic effects in more recent face recognition [9, 16, 23] and gender estimation algorithms [5, 36].

AIMS AND SCOPE NIST has conducted tests to quantify demographic differences in contemporary face recognition algorithms. This report provides details about the recognition process, notes where demographic effects could occur, details specific performance metrics and analyses, gives empirical results, and recommends research into the mitigation of performance deficiencies.

NIST intends this report to inform discussion and decisions about the accuracy, utility, and limitations of face recognition technologies. Its intended audience includes policy makers, face recognition algorithm developers, systems integrators, and managers of face recognition systems concerned with mitigation of risks implied by demographic differentials.

WHAT WE DID The NIST Information Technology Laboratory (ITL) quantified the accuracy of face recognition algorithms for demographic groups defined by sex, age, and race or country of birth.

We used both one-to-one verification algorithms and one-to-many identification search algorithms. These were submitted to the FRVT by corporate research and development laboratories and a few universities. As prototypes, these algorithms were not necessarily available as mature integrable products. Their performance is detailed in FRVT reports [16, 17].

We used these algorithms with four large datasets of photographs collected in U.S. governmental applications that are currently in operation:

- ▷ Domestic mugshots collected in the United States.
▷ Application photographs from a global population of applicants for immigration benefits.
▷ Visa photographs submitted in support of visa applicants.
▷ Border crossing photographs of travelers entering the United States.

All four datasets were collected for authorized travel, immigration or law enforcement processes. The first three sets have good compliance with image capture standards. The last set does not, given constraints on capture duration and environment. Together these datasets allowed us to process a total of 18.27 million images of 8.49 million people through 189 mostly commercial algorithms from 99 developers.

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The datasets were accompanied by sex and age metadata for the photographed individuals. The mugshots have metadata for race, but the other sets only have country-of-birth information. We restrict the analysis to 24 countries in 7 distinct global regions that have seen lower levels of long-distance immigration. While country-of-birth information may be a reasonable proxy for race in these countries, it stands as a meaningful factor in its own right particularly for travel-related applications of face recognition.

The tests aimed to determine whether, and to what degree, face recognition algorithms differed when they processed photographs of individuals from various demographics. We assessed accuracy by demographic group and report on false negative and false positive effects. False negatives are the failure to associate one person in two images; they occur when the similarity between two photos is low, reflecting either some change in the person’s appearance or in the image properties. False positives are the erroneous association of samples of two persons; they occur when the digitized faces of two people are similar.

In [background material](#) that follows we give examples of how algorithms are used, and we elaborate on the consequences of errors noting that the impacts of demographic differentials can be advantageous or disadvantageous depending on the application.

**WHAT WE FOUND**

The accuracy of algorithms used in this report has been documented in recent FRVT evaluation reports [16, 17]. These show a wide range in accuracy across developers, with the most accurate algorithms producing many fewer errors. These algorithms can therefore be expected to have smaller demographic differentials.

Contemporary face recognition algorithms exhibit demographic differentials of various magnitudes. Our main result is that false positive differentials are much larger than those related to false negatives and exist broadly, across many, but not all, algorithms tested. Across demographics, false positives rates often vary by factors of 10 to beyond 100 times. False negatives tend to be more algorithm-specific, and vary often by factors below 3.

▷ **False positives:** Using the higher quality Application photos, false positive rates are highest in West and East African and East Asian people, and lowest in Eastern European individuals. This effect is generally large, with a factor of 100 more false positives between countries. However, with a number of algorithms developed in China this effect is reversed, with low false positive rates on East Asian faces. With domestic law enforcement images, the highest false positives are in American Indians, with elevated rates in African American and Asian populations; the relative ordering depends on sex and varies with algorithm.

We found false positives to be higher in women than men, and this is consistent across algorithms and datasets. This effect is smaller than that due to race.

We found elevated false positives in the elderly and in children; the effects were larger in the oldest and youngest, and smallest in middle-aged adults.

▷ **False negatives:** With domestic mugshots, false negatives are higher in Asian and American Indian individuals, with error rates above those in white and African American faces (which yield the lowest false negative rates). However, with lower-quality border crossing images, false negatives are generally higher in people born in Africa and the Caribbean, the effect being stronger in older individuals. These differing results relate to image quality: The mugshots were collected with a photographic setup specifically standardized to produce high-quality images across races; the border crossing images deviate from face image quality standards.

In cooperative access control applications, false negatives can be remedied by users making second attempts.

The presence of an enrollment database affords one-to-many identification algorithms a resource for mitigation of demographic effects that purely one-to-one verification systems do not have. Nevertheless, demographic differentials present in one-to-one verification algorithms are usually, but not always, present in one-to-many search algorithms. One important exception is that some developers supplied highly accurate identification algorithms for which false positive differentials are undetectable.

More detailed results are introduced in the [Technical Summary](#).

**IMPLICATIONS OF THESE TESTS**

Operational implementations usually employ a single face recognition algorithm. Given algorithm-specific variation, it is incumbent upon the system owner to know their algorithm. While publicly available test data from NIST and elsewhere can inform owners, it will usually be informative to specifically measure accuracy of the operational algorithm on the operational image data, perhaps employing a biometrics testing laboratory to assist.

Since different algorithms perform better or worse in processing images of individuals in various demographics, policy makers, face recognition system developers, and end users should be aware of these differences and use them to make decisions and to improve future performance. We supplement this report with more than 1200 pages of charts contained in [seventeen annexes](#) that include exhaustive reporting of results for each algorithm. These are intended to show the breadth of the effects, and to inform the algorithm developers.

There are a variety of techniques that might mitigate performance limitations of face recognition systems performance issues overall and specifically those that relate to demographics. This report includes recommendations for research in developing and evaluating the value, costs, and benefits of potential mitigation techniques - see sections 8 and 9.

Reporting of demographic effects often has been incomplete in academic papers and in media coverage. In particular, accuracy is discussed without stating the quantity of interest be it false negatives, false positives or failure to enroll. As most systems are configured with a fixed threshold, it is necessary to report both false negative and false positive rates for each demographic group at that threshold. This is rarely done - most reports are concerned only with false negatives. We make suggestions for augmenting reporting with respect to demographic difference and effects.

Links: [EXEC. SUMMARY](#)  
[TECH. SUMMARY](#)

False positive: Incorrect association of two subjects 1:1 FMR 1:N FPIR |  $T \gg 0$  → FMR, FPIR → 0  
False negative: Failed association of one subject 1:1 FNMR 1:N FNIR → FNMR, FNIR → 1

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**BACKGROUND: ALGORITHMS, ERRORS, IMPACTS****FACE ANALYSIS: CLASSIFICATION, ESTIMATION, RECOGNITION**

Before presenting results in the [Technical Summary](#) we describe what face recognition is, contrasting it with other applications that analyze faces, and then detail the errors that are possible in face verification and identification and their impacts.

Much of the discussion of face recognition bias in recent years cites two studies [5, 36] showing poor accuracy of face gender classification algorithms on black women. Those studies did not evaluate face recognition algorithms, yet the results have been widely cited to indict their accuracy. Our work was undertaken to quantify analogous effects in face recognition algorithms. We strongly recommend that reporting of bias should include information about the class of algorithm evaluated. We use the term **face analysis** as an umbrella for any algorithm that consumes face images and produces some output. Within that are **estimation** algorithms that output some continuous quantity (e.g., age or degree of fatigue). There are **classification** algorithms that aim to determine some categorical quantity such as the sex of a person or their emotional state. Face classification algorithms are built with inherent knowledge of the classes they aim to produce (e.g., happy, sad). Face **recognition** algorithms, however, have no built-in notion of a particular person. They are not built to identify particular people; instead they include a face detector followed by a feature extraction algorithm that converts one or more images of a person into a vector of values that relate to the identity of the person. The extractor typically consists of a neural network that has been trained on ID-labeled images available to the developer. In operations, they act as generic extractors of identity-related information from photos of persons they have usually never seen before. Recognition proceeds as a differential operator: Algorithms compare two feature vectors and emit a similarity score. This is a vendor-defined numeric value expressing how similar the parent faces are. It is compared to a threshold value to decide whether *two* samples are from, or represent, the same person or not. Thus, recognition is mediated by persistent identity information stored in a feature vector (or “template”). Classification and estimation, on the other hand, are single-shot operations from *one* sample alone, employing machinery that is different from that used for face recognition.

**VERIFICATION**

**Errors:** A comparison of images from the same person yields a genuine or “mate” score. A comparison of images from different people yields an imposter or “nonmate” score. Ideally, nonmate scores should be low and mate scores should be high. In practice, some imposter scores are above a numeric threshold giving false positives, and some genuine comparisons yield scores below threshold giving false negatives.

**Applications:** One-to-one verification is used in applications including logical access to a phone or physical access through a security check point. It also supports non-repudiation e.g. to authorize the dispensing of a prescription drug. Two photos are involved: one in the database that is compared with one taken of the person seeking access to answer the question: “Is this the same person or not?”

**Impact of errors:** Errors have different implications for the system owner and for the individual whose photograph is being used, depending upon the application. In verification applications, false negatives cause inconvenience for the user. For example, an individual may not be able to get into their phone or they are delayed entering a facility or crossing a border. These errors can usually be remediated with a second attempt. False positives, on the other hand, present a security concern to the system owner, as they allow access to imposters.

Links: [EXEC. SUMMARY](#)  
[TECH. SUMMARY](#)

False positive: Incorrect association of two subjects  
False negative: Failed association of one subject

1:1 FMR  
1:1 FNMR

1:N FPIR  
1:N FNIR

$T \gg 0$

$\rightarrow$  FMR, FPIR  $\rightarrow$  0  
 $\rightarrow$  FNMR, FNIR  $\rightarrow$  1

**IDENT-  
IFICATION**

**Identification algorithms**, referred to commonly as one-to-many or “1-to-N” search algorithms, notionally compare features extracted from a search “probe” image with all feature vectors previously enrolled from “gallery” images. The algorithms return either a fixed number of the most similar candidates, or only those that are above a preset threshold. A candidate is an index and a similarity score. Some algorithms execute an exhaustive search of all N enrollments and a sort operation to yield the most similar. Other algorithms implement “fast-search” techniques [2,19,21,26] that avoid many of the N comparisons and are therefore highly economical [17].

**Identification applications:** There are two broad uses of identification algorithms. First, they can be used to facilitate positive access like in one-to-one verification but without presentation of an identity claim. For example, a subject is given access to a building solely on the basis of presentation a photograph that matches *any* enrolled identity with a score above threshold. Second, they can be used for so-called negative identification where the system operator claims implicitly that searched individuals are not enrolled - for example, checking databases of gamblers previously banned from a casino.

**Impacts:** As with verification, the impact of a demographic differential will depend on the application. In one-to-many searches, false positives primarily occur when a search of a subject who is not present in the database yields a candidate identity for human review. This type of “one to many” search is often employed to check for a person who might be applying for a visa or driver’s license under a name different than their own. False positives may also occur when a search of someone who is enrolled produces the wrong identity with, or instead of, the correct identity. Identification algorithms produce such outcomes when the search yields a comparison score above a chosen threshold.

In identification applications such as visa or passport fraud detection, or surveillance, a false positive match to another individual could lead to a false accusation, detention or deportation. Higher false negatives would be an advantage to an enrollee in such a system, as their fraud would go undetected, and a disadvantage to the system owner whose security goals will be undermined.

**Investigation:** This is a special-case application of identification algorithms where the threshold is set to zero so that all searches will produce a fixed number of candidates. In such cases, the false positive identification rate is 100% because any search of someone not in the database will still yield candidates. Algorithms used in this way are part of a hybrid *machine-human system*: The algorithm offers up candidates for human adjudication, for which labor must be available. In such cases, false positive differentials from the algorithm are immaterial - the machine returns say 50 candidates regardless. What matters then is the human response, and the evidence there is for both poor [10,42] and varied human capability, even without time constraints [34], and sex and race performance differentials, particularly an interaction between the reviewer’s demographics with those of the photographs under review [7]. The interaction of machine and human is beyond the scope of this report, as is human efficacy.

## TECHNICAL SUMMARY

This section summarizes the results of the study. This is preceded by an introduction to terminology and discussion of a vital aspect in reporting demographic effects, namely that it is necessary to report both false negative and false positive error rates.

**ACCURACY DIFFERENTIALS** When similarity scores are computed over a collection of images from demographic A (say elderly Asian men) they may be higher than from demographic B (say young Asian women). We adopt terminology from a Department of Homeland Security Science and Technology Directorate article [20] and define **differential performance** as a “difference in the genuine or imposter [score] distributions”. Such differentials are inconsequential unless they prompt a **differential outcome**. An outcome occurs when a score is compared with an operator-defined threshold. A genuine score below threshold yields a false negative outcome, and an imposter score at or above threshold, a false positive outcome. The subject of this report is to quantify differential outcomes between demographics. The term demographic differential is inherited from an [ISO technical report](#) [6] now under development.

**FIXED THRESHOLD OPERATION** A crucial point in reasoning about differentials is that the vast majority of biometric systems are configured with a fixed threshold against which all comparisons are made (i.e., the threshold is not tailored to cameras, environmental conditions or, particularly, demographics). Most academic studies ignore this point (even in demographics e.g., [13]) by reporting false negative rates at fixed false positive rates rather than at fixed thresholds, thereby hiding excursions in false positive rates and misstating false negative rates. This report includes documentation of demographic differentials about typical operating thresholds.

We report false positive and false negative rates separately because the consequences of each type of error are of importance to different communities. For example, in a one-to-one access control, false negatives inconvenience legitimate users; false positives undermine a system owners security goals. On the other hand, in a one-to-many deportee detection application, a false negative would present a security problem, and a false positive would flag legitimate visitors. The prior probability of imposters in each case is important. For example, in some access control cases, imposters almost never attempt access and the only germane error rate is the false negative rate.

**RESULTS OVERVIEW** We found empirical evidence for the existence of demographic differentials in the majority of contemporary face recognition algorithms that we evaluated. The false positive differentials are much larger than those related to false negatives. False positive rates often vary by one or two orders of magnitude (i.e., 10x, 100x). False negative effects vary by factors usually much less than 3. The false positive differentials exist broadly, across many, but not all, algorithms. The false negatives tend to be more algorithm-specific. Research toward mitigation of differentials is discussed in sections 9 and 8.

The accuracy of algorithms used in this report has been documented in recent FRVT evaluation reports [16, 17]. These show a wide range in accuracy across algorithm developers, with the most accurate algorithms producing many fewer errors than lower-performing variants. More accurate algorithms produce fewer errors, and will be expected therefore to have smaller demographic differentials.

**FALSE NEGATIVES** With regard to false negative demographic differentials we make the observations below. Note that in real-time cooperative applications, false negatives can often be remedied by making second attempts.

- ▷ False negative error rates vary strongly by algorithm, from below 0.5% to above 10%. For the more accurate algorithms, false negative rates are usually low with average demographic differentials being, necessarily, smaller still. This is an important result: use of inaccurate algorithms will increase the magnitude of false negative differentials. See [Figure 22](#) and [Annex 12](#).
- ▷ In domestic mugshots, false negatives are higher in Asian and American Indian individuals, with error rates above those in white and black faces. The lowest false negative rates occur in black faces. This result might not be related to race - it could arise due to differences in the time elapsed between photographs because ageing is highly influential on face recognition false negatives. We will report on that analysis going forward. See [Figure 17](#).
- ▷ False negative error rates are often higher in women and in younger individuals, particularly in the mugshot images. There are many exceptions to this, so universal statements pertaining to algorithms false negative rates across sex and age are not supported.
- ▷ When comparing high-quality application photos, error rates are very low and measurement of false negative differentials across demographics is difficult. This implies that better image quality reduces false negative rates and differentials. See [Figure 22](#).
- ▷ When comparing high-quality application images with lower-quality border crossing images, false negative rates are higher than when comparing the application photos. False negative rates are often higher in recognition of women, but the differentials are smaller and not consistent. See [Figure 21](#).
- ▷ In the border crossing images, false negatives are generally higher in individuals born in Africa and the Caribbean, the effect being stronger in older individuals. See [Figure 18](#).

**FALSE POSITIVES** **Verification Algorithms:** With regard to false positive demographic differentials we make the following observations.

- ▷ We found false positives to be between 2 and 5 times higher in women than men, the multiple varying with algorithm, country of origin and age. This increase is present for most algorithms and datasets. See [Figure 6](#).
- ▷ With respect to race, false positive rates are highest in West and East African and East Asian people (but with exceptions noted next). False positive rates are also elevated but slightly less so in South Asian and Central American people. The lowest false positive rates generally occur with East European individuals. See [Figure 5](#).
- ▷ A number of algorithms developed in China give low false positive rates on East Asian faces, and sometimes these are lower than those with Caucasian faces. This observation - that the location of the developer as a proxy for the race demographics of the data they used in training - matters was noted in 2011 [33], and is potentially important to the reduction of demographic differentials due to race and national origin.

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- ▷ We found elevated false positives in the elderly and in children; the effects were larger in the oldest adults and youngest children, and smallest in middle aged adults. The effects are consistent across country-of-birth, datasets and algorithms but vary in magnitude. See [Figure 14](#) and [Figure 15](#).
- ▷ With mugshot images, the highest false positives are in American Indians, with elevated rates in African American and Asian populations; the relative ordering depends on sex and varies with algorithm. See [Figure 12](#) and [Figure 13](#).

**Identification Algorithms:** The presence of an enrollment database affords one-to-many algorithms a resource for mitigation of demographic effects that purely one-to-one verification systems do not have. We note that demographic differentials present in one-to-one verification algorithms are usually, but not always, present in one-to-many search algorithms. See [Section 7](#).

One important exception is that some developers supplied identification algorithms for which false positive differentials are undetectable. Among those is Idemia, who publicly described how this was achieved [\[15\]](#). A further algorithm, NEC-3, is on many measures, the most accurate we have evaluated. Other developers producing algorithms with stable false positive rates are Aware, Toshiba, Tevian and Real Networks. These algorithms also give false positive identification rates that are approximately independent of the size of enrollment database. See [Figure 27](#).

**PRIOR WORK** This report is the first to describe demographic differentials for identification algorithms. There are, however, recent prior tests of verification algorithms whose results comport with ours regarding demographic differentials between races.

- ▷ Using four verification algorithms applied to domestic mugshots, the Florida Institute of Technology and its collaborators showed [\[23\]](#) simultaneously elevated false positives and reduced false negatives in African Americans vs. Caucasians.
- ▷ Cavazos et al. [\[8\]](#) applied four verification algorithms to GBU challenge images [\[32\]](#) to show order-of-magnitude higher false positives in Asians vs. Caucasians. The paper articulates five lessons related to measurement of demographic effects.
- ▷ In addition, a recent Department of Homeland Security (DHS) Science and Technology / SAIC study [\[20\]](#) using a leading commercial algorithm showed that pairing of imposters by age, sex and race gives false positive rates that are two orders of magnitude higher than by pairing individuals randomly.
- ▷ On an approximately monthly schedule starting in 2017, NIST has reported [\[16\]](#) on demographic effects in one-to-one verification algorithms submitted to the FRVT process. Those tests employed smaller sets of mugshot and visa photographs than are used here.

**WHAT WE DID NOT DO** This report establishes context, gives results and impacts, and discusses additional research that can support mitigation of observed deficiencies. It does not address the following:

- ▷ **Training of algorithms:** We did not train algorithms. The prototype algorithms submitted to NIST are fixed and were not refined or adapted. This reflects the usual operational situation in which face recognition systems are not adapted on customers local data. We did not attempt, or invite developers to attempt, mitigation of demographic differentials by retraining the algorithms on image sets maintained at NIST. We simply ran the tests using algorithms as submitted.
- ▷ **Analyze cause and effect:** We did not make efforts to explain the technical reasons for the observed results, nor to build an inferential model of them. Specifically, we have not tried to relate recognition errors to skin tone or any other phenotypes evident in faces in our image sets. We think it likely that modeling will need richer sets of covariates than are available. In particular, efforts to estimate skin tone and other phenotypes will involve an algorithm that itself may exhibit demographic differentials.

We did not yet pursue regression approaches due to the volume of data, the number of algorithms tested, and the need to model each recognition algorithms separately, as they are built and trained independently. Due to their ability to handle imbalanced data, we note, however, the utility of mixed effects models [3, 4, 9] previously developed for explaining recognition failure. Such approaches can use subject-specific variables (age, sex, race, etc.) and image-specific variables (contrast, brightness, blur, uniformity, etc.). Models are often useful, even though it is inevitable that germane quantities will be unavailable to the analysis.

- ▷ **Consider the effect of cameras:** The possible role of the camera, and the subject-camera interaction, has been detailed recently [9]. This is particularly important when standards-compliant photography is not possible, or not intended, for example, in high throughput access control. Without access to human-camera interaction data, we do not report on quantities like satisfaction, difficulty of use, and failure to enroll. Along these lines, it has been suggested [41] that NISTs tests using standards-compliant images “don’t translate to everyday scenarios”.

In fact, we note demographic effects *even* in high-quality images, notably elevated false positives. Additionally, we quantify false negatives on a border crossing dataset which is collected at a different point in the trade space between quality and speed than are our other three mostly high-quality portrait datasets.

Finally, some governmental organizations dedicated resources to advancing standards so that the “real-world” images in their applications are high-quality portraits. For example, the main criminal justice application is supported by the FBI and others being proactive in the 1990s in establishing portrait capture standards, and then promulgating them.

- ▷ **Use wild images:** We did not use image data from the Internet nor from video surveillance. This report does not capture demographic differentials that may occur in such photographs.

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RESEARCH RECOMMENDATIONS

We now discuss research germane to the quantification, handling and mitigation of demographic differentials.

Testing: Since 2017 NIST has provided demographic differential data to developers of one-to-one verification algorithms. Our goal has been to encourage developers to remediate the effects. While that may have happened in some cases, a prime incentive for a developer when participating in NIST evaluations is to reduce false negatives rates globally. Going forward, we plan to start reporting accuracy that pushes developers to produce approximately equal false positive rates across all demographics.

Mitigation of false positive differentials: With adequate research and development, the following may prove effective at mitigating demographic differentials with respect to false positives: Threshold elevation, refined training, more diverse training data, discovery of features with greater discriminative power - particularly techniques capable of distinguishing between twins - and use of face and iris as a combined modality. These are discussed in section 9. We also discuss, and discount, the idea of user-specific thresholds.

Mitigation of false negative differentials: False negative error rates, and demographic differentials therein, are reduced in standards-compliant images. This motivates the suggestions of further research into image quality analysis, face-aware cameras and improved standards-compliance discussed in section 8.

Policy research: The degree to which demographic differentials could be tolerated has never been formally specified in any biometric application. Any standard directed toward limiting allowable differentials in the automated processing of digitized biological characteristics might weigh the actual consequences of differentials which are strongly application dependent.

REPORTING OF DEMOGRAPHIC EFFECTS

Reporting of demographic effects has been incomplete, in both academic papers and in media coverage. In particular, accuracy is discussed without specifying, particularly, false positives or false negatives. We therefore suggest that reports covering demographic differentials should describe:

- ▷ The purpose of the system - initial enrollment of individuals into a system, identity verification or identification;
- ▷ The stage at which the differential occurred - at the camera, during quality assessment, in the detection and feature extraction phase, or during recognition;
- ▷ The relevant metric: false positive or false negative occurrences during recognition, failures to enroll, failed detections by the camera, for example;
- ▷ Any differentials in duration of processes or difficulty in using the system;
- ▷ Any known information on recognition threshold value, whether the threshold is fixed, and what the target false positive rate is;
- ▷ Which demographic group has the elevated failure rates - for example by age, sex, race, height, or in some intersection thereof; and
- ▷ Consequences of any error, if known, and procedures for error remediation.

Links: EXEC. SUMMARY | TECH. SUMMARY

False positive: Incorrect association of two subjects 1:1 FMR 1:N FPIR | T >> 0 → FMR, FPIR → 0  
False negative: Failed association of one subject 1:1 FNMR 1:N FNIR → FNMR, FNIR → 1

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**DISCLAIMER** Specific hardware and software products identified in this report were used in order to perform the evaluations described in this document. In no case does identification of any commercial product, trade name, or vendor, imply recommendation or endorsement by the National Institute of Standards and Technology, nor does it imply that the products and equipment identified are necessarily the best available for the purpose. Developers participating in FRVT grant NIST permission to publish evaluation results.

**ANNEXES** We supplement this report with more than 1200 pages of charts contained in 17 Annexes which include exhaustive reporting of results for each algorithm. These are intended to show the breadth of the effects and to inform the algorithms’ developers. We do not take averages over algorithms, for example the average increase of false match rate in women, because averages of samples from different distributions are seldom meaningful (by analogy, taking the average of temperatures in Montreal and Miami). Applications typically employ just one algorithm, so averages and indeed any statements purporting to summarize the entirety of face recognition will not always be correct.

The annexes to this report are listed in Table 1. The first four detail the datasets used in this report. The remaining annexes contain more than 1200 pages of automatically generated graphs, usually one for each algorithm evaluated. These are intended to show the breadth of the effects, and to inform the algorithms’ developers.

#	CATEGORY		DATASET	CONTENT
<a href="#">Annex 1</a>	Datasets		Mugshot	Description and examples of images and metadata: Mugshots
<a href="#">Annex 2</a>	Datasets		Application	Description and examples of images and metadata: Application portraits
<a href="#">Annex 3</a>	Datasets		Visa	Description and examples of images and metadata: Visa portraits
<a href="#">Annex 4</a>	Datasets		Border crossing	Description and examples of images and metadata: Border crossing photos
<a href="#">Annex 5</a>	Results	1:1	Application	False match rates for demographically matched impostors
<a href="#">Annex 6</a>	Results	1:1	Mugshot	Cross-race and sex false match rates in United States mugshot images
<a href="#">Annex 7</a>	Results	1:1	Application	Cross-race and sex false match rates in worldwide application images
<a href="#">Annex 8</a>	Results	1:1	Application	False match rates with matched demographics using application images
<a href="#">Annex 9</a>	Results	1:1	Application	Cross-age false match rates with application photos
<a href="#">Annex 10</a>	Results	1:1	Visa	Cross age false match rates with visa photos
<a href="#">Annex 11</a>	Results	1:1	Mugshot	Cross age and country with application photos
<a href="#">Annex 12</a>	Results	1:1	Mugshot	Error tradeoff characteristics with United States mugshots
<a href="#">Annex 13</a>	Results	1:1	Mugshot	False negative rates in United States mugshot images by sex and race
<a href="#">Annex 14</a>	Results	1:1	Mugshot	False negative rates by country for global application and border crossing photos
<a href="#">Annex 15</a>	Results	1:1	Mugshot	Genuine and impostor score distributions for United States mugshots
<a href="#">Annex 16</a>	Results	1:N	Mugshot	Identification error characteristics by race and sex
<a href="#">Annex 17</a>	Results	1:N	Mugshot	Candidate list score magnitudes by sex and race

Table 1: Annexes and their content.

## TERMS AND DEFINITIONS

The following table defines common terms appearing in this document. A more complete, consistent biometrics vocabulary is available as ISO/IEC 2382 Part 37.

DATA TYPES	Feature vector	A vector of real numbers that encodes the identity of a person
	Sample	One or more images of the face of a person
	Similarity score	Degree of similarity of two faces in two samples, as rendered by a recognition algorithm
	Template	Data produced by face recognition algorithm that includes a feature vector
	Threshold	Any real number, against which similarity scores are compared to produce a verification decision
ALGORITHM COMPONENTS	Face detector	Component that finds faces in an image
	Comparator	Component that compares two templates and produces a similarity score
	Searcher	Component that searches a database of templates to produce a list of candidates
	Template generator	Component of a face recognition algorithm that converts a sample into a template; this component implicitly embeds a face detector
ONE-TO-ONE VERIFICATION	Imposter comparison	Comparison of samples from different persons
	Genuine comparison	Comparison of samples from the same person
	False match	Incorrect association of two samples from different persons, declared because similarity score is at or above a threshold
	False match rate	Proportion of imposter comparisons producing false matches
	False non-match	Failure to associate two samples from one person, declared because similarity score is below a threshold
	False non-match rate	Proportion of genuine comparisons producing false non-matches
ONE-TO-MANY IDENTIFICATION	Verification	The process of comparing two samples to determine if they belong to the same person or not
	Gallery	A set of templates, each tagged with an identity label
	Consolidated gallery	A gallery for which all samples of a person are enrolled under one identifier, whence $N = N_G$
	Unconsolidated gallery	A gallery for which samples of a person are enrolled under different identifiers, when $N < N_G$
	Identity label	Some index or pointer to an identifier for an individual
SYMBOLS	Identification	The process of searching a probe into gallery
	Identification decision	The assignment either of an identity label or a declaration that a person is not in the gallery
	FMR	Verification false match rate (measured over comparison of samples)
	FNMR	Verification false non-match rate (measured over comparison of samples)
SYMBOLS	FPIR	Identification false match rate (measured over comparison of samples)
	FNIR	Identification false non-match rate (measured over comparison of samples)
	$N$	The number of subjects whose faces are enrolled into a gallery
	$N_G$	The number of samples enrolled into a gallery, $N_G \geq N$ .
	$N_{NM}$	The number of non-mated searches conducted
	$N_M$	The number of mated searches conducted

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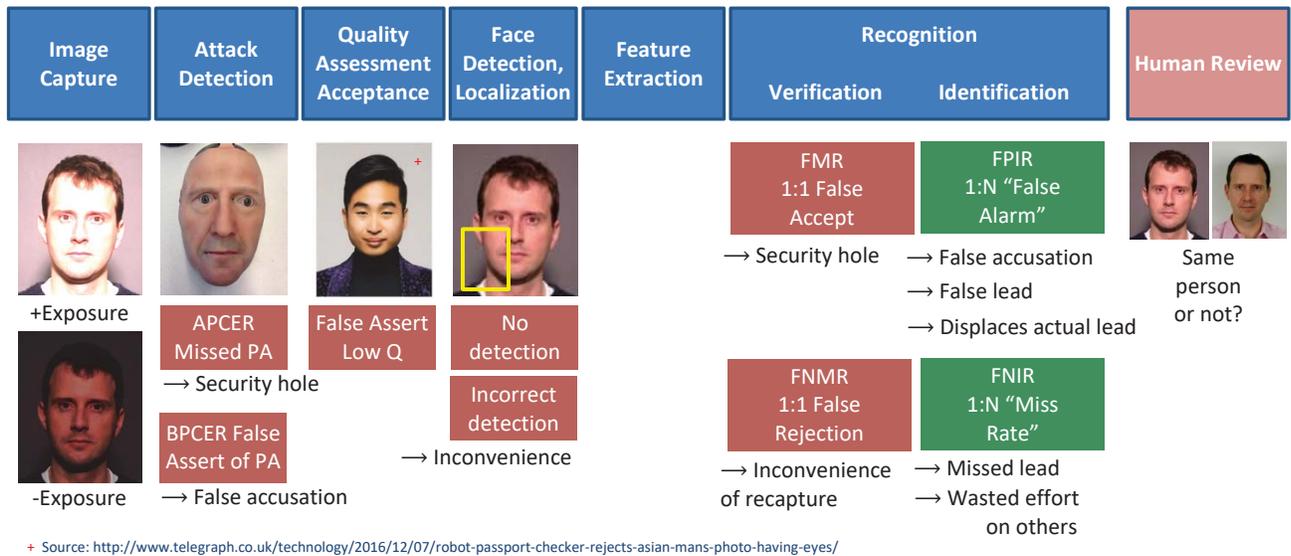


Figure 1: The figure is intended to show possible stages in a face recognition pipeline at which demographic differentials could, in principle, arise. Note that none of these stages necessarily includes algorithms that may be labelled artificial intelligence, though typically the detection and feature extraction modules are AI-based now.

## 1 Introduction

Over the last two years there has been expanded coverage of face recognition in the popular press. In some part this is due to the expanded capability of the algorithms, a larger number of applications, lowered barriers to algorithm development<sup>1</sup>, and, not least, reports that the technology is somehow biased. This latter aspect is based on Georgetown [14] and two reports by MIT [5, 36]. The Georgetown work noted prior studies [22] articulated sources of bias, and described the potential impacts particularly in a policing context, and discussed policy and regulatory implications. The MIT work did not study face recognition, instead it looked at how well publicly accessible cloud-based *estimation* algorithms can determine gender from a single image. The studies have widely cited as evidence that face *recognition* is biased.

This stems from a confusion in terminology: Face classification algorithms, of the kind MIT reported on, accept one face image sample and produce an estimate of age, or sex, or some other property of the subject. Face recognition algorithms, on the other hand, operate as differential operators: They compare identity information in features vectors extract from two face image samples and produce a measure of similarity between the two, which can be used to answer the “question same person or not?”. Face algorithms, both one-to-one identity verification and one-to-many search algorithms, are built on this differential comparison. The salient point, in the demographic context, is that one or two people are involved in a comparison and, as we will see, the age,

<sup>1</sup>Gains in face recognition performance stem from well-capitalized AI research in industry and academic leading to the development of convolutional neural networks, and open-source implementations thereof (Caffe, Tensorflow etc.). For face recognition the availability of large numbers of identity-labeled images (from the web, and in the form of web-curated datasets [VGG2, IJB-C]), and the availability of ever more powerful GPUs has supported training those networks.

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sex, race and other demographic properties of both will be material to the recognition outcome.

The MIT reports nevertheless serve as a cautionary tale in two respects. First, that demographic group membership can have a sizeable effect on algorithms that process face photographs; second, that algorithm capability varies considerably by developer.

## 1.1 Potential sources of bias in face recognition systems

Lost in the discussion of bias is specificity on exactly what component of the process is at fault. Accordingly, we introduce Figure 1 to show that a face recognition system is composed of several parts. The figure shows a notional face recognition pipeline consisting of a capture subsystem, primarily a camera, followed by a presentation attack detection (PAD) module intended to detect impersonation attempts, a quality acceptance (QA) step aimed at checking portrait standard compliance, then the recognition components of feature extraction and 1:1 or 1:N comparison, the output of which may prompt human involvement. The order of the components may be different in some systems, for example the QA component may be coupled to the capture process and would precede PAD. Some components may not exist in some systems, particularly the QA and PAD functions may not be necessary.

The Figure shows performance metrics, any of which could notionally have a demographic differential. Errors at one stage will generally have downstream consequences. In a system where subjects make cooperative presentation to the camera, a person could be rejected in the early stages before recognition itself. For example, a camera equipped with optics that have too narrow a field of view could produce an image of a tall individual in which in which the top part of the head was cropped. This could cause rejection at almost any stage and a system owner would need to determine the origin of errors.

## 1.2 The role of image quality

Recent research [9] has shown that cameras can have an effect on a generic downstream recognition engine. A poor image can undermine detection or recognition, and it is possible that certain demographics yield photographs ill-suited to face recognition e.g. young children [28], or very tall individuals. As pointed out above there is potential for demographic differentials to appear at the capture stage, that is when only a single image is being collected before any comparison with other images. Demographic differentials that occur during collection could arise from (at least) inadequacies of the camera, from the environment or “stage”, and from client-side detection or quality assessment algorithms. Note that manifestly poor (and unrecognizable) images can be collected from mis-configured cameras, without any algorithmic or AI culpability. Indeed, after publication of the MIT studies [5,36] on bias in gender-estimation algorithms, suspicion fell upon the presence of poor

photographs, due to under-exposure of dark-skinned individuals in that dataset. An IBM gender estimation algorithm had been faulted in the MIT study; in response, and previously, IBM has been active in addressing AI bias. Relevant here is that it produced a better algorithm<sup>2</sup>, and examined whether skin tone itself drove gender classification accuracy [30, 31] - in short, “skin type *by itself* has a minimal effect on the classification decision”.

False negatives occur in biometric systems when samples from one individual yield a comparison score below a threshold. This will occur when the features extracted from two input photographs are insufficiently similar. Recall that face recognition is implemented as a differential operator: two samples are analyzed and compared. So a false negative occurs when two from the same face appear different to the algorithm.

It is very common to attribute false negatives to factors such as pose, illumination and expression so much so that dedicated databases have been built up to support development of algorithms with immunity to such<sup>3</sup>. Invariance to such “nuisance” factors has been the focus of the bulk of face recognition research for more two decades. Indeed over the last five years there have been great advances in this respect due to the adoption of deep convolutional neural networks which demonstrate remarkable tolerance to very sub-standard photographs i.e. those that deviate from formal portrait standards most prominently ISO/IEC 39794-5 and its law-enforcement equivalent ANSI/NIST ITL 1-2017.

However, here we need to distinguish between factors that are expected to affect one photo in a mated pair - due to poor photography (e.g. mis-focus), poor illumination (e.g. too dark), and poor presentation (e.g. head down) - and those that would affect both photographs over time, potentially including properties related to demographics.

### 1.3 Photographic Standards

In the late 1990s the FBI asked NIST to establish photographic best-practices for mugshot collection<sup>4</sup>. This was done to guide primarily state and local police departments in the capture of photographs that would support forensic (i.e. human) review. It occurred more than a decade before the FBI deployed automated face recognition. That standardization work was conducted in anticipation of digital cameras<sup>5</sup> being available to replace film cameras that had been used for almost a century. The standardization work included consideration of cameras, lights and geometry<sup>6</sup>. There was explicit consideration of the need to capture images of both dark and light skinned individuals, it being understood that it is relatively easy to produce photographs for which

<sup>2</sup>See [Mitigating Bias in AI Models](#).

<sup>3</sup>The famous PIE databases, for example.

<sup>4</sup>Early documents, such as [Best Practice Recommendation for the Capture of Mugshots](#), 1999, seeded later formal standardization of ISO/IEC 19794-5.

<sup>5</sup>See [NIST Interagency Report 6322, 1999](#).

<sup>6</sup>See this [overview](#).

large areas of dark or bright pixels can render detection of anatomical features impossible.

Face recognition proceeds as a differential operation on features extracted from two photographs. Accuracy can be undermined by poor photography/illumination/presentation and by differences in those i.e. any change in the digital facial appearance. Of course an egregiously underexposed photograph will have insufficient information content, but two photographs taken with even moderately poor exposure can match, and leading contemporary algorithms are highly tolerant of quality degradations.

### 1.4 Age and ageing

Ageing will change appearance over decades and will ultimately undermine automated face recognition<sup>7</sup>. In the current study, we don't consider ageing to be a demographic factor because it is a slow, more-or-less graceful, process that happens to all of us. However, there is at least one demographic group that ages more quickly than others - children - who are disadvantaged in many automated border control systems either by being excluded by policy, or by encountering higher false negatives. Age itself is a demographic factor as accuracy in the elderly and the young differ for face recognition (usually) and also for fingerprint authentication. This applies even without significant time lapse between two photographs.

Clearly injury or disease can change appearance on very short timescales, so such factors should be excluded, when possible, from studies dedicated to detection of broad demographic effects. Development of equipment and algorithms, and studies thereof, that are dedicated to the inclusive use of biometrics are valuable of course - for example recognition of photosensitive subjects wearing sunglasses, or finger amputees presenting fingerprints.

<sup>7</sup>See recent results for verification algorithms in the FRVT reports, and for identification algorithms in NIST Interagency Report 8271 [17]. For a formal longitudinal analysis of ageing, using mixed-effects models, see Best-Rowden [3].

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#	SOURCE	IMAGE	NUMBER OF		DISCUSSION
			SUBJECTS	IMAGES	
1	Cavazos et al. [8] at UT Dallas	Notre Dame GBU [32] portraits	389	<1085	The study showed order-of-magnitude elevations in false positive rates in university volunteer Asian vs. Caucasian faces. The study reported FMR(T). As the study showed neither FNMR(T) nor linked error tradeoff characteristics the false negative differential is not apparent. It discusses the effect of “yoking” i.e the pairing of imposters by sex and race. It deprecates area-under-the-curve (AUC). The study used two related algorithms from the University of Maryland, one open-source algorithm [38], and one older inaccurate pre-DCNN algorithm.
2	Krishnapriya et al. [23] at Florida Inst. Tech	Operational mugshots: Morph db [37]	10 350 African Am. + 2 769 Caucasians	42 620 African Am. + 10 611 Caucasians	The study reported: order-of-magnitude elevated false positives in African Americans vs. Caucasians; lower false negative rates in African Americans; and reduced differentials in higher quality images [23,24]. That study used three open-source algorithms, and one commercial algorithm. Two of the open-source algorithms are quite inaccurate and not representative of commercial deployment. Importantly, the study also noted the inadequacies of error tradeoff characteristics for documenting fixed-threshold demographic differentials.
3	Howard et al. [20] at SAIC/MdTF with DHS S&T	Lab collected, adult volunteers [9]	363	-	The study establish useful definitions for “differential performance” and “differential outcome” and for broad and narrow heterogeneity of imposter distributions. It showed order-of-magnitude variation in false positive rates with age, sex and race, establishing an information gain approach to formally ordering their effect. The study employed images from 11 capture devices, and applied one leading commercial verification algorithm.

Table 2: Prior studies.

## 2 Prior work

All prior work relates to one-to-one verification algorithms. This report, in contrast, includes results for many recent, mostly commercial, algorithms implementing both verification and identification.

Except as detailed below, this report is the first to properly report and distinguish between false positive and false negative effects, something that is often missing in other reports.

The broad effects given in this report concerning age and sex have been known as far back as 2003 [35]. Since 2017, our ongoing FRVT report [16] has reported large false positive differential across sex, age and race.

Tables 2 and 3 summarize recent work in demographic effects in automated face recognition.

#	SOURCE	IMAGE	NUMBER OF		DISCUSSION
			SUBJECTS	IMAGES	
4	Cook et al. [9] at SAIC/MdTF with DHS S&T	Lab collected, adult volunteers	525		The study deployed mixed-effects regression models to examine dependence of genuine similarity scores on sex, age, height, eyewear, skin reflectance and on capture device. The report displayed markedly different images of the same people from different capture devices, showing potential for the camera to induce demographic differential performance. The study found lower similarity scores in those identifying as Black or African American, comporting with [22] but contrary to the best ageing study [3]. The study also showed that comparison of samples collected on the same day have different demographic differentials than those collected up to four years apart, in particular that women give lower genuine scores than men with time separation. Same-day biometrics are useful for short-term recognition applications like transit through an airport.
5	El Khiyari et al. [13]	Operational mugshots: Morph db [37]	724 adult, balanced on race + sex	2896 = 1448 each African Am. + Caucasians, balanced on sex	The paper used a subset of the MORPH database with two algorithms( [38], modified and one COTS) to show better verification error rates in the men, the elderly, and in whites. The study should be discounted for two reasons: First the algorithms give high error rates at very modest false match rates: the best FNMR = 0.06 at FMR = 0.01. Second the paper reports FNMR at fixed FMR, not at fixed thresholds thereby burying FMR differentials. Moreover, the paper does not disclose how imposters were paired e.g. randomly or, say, with same age, race, and sex.

Table 3: Prior studies (continued).

### 3 Performance metrics

Both verification and identification systems generally commit two kinds of errors, the so-called Type I error where an individual is incorrectly associated with another, and Type II where the individual is incorrectly not associated with themselves.

The ISO/IEC 19795-1 performance testing and reporting standard requires different metrics to be reported for identification and verification implementations. Accordingly the following subsections define the formal metrics used throughout this document.

#### 3.1 Verification metrics

Verification accuracy is estimated by forming two sets of scores: Genuine scores are produced from mated pairs; imposter scores are produced from non-mated pairs. These comparisons should be done in random order so that the algorithm under test cannot infer that a comparison is mated or not.

From a vector of  $N$  genuine scores,  $u$ , the false non-match rate (FNMR) is computed as the proportion below some threshold,  $T$ :

$$\text{FNMR}(T) = 1 - \frac{1}{N} \sum_{i=1}^N H(u_i - T) \quad (1)$$

where  $H(x)$  is the unit step function, and  $H(0)$  taken to be 1.

Similarly, given a vector of  $M$  imposter scores,  $v$ , the false match rate (FMR) is computed as the proportion above  $T$ :

$$\text{FMR}(T) = \frac{1}{M} \sum_{i=1}^M H(v_i - T) \quad (2)$$

The threshold,  $T$ , can take on any value. We typically generate a set of thresholds from quantiles of the observed imposter scores,  $v$ , as follows. Given some interesting false match rate range,  $[\text{FMR}_L, \text{FMR}_U]$ , we form a vector of  $K$  thresholds corresponding to FMR measurements evenly spaced on a logarithmic scale. This supports plotting of FMR on a logarithmic axis. This is done because typical operations target false match rates spanning several decades  $10^{-6}$  to as high as  $10^{-2}$ .

$$T_k = Q_v(1 - \text{FMR}_k) \quad (3)$$

where  $Q_v$  is the quantile function, and  $\text{FMR}_k$  comes from

$$\log_{10} \text{FMR}_k = \log_{10} \text{FMR}_L + \frac{k}{K} [\log_{10} \text{FMR}_U - \log_{10} \text{FMR}_L] \quad (4)$$

Error tradeoff characteristics are plots of FNMR(T) vs. FMR(T). These are plotted with  $FMR_U \rightarrow 1$  and  $FMR_L$  as low as is sustained by the number of imposter comparisons,  $M$ . This should be somewhat higher than the “rule of three” limit  $3/N$  because samples are generally not independent due to the use of the same image in multiple comparisons.

## 3.2 Identification metrics

Identification accuracy is estimated from two sets of candidate lists: First, a set of candidate lists obtained from mated-searches; second, a set from non-mated searches. These searches should not be conducted by randomly ordering mated and non-mated searches so that the algorithm under test cannot infer that a search has a mate or not. Tests of open-set biometric identification algorithms must quantify frequency of two error conditions:

- ▷ **False positives:** Type I errors occur when search data from a person who has never been seen before is incorrectly associated with one or more enrollees’ data.
- ▷ **Misses:** Type II errors arise when a search of an enrolled person’s biometric does not return the correct identity.

Many practitioners prefer to talk about “hit rates” instead of “miss rates” - the first is simply one minus the other as detailed below. Sections 3.2.1 and 3.2.2 define metrics for the Type I and Type II performance variables. Additionally, because recognition algorithms sometimes fail to produce a template from an image, or fail to execute a one-to-many search, the occurrence of such events must be recorded. Further because algorithms might elect to not produce a template from, for example, a poor quality image, these failure rates must be combined with the recognition error rates to support algorithm comparison. This is addressed in section 3.4.

### 3.2.1 Quantifying false positives

It is typical for a search to be conducted into an enrolled population of  $N$  identities, and for the algorithm to be configured to return the closest  $L$  candidate identities. These candidates are ranked by their score, in descending order, with all scores required to be greater than or equal to zero. A human analyst might examine either all  $L$  candidates, or just the top  $R \leq L$  identities, or only those with score greater than threshold,  $T$ .

From the candidate lists, we compute **false positive identification rate** as the proportion of non-mate searches that erroneously return candidates:

$$FPIR(N, T) = \frac{\text{Num. non-mate searches with one or more candidates returned with score at or above threshold}}{\text{Num. non-mate searches attempted.}} \quad (5)$$

Under this definition, FPIR can be computed from the highest non-mate candidate produced in a search - it is not necessary to consider candidates at rank 2 and above. An alternative quantity, selectivity, accounts for multiple candidates above threshold - see [17].

### 3.2.2 Quantifying hits and misses

If  $L$  candidates are returned in a search, a shorter candidate list can be prepared by taking the top  $R \leq L$  candidates for which the score is above some threshold,  $T \geq 0$ . This reduction of the candidate list is done because thresholds may be applied, and only short lists might be reviewed (according to policy or labor availability, for example). It is useful then to state accuracy in terms of  $R$  and  $T$ , so we define a “miss rate” with the general name **false negative identification rate** (FNIR), as follows:

$$\text{FNIR}(N, R, T) = \frac{\text{Num. mate searches with enrolled mate found outside top } R \text{ ranks or score below threshold}}{\text{Num. mate searches attempted.}} \quad (6)$$

This formulation is simple for evaluation in that it does not distinguish between causes of misses. Thus a mate that is not reported on a candidate list is treated the same as a miss arising from face finding failure, algorithm intolerance of poor quality, or software crashes. Thus if the algorithm fails to produce a candidate list, either because the search failed, or because a search template was not made, the result is regarded as a miss, adding to FNIR.

*Hit rates, and true positive identification rates:* While FNIR states the “miss rate” as how often the correct candidate is either not above threshold or not at good rank, many communities prefer to talk of “hit rates”. This is simply the **true positive identification rate** (TPIR) which is the complement of FNIR giving a positive statement of how often mated searches are successful:

$$\text{TPIR}(N, R, T) = 1 - \text{FNIR}(N, R, T) \quad (7)$$

This report does not report true positive “hit” rates, preferring false negative miss rates for two reasons. First, costs rise linearly with error rates. For example, if we double FNIR in an access control system, then we double user inconvenience and delay. If we express that as decrease of TPIR from, say 98.5% to 97%, then we mentally have to invert the scale to see a doubling in costs. More subtly, readers don’t perceive differences in numbers near 100% well, becoming inured to the “high nineties” effect where numbers close to 100 are perceived indifferently.

**Reliability** is a corresponding term, typically being identical to TPIR, and often cited in automated (fingerprint) identification system (AFIS) evaluations.

An important special case is the **cumulative match characteristic**(CMC) which summarizes accuracy of mated-searches only. It ignores similarity scores by relaxing the threshold requirement, and just reports the fraction of mated searches returning the mate at rank  $R$  or better.

$$\text{CMC}(N, R) = 1 - \text{FNIR}(N, R, 0) \quad (8)$$

We primarily cite the complement of this quantity,  $\text{FNIR}(N, R, 0)$ , the fraction of mates *not* in the top  $R$  ranks. The **rank one hit rate** is the fraction of mated searches yielding the correct candidate at best rank, i.e.  $\text{CMC}(N, 1)$ . While this quantity is the most common summary indicator of an algorithm's efficacy, it is not dependent on similarity scores, so it does not distinguish between strong (high scoring) and weak hits. It also ignores that an adjudicating reviewer is often willing to look at many candidates.

### 3.3 DET interpretation

In biometrics, a false negative occurs when an algorithm fails to match two samples of one person – a Type II error. Correspondingly, a false positive occurs when samples from two persons are improperly associated – a Type I error.

Matches are declared by a biometric system when the native comparison score from the recognition algorithm meets some threshold. Comparison scores can be either similarity scores, in which case higher values indicate that the samples are more likely to come from the same person, or dissimilarity scores, in which case higher values indicate different people. Similarity scores are traditionally computed by fingerprint and face recognition algorithms, while dissimilarities are used in iris recognition. In some cases, the dissimilarity score is a distance possessing metric properties. In any case, scores can be either mate scores, coming from a comparison of one person's samples, or nonmate scores, coming from comparison of different persons samples.

The words "genuine" or "authentic" are synonyms for mate, and the word "imposters" is used as a synonym for nonmate. The words "mate" and "nonmate" are traditionally used in identification applications (such as law enforcement search, or background checks) while genuine and imposter are used in verification applications (such as access control).

An error tradeoff characteristic represents the tradeoff between Type II and Type I classification errors. For identification this plots false negative vs. false positive identification rates i.e. FNIR vs. FPIR parametrically with  $T$ . Such plots are often called detection error tradeoff (DET) characteristics or receiver operating characteristic (ROC). These serve the same function – to show error tradeoff – but differ, for example, in plotting the complement of an error rate (e.g.  $\text{TPIR} = 1 - \text{FNIR}$ ) and in transforming the axes, most commonly using logarithms, to show multiple decades of FPIR.

### 3.4 Failure to extract features

During enrollment some algorithms fail to convert a face image to a template. The proportion of failures is the failure-to-enroll rate, denoted by FTE. Similarly, some search images are not converted to templates. The corresponding proportion is termed failure-to-extract, denoted by FTX. We do not report FTX because we assume that the same underlying algorithm is used for template generation for enrollment and search.

In verification, we do not need to explicitly include failure to extract rates into the FNMR and FMR accuracy statements, because we regard any comparison that involves an image for which a failure-to-extract occurred as producing a zero similarity score. This increases FNMR and decreases FMR. Gaming opportunities that theoretically arise from this treatment of FMR are generally not of concern because the algorithm under test does not know whether any given image will be used in genuine comparisons, imposter comparisons or both. For identification, we similarly incorporate failure-to-extract events into FNIR and FPIR measurements as follows.

- ▷ **Enrollment templates:** Any failed enrollment is regarded as producing a zero length template. Algorithms are required by the API [18] to transparently process zero length templates. The effect of template generation failure on search accuracy depends on whether subsequent searches are mated, or non-mated: Mated searches will fail giving elevated FNIR; non-mated searches will not produce false positives so, to first order, FPIR will be reduced by a factor of  $1 - \text{FTE}$ .
- ▷ **Search templates and 1:N search:** In cases where the algorithm fails to produce a search template from input imagery, the result is taken to be a candidate list whose entries have no hypothesized identities and zero score. The effect of template generation failure on search accuracy depends on whether searches are mated, or non-mated: Mated searches will fail giving elevated FNIR; Non-mated searches will not produce false positives, so FPIR will be reduced.

This approach is the correct treatment for positive-identification applications such as access control where cooperative users are enrolled and make attempts at recognition. This approach is not appropriate to negative identification applications, such as visa fraud detection, in which hostile individuals may attempt to evade detection by submitting poor quality samples. In those cases, template generation failures should be investigated as though a false alarm had occurred.

	Developer	Verification algorithms	Identification algorithms
1	3Divi	3divi-003 3divi-004	3divi-0 3divi-3
2	Adera Global PTE Ltd	adera-001	
3	Alchera Inc	alchera-000 alchera-001	alchera-0
4	Alivia / Innovation Sys	isystems-001 isystems-002	isystems-0 isystems-3
5	AllGoVision	allgovision-000	allgovision-000
6	AlphaSSTG	alphaface-001	
7	Amplified Group	amplifiedgroup-001	
8	Anke Investments	anke-004	anke-0 anke-002
9	AnyVision	anyvision-002 anyvision-004	
10	Aware	aware-003 aware-004	aware-0 aware-3
11	Awidit Systems	awiros-001	
12	Ayonix	ayonix-000	ayonix-0
13	Beijing Vion Technology Inc	vion-000	
14	Bitmain	bm-001	
15	CSA IntelliCloud Technology	intellcloudai-001	
16	CTBC Bank Co Ltd	ctcbank-000	
17	Camvi Technologies	camvi-002 camvi-004	camvi-1 camvi-3 camvi-4
18	China Electronics Import-Export Corp	ceiec-001 ceiec-002	
19	China University of Petroleum	upc-001	
20	Chunghwa Telecom Co. Ltd	chtface-001	
21	Cognitec Systems GmbH	cognitec-000 cognitec-001	cognitec-0 cognitec-2
22	Cyberextruder	cyberextruder-001 cyberextruder-002	
23	Cyberlink Corp	cyberlink-002 cyberlink-003	
24	DSK	dsk-000	
25	Dahua Technology Co Ltd	dahua-002 dahua-003	dahua-0 dahua-1 dahua-002
26	Deepglint	deepglint-001	deepglint-001
27	Dermalog	dermalog-005 dermalog-006	dermalog-0 dermalog-5 dermalog-6
28	DiDi ChuXing Technology Co	didiglobalface-001	
29	Digital Barriers	digitalbarriers-002	
30	Eyedeas Recognition		eyedeas-0 eyedeas-3
31	FaceSoft Ltd	facesoft-000	
32	FarBar Inc	f8-001	f8-001
33	Gemalto Cogent	cogent-003 cogent-004	
34	Glory Ltd	glory-001	glory-0
35	Gorilla Technology	gorilla-003	gorilla-0
36	Guangzhou Pixel Solutions Co Ltd	pixelall-002	pixelall-002
37	Hengrui AI Technology Ltd	hr-001 hr-002	
38	Hikvision Research Institute	hik-001	hik-0 hik-5
39	ID3 Technology	id3-003 id3-004	
40	ITMO University	itmo-005 itmo-006	
41	Idemia	idemia-004 idemia-005	idemia-0 idemia-4 idemia-5
42	Imagus Technology Pty Ltd	imagus-000	imagus-0
43	Imperial College London	imperial-000 imperial-002	imperial-000
44	Incode Technologies Inc	incode-004	incode-0 incode-004

Table 4: Algorithms evaluated in this report.

	Developer	Verification algorithms	Identification algorithms
45	Innovatrics	innovatrics-004 innovatrics-006	innovatrics-0
46	Institute of Information Technologies	iit-001	
47	Intel Research Group	intelresearch-000	
48	Intellivision	intellivision-001 intellivision-002	
49	Is It You	isityou-000	
50	Kakao Corp	kakao-001 kakao-002	
51	Kedacom International Pte	kedacom-000	kedacom-001
52	Kneron Inc	kneron-003	
53	Lomonosov Moscow State University	intsysmsu-000	intsysmsu-000
54	Lookman Electroplast Industries	lookman-002 lookman-004	
55	Megvii/Face++	megvii-001 megvii-002	megvii-0 megvii-1
56	MicroFocus	microfocus-002 microfocus-001	microfocus-0
57	Microsoft		microsoft-0 microsoft-5
58	Momentum Digital Co Ltd	sertis-000	
59	Moontime Smart Technology	mt-000	
60	N-Tech Lab	ntechlab-006 ntechlab-007	ntechlab-0 ntechlab-6 ntechlab-007
61	NEC		nec-2 nec-3
62	Neurotechnology	neurotechnology-005 neurotechnology-006	neurotechnology-0 neurotechnology-5 neurotechnology-007
63	Nodeflux	nodeflux-001 nodeflux-002	
64	NotionTag Technologies Private Limited	notiontag-000	
65	Panasonic R+D Center Singapore	psl-002 psl-003	
66	Paravision (EverAI)	everai-paravision-003 paravision-004	everai-0 everai-3 everai-paravision-004
67	Rank One Computing	rankone-007	rankone-0 rankone-5 rankone-006 rankone-007
68	Realnetworks Inc	realnetworks-002 realnetworks-003	realnetworks-0 realnetworks-2 realnetworks-003
69	Remark Holdings	remarkai-001	remarkai-0 remarkai-000
70	Rokid Corporation Ltd	rokid-000	
71	Saffe Ltd	saffe-001 saffe-002	
72	Sensetime Group Ltd	sensetime-002	sensetime-0 sensetime-1 sensetime-002
73	Shaman Software	shaman-000 shaman-001	shaman-0
74	Shanghai Jiao Tong University	sjtu-001	
75	Shanghai Ulucu Electronics Technology Co. Ltd	uluface-002	
76	Shanghai Universiy - Shanghai Film Academy	shu-001	
77	Shanghai Yitu Technology	yitu-003	yitu-0 yitu-4 yitu-5
78	Shenzhen EI Networks Limited	einetworks-000	
79	Shenzhen Inst Adv Integrated Tech CAS	siat-004 siat-002	siat-0
80	Shenzhen Intellifusion Technologies Co Ltd	intellifusion-001	
81	Smilart	smilart-002 smilart-003	smilart-0
82	Star Hybrid Limited	starhybrid-001	
83	Synesis	synesis-005	synesis-0
84	Tech5 SA	tech5-002 tech5-003	tech5-001
85	Tencent Deepsea Lab	deepsea-001	deepsea-001
86	Tevisian	tevisian-004 tevisian-005	tevisian-0 tevisian-4
87	Thales		cogent-0 cogent-3
88	TigerIT Americas LLC	tiger-002 tiger-003	tiger-0

Table 5: Algorithms evaluated in this report.

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	Developer	Verification algorithms	Identification algorithms
89	TongYi Transportation Technology	tongyi-005	
90	Toshiba	toshiba-002 toshiba-003	toshiba-0 toshiba-1
91	Trueface.ai	trueface-000	
92	ULSee Inc	ulsee-001	
93	Veridas Digital Authentication Solutions S.L.	veridas-002	
94	Via Technologies Inc.	via-000	
95	Videonetics Technology Pvt Ltd	videonetics-001	
96	Vigilant Solutions	vigilantsolutions-006 vigilantsolutions-007	vigilantsolutions-0
97	Visidon	vd-001	vd-0
98	Vision-Box	visionbox-000 visionbox-001	
99	VisionLabs	visionlabs-006 visionlabs-007	visionlabs-7 visionlabs-008
100	Vocord	vocord-006 vocord-007	vocord-0 vocord-3
101	Winsense Co Ltd	winsense-000	
102	X-Laboratory	x-laboratory-000	
103	Xiamen Meiya Pico Information Co. Ltd	meiya-001	
104	Zhuhai Yisheng Electronics Technology	yisheng-004	yisheng-0
105	iQIYI Inc	iqface-000	
106	iSAP Solution Corporation	isap-001	

Table 6: Algorithms evaluated in this report.

## 4 False positive differentials in verification

False positives occur in biometric systems when samples from two individuals yield a comparison score at or above a set threshold. Most systems are configured with a threshold that is fixed for all users. False positives present a security hazard to one-to-one verification applications. They have similarly serious consequences in one-to-many identification applications. For example, in applications where subjects apply for some benefit more than once under different biographic identities e.g. visa-shopping, driving license issuance, benefits fraud, an otherwise undetected false positive might lead to various downstream consequences such as a financial loss. In a surveillance application a false positive may lead to a false accusation.

This section gives empirical quantification of the variation in verification false match rates across demographics. We present results for one-to-many identification later in section 7.

We conduct several experiments with images drawn from both domestic United States and worldwide populations.

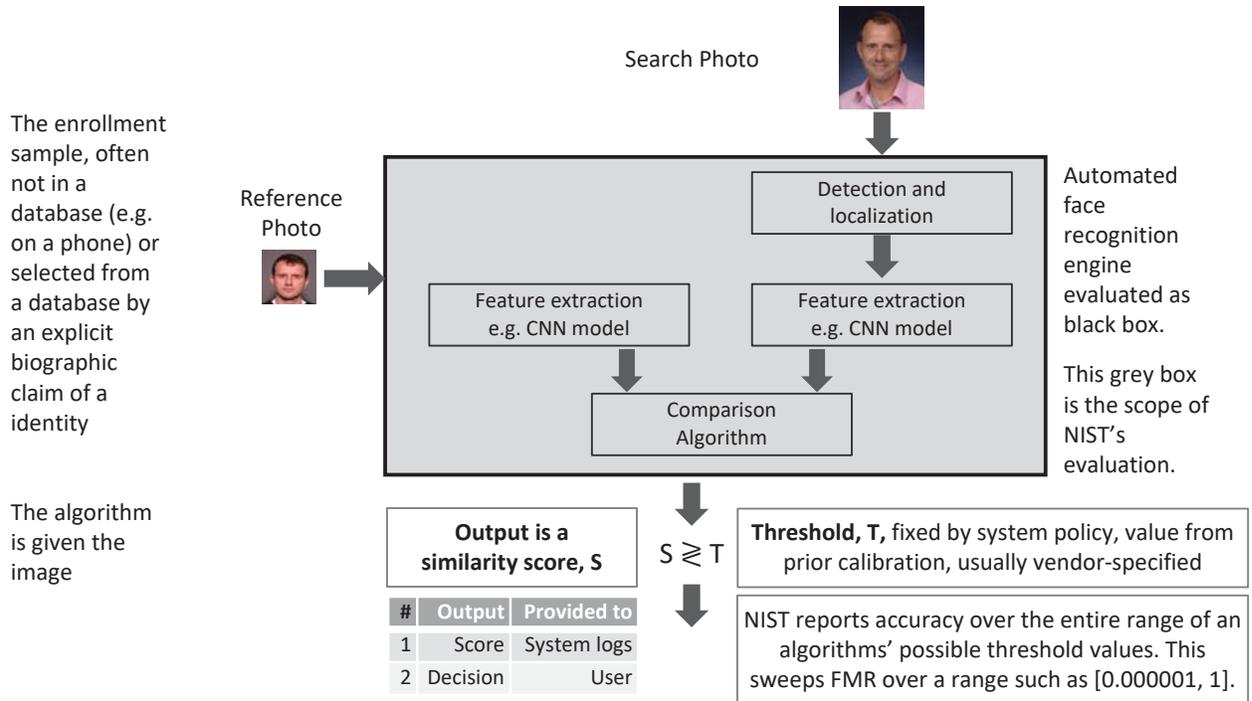
1. One-to-one application photo cross comparison, by age, sex, country-of-birth.
2. One-to-one mugshot cross comparison by age, sex, and race.
3. One-to-one visa photo cross comparison by age.

### 4.1 Metrics

The metrics appropriate to verification have been detailed in section 3.1. These are related to particular applications in Figure 2. The discussion in subsequent sections centers on false match rates at particular thresholds, i.e.  $FMR(T)$ .

### 4.2 False match rates under demographic pairing

It is necessary in many biometric tests to estimate false match rates. This is done by executing imposter comparisons, and measuring false positive outcomes at some threshold(s). Historically biometric evaluations generated imposter comparisons by randomly pairing individuals, or by exhaustively comparing all individuals. As we will show in this section, this practice is inappropriate for evaluation of face recognition algorithms as it underestimates false match rates that would occur in practice. The random pairing of imposters is sometimes referred to as zero-effort pairing, mean that no effort is expended by an imposter to look like the target of the recognition attempt.



	Access Control	Non-repudiation
<b>Role</b>	Afford access of a person to a physical or logical resource.	Record the presence of a specific individual
<b>Example</b>	Door unlock. Phone unlock.	Refutation of a claim by a pharmacist that they did not dispense a particular drug, or an employer that an employee did not arrive for work.
<b>Claim of identity</b>	Explicit claim with an identity token such as a phone, passport or ID card.	Claim with a prior login to a system.
<b>Threshold</b>	High, to limit false positives	Moderate, to prevent confederates using system
<b>Result</b>	Acceptance decision Y/N.	Logged verification decision
<b>Human role</b>	Adjudicate failed rejections, to determine a false rejection, or detect an actual impostor attempt	Retrieve records to resolve a dispute
<b>Intended human involvement frequency</b>	Rare – approx. the false rejection rate identification rate plus prior probability of an actual mate	Rare – approx. the fraud rate multiplied by the false positive rate
<b>Performance metric of interest</b>	<b>FNMR at low FMR. See sec. 3.1, 3.2 and Tables 10, 19</b>	<b>FNMR at moderate FMR.</b>

Figure 2: Verification applications and relevant metrics.

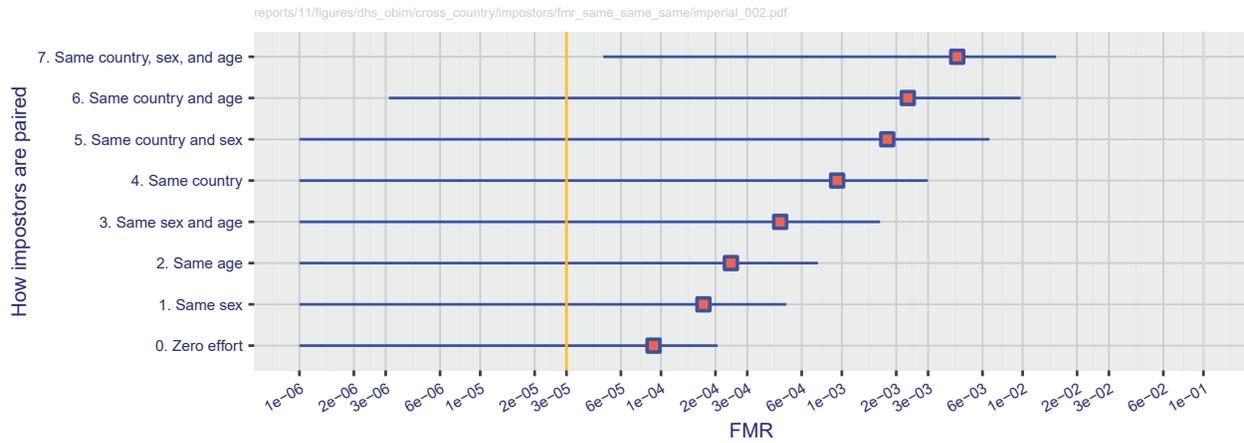


Figure 3: For application photos, the figure shows growth in one-to-one verification false match rates as the imposter demographic pairings are made more similar. At each level the point shows the mean FMR over all countries, age groups, and sexes. For example, in the second row “6. Same country and age” the mean is taken over 24 within-country times 5 within age-group times 4 within and cross sex FMR estimates, i.e. 480 FMR values. The blue line spans the 5-th to 95-th percentiles of the FMR estimates. The vertical line shows a nominal FMR value of 0.00003 obtained by setting the threshold on randomly associated i.e. zero-effort pairs of mugshot images.

**Method:** We used each verification algorithm to compare 442 019 application images with a disjoint set of 441 517 other application images. The two sets are subject-disjoint. The subjects were born in 24 countries. This produced 195 billion imposter scores. The images are described in Annex 2 .

The red point in the plot shows the mean of false match rates over particular sets of demographic groups.

- ▷ **Row 7:** The uppermost point corresponds to the mean over 240 FMR estimates, namely those comparing each of two sexes with each other, in each of five age-groups, and within each of 24 countries (2 x 5 x 24 = 240).
- ▷ **Row 6:** As row 7, but the average is over 480 FMR estimates that now includes different sex FMR estimates also.
- ▷ **Row 5:** As row 7, but now the average is over 1200 FMR estimates that additionally includes all cross-age group imposter scores.
- ▷ **Row 4:** As row 7, but now the average is over 2400 FMR estimates that additionally includes all cross-age and cross-sex imposter scores.
- ▷ **Row 3:** The average is over 5760 FMR estimates that includes 24<sup>2</sup> cross-country comparisons within each sex and age group.
- ▷ **Row 2:** The average is over 11520 FMR estimates now including different sex FMR estimates also.

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- ▷ **Row 1:** The average is over 28880 FMR estimates now including five different within-age FMR estimates also.
- ▷ **Row 0:** The average is over 57600 FMR estimates reflecting within- and between-group estimates for 24 countries, 5 age groups and 2 sexes ( $24^2 \cdot 5^2 \cdot 2^2$ ).

The ordering of these rows is hand-crafted. Evaluators at DHS' Maryland Test Facility developed [20] a formal approach to showing the most influential pairing factor by quantifying information gained about FMR by having knowledge of the demographic factors, age, sex and race.

The figure shows how false match rates increase when imposters are drawn from increasingly similar demographics. This shows that fully zero-effort imposter pairings understate false match rates relative to the situation of a slightly more active imposters who would chose to present (stolen) credentials from subjects of the same sex, age and ethnicity. The practice of using zero-effort imposter pairings in tests, we think, stems from tests of fingerprint algorithm that use where friction ridge structure, particularly minutiae point arrangements, that are thought to be a developmental trait without clear genetic influence<sup>8</sup>

Note that our analysis has not so far documented whether particular demographic groups give higher false match rates. To address this question we introduce Figure 4 which shows results similar to those above but now for each specific country of birth.

We make the following observations:

- ▷ **Restricted pairing increases FMR:** Within each country, there is a more than order of magnitude increase in FMR between the zero-effort pair anyone-with-anyone setting, and the same-age, same-sex, same-country pairing. This re-iterates the results of the previous section, and shows it applies globally.
- ▷ **Country-of-birth matters:** For many of the different levels of demographic pairing there is between one and two orders of magnitude between the 24 countries represented in this dataset. For example when imposters are from the same sex and country but of any age, the algorithm gives FMR of 0.000046 on Polish faces and 0.0024 on Vietnamese, a fifty fold increase.
- ▷ **Regions with highest and lowest FMR:** Across algorithms often the lowest FMR is observed in Eastern European populations and the highest in East Asian populations. However there are important exceptions: Some algorithms developed in East Asia tend to give lower FMR in photos of subjects born in East Asian countries<sup>9</sup>. This observation and the topic of demographic differentials associated with na-

<sup>8</sup>Genetic influence on friction ridge structure is known: The absence of the SMARCAD1 gene leads to absence of fingerprints at birth. Further, the distance between friction ridges is smaller, on average in women than in men, and this may well be under genetic influence. The distance itself is likely not used as a biometric feature, at least not explicitly. Fingerprint pattern classes (arch, whorl etc.), however, have been shown to have regional (geographic) variations, and these were, at least historically, used in one-to-many multi-finger search strategies.

<sup>9</sup>See, for example, the figure in Annex 8 for algorithms from HIK, Dahua, Yitu, Alphaface, Deepsea Tencent, Toshiba.

tional origin are covered more completely in the next section which includes results for comparison of individuals within and across national boundaries.

**Discussion:** The results above show that false match rates for imposter pairings in likely real-world scenarios are much higher than those from measured when imposters are paired with zero-effort. For this reason NIST has been reporting “matched-covariate” accuracy results in its FRVT evaluation of face verification algorithms [16]. Along similar lines the Australian Department of Foreign Affairs and Trade in tests it sponsors only uses same-sex imposter pairings. The effect of this is to raise thresholds, and thereby raise false non-match rates also. Thresholds increase because they are determined from non-mate scores,  $s$ , via the quantile function  $Q$ , as that value,  $T$ , which gives a proportion, FMR, at or above threshold:

$$T = Q(s, 1 - \text{FMR}) \quad (9)$$

and the set of demographically matched scores is smaller than if all possible comparisons is used.

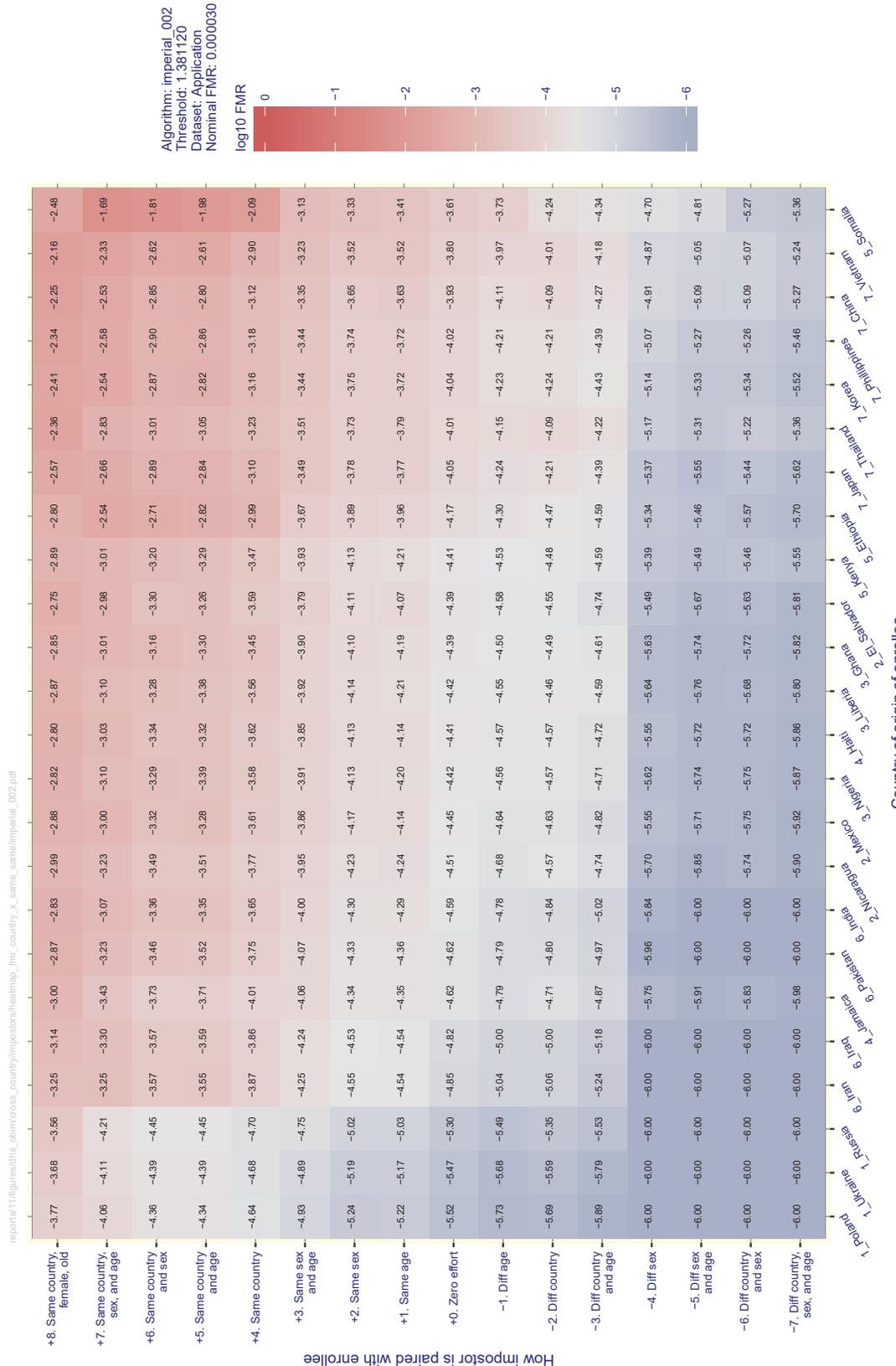


Figure 4: The heatmap shows FMR for each country-of-birth, when the impostor comparisons are drawn from increasingly demographically-matched individuals. Each cell depicts FMR on a logarithmic scale. The text value is log<sub>10</sub>(FMR) with large negative values encoding superior false match rates. The center row (“0. Zero effort”) row compares individuals without regard to demographics. Rows above that pair imposters more closely until, in the second row, the imposters are of the same sex, age and country of origin. The top row corresponds to one particular demographic often associated with the highest FMR values. The rows below center pair for increasingly unlikely impostor pairings. For example “-5. Diff sex and age” shows FMR for imposters of different sex and age group. The countries appear in order of increasing mean FMR. Values below -6 are pinned to -6. Annex 8 contains the corresponding figure for all algorithms.

### 4.3 False match rates within and across countries

**Method:** Using high quality application portraits drawn from the corpus described in [Annex 2](#), we compared 442 019 images from 24 countries with 441 517 images of different individuals from the same countries, yielding 195.2 billion imposter comparisons. We executed this set of comparisons with 126 verification algorithms submitted to the FRVT Verification track. These are listed in [Table 4-6](#). We compared scores with a set of 10 thresholds to produce FMR estimates at each of those thresholds. The thresholds were computed over a set of 93 070 400 imposter comparisons made using a different set of images, namely the law enforcement mugshots detailed in [Annex 1](#). Each threshold was selected as the lowest value that gave FMR at or below a target FMR. The target FMR value was 0.00003.

Each photograph was assigned to the age groups defined by the intervals (00 – 20], (20 – 35], (35 – 50], (50 – 65], and (65 – 99].

We excluded small numbers of photographs for which country of birth was not available, or for which sex was not listed as male or female.

Each comparison is accompanied by sex, country of birth and age group metadata for the two individuals represented in the photographs. Given many comparisons with the same demographic pairing, we can produce a measurement of FMR when comparing individuals from two demographic groups, for example Polish men over the age of 65 with Mexican women between 20 and 35.

**Analysis:** To address the issue addressed in the title of this section we produced figures depicting cross-country false match rates. [Figure 5](#) is an example. We restricted the demographics to just men in the largest age group, (35 – 50], and then repeated that for women. We remove sex and age from the discussion for two reasons: First, to isolate the country-of-origin effect, and, second, to reflect what real-world imposters would do: procure identity credentials from persons of the same age and sex.

[Figure 5](#) shows cross-country FMR for one of the more accurate algorithms. [Annex 7](#) contains corresponding figures for all algorithms, for both men and women. The annex therefore extends to more than 250 pages. We could repeat this visualization for other age groups - the results are similar. We discuss the effect of age itself later. Likewise, we could repeat the visualization for other recognition thresholds. The one adopted corresponds to a FMR = 0.00003. The trends are very similar at any threshold.

The Figure shows FMR as a heatmap. It uses a logarithmic scale, so that a FMR of 0.0001 is represented by a color and a text value of -4, i.e.  $\log_{10}$  to the base 10. Low FMR values are shown in blue. High FMR values are shown in red. A grey color connotes the target FMR value ( $\log_{10} 0.00003 = -4.5$ ). High FMR values present a security concern in verification applications.

**Discussion:** From the Figure and those in the annexes, we make a number of observations. First by assigning

reports/11/figures/dhs\_obim/cross\_country/impostors/heatmap\_fmri\_country\_x\_country\_only\_male\_35\_50/imperial\_002.pdf

Algorithm: imperial\_002 Threshold: 1.381120 Dataset: Application  
 Nominal FMR: 0.000030 Sex: M log10 FMR

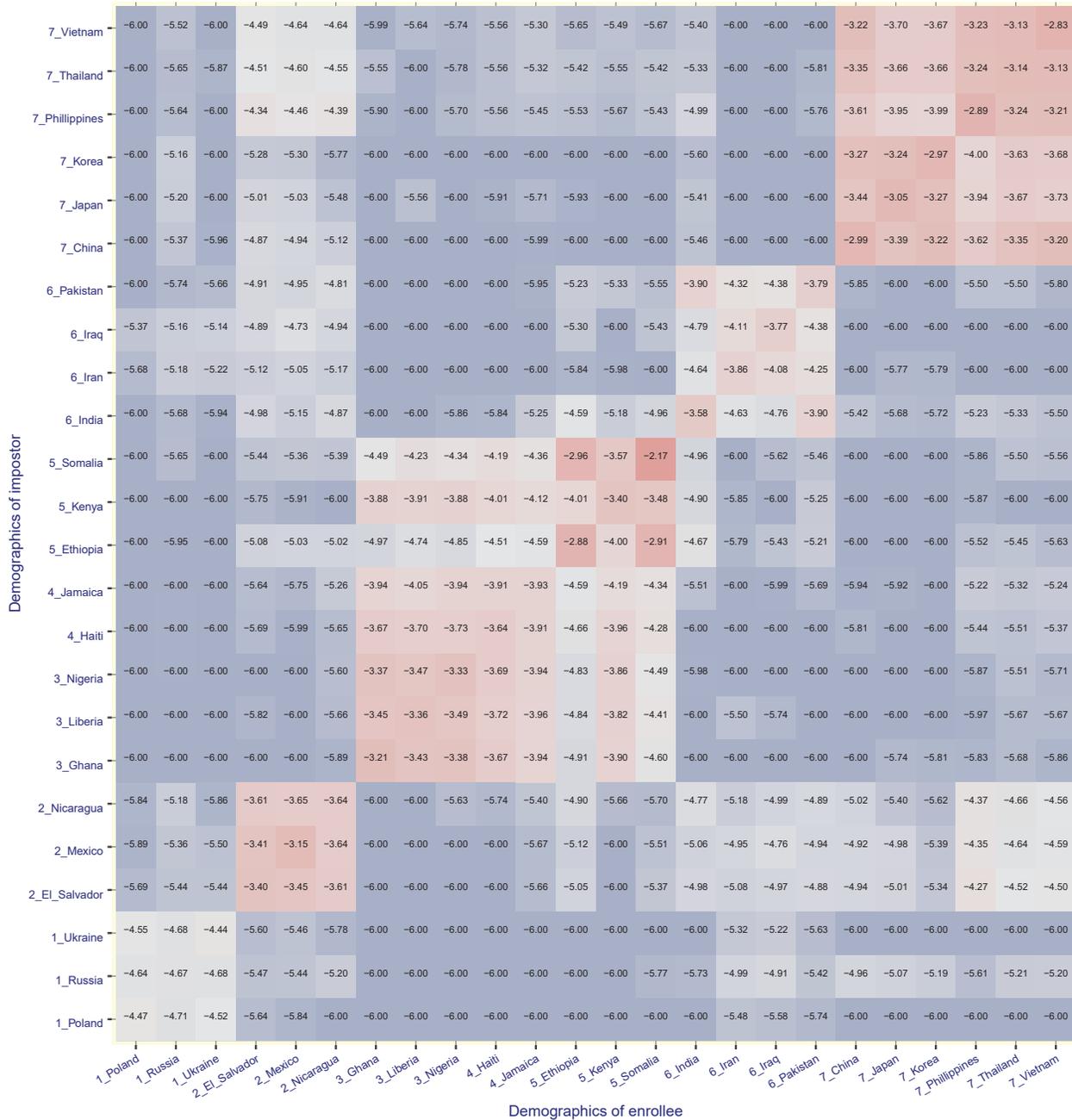
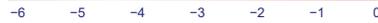


Figure 5: For 24 countries in seven regions the figure shows false positive rates when the reference algorithm is used to compare single photos of mid-aged male subjects from the countries identified in the respective columns. The threshold is to a preset fixed value everywhere. Each cell depicts FMR on a logarithmic scale. The text value is  $\log_{10}(\text{FMR})$  with large negative values encoding superior false match rates. Annex 7 contains the corresponding figure for all algorithms.

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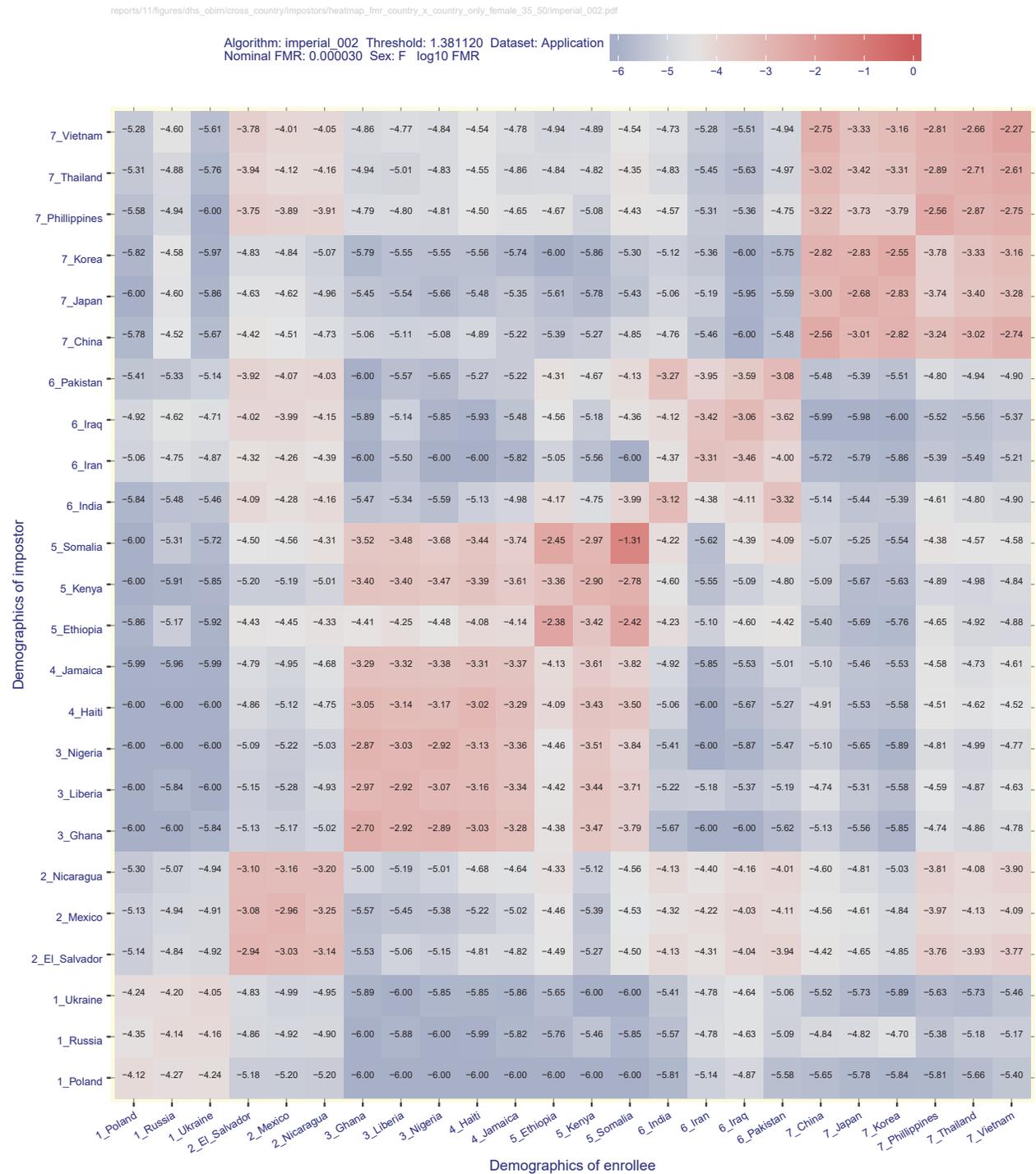


Figure 6: For 24 countries in seven regions the figure shows false positive rates when the reference algorithm is used to compare single photos of mid-aged female subjects from the countries identified in the respective columns. The threshold is to a preset fixed value everywhere. Each cell depicts FMR on a logarithmic scale. The text value is  $\log_{10}(\text{FMR})$  with large negative values encoding superior false match rates. Annex 7 contains the corresponding figure for all algorithms.

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reports/11/figures/dhs\_obim/cross\_country/impostors/heatmap\_fmr\_country\_x\_country\_only\_male\_35\_50/yitu\_003.pdf

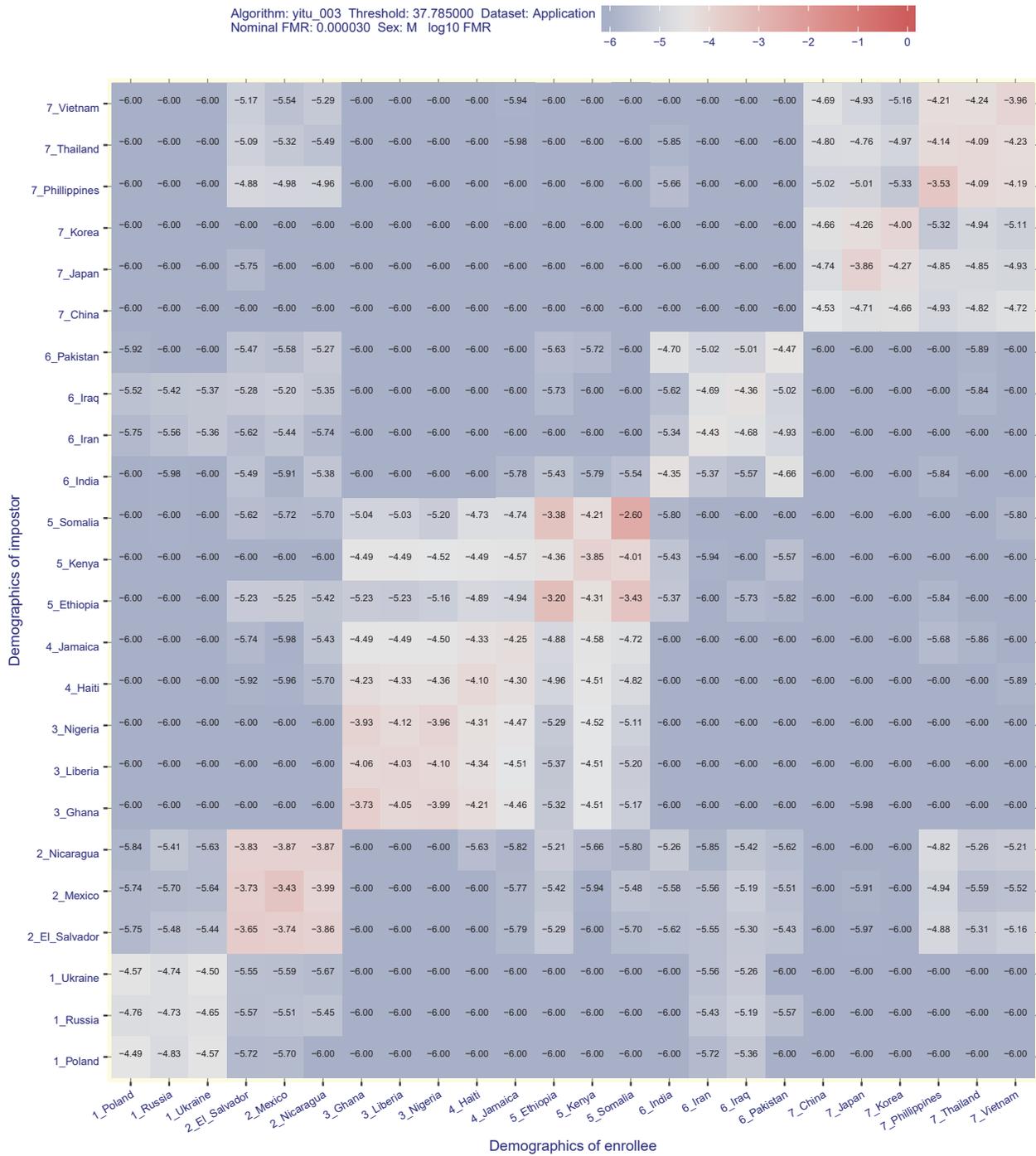


Figure 7: For 24 countries in seven regions the figure shows false positive rates when the Chinese-developed algorithm is used to compare single photos of mid-aged male subjects from the countries identified in the respective columns. The threshold is to a preset fixed value everywhere. Each cell depicts FMR on a logarithmic scale. The text value is log<sub>10</sub>(FMR) with large negative values encoding superior false match rates. Annex 7 contains the corresponding figure for all algorithms.

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countries into the following regions

- ▷ 1: Eastern Europe - Russia, Poland and Ukraine
- ▷ 2: Central America - Mexico, Honduras, El Salvador, Nicaragua
- ▷ 3: West Africa - Ghana, Liberia, Nigeria
- ▷ 4: The Caribbean - Haiti, Jamaica
- ▷ 5: East Africa - Ethiopia, Kenya, Somalia
- ▷ 6: South Asia - India, Iran, Iraq, Pakistan
- ▷ 7: East Asia - China, Japan, Korea, Philippines, Thailand, Vietnam

we see a block structure, in particular a block-diagonal structure indicative of strongly correlated false match rates within region. For example it is true that when comparing photos of individuals from East Africa with those from Eastern Europe, most algorithms give very low FMR. The more interesting results are within-region, around the diagonal, and between regions along the diagonal. We now note the following common trends, and then some notable exceptions. We then conclude with some comments on what the ideal situation would be, and on the meaning. Each Annex includes a “contact sheet” which shows all heatmaps on a single page as thumbnails. The idea is to show macroscopic behavior across all algorithms. When viewed on a computer the figure has very high resolution and zooming in reveals full detail; when printed it will likely just show coarse trends.

- ▷ **Nominal FMR in Eastern Europe:** For many algorithms, FMR within Eastern Europe is close to the nominal target false match rate i.e. a grey color,  $-5 \leq \log_{10} \text{FMR} \leq -4$ . There are few exceptions to this, even for algorithms developed in China, Western Europe and the USA.
- ▷ **Higher FMR in East Africa:** For almost all algorithms the highest FMR is for comparison of Somali faces. We suspected this could be due to mislabeled data or statistical (in)significance but rejected those possibilities<sup>10</sup>. Further the FMR is high within Ethiopia and between Ethiopia and Somalia. Similarly Kenya-Kenya comparisons give high FMR, although somewhat reduced. In a substantial majority of photos of Somalian women, the subject is wearing full head dress that typically covers the hair and ears leaving only the face exposed. While this might produce false positives, headwear is almost always absent in photographs of men. Further work is needed to explain the observation in more detail.

<sup>10</sup>We discount that this result is anomalous as follows: 1. The sample size may be small for this study, but not absolutely small: The Somalia-Somalia FMR measurement is obtained from 1733 116 comparisons involving 2632 images of 1974 males. 2. The effect persists when comparing Somalian and Ethiopian faces, and we’d suspect that ground-truth labelling errors - instances of one person being present two IDs - would not persist across national boundaries. 3. In addition to high FMR, which is a count of high imposter scores, the mean similarity score is also very high, an observation that again applies to all algorithms.

- ▷ [Higher FMR in West Africa too](#): The countries with the second highest FMR tend to be in West Africa, i.e. Ghana, Liberia and Nigeria. These countries do not share any borders. The high FMR values occur almost equally within and between countries.
- ▷ [Higher FMR between West Africa and the Caribbean](#): Elevated FMR occurs when comparing faces of individuals from countries in West Africa with those in the Caribbean.
- ▷ [Higher FMR between West and East Africa](#): Elevated FMR occurs when comparing faces of individuals from countries in West Africa and Kenya. The effect is often lower than within either region alone. However, the high FMR does not extend to comparisons of West African and Ethiopian or Somali faces.
- ▷ [Higher FMR in East Asia](#): It is very common for algorithms to give high FMR within East Asian countries and between them. For the algorithm shown, Vietnamese faces strongly match other Vietnamese, and with all the other countries in the region. The East Asian block often divides into northern and southern blocks with reduced, but still high, FMR when individuals are compared between those blocks (e.g. Korea and Vietnam).
- ▷ [Some Chinese algorithms give nominal FMR when comparing Chinese](#): As shown in [Annex 7](#) some algorithms developed in China exhibit much reduced FMR on the East Asian population - for example, see [Figure 7](#). These algorithms are from Megvii, Meiya, Hik Vision, Dahua, X-Laboratory, Yitu and SHU (Shanghai University Film Academy). For Deepsea Tencent the same applies, but less prominently in South East Asia. In some cases the effect is only apparent for comparisons involving images of Chinese, e.g. Star Hybrid. Other Chinese algorithms, however, exhibit the more common trend of producing elevated FMR across East Asia. These include developers of more accurate algorithm such as Alphaface, Deepglint and Sensetime. Thus it is not sufficient for an algorithm to be developed in China for it to mitigate the FMR increase on images from the local population.
- ▷ [One of the most accurate algorithms produces more uniform FMR](#): The corresponding [Figure](#) for the Yitu-003 algorithm - [Figure 7](#)) - shows that the demographic differentials in FMR are attenuated. As noted the FMR values for comparisons within East Asia are near the nominal value. Notably, however, this applies to West Africa also. This appears to be an important result, as it is a proof that some algorithms do not exhibit higher FMR in those populations. Yitu reported in a meeting in London in October 2017 that its training data included on order of  $10^9$  photographs of an unspecified (lower) number of Chinese nationals. Whether that is the entirety of their training data is not known.
- ▷ [Developer dependency does not apply to South Asia](#): Neither Lookman nor Tiger IT's algorithm produce nominal FMR on the S. Asian imposter comparisons.

- ▷ **Magnitudes are large:** The East African FMR values are often two orders of magnitude higher than the nominal value and those recorded within Eastern Europe. That is, the  $\log_{10}$  FMR values are +2 higher corresponding to FMR that is of order 100 times larger than the de-facto baseline. From a security perspective this is analogous to using a two-digit PIN instead of the common four digits. For West Africa, the FMR values are between one and two orders of magnitude above baseline. A shift of 1.4 on the logarithmic scale corresponds to a factor of 25 increase, for example.
- ▷ **Anomalies in the figures:** The cross-country heatmaps for the SIAT-004, Panasonic PSL-001, and Sensetime-002 algorithms are mostly red, indicating high false match rates for all comparisons. This may arise because the threshold used was computed over comparisons of a different kind of images - mugshots not application portraits. The algorithms are told what kind of image they are being given at the time features are extracted from the image. The consequence is that the imposter distribution for mugshots looks different to that for the application images, and thus thresholds are not portable. This would present an operational issue to any end-user not informed to set the threshold accordingly. In any case, while the heatmaps are mostly red, they still exhibit the same kind of FMR variations seen for many other algorithms.

**Discussion:** The heatmap figures of [Annex 7](#) show a widespread elevation of false match rates in African faces relative to those in Eastern Europe. The reasons for these shifts are unknown. We did not make any attempts to explain the effects. To summarize the effect we include the scatter plots of [Figures 10 - 9](#). Each point corresponds to one algorithm. Its coordinates show false match rates within West Africa against those within Eastern Europe. The degree to which the point is above the diagonal line shows the extent that FMR in the African countries exceeds that in the Eastern European ones.

We note several outcomes of this visualization.

- ▷ **Worst case** In the scatter plot for African women [Figure 9](#) there is a cluster of algorithms located near  $x = 0.00012$  and  $y = 0.003$ . Compared to the target FMR value of 0.00003 (the vertical line) there is a near four-fold increase in FMR of women over men. Much more significantly there is a more than 100-fold vertical excursion from white men to African women.
- ▷ **Dispersion** Some algorithms, most notably those from Sensetime give FMR much different to the target value. The threshold was set using [Annex 1](#) mugshots but the Figure reflects FMR measured over comparison of [Annex 2](#) application photos. Both sets of photos are well illuminated portraits, so this instability across datasets would be unwelcome, especially if an algorithm were to be fielded on imagery qualitatively different. Many algorithms do give the expected FMR for white men  $FMR = 0.00003$  as seen in [Figure 8](#).

Figures 10 and 11 repeat the scatterplot summaries for the East Asian demographic too. The picture there is more interesting. While the same pattern is present, it is clear that some algorithms developed in China do not give elevated false match rates relative to Eastern Europeans. The absence of the effect is important in that it implies high FMR in that population is not inevitable. We did not see a corresponding improvement for South Asian faces for the few algorithms we understand were submitted by developers there (in India and Bangladesh).

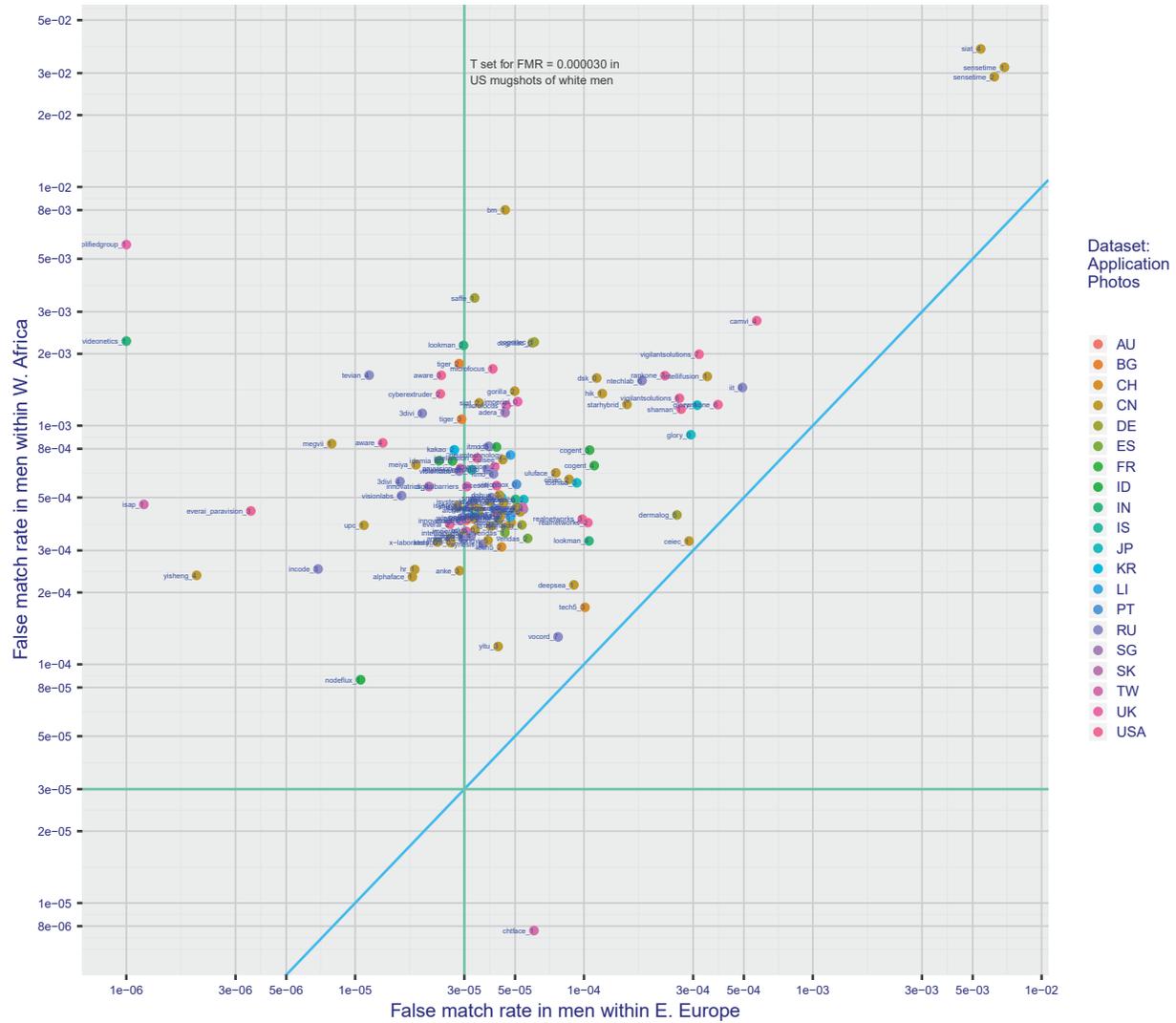


Figure 8: The scatter plot shows FMR when comparing same-age men within and across three Eastern European countries (Russia, Ukraine, Poland), against FMR obtained comparing men within and across three West African countries (Ghana, Liberia, Nigeria). The threshold is fixed for each algorithm to give the FMR noted in the annotation over white men in the U.S. mugshot database. This is indicated by the vertical and horizontal green lines. The blue diagonal line  $y = x$  is included to show “over/under”. The color code identifies the domicile of the developer - some multinationals conduct research elsewhere. Training data likewise may originate elsewhere.

Links: [EXEC. SUMMARY](#) | [TECH. SUMMARY](#)

False positive: Incorrect association of two subjects  
 False negative: Failed association of one subject

1:1 FMR  
 1:1 FNMR

1:N FPIR  
 1:N FNIR

$T \gg 0 \rightarrow$  FMR, FPIR  $\rightarrow$  0  
 $\rightarrow$  FNMR, FNIR  $\rightarrow$  1

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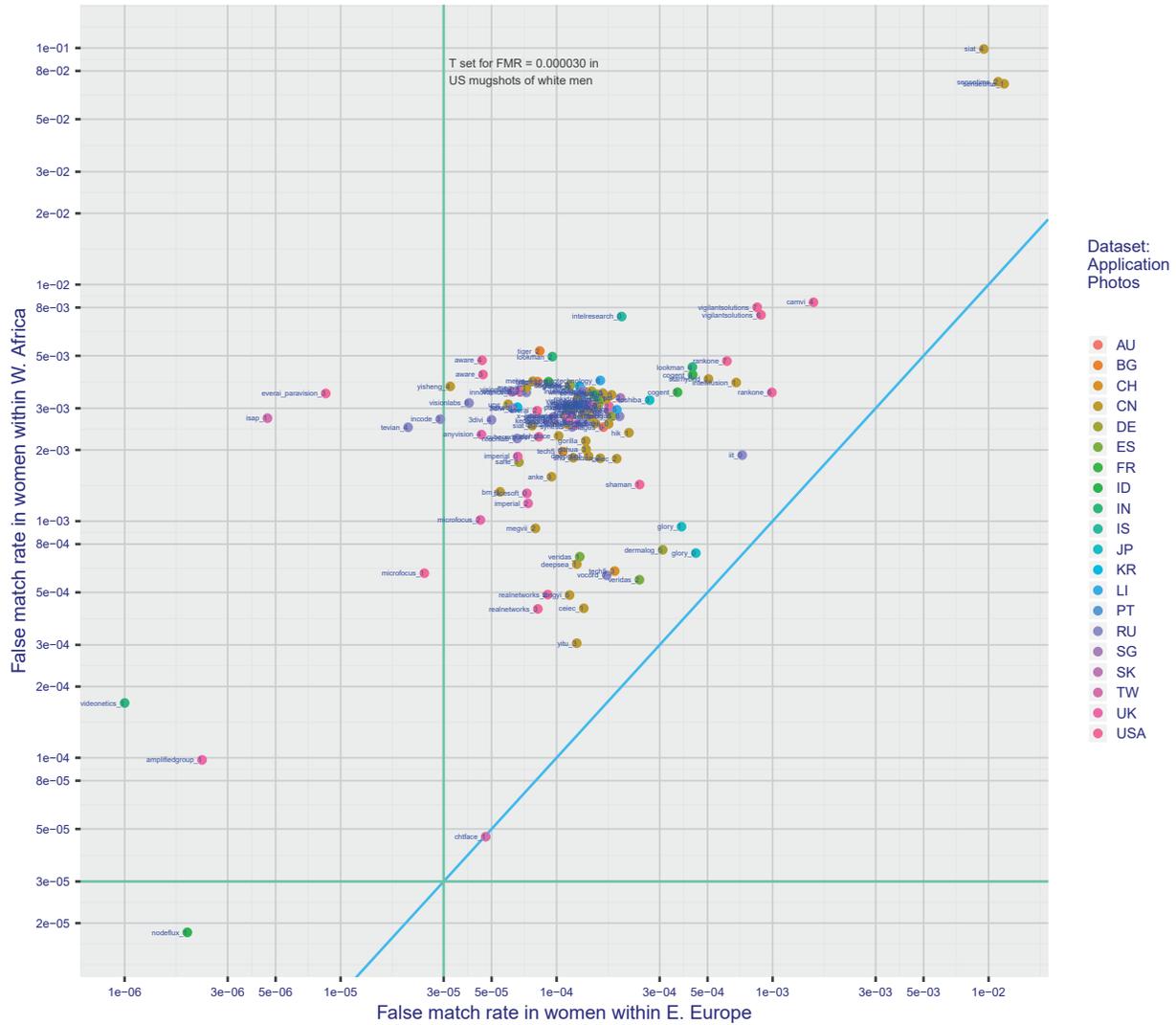


Figure 9: The scatter plot shows FMR when comparing same-age **women** within and across three Eastern European countries (Russia, Ukraine, Poland), against FMR obtained comparing women within and across three West African countries (Ghana, Liberia, Nigeria). The threshold is fixed for each algorithm to give the FMR noted in the annotation over white men in the U.S. mugshot database. This is indicated by the vertical and horizontal green lines. The blue diagonal line  $y = x$  is included to show “over/under”. The color code identifies the domicile of the developer - some multinationals conduct research elsewhere. Training data likewise may originate elsewhere.

Links: [EXEC. SUMMARY](#) | [TECH. SUMMARY](#)

False positive: Incorrect association of two subjects  
 False negative: Failed association of one subject

1:1 FMR  
 1:1 FNMR

1:N FPIR  
 1:N FNIR |  $T \gg 0 \rightarrow$  FMR, FPIR  $\rightarrow 0$   
 $\rightarrow$  FNMR, FNIR  $\rightarrow 1$

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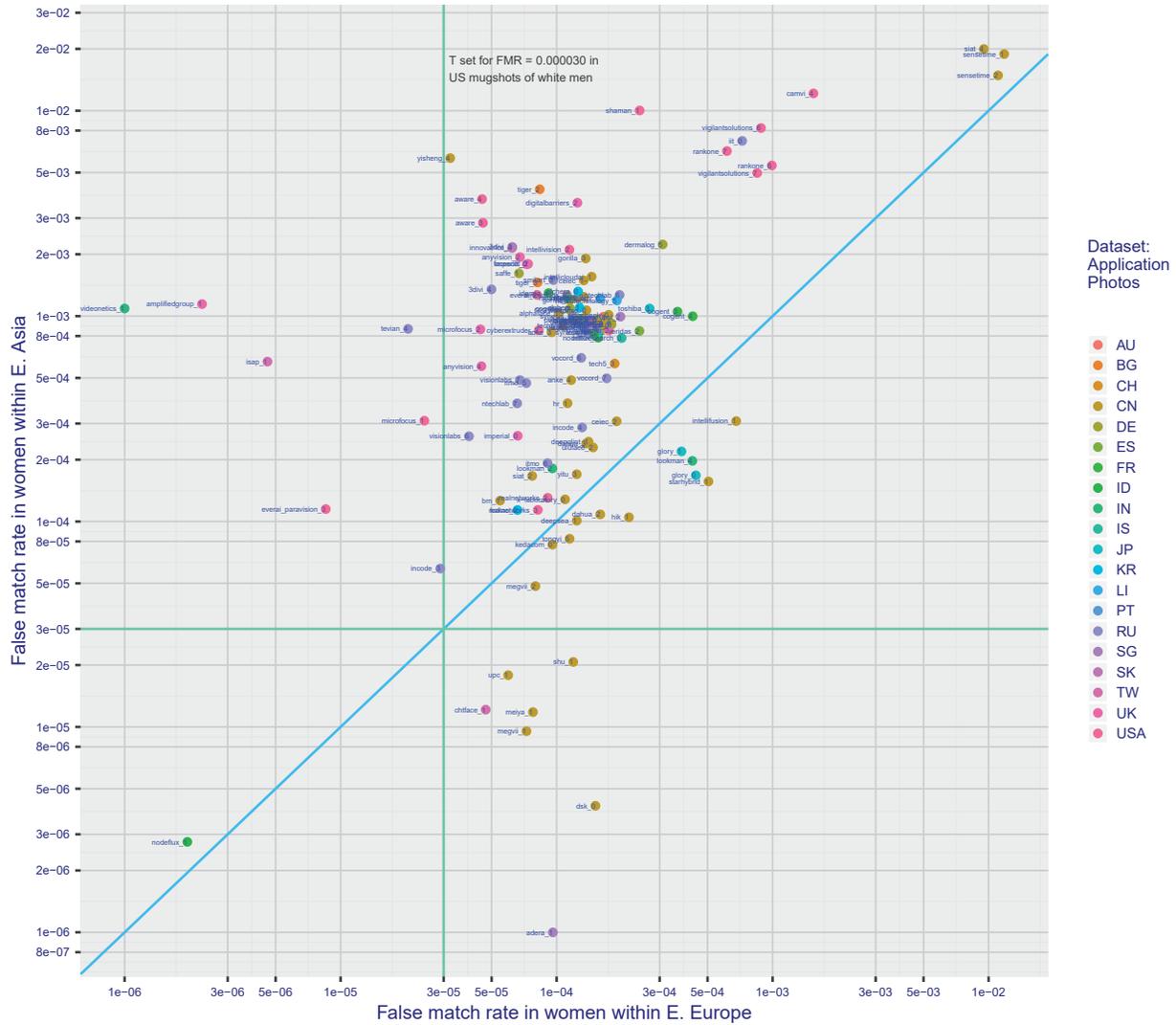


Figure 11: The scatter plot shows FMR when comparing same-age **women** within and across three Eastern European countries (Poland, Russia, Ukraine), against FMR obtained comparing women within and across six East Asian countries (China, Japan, Korea, Philippines, Thailand and Vietnam). The threshold is fixed for each algorithm to give the FMR noted in the annotation over white men in the U.S. mugshot database. This is indicated by the vertical and horizontal green lines. The blue diagonal line  $y = x$  is included to show “over/under”. The color code identifies the domicile of the developer - some multinationals conduct research elsewhere. Training data likewise may originate elsewhere.

Links: [EXEC. SUMMARY](#) | [TECH. SUMMARY](#)

False positive: Incorrect association of two subjects  
 False negative: Failed association of one subject

1:1 FMR  
 1:1 FNMR

1:N FPIR  
 1:N FNIR |  $T \gg 0$  → FMR, FPIR → 0  
 → FNMR, FNIR → 1

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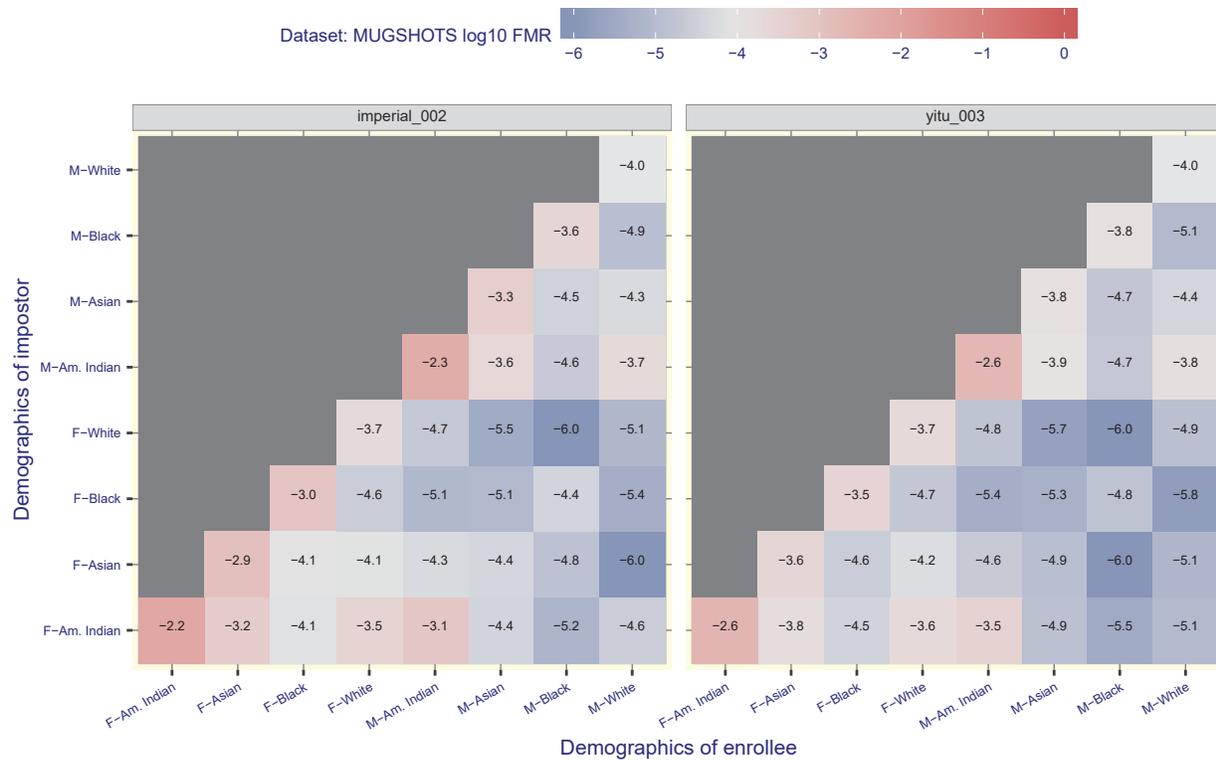


Figure 12: For mugshot photos tagged with one of four race labels and a sex label, the heatmaps show false positive rates for comparison of randomly selected photos from the groups identified in the respective rows and columns. Two algorithms are used, one in each panel, and the threshold for each is set to a fixed value everywhere. The value is the smallest threshold that gives  $FMR \leq 0.0001$  on the white male imposters. Each cell depicts FMR on a logarithmic scale. The text value is  $\log_{10}(FMR)$  with large negative values encoding superior false match rates. Annex 6 contains the corresponding figure for all algorithms.

### 4.4 Dependence of FMR on race in United States mugshots

**Method:** Using high quality mugshot portraits from the mugshot images detailed Annex 1, we apply each verification algorithm to conduct 3 million comparisons for each of the eight demographics defined by two sexes and four races. The origin and meaning of these labels is described in the Annex. We executed this set of comparisons with 126 verification algorithms submitted to the FRVT Verification track. These are listed in Tables 4-6. We compared scores with a threshold to produce FMR estimates for each demographic pairing. Each threshold was selected as the lowest value that gave FMR at or below a target FMR. The target FMR value was 0.0001. The threshold was computed over the set of 3 000 000 mugshot imposter comparisons made for white males. Thus, by design, the FMR for that demographic is exactly 0.0001.

We excluded photographs for which race or sex was unavailable or unknown. We did not report comparisons by age-group.

**Analysis:** As with the international set of application photos, we use the heatmap to show cross-demographic

Links: EXEC. SUMMARY | False positive: Incorrect association of two subjects | 1:1 FMR | 1:N FPIR |  $T \gg 0 \rightarrow FMR, FPIR \rightarrow 0$   
 TECH. SUMMARY | False negative: Failed association of one subject | 1:1 FNMR | 1:N FNIR |  $\rightarrow FNMR, FNIR \rightarrow 1$

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false match rates, including cross-sex. Heatmaps for two algorithms are shown in Figure 12. The Figure shows FMR as a heatmap. It uses a logarithmic scale, so that a FMR of 0.0001 is represented by a color and a text value of -4, i.e.  $\log_{10}$  to the base 10. Low FMR values are shown in blue. High FMR values are shown in red. A grey color connotes the target FMR value ( $\log_{10} 0.0001 = -4$ ). High FMR values present a security concern in verification applications. Corresponding figures for all algorithms appear in Annex 6

Figure 13 extracts the within-sex and within-race diagonal elements of those figures and summarizes the results for all algorithms, ordering the result by worst-case FMR elevation.

**Discussion:** From the figure, and those in the annex, we make a number of observations.

- ▷ **Higher FMR in women:** As with application photos, most algorithms give systematically higher false match rates in women than in men. The magnitude of this difference is lower with mugshots than with application photos.
- ▷ **Highest FMR in American Indians:** First, the highest FMR occurs in images of American Indians<sup>11</sup>. For the Imperial-002 algorithm featured in Figure 12 the FMR for American Indian women is 0.0068, i.e. a 68 fold increase over the FMR of 0.0001 in white males. In men, the multiple is 47. Why such large increases occur is not known. One component of the increase may stem from database identity labelling errors<sup>12</sup>. We discount this possibility because the database has otherwise excellent ground-truth integrity, supported by fingerprint enrollments.
- ▷ **Higher FMR in Asian and Black women:** There are order-of-magnitude increases in FMR in mugshots of Asian and Black women. Some algorithms developed in China reduce this differential, for example Yitu-003 in the right panel of Figure 12.

<sup>11</sup>The data supplied to NIST tags this group with letter "I" per the EBTS standard which describes this group as "American Indian, Eskimo, Alaskan native, or a person having origins in any of the 48 contiguous states of the United States or Alaska who maintains cultural identification through tribal affiliation or community recognition". In the figures we replace the letter "I" with "American Indian" to distinguish from subjects from India in the international datasets.

<sup>12</sup>Specifically instances of "one person under two IDs" can cause apparent false positives, that are actually true positives.

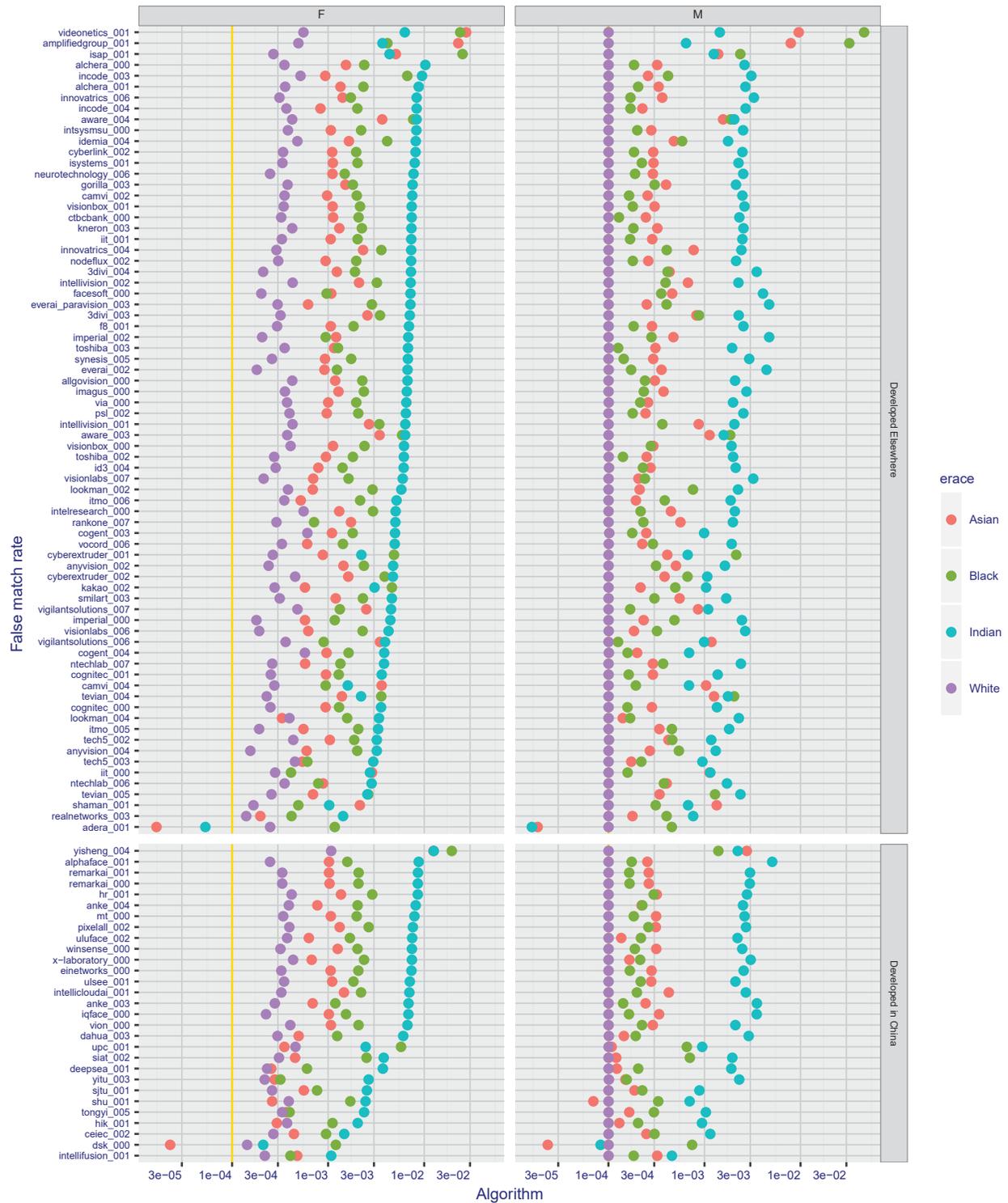


Figure 13: For each verification algorithm, the dots give the false match rates for same-sex and same-race imposter comparisons. The threshold is set for each algorithm to give  $FMR = 0.0001$  on white males (the purple dots in the right hand panel). The algorithms are sorted in order of worst case FMR, usually for American Indian women. Algorithms developed in China appear in the lower panel.

Links: [EXEC. SUMMARY](#) | [TECH. SUMMARY](#)

False positive: Incorrect association of two subjects  
 False negative: Failed association of one subject

1:1 FMR  
 1:1 FNMR

1:N FPIR  
 1:N FNIR |  $T \gg 0$  → FMR, FPIR → 0  
 → FNMR, FNIR → 1

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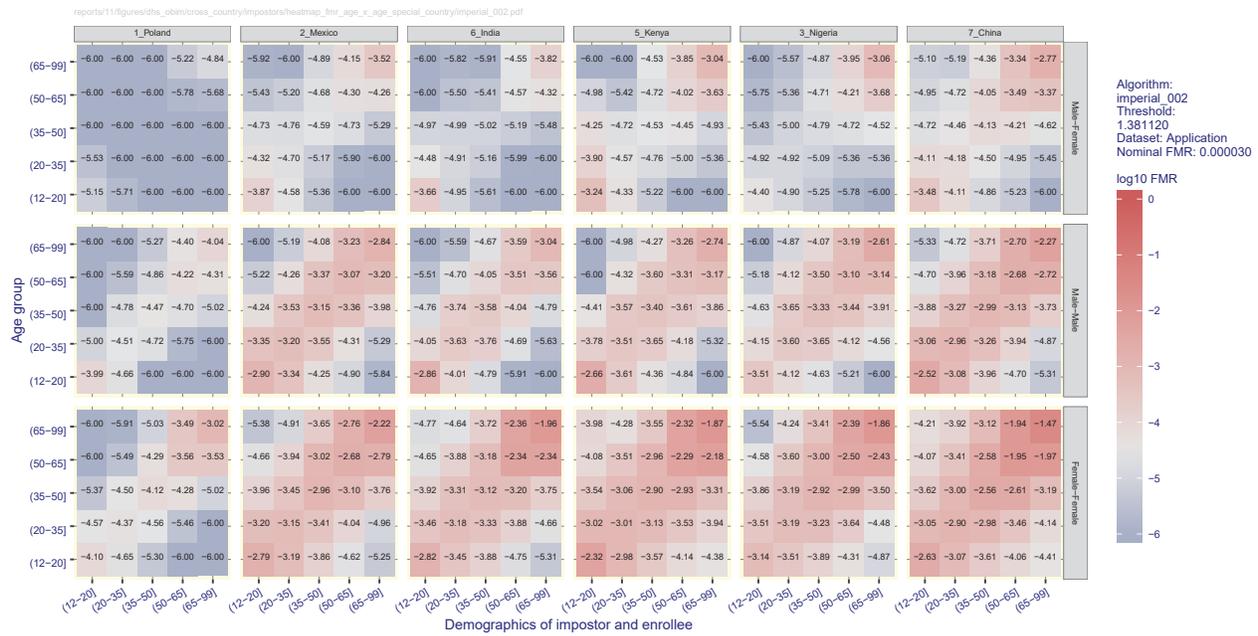


Figure 14: For six countries selected for the high number of images in the dataset and from distinct regions the heatmaps show cross-age false match rates for imposters of the same sex from the age groups given on the respective axes. Each cell depicts FMR on a logarithmic scale. The text value is  $\log_{10}(\text{FMR})$  with large negative values encoding superior false match rates. Annex 9 contains the corresponding figure for all algorithms.

### 4.5 Do some or all algorithms yield more false positives on certain age groups

**Method:** Using high quality application portraits drawn from the corpus described in Annex 2 , we compared 442 019 images from 24 countries with 441 517 images of different individuals within and across age groups (00 – 20], (20 – 35], (35 – 50], (50 – 65], and (65 – 99].

We executed this set of comparisons with 126 verification algorithms submitted to the FRVT Verification track. These are listed in Tables 4-6. Each comparison yield a score. When many scores are compared with a fixed threshold, we obtain an estimate of the false match rate. The threshold was computed over a set of 93 070 400 imposter comparisons made using a different set of images, namely the mugshots detailed in Annex 1 . The threshold is the smallest value that for which the FMR is less than or equal to 0.00003. This was repeated for other thresholds giving FMR {0.000001, 0.000003, 0.00001, 0.00003, 0.0001, 0.0003, 0.001, 0.003, 0.01, 0.03}.

Each comparison is accompanied by sex, country of birth and age group metadata for the two individuals represented in the photographs. We excluded small numbers of photographs for which age information was unavailable or for which sex was not listed as male or female.

Given many comparisons with the same demographic pairing, we can produce a measurement of FMR when comparing individuals from two age groups, for example Polish men over the age of 65 with Polish men under 20.

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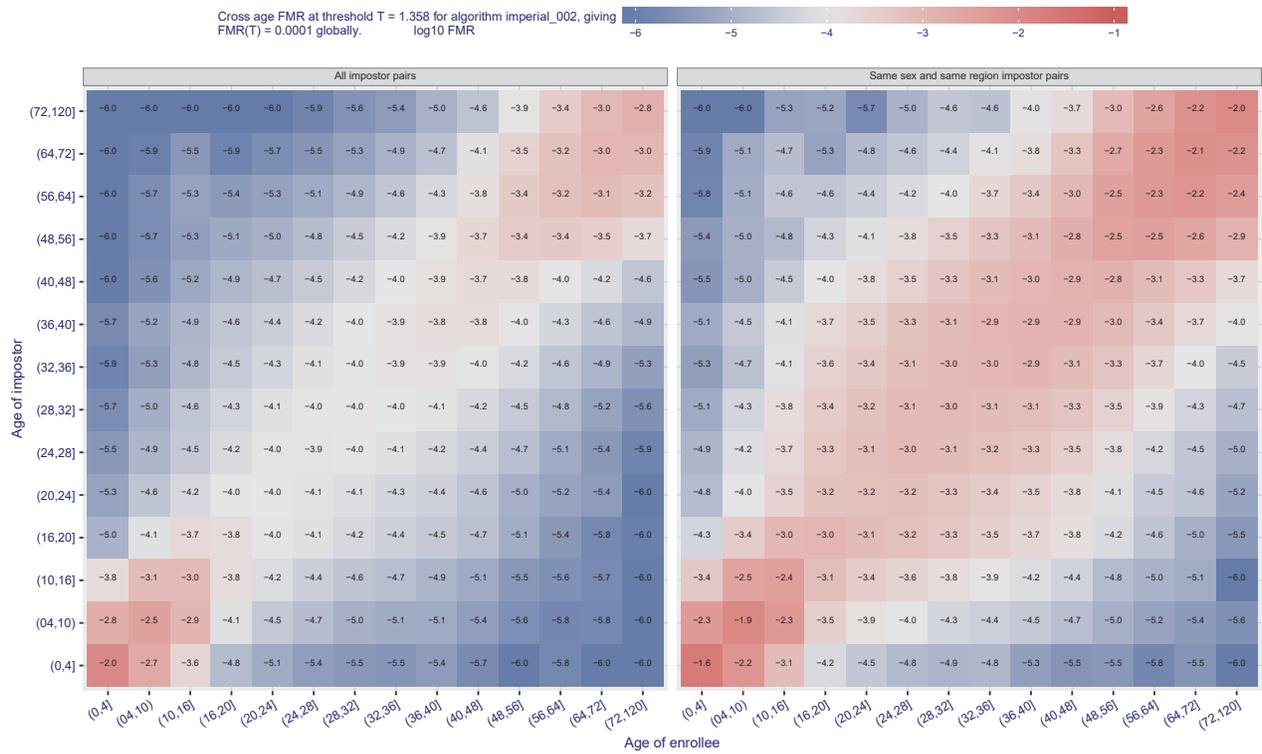


Figure 15: For visa photos from all countries, the heatmap shows for one algorithm cross-age false match rates for imposters of the same sex. Each cell depicts FMR on a logarithmic scale. The text value is  $\log_{10}(FMR)$  with large negative values encoding superior false match rates. The threshold is fixed to the value that gives a FMR of 0.0001 over all zero-effort imposter pairs. Annex 10 contains the corresponding figure for all algorithms.

**Analysis:** To address the issue of age we produced figures depicting cross-age false match rates. We do this within-country only, as cross-country effects have been covered in section 4.3. We include male-male, female-female, and also male-female comparisons (although they are of less interest operationally). Figure 14 is an example, showing results for one of the more accurate algorithms. The Figure includes results for six countries, one per region. We dropped one region (the Caribbean) and 18 of the 24 countries because the effects are similar everywhere.

Figure 14 shows cross-age group FMR for one of the more accurate algorithms. Annex 9 contains corresponding Figures for all algorithms, and therefore extends to more than 130 pages.

**Discussion:** From Figure 14 and those in the annex, we make these observations.

- ▷ **Lower FMR for persons in different groups:** In almost all cases - for all algorithms, countries of origin and both sexes, comparison of images of persons in different age groups yields lower (better) false match rates than for persons in the same age group. This, obviously, is an aggregate result; it will generally be possible to find some individuals from different age groups who produce high imposter scores but this will be increasingly difficult as the age difference increases.
- ▷ **Highest FMR in the oldest age group:** For women from all most countries, comparison of images of individuals in the 65-and-over age group produce the highest false match rates. For men this is often true also.
- ▷ **High FMR in the youngest age group:** For both sexes, but men in particular, comparison of images of persons in the 12–20 age group produce high false match rates. The dataset does not include any subjects below 12. Below that age we consider a smaller dataset of visa photographs (see Annex 3 ) that includes individuals in age groups (0, 4] and (4, 10]. The results are included in the heatmap of Figure 15. Note that each FMR estimate is formed from comparisons from all countries, not just one, so they hide the geographic idiosyncrasies of the algorithms.

These results are similar to those reported by Michalski et al. [28] for false positives in children using one commercial algorithm. The report also shows false negative ageing effects broken out by age at enrolment, and time lapse.

- ▷ **Lower FMR across sex:** Comparison of images of persons of different sex usually produces very low FMR. However, within the youngest and oldest age groups, FMR is again higher and substantially above the nominal FMR.

reports/figures/dhs\_obim/cross\_country/impostors/heatmap\_fm\_age\_x\_country/imperial\_002.pdf

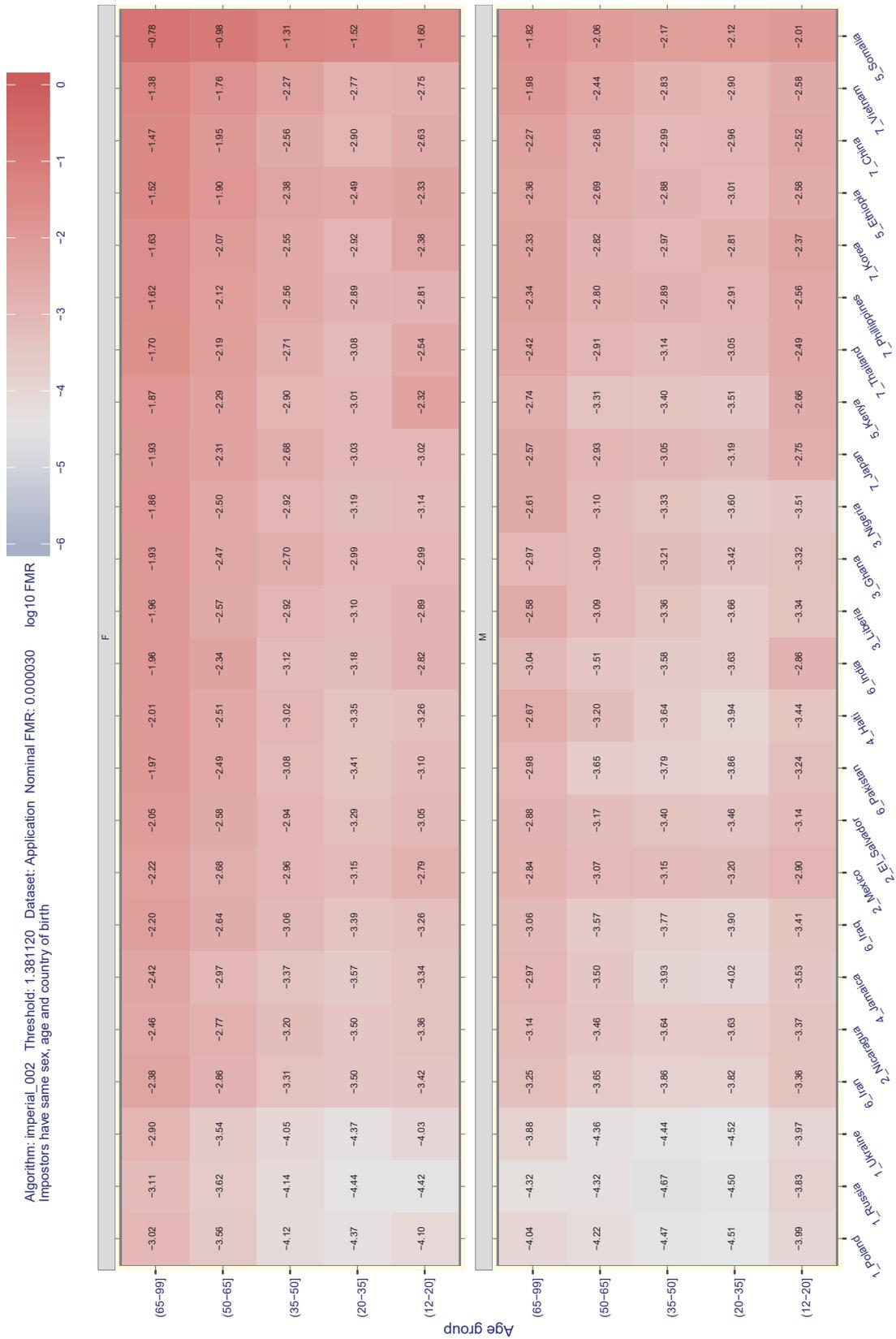


Figure 16: For application photos, the The heatmap shows one-to-one false match rates for same-sex, same-age and same-country of birth imposters, broken out by age and country. The text value is log<sub>10</sub>(FMR) with large negative values encoding superior false match rates. Each cell depicts FMR on a logarithmic scale. The text value is log<sub>10</sub>(FMR) with large negative values encoding superior false match rates. Annex 11 contains the corresponding figure for all algorithms.

## 5 False negative differentials in verification

### 5.1 Introduction

False negatives occur in biometric systems when samples from one individual yield a comparison score below a threshold. This will occur when the features extracted from two input photographs are insufficiently similar. Recall that face recognition is implemented as a differential operator: two samples are analyzed and compared. So a false negative occurs when two from the same face appear different to the algorithm.

### 5.2 Tests

This section gives empirical quantification of the variation in false negative rates across demographics. We base this on recognition results from three one-to-one verification tests:

- ▷ **Mugshot - Mugshot:** In the first test we look for demographic effects in the groups defined by the sex and race labels provided with these United States images - see [Annex 1](#).
- ▷ **Application - Application photo:** We consider also a high quality dataset collected from subjects hailing from twenty four countries in seven global regions.
- ▷ **Application - Border crossing photo:** As discussed in [Annex 4](#), the border crossing photos are collected under time constraints, in high volume immigration environments. The photos there present classic pose and illumination challenges to algorithms.

### 5.3 Metrics

The metrics appropriate to verification have been detailed in section 3.1. These are related to particular applications in Figure 2. The discussion in subsequent sections centers on false non-match rates at particular thresholds, i.e.  $FNMR(T)$ .

### 5.4 Results

Figure 17 summarizes the false non-match rates for the 52 most accurate algorithms comparing mugshot photos. It does this for each of four race categories and two sexes<sup>13</sup>. Figure 18 takes the same approach but for 20 countries of birth and two age groups (over/under 45). It summarizes comparison of high quality immigration

<sup>13</sup>See [Annex 1](#) for descriptions of the images and metadata.

reports/11/figures/fbi/ngi/for\_fmrfnrmr\_by\_sex\_age\_country\_all\_algorithms.pdf

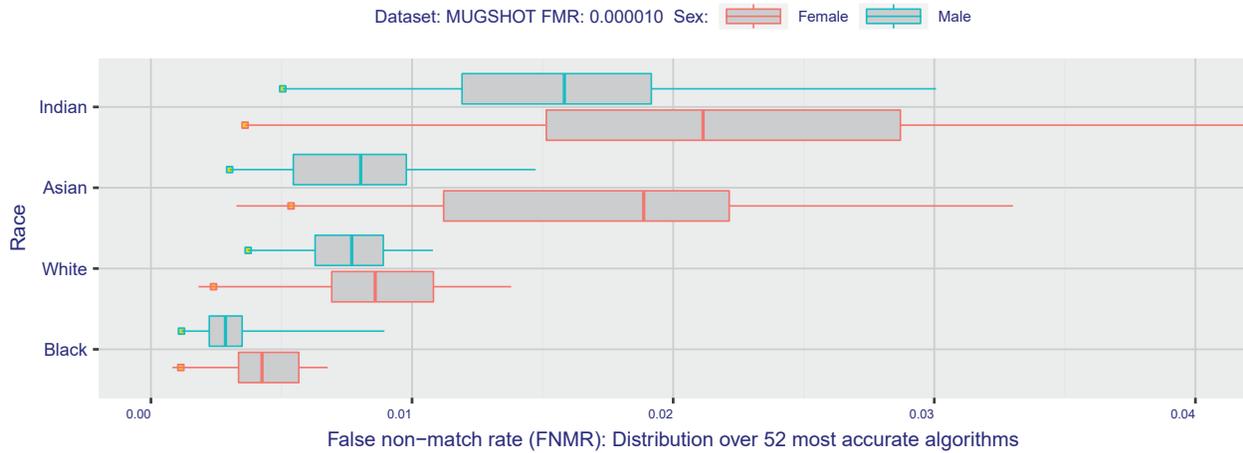


Figure 17: For mugshot comparisons, the figure shows the distribution of FNMR values over the 52 most accurate verification algorithms, by sex and race. The threshold was set for each algorithm to achieve FMR = 0.00001 over all imposter comparisons. The line within each box is the median over those algorithms; the box itself spans the interquartile range (26 algorithms) and the lines here extend to minimum and maximum values. The small box on the left side indicates the accuracy for best algorithm overall, on this dataset alphaface-001.

application photos with lower quality border crossing photos. These are described in [Annex 2](#) and [Annex 4](#) respectively.

We make the following observations.

- ▷ **FNMR is absolutely low:** In one-to-one verification of mugshots, the best algorithms give FNMR below 0.5% at the reasonably stringent FMR criterion of 0.00001. FNMR is generally below 1% with exceptions discussed below. For the more difficult application-border crossing comparisons, the best algorithm almost always gives FNMR below 1%. These error rates are far better than the gender-classification error rates that spawned widespread coverage of bias in face recognition. In that study [5], two algorithms assigned the wrong gender to black females almost 35% of the time. The recognition error rates here, even from middling algorithms, are an order of magnitude lower. Thus, to the extent there are demographic differentials, they are much smaller than those that (correctly) motivated criticisms of the 2017-era gender classification algorithms.
- ▷ **FNMR in African and African American subjects:** In domestic mugshots, the lowest FNMR in images of subjects whose race is listed as black. However, when comparing high-quality application photos with border-crossing images, FNMR is often highest in African born subjects. We don't formally measure contrast or brightness in order to determine why this occurs, but inspection of the border quality images shows underexposure of dark skinned individuals often due to bright background lighting in the border crossing environment. In mugshots this does not occur. In neither case is the camera at fault.

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reports/11/figures/dhs\_obim/entry\_to\_visa/fnmr\_by\_sex\_age\_country\_all\_algorithms.pdf

Dataset: Application vs. Border Crossing FMR: 0.000010 Sex: ■ Female ■ Male



Figure 18: For the application - border crossing photo comparisons, the boxplots show the distribution of FNMR values over the 52 most accurate algorithms, by sex, country of birth, and age group. The threshold was set for each algorithm to achieve FMR = 0.00001 over all imposter comparisons. The line within each box is the median over those algorithms; the box itself spans the interquartile range (26 algorithms) and the lines here extend to minimum and maximum values. The small box on the left side indicates the accuracy for best algorithm overall, on this dataset visionlabs-007.

Links: [EXEC. SUMMARY](#) | [TECH. SUMMARY](#)

False positive: Incorrect association of two subjects  
False negative: Failed association of one subject

1:1 FMR  
1:1 FNMR

1:N FPIR  
1:N FNIR |  $T \gg 0 \rightarrow$  FMR, FPIR  $\rightarrow 0$   
 $\rightarrow$  FNMR, FNIR  $\rightarrow 1$

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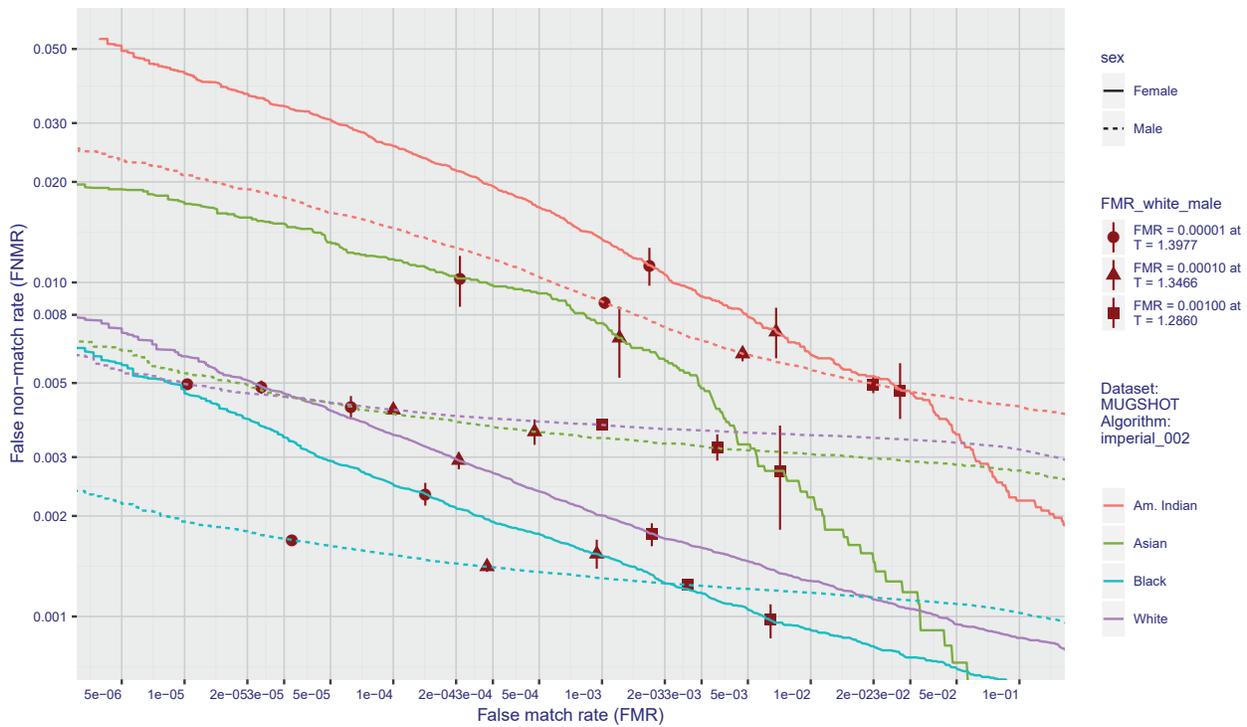


Figure 19: For one algorithm verifying mugshot images, the error tradeoff characteristics show false non-match vs. false match rates. The FMR estimates are computed for same-sex and same-race imposter comparisons. Each symbol (circle, triangle, square) corresponds to a fixed threshold - their vertical and horizontal displacements reveal, respectively, differences in FNMR and FMR between demographic groups. The vertical line through each symbol indicates uncertainty related to sample size - it spans 95% of bootstrap samples of the genuine scores. Annex 12 contains the corresponding figure for all algorithms.

- ▷ **Women give higher FNMR:** In most cases, algorithms give higher false non-match rates in women than men. Note that this is a marginal effect - perhaps 98% of women are still correctly verified - so the effect is confined to fewer than 2% of comparisons where algorithms fail to verify. It is possible that the error differences are due to relative prevalence some unknown covariate. There are some exceptions, however: In Kenya, Nigeria, Jamaica men give higher FNMR. This applies in Haiti and Ghana also but only for people aged 45 or over.

These aggregations of results over a large number of algorithms is intended to expose coarse differences between demographic groups. In so doing it hides that certain algorithms may differ from the trends evident in the Figure. Full error tradeoff characteristics appear in Annex 12 .

The false negative results for law enforcement images apply to high quality mugshots, collected with deliberate consideration of standards. When image quality degrades, false negatives are expected to increase. We next consider results for the comparison of high quality Annex 2 application reference photos with Annex 4 border crossing images collected in a less controlled environment under some (implicit) time constraint. We report

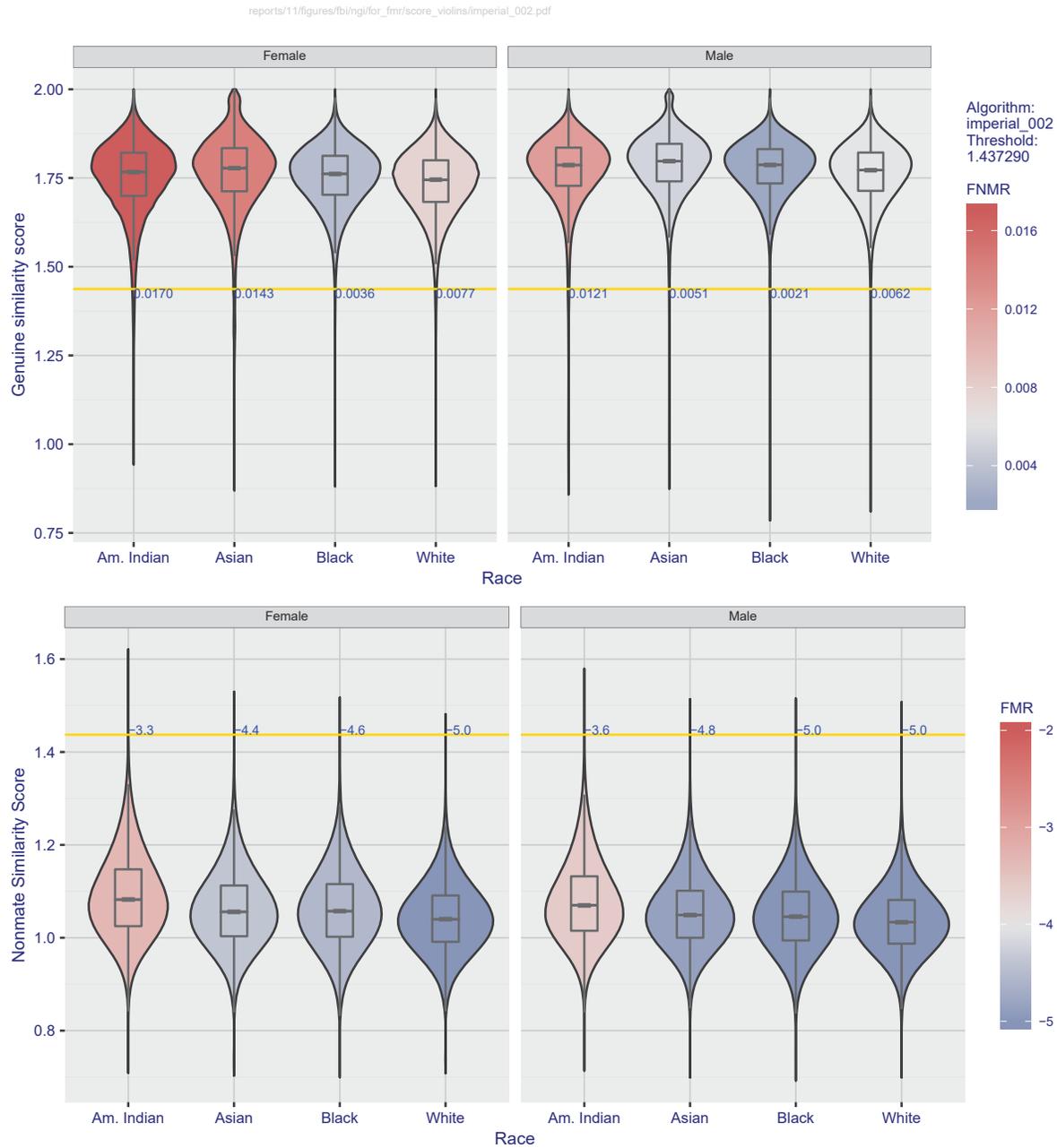


Figure 20: For one algorithm verifying mugshots, the violin plots show native similarity score distributions. The horizontal line shows the threshold that gives  $FMR = 0.0001$  over all the imposter pairs. The imposters have the same sex and race. The upper figure shows genuine scores and the color indicates FNMR at the given threshold on a linear scale. The lower figure shows imposter scores with color indicating FMR on a logarithmic scale. FMR values below  $10^{-5}$  are pinned to that value. Annex 15 contains the corresponding figure for all algorithms.

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results in two ways:

- ▷ Per algorithm: [Annex 14](#) shows FNMR by country of birth for two sexes and two age groups (above and below age 45).
- ▷ As [Figure 22](#) heatmap showing results for all algorithms and all countries of birth. Each FNMR is the arithmetic mean of the four FNMR estimates for male and female and age over and under 45. The rows of the figure are sorted in order of mean FNMR, the mean being taken over all twenty four countries. The columns of the figure are sorted in order of mean FNMR from the 50 most accurate algorithms - this statistic was chosen so that high FNMR estimates from poor algorithms did not skew the results.

From these figure we note the following:

- **Wide variation across algorithms:** False non-match rates range from near 0.1% up to above 10%. This two-orders-of-magnitude range shows that some algorithms are intolerant of the quality problems inherent in the image the border crossing images. These problems are: low contrast, non-centered and cropped faces, non-frontal pose, and poor resolution, in part due to poor compression.
- **The most accurate algorithms give low FNMR:** The most accurate algorithms given FNMR below 1% for almost all countries and demographic groups. For example, the Visionlabs-007 algorithm has outliers only for Liberian and Somali women under the age of 45, for whom FNMR is below 1.4%.
- **Lower variation across countries:** For the more accurate algorithms, false non-match rates generally range by a factor of two or three from the left side of [Figure 22](#) to the right i.e. FNMR in El Salvador is almost always lower than that in Somalia.
- **No clear patterns by age and sex:** By considering the [Figures of Annex 14](#), the differences between the over- and under-45s is often small, varies by country and by algorithm. However, broad statements do not mean that certain algorithms do not exhibit demographic differentials.
- **Higher FNMR in subjects from Africa and the Caribbean:** The heatmap is constructed with countries appearing in order of the mean FNMR over the fifty most accurate algorithms. This reveals higher FNMR in Africa and the Caribbean. After those two regions, the next highest FNMR is in the Eastern Europe countries.

The low error rates stem from efforts over the last decade to train algorithms that are invariant to nuisance variables such as non-frontal pose and poor contrast. The absolute magnitude of FNMR drives inconvenience. In many applications, any subject experiencing a false rejection could make a second attempt at recognition.

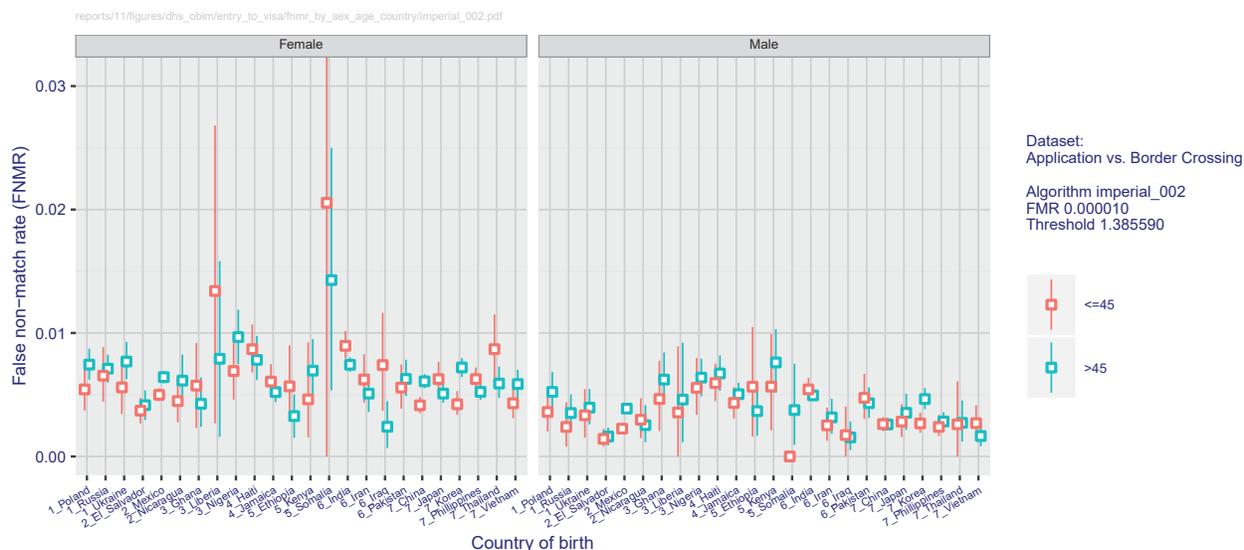


Figure 21: For 24 countries the figure shows false negative rates when the reference algorithm is used to compare two photos of subjects from the countries identified in the respective columns. The square box gives the median false non-match rate computed over 2000 bootstrap resamples of the genuine scores. The ends of the line span 95% of those re-samples, thereby giving a measure of uncertainty in the FNMR estimate. The threshold is set to a fixed value everywhere; it is the lowest value that gives  $FMR \leq 0.00001$ . Annex 14 contains the corresponding figure for all algorithms.

Why these effects occur would require some multivariate analysis of image- and subject-specific properties. We suggest that analysis might start with measurement of image related quantities from the digital images to include such as contrast, intensity, areas of over and under exposure, presence of cropping, and head orientation. For tools, mixed-effects regression models could be an initial starting point [4] but such work would need to address correlation between quantities such race and contrast. We have not yet initiated such work and it is possible that such analysis would be incomplete due to influential but unknown covariates. In particular, given the border crossing images were collected with cameras mounted at fixed height and are steered by the immigration officer toward the face it is possible that subject height influences genuine matching scores. For example very tall subjects might be subject be underexposed because strong ceiling lights in the background might cause underexposure. Inspection of failure cases invariably leads to insight in such cases. We have not yet conducted that work.

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reports/11/figures/dhs\_obim/entry\_to\_visa/fnmr\_by\_sex\_age\_country\_all\_algorithms\_heatmap.pdf

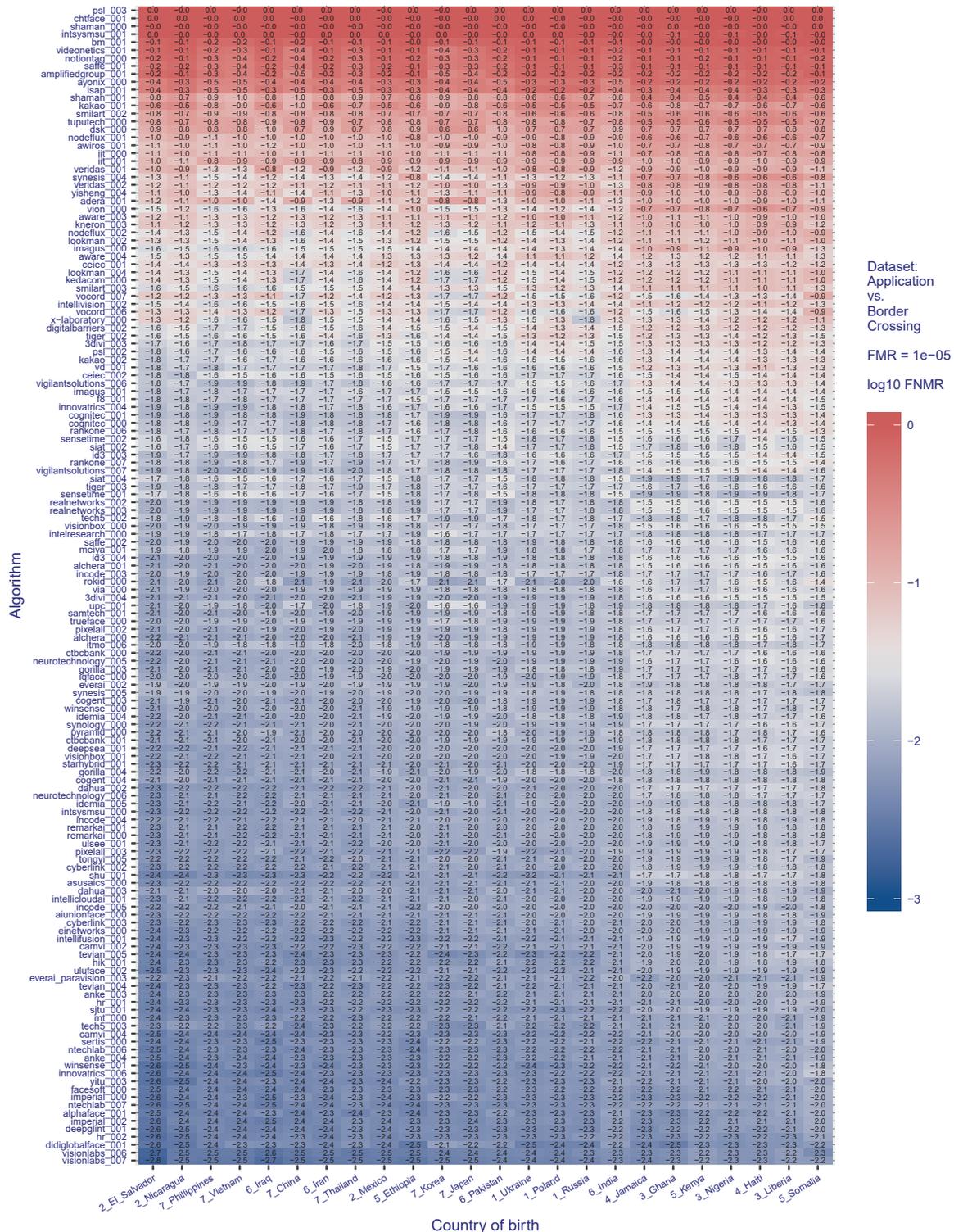


Figure 22: For 24 countries in seven regions the figure shows verification false non-match rates when the reference algorithm is used to compare two photos of subjects from the countries identified in the respective columns. The FNMR value is the mean over men/women and over/under age 45, so represents FNMR in situations where those four populations were balanced. The threshold is set to a fixed value everywhere; is the lowest value that gives FMR ≤ 0.00001. Each cell depicts FNMR on a logarithmic scale. The text value is log<sub>10</sub>(FNMR) with large negative values encoding superior false match rates.

Links: EXEC. SUMMARY | TECH. SUMMARY | False positive: Incorrect association of two subjects | 1:1 FMR | 1:N FPIR | T ≥ 0 → FMR, FPIR → 0 | False negative: Failed association of one subject | 1:1 FNMR | 1:N FNIR | → FNMR, FNIR → 1

## 6 False negative differentials in identification

The three identification trials all use just mugshot photographs. They were conceived of to isolate specific demographic factors as follows.

- ▷ **Sex:** We construct a gallery containing 800 000 white men, and 800 000 white women, aged 20 - 40. We search that with mated probes taken in a different calendar year to the enrolled photo but no longer than 5 years after. We search with balanced sets of non-mate probes, also aged 20-40.
- ▷ **Sex:** We construct a gallery containing 500 000 black men, and 500 000 black women, aged 20 - 40. We search that with mated probes taken in a different calendar year to the enrolled photo but no longer than 5 years after. We search with balanced sets of non-mate probes, also aged 20-40.
- ▷ **Race:** We construct a gallery containing 800 000 black men, and 800 000 white men, aged 20 - 40. We search that with mated probes taken in a different calendar year to the enrolled photo but no longer than 5 years after. We search with balanced sets of non-mate probes, also aged 20-40.

More detail appears in [Annex 16](#) . In each case the mated probes are used to measure false negative identification rate, and the nonmated probes are used to measure false positive identification rate. These tests all employ domestic mugshots, and only younger adults. Further work will extend analysis to a global population with more range in age.

### 6.1 Metrics

The metrics appropriate to identification have been detailed in section 3.2. These are related to particular applications in Figure 23 reflecting two modes of operation. The general metric  $\text{FNIR}(N, R, T)$  covers both as follows:

- ▷ **Investigation:** For investigators willing to traverse long candidate lists in pursuit of a lead, the metric  $\text{FNIR}(N, R, 0)$  is the proportion of missed mates when searching an  $N$ -enrollee gallery and considering the  $R$  most similar candidates without applying a threshold ( $T = 0$ ). The utility of longer lists is shown by plotting  $\text{FNIR}$  vs.  $R$ .
- ▷ **Identification:** For those applications where a non-zero threshold is used to only return results when a search has a likely enrolled mate, the metric is  $\text{FNMR}(N, R, T)$ . The use of thresholds  $T > 0$  will suppress many false positives, but will also elevate false negatives, the tradeoff being shown as a plot of  $\text{FNIR}(T)$  vs.  $\text{FPIR}(T)$ .

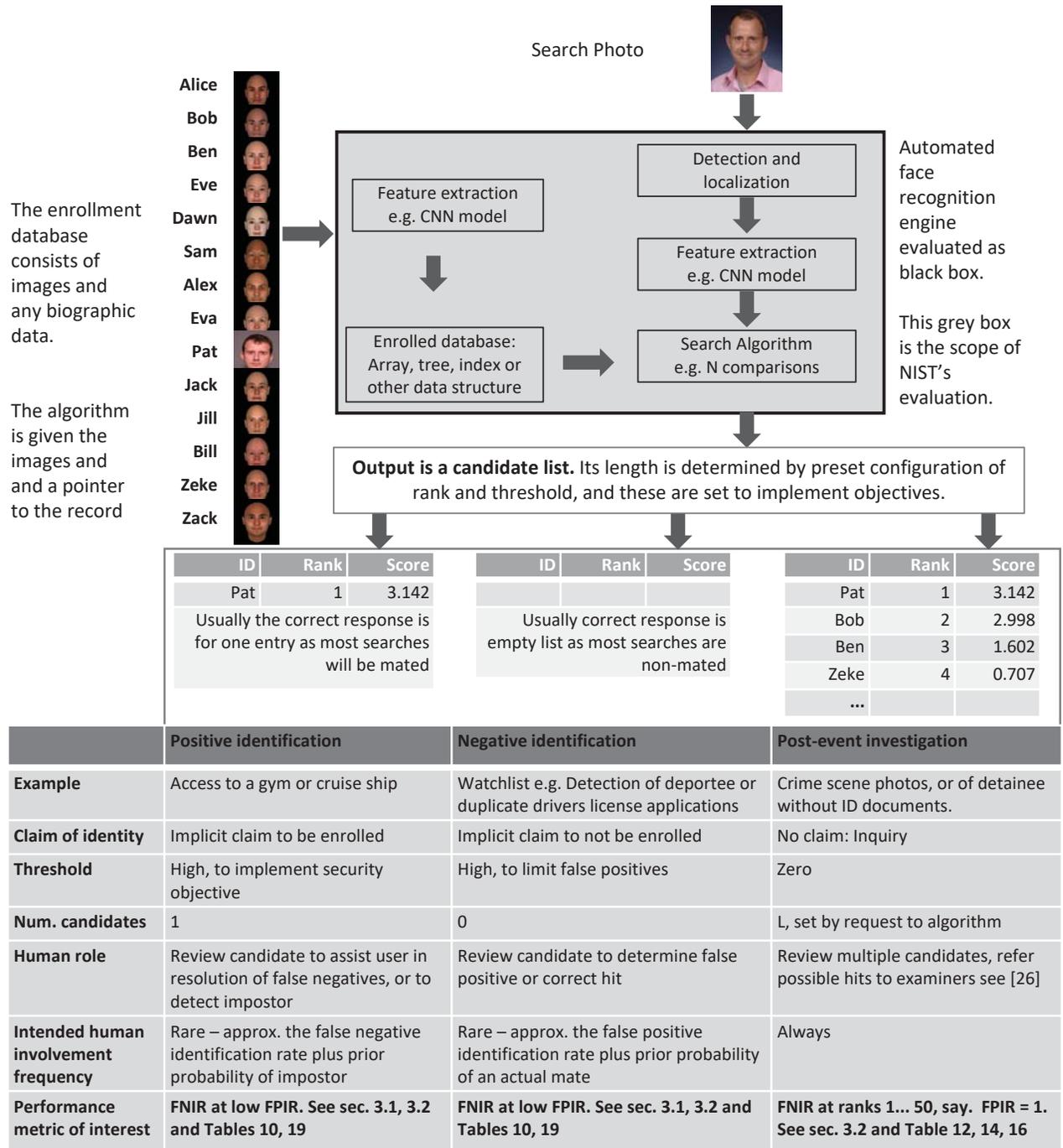


Figure 23: Identification applications and relevant metrics.

## 6.2 Results

Figures 24 and 25 show identification error rates for two algorithms. Plots for all algorithms are included in Annex 16. In each case, the upper panels show FNIR vs R. The lower panels show FNIR vs. FPIR. We make the following observations

- ▷ **Differentials by race in men:** From the left-side panels, black men invariably give lower false negative identification rates than white men. This applies in the investigate and identification modes, and particularly for the more accurate algorithms. The differentials are often small, well below a factor of two. There are some exceptions including algorithms from 3DiVi, Aware, Eyedea, Idemia, Kedacom, Tevian and Vocord.
- ▷ **Differentials between the sexes:** Women invariably give higher false negative rates than men. This applies within both racial groups. There are exceptions, notably that searches of white women are more likely to produce the correct result in the top ranks than are search of men. This is less true for black women. A possible mechanism for this is available from section 4 verification results, namely that black women tend to produce high one-to-one false match rates. High non-mate scores may be displacing the correct black women from rank 1 position.
- ▷ **Low FPIR is not attainable:** The error tradeoff characteristics show a rapid increase FNIR as the threshold is increased to reduce FPIR. For example, in FNIR Figure 24, FNIR reaches 50% when FPIR is reduced to 0.0001. This is due to the presence of high scoring non-mates in the imposter searches. They can occur for several reasons. First, ground truth identity labeling errors in which photos of a person are in the database under multiple IDs. These cause apparent false positives. We discount this because the mugshot ground truth integrity is excellent, and underpinned by ten-print fingerprint matching. A second reason is the presence of twins in the population. Given the population represented by the dataset, we estimate a few percent of the United States adult population is present in the dataset. Given well documented twinning rates<sup>14</sup> [27], we expect twins to be in the data, both identical and, more commonly, fraternal. Siblings will be expected to give elevated similarities along the same lines.
- ▷ **Higher false positive identification rates in black women:** The lines connecting points of fixed threshold are often long and slanted in the error tradeoff plots in the center column of the bottom row - see Figure 24, for example. This is a common occurrence revealing an order-of-magnitude increase in FPIR, with magnitudes varying by algorithm. Notably some algorithms do not exhibit this excursion. For example, the algorithm featured in Figure 25 gives much smaller excursions in FPIR.

<sup>14</sup>See the CDC's National Vital Statistics Report for 2017: <https://www.cdc.gov/nchs/data/nvsr/nvsr67/nvsr67.08-508.pdf>

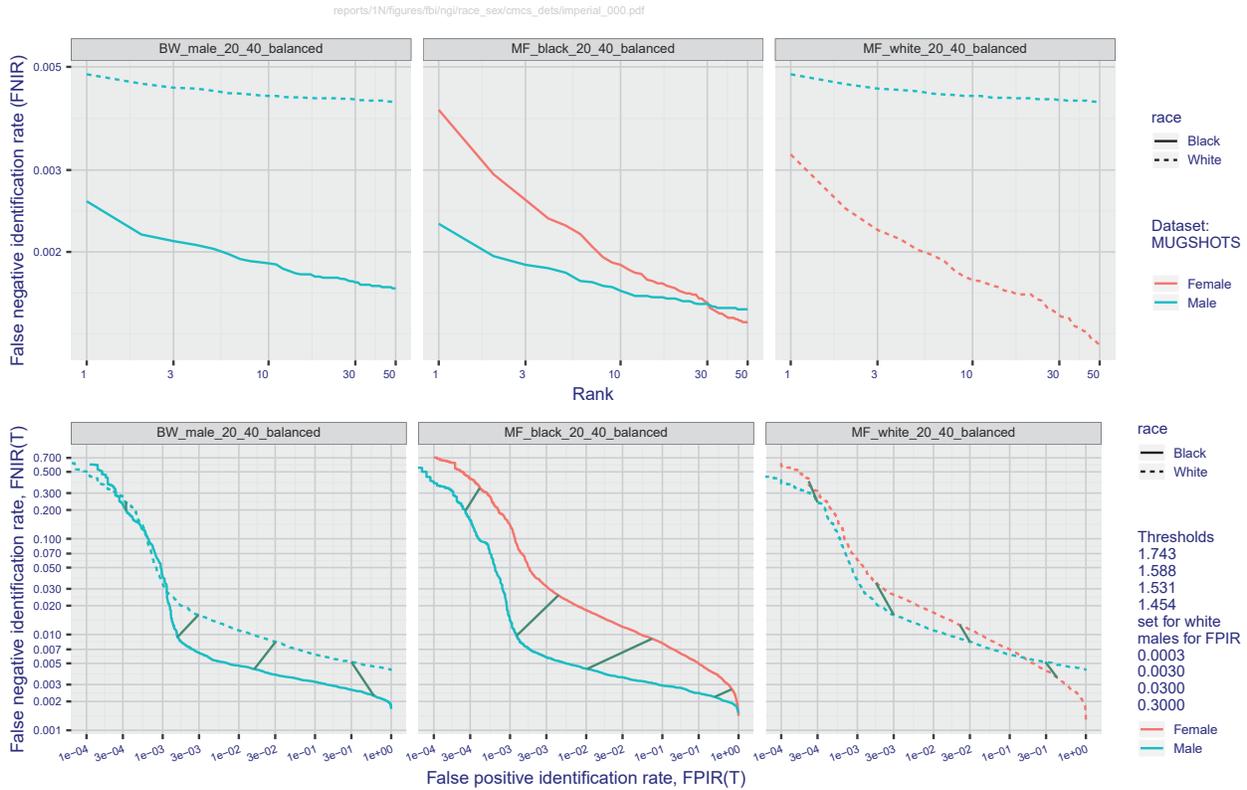


Figure 24: For mugshot identification, the top row shows false negative identification “miss” rates as a function of rank, a metric appropriate to investigators traversing candidate lists for lead generation. The bottom row shows miss rates as a function of false positive identification rate, where a threshold is swept from a low value to high values on the left. This metric is appropriate to organizations for which the volume of searches is high enough that they cannot afford labor to review results from every search. The left panels show the effect of race in young men. The center and right panels show difference between men and women, in black then white subjects respectively. The grey lines join points of equal threshold. The four thresholds are chosen to give FPIR of {0.0003, 0.003, 0.03, 0.3} respectively for one baseline demographic, here white males. The figure applies to one algorithm, provided to NIST in August 2019. The corresponding figures for all identification algorithms appear in Annex 16.

Links: [EXEC. SUMMARY](#) | [TECH. SUMMARY](#)

False positive: Incorrect association of two subjects  
 False negative: Failed association of one subject

1:1 FMR  
 1:1 FNMR

1:N FPIR  
 1:N FNIR

$T \gg 0 \rightarrow$  FMR, FPIR  $\rightarrow 0$   
 $\rightarrow$  FNMR, FNIR  $\rightarrow 1$

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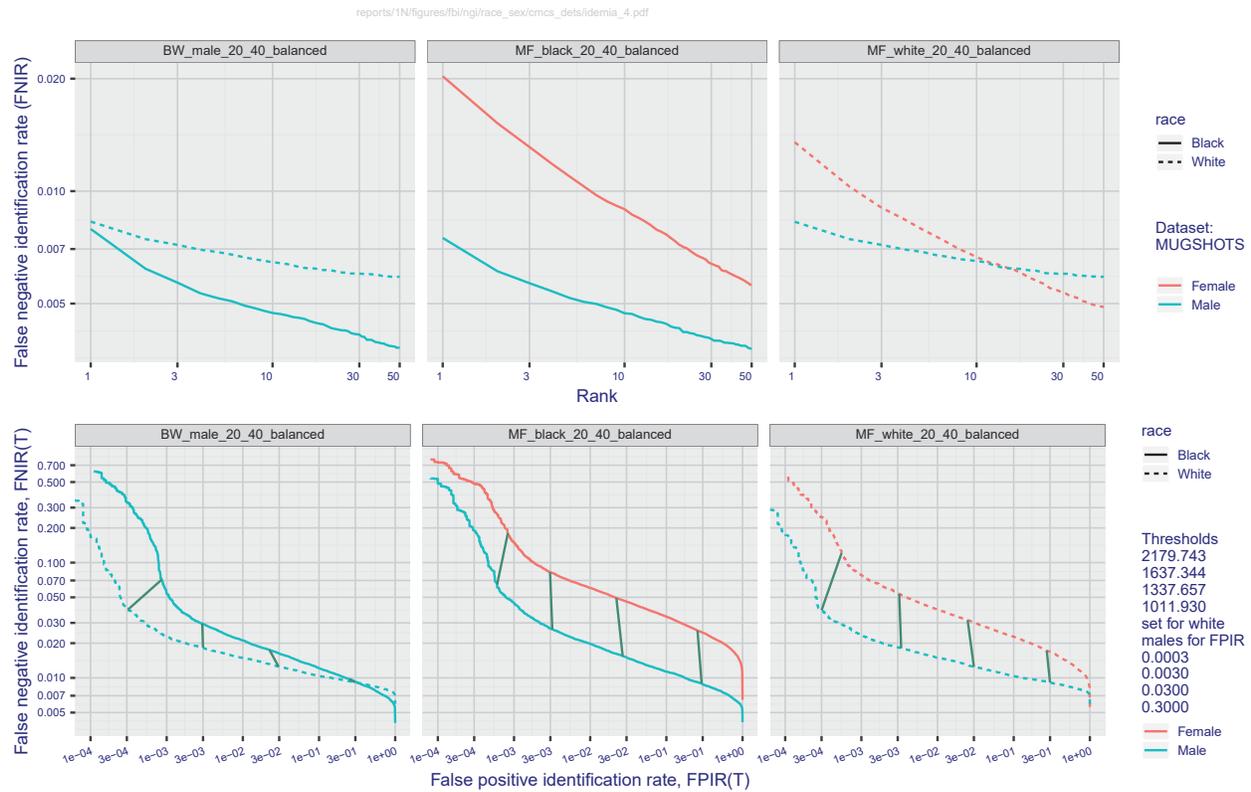


Figure 25: For mugshot identification, the top row shows false negative identification “miss” rates as a function of rank, a metric appropriate to investigators traversing candidate lists for lead generation. The bottom row shows miss rates as a function of false positive identification rate, where a threshold is swept from a low value to high values on the left. This metric is appropriate to organizations for which the volume of searches is high enough that they cannot afford labor to review results from every search. The left panels show the effect of race in young men. The center and right panels show difference between men and women, in black then white subjects respectively. The grey lines join points of equal threshold. The four thresholds are chosen to give FPIR of {0.0003, 0.003, 0.03, 0.3} respectively for one baseline demographic, here white males. The figure applies to one algorithm, provided to NIST in June 2018. The corresponding figures for all identification algorithms appear in Annex 16.

Links: [EXEC. SUMMARY](#) | [TECH. SUMMARY](#)

False positive: Incorrect association of two subjects  
False negative: Failed association of one subject

1:1 FMR  
1:1 FNMR

1:N FPIR  
1:N FNIR

$T \gg 0 \rightarrow$  FMR, FPIR  $\rightarrow 0$   
 $\rightarrow$  FNMR, FNIR  $\rightarrow 1$

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## 7 False positive differentials in identification

The section addresses whether identification algorithms exhibit similar false positive differentials to verification algorithms. We first note that large-scale one-to-many identification deployments typically operate at false match rates much lower than those targeted in verification applications. It is typical in verification access control to target false match rates (FMR) between 0.00001 and 0.001, i.e. between one per hundred thousand and one per thousand. Identification applications, however, often enroll very large numbers of individuals numbering into the 10s or 100s of millions. If such systems are configured with thresholds aimed at producing false positive outcomes say one in 100 times, i.e.  $FPIR = 0.01$ , then the implied likelihood that a comparison will yield a false match is given by this formula

$$FMR = \frac{FPIR}{N} \quad (10)$$

where  $N$  is the size of the enrolled population. With  $FPIR = 0.01$ , and  $N = 10^6$  this formula implies  $FMR = 10^{-8}$ . The formula gives a first order equivalence of identification with verification: the former needs low false positive rates in large galleries. Metrics are discussed in section 3.

Some one-to-many search algorithms implement a 1:N search of a probe image as  $N$  1:1 comparisons of the probe with the  $N$  enrolled items. This is followed by a sort operation which yields  $N$  candidates sorted in decreasing order of similarity. The result of that is returned in either of two ways: The system will return an operator-specified number of candidates, or it will return however many candidates are above an operator-specified threshold<sup>15</sup>. In the case where a threshold is used, the number of candidates returned will be a random-variable that is dependent on the image data itself.

Other algorithms do not implement 1:N search as  $N$  1:1 comparisons. Instead they might employ a set of fast-search algorithms aimed at expediting search [2, 19, 21, 26]. These include various techniques to partition the enrollment data so that far fewer than  $N$  comparisons are actually executed. However, this does not mean that false positive occurrences will be reduced because the algorithms are still tasked with finding the most similar enrollments.

For the three experiments listed in section 6, Figure 26 shows median scores returned by one identification algorithm when non-mated searches are conducted. It is clear that if a threshold is applied there will be demographic differences in the number of candidates returned, and in the score values. Such behavior applies to many algorithms - see Annex 17.

This effect disappears in the algorithm featured in Figure 27. This is an important result because it implies much more equitable likelihoods of false positives. This is especially important result in negative identification

<sup>15</sup>The “operator-specified” parameters might sometimes be set by-policy, or by the manufacturer of the system.

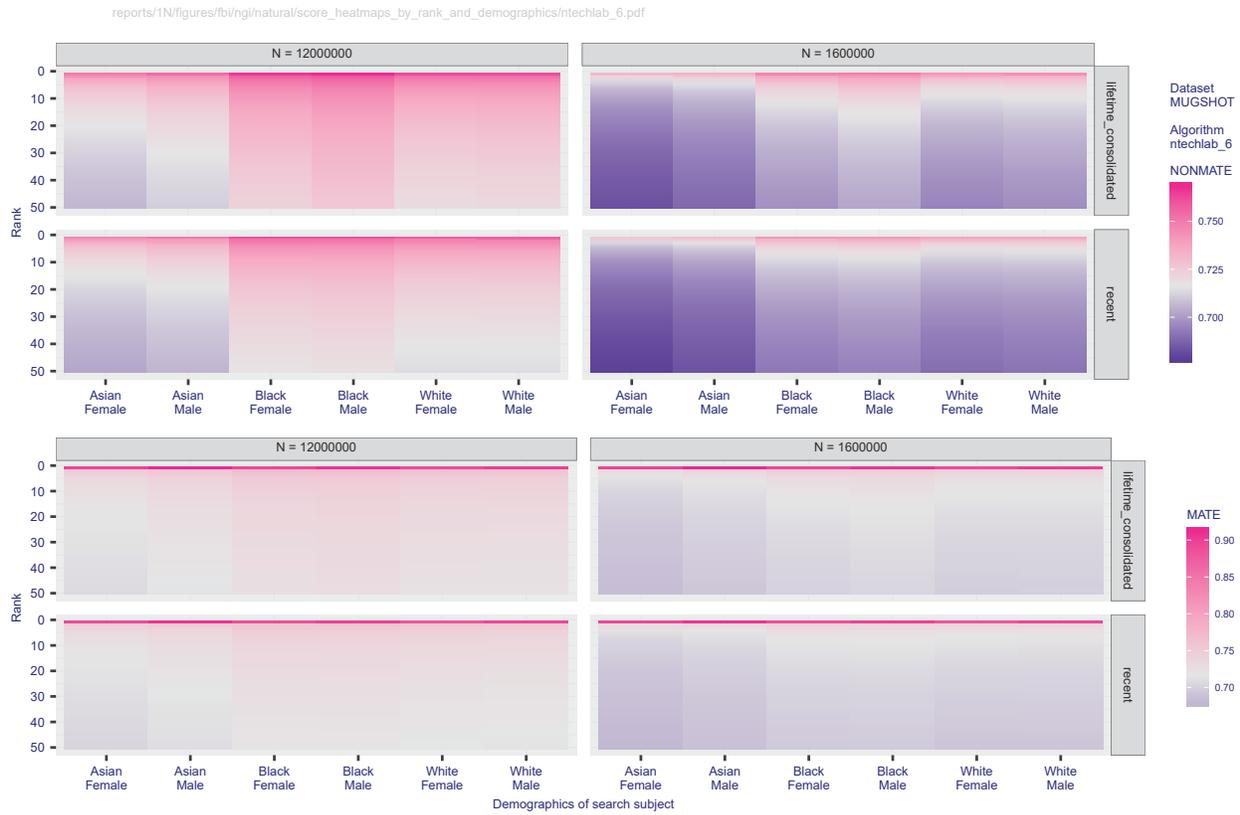


Figure 26: For searches of Asian, black, white men and women’s faces into mixed galleries of mugshot photos the heatmaps show median similarity scores for candidates placed at rank 1 to 50. The upper four panels are produced in nonmated searches; the lower four from mated searches. The left-side panels are produced from searches into galleries with 12 000 000 people enrolled. The right-side uses galleries with N = 1 600 000 enrolled. The “lifetime consolidated” and “recent” labels refer to inclusion of multiple images per person, or just one - see [17]. Contrast the behavior here with that in Figure 27 and the corresponding figures for developers Aware, Idemia, NEC, Tevian, and Toshiba that are included in Annex 17 .

applications where the prior probability of a searched person actually being in the database is low, e.g. card-sharp surveillance in a casino, or soccer hooligans at a sports game<sup>16</sup>. The lack of an effect on false positive identification rates is evident in Figure 25 where the grey lines join points of equal threshold. From left-to-right, the FPIR values for black and white males, black men and women, and white men and women are closely similar. The more normal behavior (see Figure 24 and Annex 16 ) is for larger shifts in false positive rates.

We now consider the implications for **investigative “lead generation” applications**. In such cases, algorithms return a fixed number of candidates and human reviewers compare the probe photo alongside each candidate gallery photo to determine if the photos are a match. In mugshot-mugshot searches the reviewer will very often look no further than rank 1 per the very high accuracy results documented in NIST Interagency Report

<sup>16</sup>For example, a recent news article noted the use of automated face recognition to search around 21 000 spectators at soccer games against a watch-list of about 50 people.



Figure 27: For searches of Asian, black, white men and women’s faces into mixed galleries of mugshot photos the heatmaps show median similarity scores for candidates placed at rank 1 to 50. The upper four panels are produced in nonmated searches; the lower four from mated searches. The left-side panels are produced from searches into galleries with 12 000 000 people enrolled. The right-side uses galleries with N = 1 600 000 enrolled. The “lifetime consolidated” and “recent” labels refer to inclusion of multiple images per person, or just one - see [17]. The uniformity of the scores across demographic groups is in contrast to that evident in Figure 26 and many others in the Annex 17 compendium.

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8271. That report also includes a workload measure summarizing the expected number of candidates that will have to be reviewed before a mate is located. A very important parameter in such applications, however, is the prior probability that a mate is actually present. In boarding a cruise ship for example, almost everyone attempting to board would be present in the gallery. In a casino application aimed at detecting “high rollers” the likelihood a patron of the casino is in that set is much lower. In such cases a human reviewer, if so employed, would in most searches review all say 50 candidates on the list. That’s laborious and may not be tenable from an operations research perspective due to fatigue and reward factors in humans.

But in whatever circumstances human reviewers are tasked with reviewing candidate lists, how are demographic differentials such as those in Figure 26 expected to influence the human? The human will see fifty candidates regardless. However, if those candidates are accompanied by scores, presented as text in a GUI for example, the reviewer will see higher scores in the black female population and potentially elsewhere. Over time this may influence the human, though one earlier study [12] looked at cognitive bias issues in the human review of fingerprint search results, without demographic effects, and found scant evidence that scores influence the reviewer. That study did, however, find that just the order in which candidates are presented to reviewers affects both false positives and false negatives. For example, reviewers are more likely to miss (i.e. a false negative) a mated candidate that appears far down the candidate list. The issues involved in human review are beyond the scope of this document, but full consideration of *systems* comprised of automated face search algorithms and human reviewers is an experimental psychology, human factors and operations research issue.

## 8 Research toward mitigation of false negatives

False negative error rates, and demographic differentials therein, are reduced in standards-compliant images. This motivates the following two research and development possibilities.

- ▷ **Improved standards compliance:** The ISO/IEC 19794-5 standard includes requirements regulating geometry and exposure. Recent research [24] noted that higher quality images, as determined by an automated quality assessment algorithm, yields a reduced false negative differential. While commercial packages exist for the automated assessment of quality, and NIST has an ongoing assessment of the underlying algorithms, rejection of single images on quality grounds can itself have demographic problems [1]. The ISO/IEC SC 37 biometrics subcommittee has recently initiated work on quality (ISO/IEC 29794-5 and 24357).
- ▷ **Face-aware cameras:** The same ISO/IEC committee has recently initiated work on specifications for capture subsystems that may require real-time face detection, pose estimation, and exposure measurement. Analogous “auto-capture” quality control mechanisms exist in iris and fingerprint scanners. That standard, ISO/IEC 24358, will be developed through 2020 with completion expected in 2021. Participation is open via national standardization groups.

Along similar lines further research into automated image quality assessment, and particularly specifications for closed-loop face-aware capture would prove valuable in averting low-contrast and over- and under-exposed images. Many enrollment operations still rely on documentary photography standards with cameras that are not detecting and metering off faces.

This work would be supported by research into two further topics:

**Analysis:** There is a need for improved models of demographic effects, particularly to how subject-specific properties including phenotypes, imaging artefacts and algorithms interact. Such models would extend work [9] in separating the relative contributions of at least, sex, age, race and height. Efforts to automatically estimate phenotypic information from images will involve algorithms that may themselves exhibit demographic differentials. Such work will need to address this possibility.

**Information theoretic analysis:** Given the potential for poorly illuminated photographs to produce false negatives, via under- or over-exposure of dark or light skin, an information theoretic approach to characterize algorithmic response to poor lighting would be useful for future standardization. In particular, the ISO/IEC 19794-5 standard has, since 2004, required portrait photos to have at least 7 bits of content in each color channel. Such work should quantify both false negative and false positive dependence.

## 9 Research toward mitigation of false positives

### 9.1 Summary

The threshold manipulation strategies described above would be irrelevant if the algorithm developer provided software with homogeneous false match rates. That will prove impossible as there will always be some distribution around a mean - the goal should be much more homogeneous false match rates than is currently the case.

### 9.2 Algorithm training

A longer-term mitigation is prompted by our observation that many algorithms developed in China do not give the elevated false positive rates on Chinese faces that algorithms developed elsewhere do. This affirms a prior finding of an “other-race effect” for algorithms [33] though that paper did not separate false positive from false negative shifts. This suggests that training data, or perhaps some other factor intrinsic to the development, can be effective at reducing particular false positive differentials. Thus, the longer-term mitigation would be for developers to investigate the utility of more diverse, globally derived, training data. Absent such data, developers might consider whether their cost functions can be altered to reduce differentials. One developer advanced such a concept in November 2018 [15].

### 9.3 Greater discriminative power

Face recognition algorithms measure similarity between face images. Facial appearance is partially determined by genes, the phenotypic expression of which determines skin tone and a large set of characteristics related to shape of the face. In NIST recognition tests [17], identical twins invariably cause false positives at all practical operational thresholds. Twins are characterized by very similar features given identical genes. Similarities in faces in fraternal twins [17] are expected to extend also to siblings (which also share [half of the genes](#)), and then to more distant relatives. In 2004, an algorithm was patented that can correctly distinguish twins [US Patent: US7369685B2]; it operates by extracting features from skin texture (adjacent to the nose, and above the eyebrows). This algorithm requires high resolution and, moreover, knowledge that any given image has that resolution. However, contemporary deployments of face recognition are very often based on processing of images at or below VGA spatial sampling rates (i.e., 480 x 640 pixel images), and this is often insufficient for skin texture to be viable. The human reviewer community has long specified much higher resolution for forensic purposes (see ANSI/NIST Face Acquisition Profiles).

### 9.4 Collection and use of face and iris

The texture of the human iris is known to have a structure that when imaged and processed by published feature extraction algorithms [11,29] will correctly discriminate between identical twins [40] - something that contemporary marketplace face algorithms do not [17]. The reason for this appears to be that the iris features detected by automated algorithms are not genetically determined. However genetics research [25] does show iris textures have some genetic linkage, so a better characterisation of the tails of the impostor distribution is needed, at least for large scale one-to-many identification. Nevertheless, a 2019 DHS Science and Technology study noted that false positives are no higher within individuals of the same sex, age and race as they are across those groups [39]. As shown in Figure 4 and Annex 8 that is not the case for face recognition. NIST has near-term plans to investigate the impostor distribution in twins more fully.

Given the marketplace presence of multiple cameras that collect face and iris essentially simultaneously, one approach to consider for mitigation of false positive differentials in face recognition would be for face records to include adjunct iris images. The standards infrastructure is in place for this (ANSI/NIST Type 17, ISO/IEC 39794-6, and ICAO 9303 Data Group 4). This would afford very low false positive rates.

The apparent lack of genetic influence, and demonstrated low false match likelihoods, has been the primary property in establishing the use of the iris for the identification of individuals in large populations - most notably in the Indian National ID program Aadhaar. The iris recognition industry has multiple camera developers, multiple algorithm suppliers, and image interchange and quality standards that support interoperable recognition across cameras.

These aspects afford solutions to higher and heterogeneous false positive rates in face recognition. The first is simply to replace face with iris. There would be advantages and disadvantages to this - detailing and weighing those is beyond our scope here. However a second solution would be to augment face with iris, to produce a compound biometric “face-and-iris”<sup>17</sup>. This is made possible by the marketplace availability for at least a decade now of cameras that collect iris and face images essentially simultaneously. Recognition of the combined biometric would involve a particular kind of biometric fusion that in which both the face and iris must match (against respective thresholds) so as to limit false positives. This differs from some convenience-driven implementations that authenticate a person with either face or iris alone.

Use of iris in some applications, for example surveillance, is limited by the difficulty and expense of imaging the iris at long distances.

We don’t mention fingerprints in this context because even though genetic influence is considered to be absent

<sup>17</sup>Such a compound biometric would conventionally still require collection of two images: First an iris image with near infrared illumination and the face image either entirely in ambient light, or ambient light with a near infrared component. The recognition of irises in purely visible-light images is highly problematic in brown-eyed people as melanin in the iris absorbs incident light at visible wavelengths.

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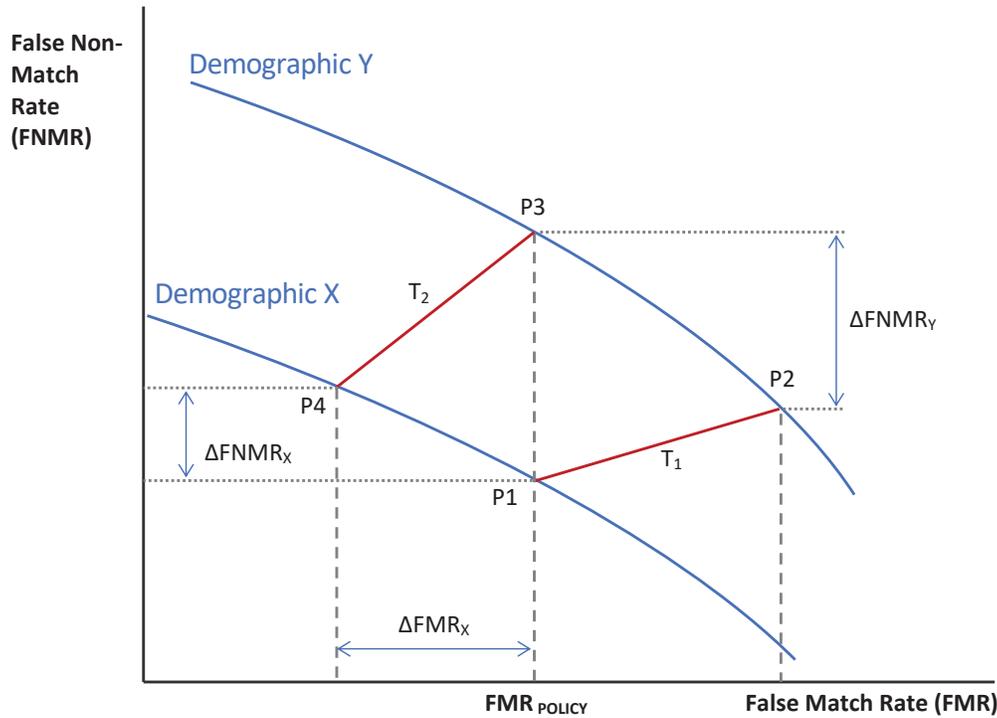


Figure 28: The figure shows the increases in FNMR implied by increasing the operating threshold to achieve the target FMR on the high-FMR demographic, Y.

or minimal, the collection of both fingerprint and face is not simultaneous.

### 9.5 Threshold elevation

We detail one mitigation of heterogeneous variable false match rates, and its consequences, as follows. The explanation uses a graphical construct based on the error tradeoff characteristics shown in Figure 28.

- ▷ We start with a target false match rate  $FMR_{POLICY}$  that has been set to implement some security objective. This value, in a verification application might reasonably be set to say 1 in 5000 (i.e. 0.0002). This is implemented by setting a threshold  $T_1$ . Suppose that this threshold was perfectly calibrated for Demographic X i.e.  $FMR(T_1) = FMR_{POLICY}$ . This corresponds to the point P1.
- ▷ Now suppose that we later discover, perhaps as a result of some biometric performance test or audit that, for some new group Demographic Y, that the observed false match rate at the fixed threshold  $T_1$  is much higher, a factor of five say (0.001). This point P2 therefore represents therefore a failure to meet the original security objective for that group.
- ▷ To bring the overall system into policy compliance, the system owner consults the error tradeoff charac-

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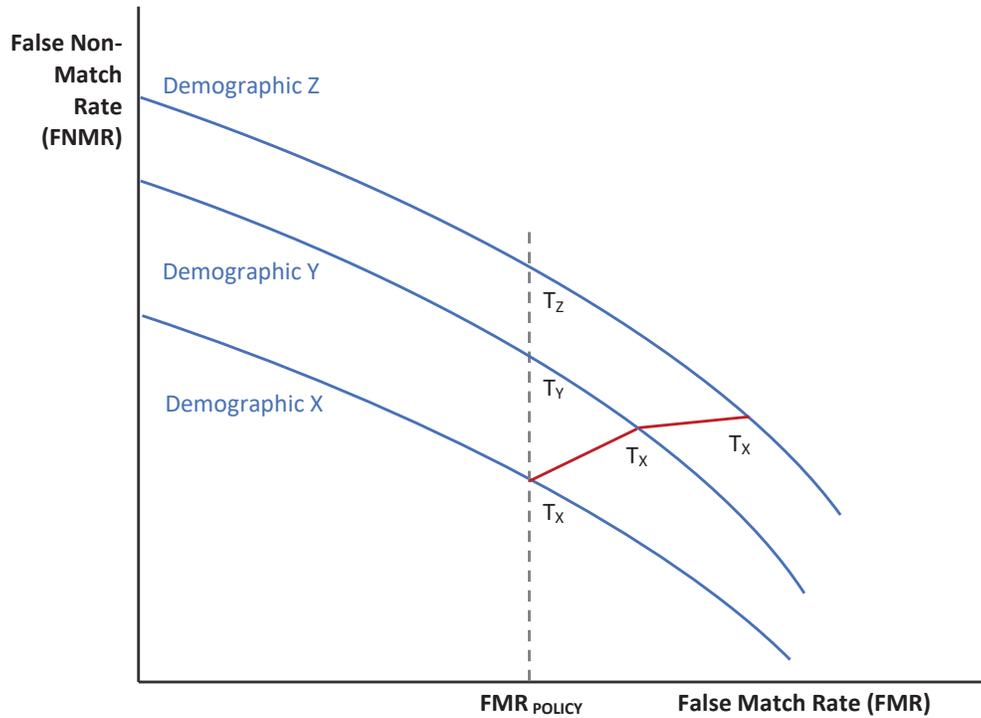


Figure 29: The figure shows the effect of setting thresholds to achieve the target FMR on demographics X and Y.

teristic for Demographic Y and notes that by elevating the threshold to  $T_2$ , the false match rate would be returned to policy compliance, at point P3.

- ▷ The effect of this however is that FNMR is necessarily elevated both demographic groups. This is because the new threshold  $T_2$  is higher than  $T_1$ , and applies to all transactions from all demographics. These increases are shown as  $\Delta FNMR_X$  and  $\Delta FNMR_Y$  would have a magnitude that depends on the gradients of the error-tradeoff characteristics (which may differ). The only gain is a reduction in FMR for Demographic X, to a value which beats the original target policy.

Using this kind of construct, we see the benefit in having a biometric algorithm for which false match rates are homogenous i.e. do not vary (much) over any demographics.

The above argument assumes that the original high  $FMR_Y(T_1)$  is indeed problematic. It may be tolerable in cases where individuals in that Demographic are rare, e.g. elderly persons entering a gym or nightclub. Any decision to not elevate the threshold to  $T_2$  should be deliberated in the security context defined by threat, risk and cost.

## 9.6 Explicit thresholds for each demographic

In this section we discuss the suggestion [23] to address heterogeneous false match rates by assigning a threshold to each demographic. The proposal is for a verification system to set the threshold each time a subject executes a verification transaction tailoring it on the basis of who is using the system. Referencing Figure 29, this would correspond to adopting thresholds  $T_1$  and  $T_2$  (i.e. points P1 and P3) on-the-fly. How to do this presents a problem. Naively one could encode in an identity document (e.g. a passport) some indication of the demographic group (e.g. female, middle aged, south Asian) and the system would read this information, consult a lookup table, and set  $T$  accordingly. This would be effective for genuine legitimate users of the system. The security consequences of this are, however, more complicated. Consider what an imposter would do given knowledge that thresholds are variable.

- ▷ If the imposter were from a demographic for which the threshold is low, he would procure / steal a credential from somebody of the same age, sex and ethnicity. This would be typical behavior for any imposter. However, if particular countries passports were known to be used with low-thresholds, we'd expect genesis of a black-market for stolen credentials in those places.
- ▷ If the imposter were from a demographic for which the threshold is high he might procure / steal a credential from somebody in one of the low-threshold demographics, matching age and sex minimally the same sex. To better induce a false match the imposter would still need to have the same age, sex and ethnicity. This would be typical behavior anyway.

Note that societal construction will often naturally afford opportunities for imposters to have access to identity credentials from other persons who, naturally, have the same ethnicity, sex and age group.

Another aspect to this approach is that it shifts responsibility for threshold management to the system owner rather than the developer. That may sound fully appropriate but imposes two responsibilities on the operator: First, figuring out what the thresholds should be via some appropriate testing, and secondly to implement the strategy with capture of demographic information and use of that in software.

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## **Rosemary Balsley**

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**From:** orly laluz <eighththreeone831@yahoo.com>  
**Sent:** Monday, June 15, 2020 6:48 PM  
**To:** City Council  
**Subject:** eliminate FACIAL RECOGNITION technology from our police budget

One resident with the opinion that SCPD must not use the flawed and invasive facial recognition technology available  
honor this now

## Rosemary Balsley

---

**From:** Tom Graves <tom.graves@gmail.com>  
**Sent:** Tuesday, June 16, 2020 2:53 PM  
**To:** City Council  
**Subject:** Facial Recognition

Dear Councilmembers,

I urge you to vote YES on the ordinance before you banning facial recognition, and I thank the Public Safety Committee for approving the item previously and moving it forward to you.

Tom Graves

--

Tom Graves

## **Rosemary Balsley**

---

**From:** Stacey Falls <staceyffalls@yahoo.com>  
**Sent:** Tuesday, June 16, 2020 4:12 PM  
**To:** City Council  
**Subject:** I support a ban of facial recognition technology and predictive policing

Dear Councilmembers:

I just called all of you and left voicemails about this matter. However, since the outgoing message gave me the options to leave a message for Mayor David Terrazas, Vice Mayor Martine Watkins, or Councilmembers Krohn, Noroyan, Chase, and Brown, and Mathews, I get the sense you all don't pay much attention to voicemails. Hence, I am writing you as well. Sorry if I sound like a broken record.

I support a full ban on facial recognition and predictive policing technology. These spying tools have been exposed as racially biased technologies. A study done by MIT found that facial recognition technology misidentified black and brown faces at a rate of 10-100 times more than white faces. Mistaken identities puts the lives of black and other people of color in danger. Enacting anything less would do a disservice to this moment. If the City truly wants to send the message that Black Lives Matter, passing this ban is the least you could do.

At some point there was talk of only passing a partial ban, a "ban" which still allowed the SCPD to use facial recognition technology as long as it wasn't live. This makes no sense to me. I don't support scanning a crowd of Black Lives Matter protesters with cameras connected to a data base, nor do I support taking photos of a protest, waiting a day or two, and then running those photos through a data base. This supposed partial "ban" doesn't address any of the significant problems associated with the racial bias of the technology, and considering the partial ban as a compromise is an affront to the movement for racial justice.

Even if the programming could be worked out to make it perfect, where identities were never wrong, this technology is highly invasive and erodes the privacy of residents of a democracy. At the risk of sounding alarmist, facial recognition technology is clearly a Big Brother technology, and the idea that the government could so easily track our movements is scary. That is likely why companies like IBM, Amazon, and Microsoft are backing away from the technology.

I appreciate that members of the City Council have been working with Chief Mills to get "buy in" on this ban, but I would hope the Council would agree to ban a racist and invasive technology regardless of what the police department wants. In a democracy, we are granted privacy as a right. We shouldn't have to ask for it. We shouldn't have to negotiate and bargain. Facial recognition technology and predictive policing are bad technologies that the general public should be protected from. It is your job, as servants of the community, to stand up for our rights, regardless of the opinion of the Chief of Police.

I urge you to vote yes to ban predictive policing and all uses of facial recognition technology.

--Stacey Falls  
Santa Cruz

## Rosemary Balsley

---

**From:** Becky Steinbruner <ki6tkb@yahoo.com>  
**Sent:** Sunday, June 21, 2020 11:05 PM  
**To:** City Council  
**Cc:** Becky Steinbruner  
**Subject:** Public Comment on Agenda Item #38 Surveillance Ordinance

Dear City Council Members,

Please discontinue any use of existing public surveillance technology in the City of Santa Cruz. Please do not purchase or authorize any purchase of Predictive Policing (PredPol), Inc. technology or any type of facial recognition technology.

The proposed condition that the technology would not "perpetuate bias" is subjective and cannot be enforced in any meaningful way to protect the public from overreaching surveillance.

I would also like to present to you information regarding cell site simulators and legal challenges to them in Vallejo. I respectfully request that the City of Santa Cruz disable any and all such technology if it is in use, and not to install or contract for installation any such technology in the City limits.

Thank you.  
Sincerely,  
Becky Steinbruner

\*\*\*\*\*

<https://www.eff.org/deeplinks/2020/06/california-privacy-advocates-sue-vallejo-over-cell-site-simulator>

### California Privacy Advocates Sue Vallejo Over Cell-Site Simulator

6-18-20

By [Dave Maass](#)

*Special thanks to legal intern Gillian Vernick, who was lead author of this post.*

The Vallejo Police Department was [warned](#): by rushing to purchase a cell-site simulator without first crafting a use policy, the agency side-stepped its legal duty to transparency. Now, Oakland Privacy has filed a [first-of-its-kind suit](#) to ensure the public has a say in how this controversial surveillance technology is deployed in their communities.

[Cell-site simulators](#) are devices that police use to gather information from cell phones, typically to locate, identify, and track people. Also known as IMSI catchers, these devices pretend to be cell phone towers in order to trick phones into connecting to them. The technology is so controversial that, in 2015, the California legislature stepped in and passed [SB 741](#), a law that ensures a police department cannot acquire a cell-site simulator without a city council first approving a detailed policy that is "consistent with respect for an individual's privacy and civil liberties."

In mid-March, amid COVID-19 shelter-in-place orders, the Vallejo City Council approved a [\\$766,000 purchase](#) of a cell-site simulator manufactured by KeyW. However, instead of holding a hearing on the policy, the council simply told the police that they could write a policy later. Oakland Privacy and EFF both [sent letters](#) to the city demanding an immediate halt on the purchase.

Those letters went unheeded. In response, Oakland Privacy—a local member in the [Electronic Frontier Alliance](#) and a winner of the 2019 Pioneer Award given by EFF— and two residents filed suit on May 21 to demand that Vallejo Police follow the law.

In a press release issued by Oakland Privacy, plaintiff Dan Rubins stated: “Now, during a severe health and economic crisis that is already causing a \$12M budget shortfall, they want to spend almost \$1M to buy a powerful and unnecessary surveillance device while they write its use policy in secret. Their actions flout transparency and procurement regulations that give people a forum to raise these issues that impact all of our civil liberties.”

The complaint alleges the Vallejo Police Department violated SB 741 (California Government Code § 53166) by failing to comply with the requirement that the City Council approve a usage policy for the cell-site simulator before it is acquired and operated. Instead of adopting or reviewing a privacy policy before authorizing the purchase, the City Council simply authorized the chief of police to create a privacy policy behind closed doors, without public participation as required by the law.

The complaint further contends that not only did the Vallejo Police Department fail to present a policy for approval, but the actual policy created by the police chief fails to comply with all the requirements for the construction of a policy under SB 741. The law has a long list of elements that must be included in a policy, many of which were addressed inadequately by the policy eventually released by the Vallejo Police Department.

First, the policy fails to include a description of the employees authorized to access information collected with the cell-site simulator. Second, it allows the police chief or his designee to authorize an unspecified employee to use the device, without a requirement of amending the policy to show this person has been authorized to use the device or access the information collected.

Finally, the policy authorizes the use of the technology without prior judicial approval based on an imminent threat of generic “bodily injury” of any kind, which is inconsistent with the California Electronic Communications Privacy Act (CalECPA). Under CalECPA, the standard for using a cell-site simulator without prior judicial authorization is “danger of death or serious physical injury,” whereas the Vallejo Police Department policy leaves room for the technology to be deployed without a warrant for something as basic as a twisted ankle.

This battle is important. States, counties, cities, and transit agencies around the nation, particularly in California, are passing laws to ensure surveillance technology can’t be

acquired or used before a policy is put in writing and approved by an elected body in a public hearing. We applaud Oakland Privacy for taking a stand against law enforcement circumventing transparency requirements intended to give the public a say in the surveillance technologies used in their communities.

Wireless Radiation Alert Network Email List Information

## Rosemary Balsley

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**From:** Bonnie Bush  
**Sent:** Monday, June 22, 2020 8:08 AM  
**To:** City Council  
**Subject:** FW: Letter of Community Support - Item 38  
**Attachments:** Community Support Letter - Item 38 - Surveillance.pdf

*Bonnie Bush, CMC*

City Clerk Administrator  
City of Santa Cruz  
831-420-5035

Public Records Requests may be submitted online via the Public Records Request form, by email to [bwillman@cityofsantacruz.com](mailto:bwillman@cityofsantacruz.com), or by hard copy form available at the City Clerk's Office located at 809 Center Street, Room 9, Santa Cruz, CA 95060.

Please note: Public Record Act Requests submitted via email, fax, USPS, or dropoff after 5:00 p.m. on a business day, Saturdays, Sundays, or holidays will be processed as received on the next open business day. The 10-day response period begins when the request is received.

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**From:** Suzanne Haberman **On Behalf Of** [CityMgr@cityofsantacruz.com](mailto:CityMgr@cityofsantacruz.com)  
**Sent:** Monday, June 22, 2020 8:08 AM  
**To:** Bonnie Bush <[bbush@cityofsantacruz.com](mailto:bbush@cityofsantacruz.com)>; Julia Wood <[jwood@cityofsantacruz.com](mailto:jwood@cityofsantacruz.com)>; Martin Bernal <[mbernal@cityofsantacruz.com](mailto:mbernal@cityofsantacruz.com)>; Laura Schmidt <[LSchmidt@cityofsantacruz.com](mailto:LSchmidt@cityofsantacruz.com)>  
**Subject:** FW: Letter of Community Support - Item 38

**From:** Tracy Rosenberg [<mailto:tracy@media-alliance.org>]  
**Sent:** Friday, June 19, 2020 2:41 PM  
**To:** Justin Cummings  
**Cc:** Donna Meyers; Katherine Beiers; Sandy Brown; Renee Golder; Cynthia Mathews; Martine Watkins; [CityMgr@cityofsantacruz.com](mailto:CityMgr@cityofsantacruz.com); Andrew Mills  
**Subject:** Letter of Community Support - Item 38

Hello,

I am pleased to submit this letter of community support for Item 38 on the June 23 council agenda, which is the ban on predictive policing and facial recognition technology brought by Mayor Cummings and Chief Mills.

Best wishes,

Tracy Rosenberg  
On behalf of Oakland Privacy and the 45 community organizations that are signatories to the enclosed letter.

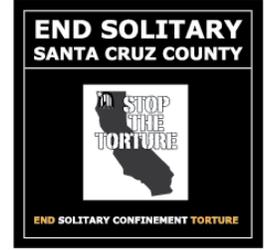
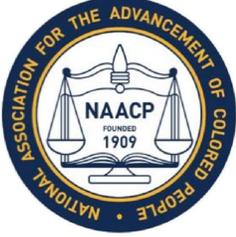
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Tracy Rosenberg  
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-



AFFILIATE LOGO



Sara Nelson  
Vice-President & Executive Director  
831.706.6825  
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Temple Beth El

Reform Judaism, Santa Cruz Style  
Jewish Community Center Aptos, California



SHOWING UP FOR  
RACIAL JUSTICE



diversity center  
santa cruz county



TARAAZ

technology and human rights



June 19, 2020

**VIA EMAIL**

Mayor Justin Cummings  
Vice Mayor Donna Meyers  
Councilmember Katherine Beiers  
Councilmember Sandy Brown  
Councilmember Renee Golder  
Councilmember Cynthia Mathews  
Councilmember Martine Watkins  
Santa Cruz City Hall  
809 Center Street  
Santa Cruz CA 95060

cc: [citymgr@cityofsantacruz.com](mailto:citymgr@cityofsantacruz.com)

**Re: Community Support for Municipal Bans on Predictive Policing and Facial Recognition**

Honorable Mayor and Members of the Santa Cruz City Council,

We are a coalition of civil rights and racial justice organizations writing to urge the Santa Cruz City Council to adopt the proposed municipal bans on the use of predictive policing software and facial recognition technology. These bans are the result of democratic debate and conversations between city stakeholders, and they ensure that our constitutional rights are protected – including our right to peacefully protest – and that Santa Cruz residents are not harmed by invasive and racially biased surveillance systems.

As our country undergoes a fundamental reexamination of how we approach policing, and by extension, how we approach surveillance, cities like Santa Cruz have a responsibility to hear the calls for reform, and take courageous, decisive action. The ban on facial recognition and predictive policing technology before the City Council offers an immediate response, that, while just one part of the larger picture, is still vital.

Facial recognition and predictive policing technology foster the exact type of overbearing and racially discriminatory policing that people are protesting against. Even if used with the best of intentions, both jeopardize the safety and civil rights of Santa Cruz residents.

Predictive policing systems make us less safe, and less free. By using historical data about historical policing patterns and crimes to “predict” future criminal activity, predictive policing software replicates biased and racist policing patterns that our society should be working to remedy. No software can predict where crime will occur – in reality, predictive policing systems will distract the community from real public safety and create a feedback loop that perpetuates

existing disparities that have long-existed in our society.<sup>1</sup>

Likewise, facial recognition has proven to be racially biased and less accurate for people of color. A recent comprehensive government study conducted by the National Institute of Science and Technology found that African American and Asian people were up to 100 times more likely to be misidentified than white men, depending on the algorithm and type of use. In additional tests by the ACLU, Amazon's facial recognition product falsely matched 28 members of Congress and 26 members of the California Legislature with faces in criminal mugshot databases.<sup>2</sup> If used by law enforcement, these misidentifications could easily lead to false arrests, lengthy interrogations, or even deadly police encounters — experiences that are already all too common for people of color.

But even if accurate, face surveillance would still give the police unprecedented reach into our private lives. If we don't ban it, we will usher in a world where we couldn't go to the doctor's office, a place of worship, or a protest without knowing that our face, movements, and even expressions were being tracked and captured by the government. This is especially concerning given the current extraordinary levels of activism. We have all seen the abuse of people engaged in First Amendment-protected activities including peaceful protests, legal observation and journalism. We have also seen ICE demand access to facial recognition systems operated by agencies in other states, in an attempt by the Trump administration to track undocumented immigrants and intimidate activists.<sup>3</sup> Police in other states have already deployed these systems against people protesting the police violence<sup>4</sup> and to charge and convict people under racist drug laws.<sup>5</sup> If Santa Cruz builds its own facial recognition system, it is opening itself to misuse by city actors as well as potential co-option by the federal government.

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<sup>1</sup>

<https://www.nyulawreview.org/wp-content/uploads/2019/04/NYULawReview-94-Richardson-Schultz-Crawford.pdf>

<sup>2</sup>

<https://www.forbes.com/sites/monicamelton/2019/08/13/amazon-rekognition-falsely-matches-26-lawmakers-to-mugshots-as-california-bill-to-block-moves-forward/#25856c7f7350>

<sup>3</sup> Catie Edmondson, *ICE Used Facial Recognition to Mine State Driver's License Databases*, New York Times, July 7, 2019, <https://www.nytimes.com/2019/07/07/us/politics/ice-drivers-licenses-facial-recognition.html>.

<sup>4</sup> Russell Brandom, *Facebook, Twitter, and Instagram surveillance tool was used to arrest Baltimore protestors*, The Verge, Oct. 11, 2016, <https://www.theverge.com/2016/10/11/13243890/facebook-twitter-instagram-police-surveillance-geofeedia-api>.

<sup>5</sup> Somil Trividi & Nate Wessler, *Florida Is Using Facial Recognition to Convict People Without Giving Them a Chance to Challenge the Tech*, ACLU, Mar. 12, 2019, <https://www.aclu.org/blog/privacy-technology/surveillance-technologies/florida-using-facial-recognition-convict-people>.

This threat to residents, including those exercising constitutional rights of free speech, exists *regardless* of whether the footage is analyzed in real time or after the fact.<sup>6</sup> The use of face surveillance to identify protesters one day after a protest is no less a civil rights concern than doing the same in real time as the protest occurs. Truly protecting the civil rights of Santa Cruz residents from facial recognition requires that we protect people is to ban municipal use of face recognition *entirely*. Even the primary companies selling facial recognition agree that it's too dangerous to be used by the police. In recent days, IBM, Amazon, and Microsoft have each committed to not to sell their systems to police the time being.<sup>7</sup> Yet a ban is still needed, as companies like Clearview AI continue to sell invasive facial recognition systems comprised of photos of us pulled from social media without our consent. Santa Cruz should heed the warnings of industry titans and take this technology off the table for government use.

Since the police killings of Black people such as Breonna Taylor, Tony McDade, George Floyd and so many others, people have taken to the streets to protest a policing system that is too invasive, too pervasive, and too deadly. From Minneapolis to Santa Cruz, people are demanding that their elected leaders take action to reel in the police's power, and stop the discrimination and abuse that has killed far too many Black people. There are still many conversations and reforms to be had, but by banning predictive policing and facial recognition tech, Santa Cruz can protect its residents from harmful systems, and send a strong message that any technology that facilitates racially discriminatory policing is unacceptable.

By taking this important step, Santa Cruz will join San Francisco, Oakland, Cambridge, Berkeley, as well as the Massachusetts cities of Somerville, Brookline, and Northampton, in banning municipal facial recognition. Santa Cruz would also lead the nation by becoming the first city in the U.S. to ban the municipal use predictive policing software.

The proposed bans help protect the civil liberties and civil rights of all Santa Cruz residents and promotes community trust in local government during a time when people are demanding change. We urge the City Council to adopt them.

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<sup>6</sup> It is essential that Santa Cruz ban all forms of municipal facial recognition because it is a technology that would give city departments the unprecedented power to identify and track residents' locations, regardless of whether footage is analyzed in "real time" or after it is recorded. If, for example, Santa Cruz were only to ban "real time" facial recognition, city police and departments would still have license to examine recorded footage of a political protest, use facial recognition to identify those protesters and their location, and potentially log their presence into a government or corporate database.

<sup>7</sup> <https://www.sfgate.com/news/article/IBM-s-decision-to-abandon-facial-recognition-15333996.php>

*ACLU of Northern California*  
*American Friends Service Committee*  
*Asian Americans Advancing Justice – Asian Law*  
*Caucus*  
*CAIR California*  
*The Campaign for Sustainable Transportation,*  
*Santa Cruz*  
*Center for Media Justice*  
*Coalition for Police Accountability*  
*Code Pink*  
*Color of Change*  
*Courage Campaign*  
*Courage to Resist*  
*Defending Dissent*  
*Off Now*  
*Pajaro Valley Rapid Response*  
*People's Democratic Club of Santa Cruz*  
*Resource Center for NonViolence, Santa Cruz*  
*Romero Institute*  
*Santa Cruz Climate Action Network*  
*Santa Cruz Community Coalition To Overcome*  
*Racism*  
*Santa Cruz Muslim Solidarity Group*  
*Santa Cruz Sustainable Living Center*  
*Santa Cruz Tenant Power*  
*Secure Justice*

*Democratic Socialists of America, Santa Cruz*  
*Diversity Center, Santa Cruz County*  
*Electronic Frontier Foundation*  
*Ella Baker Center for Human Rights*  
*End Solitary, Santa Cruz County*  
*Friends of Juristac, Santa Cruz support group for*  
*the Amah Mutsun Tribal Band*  
*Greenlining Institute*  
*Jewish Voice for Peace, Santa Cruz Chapter*  
*Media Alliance*  
*NAACP, Santa Cruz Chapter*  
*National Lawyers Guild - Committee on Democratic*  
*Communications*  
*Oakland Privacy*  
*Showing Up For Racial Justice*  
*Restore the 4<sup>th</sup> – Bay Area*  
*Taraaz*  
*Tenth Amendment Center*  
*Temple Beth-El*  
*TURN – The Utility Reform Network*  
*University of California at Santa Cruz Graduate*  
*Student Association Council*  
*Veterans for Peace – Santa Cruz chapter, East Bay*  
*chapter*  
*YARR Santa Cruz*  
*Wellstone Democratic Renewal Club*

## Rosemary Balsley

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**From:** Ron Pomerantz <hectic@cruzio.com>  
**Sent:** Monday, June 22, 2020 12:47 PM  
**To:** City Council  
**Subject:** 6-23-20 Council Agenda Item #38: Surveillance Ordinance: Facial Recognition Technology and Predictive Policing

Good afternoon Mayor and Council members.

I write to encourage your support of Agenda Item #38: Surveillance Ordinance: Facial Recognition Technology and Predictive Policing. It's long overdue to protect minorities from a couple of fallible and biased technologies. This Ordinance also provides protection of everyone's civil rights and liberties.

Unfortunately this Ordinance doesn't go far enough to regulate and control other existing and developing surveillance technologies. The can is being kicked down the road to meet these ends. Today's Ordinance is a first step in oversight and regulating all surveillance technology. An Ad-hoc Police Reform Measures Advisory Committee is a step in the right direction to address the problem of other surveillance technologies, racial equity, and social justice policing. I would recommend setting-up as Committee or Sub-Committee so it will fall under the Brown Act requirements enabling notification to the public and giving this body more importance. Additionally please set a time-line enabling a more comprehensive Surveillance Ordinance going to the Council by October 2020.

Thank you for your time and thoughtful consideration.  
Ron Pomerantz

## Rosemary Balsley

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**From:** Peter Gelblum <pbgelblum@gmail.com>  
**Sent:** Monday, June 22, 2020 1:45 PM  
**To:** City Council; Justin Cummings  
**Subject:** 6-23-20 Council Agenda Item #38: Surveillance Ordinance: Facial Recognition Technology and Predictive Policing

Dear Mayor and City Councilmembers:

I write to urge you to support Agenda Item #38. My understanding is that Mayor Cummings and Chief Mills both support this proposal, and that there is no organized or, indeed, any opposition, and I hope that the ordinance passes unanimously. Its merits are too plain to argue about.

I also support the proposal to establish a committee to study and suggest ways the City can address further police reforms. However, one such reform does not need the new committee. Mayor Cummings previously introduced a broad surveillance ordinance, from which the limited ordinance on the June 23 agenda is derived. As most of you know, the broader ordinance would require every city agency desiring to acquire and/or use any surveillance technology to first obtain City Council approval, after a public process that includes public meetings, review of a use policy, and consideration of the effects on civil liberties, and would require a periodic review of the use of the technology, if its use is approved. The current national protests and dialogue regarding civil rights and police misconduct demonstrate that the time is right for this ordinance. I urge you to take it up, discuss it, and enact the balance of the proposed surveillance ordinance, already approved by the Public Safety Committee, at the earliest possible time.

Thank you for your consideration,  
Peter Gelblum

## Rosemary Balsley

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**From:** Brian MacDonald <brian@predpol.com>  
**Sent:** Monday, June 22, 2020 3:18 PM  
**To:** Justin Cummings; City Council  
**Cc:** Andrew Mills  
**Subject:** Predictive policing agenda item

Mayor Cummings and Councilmembers,

This letter is in reference to agenda item 38 on the agenda for tomorrow, 23 June, titled: “Surveillance Ordinance: Facial Recognition Technology and Predictive Policing (PD).” I am the CEO of PredPol, a Santa Cruz-based company and one of the pioneers in the field of predictive policing. As you may know, some of the technology and behind predictive policing were developed by PredPol.

*To put the headline news at the front of this letter, we support the resolution as currently worded:*

**The purpose and intent of this Chapter is to prohibit the City’s acquisition and/or use of Face Recognition Technology and Predictive Policing Technology, prior to obtaining City Council approval, by resolution, based on the City Council’s finding that the technology meets scientifically validated and peer reviewed research, protects and safe guards the civil rights and liberties of all people, and will not perpetuate bias.**

Given the racial inequalities pervasive throughout American history and society, we as a company support this language. In fact, we would even go so far as to recommend that this standard be applied to all technologies adopted by the city of Santa Cruz, whether used for law enforcement purposes or not.

Feel free to read on if you’d like to know more about PredPol and the work we do...

The goal behind PredPol has always been to make policing more fair, accountable, and transparent. Our research has found that roughly 80% of law enforcement agencies provide no guidance to their officers as to where to patrol while on duty. The 20% that do provide guidance usually rely on heatmaps of previously reported crimes. In a sense, they are already using historical data to “predict” where crimes are most likely to appear on the upcoming shift. Officers patrol those hotspots to try to prevent targeted crimes from occurring. In a sense, then, about 20% of agencies already use some kind of predictive policing, although under the less-glamorous name of hotspot policing.

The other 80% of agencies, however, provide little to no location-based recommendations to their patrol officers. This means that officers must rely on their “intuition” or “judgment” as to where they patrol. This is prone to introducing error and bias, whether implicit or explicit. The goal of PredPol is to reduce the chance for bias by introducing data-driven patrol recommendations that are more accurate than heatmap predictions.

The data we use is as objective as possible. We use ONLY three data points for our recommendations, all gathered from the victims themselves:

- Crime type
- Crime location
- Crime date and time.

**We do not use any demographic, racial, socioeconomic, or personally identifiable information. It’s also**

**important to note that we don't use arrest data or any type of "stop" data (traffic stops, etc.) in our platform, and we never have.** We only use crime victimization reports as reported by the victims themselves.

The primary crime types we predict for are:

- Robberies
- Assaults
- Vehicle crimes (vehicle theft or theft from vehicles)
- Burglaries.

We never do predictions for crime types that have the possibility of officer-initiated bias, such as drug crimes or prostitution.

PredPol is all about transparency. We have published our exact algorithm and described the science behind it in a peer-reviewed article in the Journal of the American Statistical Association. The goal of the paper was to allow a public audit and discussion of our algorithm. (In at least one instance, the "audit" was conducted incorrectly: two authors took our algorithm and data types and plugged drug arrest data into it to show that it would unfairly target black communities. As noted above, **we never use arrest data and we never predict for drug crimes**. This was a misleading exercise and the authors were forced to acknowledge as much in a followup article. Despite that, a number of erroneous articles have been written based on this single deceptive source.)

Our original article citation and explanation of our algorithm is here:

G. O. Mohler, M. B. Short, Sean Malinowski, Mark Johnson, G. E. Tita, Andrea L. Bertozzi & P. J. Brantingham (2015) Randomized Controlled Field Trials of Predictive Policing, Journal of the American Statistical Association, 110:512, 1399-1411, DOI: 10.1080/01621459.2015.1077710

Although Santa Cruz PD has used PredPol in the past, it does not do so at this time. We are confident that we meet the conditions in this resolution and are prepared to offer our services to the city again if it sees a need at some point in the future. Feel free to contact me directly if you'd like to know more about the work we do.

Regards,

Brian MacDonald  
CEO, PredPol

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**BRIAN MACDONALD**, CEO

PredPol Inc.  
Santa Cruz, CA



## Rosemary Balsley

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**From:** Raquel Ortega <[rortega@aclunc.org](mailto:rortega@aclunc.org)>  
**Sent:** Monday, June 22, 2020 4:18 PM  
**To:** City Council; Justin Cummings  
**Subject:** 6-23-20 Council Item #38: Petition signatures in support of Predictive Policing and Facial Recognition Bans  
**Attachments:** 06.22.2020 Santa Cruz Surveillance Bans Petition and Signatures.pdf

Hello Mayor Cummings and Members of the Santa Cruz City Council,

Attached to this email is a petition with nearly 350 unique signatures of those who live and work in Santa Cruz, and who support banning facial recognition and predictive policing, among other surveillance reforms.

I hope that you pass a full ban on predictive policing and facial recognition technology tomorrow and look forward to the discussion of a comprehensive surveillance transparency ordinance at the earliest possible time.

Sincerely,

**Raquel Ortega** :: Organizer  
Pronouns: She/Her/They/Them  
ACLU of Northern California | San Francisco, CA 94111  
office: 415-621-2493 | [rortega@aclunc.org](mailto:rortega@aclunc.org)

**Dear Mayor Cummings and Members of the Santa Cruz City Council,**

Thank you all for your hard work to keep the people of Santa Cruz safe and healthy during this crisis. The decisions that we make now will be with us for years to come, which is why we urge you to adopt the strong Surveillance Technology Ordinance that was introduced by Mayor Cummings and passed by the Public Safety Committee.

Now, more than ever, we need to make sure that any technology the city adopts serves public health needs. There's a real danger that if the city hastily installs surveillance technology without the community's knowledge or consent, we could be left with systems that permanently curtail the privacy and freedom of all Santa Cruz residents. We already see predatory companies trying to re-brand their products as COVID-19 fighting tools. This law will help us see through these dangerous attempts to use a public health crisis as a business opportunity.

The Ordinance ensures Santa Cruz residents and the City Council have a voice in decisions about surveillance. It also protects the people of Santa Cruz by taking facial recognition and predictive policing software off the table for government use. Both are dystopic, racially discriminatory technologies with known biases that will put innocent lives at risk. Worse still, these systems will

disproportionately harm the people most vulnerable to this virus: immigrants, the unhoused, and people of color.

Together, we can make sure that Santa Cruz doesn't move forward with surveillance technology that will harm the community, both during this crisis and beyond. With your help, we can stop dangerous technologies from taking root and protect the safety, health, and civil rights of all our residents.

Signed,

<b>First name</b>	<b>Last name</b>	<b>Zip</b>
1. Jane	Martin	95066
2. A J	Elliott	95060-3660
3. Abbi	Samuels	95060
4. Adrienne	Frisbee	95062
5. Ajna	Orion	95018
6. Alain	Desouches	95060
7. Alan	Horn	95006
8. Alan	Schenck	95003
9. Alexandra	Armstrong	95060-6159
10. Alexis	Ware	95062

11.	Amanda	Loveland	95060
12.	Amber	Rehling	95060
13.	Amber Coverdale	Sumrall	95073-9778
14.	Andrea	Boone	95005
15.	Andrew	Davis	95060
16.	Angela	Marshall	95060
17.	Angus	Forbes	95605
18.	Ann	Thryft	95006
19.	Anna	Friz	95064
20.	Anne	Benveniste	95018-9440
21.	Anne Marie	Hutchison	95062
22.	Ariel	Puga	95004
23.	Arielle	Sorkin	95073
24.	August	Materazzi	95060
25.	B	Clements	95018
26.	Barbara	Tyler	95073
27.	Barbara	Carey	95073
28.	Barbara	Anders	95076
29.	Bart	Teeuwisse	95073

30.	Ben	Halpern	95060
31.	Beth	Ross	95017
32.	Bonita	Sebastian	95062
33.	Borukh	Goldberg	95060
34.	Bradley	Allen	95466-9435
35.	Bret	Smith	95063
36.	Brett	Graf	95062
37.	Brian	Stauffer	95003-9527
38.	Brian and Marcia	Heath	95062
39.	Bruce	Burns	95060
40.	Callan	Marquart	95060
41.	Canon	Western	195060
42.	Cara	Moon	95060
43.	Carmen	Potro	95006
44.	Carmen	Gagne	95076-2700
45.	Carol	Epstein	95060
46.	Carol	Colin	95062
47.	Carolyn	Smith	95066

48.	Carolyn	Israel	95060
49.	Carolyn Trupti	Israel	95060
50.	Cassie	C	95066
51.	Cathleen	O'Connell	95006
52.	Celia	Scott	95060
53.	Chad	Avalon	95060
54.	Chelsea	Eliott	95003
55.	Cheryl	VanDeVeer	95060
56.	Chloe	Gentile-Montgomery	95062
57.	Chris	Krohn	95060
58.	Chris	Ryan	95060
59.	Christie	McCullen	95003
60.	Christina	Rose	95060
61.	Christopher	Bricca	95005
62.	Christopher	Crim	95060
63.	Christopher	Schulz	95060
64.	christopher	whitten	77318
65.	Clayton	Strawn	95060

66.	Constance	Jones	95062
67.	Craig	Reinarman	95060-5913
68.	cris	williams	95060
69.	Cynthia	Toone	95062
70.	D	Nunns	95063
71.	Dale	Strong	95003
72.	Danielle	Hsu	95060
73.	darrell	darling	95062
74.	David	Sweet	95060
75.	David	Lieby	95060
76.	david	gibson	95060
77.	Deauna	Mansfield	95003-2735
78.	Deb	Wirkman	95060-5942
79.	Debora	Bone	95062
80.	Debra	Ellis	95061
81.	Debra	Seltzer	95003
82.	Delayne	Auerbach	95003
83.	Dene	Vlach	95019-3004

84.	Denise	Elerick	95003
85.	Dennis Morton	Morton	95060
86.	Devin	Slavin	95060
87.	Diana	Vaniotis	95060-6444
88.	Donna	Wolper	95060
89.	Dorah	Shuey	95017
90.	Doreen	Schack	95060
91.	Dorelle	Rawlings	95001
92.	Ed	Rivera	95062
93.	Edith	Avalos	95064
94.	Elisa	Bretón MD	95060
95.	Ellen	Chandler	95062
96.	Emily	Kenville	95060
97.	Emily	Knoblauch	95060
98.	Enrica	Beltran	95003
99.	Erin	Phillips	95006
100.	Erin	Newport	95060-3430
101.	Esther	Frances	95073

102.	Esther	Frances	95073
103.	Eva	Brunner	95060
104.	Evanjelin	Mahmoodi	95060
105.	Faisal	Fazilat	95060
106.	Faith	Lindsay	95112
107.	Frank	Tuohey	95060
108.	gail	williamson	95060
109.	Gareth	Gill	95062
110.	Gareth	Bowles	95062
111.	Gary	Landgrebe	95073
112.	genevieve	heth	95062
113.	george	brewer	95060
114.	George	Feldman	95076
115.	Gladys	Rivas	94705
116.	Glenn	Glazer	95018
117.	GWEN	chiamonte	95018
118.	Hannah	Newburn	95062
119.	Harriet	Schaffer	35243

120.	Heather	Robinson	95060
121.	Heddi	Craft	95060
122.	Heidi	Renteria	95060
123.	Helen	Bryce	95010
124.	Howard	Van Elgort	95065
125.	James	Dinsmore	95062
126.	JAMES	LIEB	95060-4914
127.	James E	Weller	95010
128.	Jane	Doyle	95060
129.	Janet	Bagby	95006
130.	Jason	Ruggles	95065
131.	Jason	Bloom	95062
132.	Jean	Harrah	95076
133.	Jeanie	Cotton	94061
134.	Jeanine	Sande	95003
135.	Jeff	Brody	95060
136.	Jeffrey	Smedberg	95062
137.	Jemzi	Ortiz	95060
138.	Jennifer	Eagan	94541

139.	Jennifer	Davis	95018
140.	Jeremiah	Mathews	95060
141.	Jerilyn	Bodemar	95076
142.	Jo	Stid	92211
143.	Jody	Zatz	95062
144.	Joe	Williams	95062
145.	Joel	Isaacson	95060
146.	John	Hall	95060
147.	John	Pusey	95060
148.	john	mulhern	95062
149.	Johnny	Coley	35205
150.	Joy	Parker	95062
151.	Judi	Sherman	95005
152.	Judith	Elder	95018
153.	Judith	Joy	95076
154.	Judy	Weaver	95060
155.	julie	coar	95060
156.	Julie	Burr	94901

157.	Julie	Hughes	95065
158.	Julie	Gill	95062
159.	Julie	Taylor	95010
160.	Kara	Nickel	95060
161.	KAREN	WARREN	95060
162.	Karen	Williams	95062
163.	Karen	Warren	95060
164.	Karen And Jeff	Hay	95060
165.	Karl	Schaffer	95066
166.	Karl	Schumaker	95006
167.	Karsten	Mueller	95060
168.	Kasia	Markham	95066
169.	Kathryn	Heth	95060
170.	Kathy	Reimer-Pearson	95060
171.	Kathy	Astromoff	95060
172.	keith	kellogg	95060
173.	Kelly	Clark	95062
174.	Kelly	Moore	98225

175.	Ken	Ketch	95060
176.	Kent Frederick	Krueger	95007-0262
177.	Kim	Corneille	95018
178.	Kimberley	Hughes	95062-2709
179.	Kris	Grabow	95003-2503
180.	Kristy	Fernandes	95010
181.	La Donna	Rogge	95076
182.	Laura	Tucker	95010
183.	Laura	White	95062-2584
184.	Laurel	Shastri	95066
185.	Lawrence	Cuprys	95018
186.	Lawrence	Haff	95062
187.	Leah	Erez	95005
188.	Leanna	McCauley	95076
189.	Lee Allan	Sanders	95018
190.	Len	Beyea	95062
191.	Leslie	Andrews	95060
192.	Lin Florinda	Colavin	95062

193.	Linda	Valdes	95073
194.	Linda	Santos	95060
195.	Lindsay	Silva	95066
196.	Lindsey	Loperena	95060
197.	Lisa	Jackson	95073
198.	Lisa	McCallister	95060
199.	Lisa	Bradford	95065
200.	Liza	Morell	95065
201.	Lola	Hughes	95062
202.	Lora Lee	Chapman	95060
203.	Lucia	Villarreal	95003
204.	Lucien	Leutzing	95066
205.	Lynda	Francis	95073
206.	lynda	leigh	95062
207.	m	mcarthur	96062
208.	Madeleine	Clyde	95060
209.	Madeline	Thompson	95060
210.	Magali	Morales	95060

211.	Maiya	Moncino	95066
212.	Manuel	Ruiz	95062
213.	Margaret	Wessels	95003
214.	Margaret	Collins	95060
215.	margaret	margulies	95062-3933
216.	MarianKitty	Dennis	95062
217.	Marianna	Mejia Contact	95073
218.	Marili	Avalos	95076
219.	Marilyn	Cahn	95060
220.	Marilyn	Veltrop	95062
221.	Marilyn	Lucier	95062
222.	Mark	Nockleby	95060
223.	Mark	Weller	95064-1059
224.	Mary	Reynolds	95069
225.	Mary	Ellingwood	95062
226.	Mary	Offermann	95062
227.	Mary	Reynolds	95060
228.	Mary Ann	Clare	95066

229.	Maryjane	Slade	95003
230.	Matthew	Yrigoyen	95003
231.	Maureen	McKenzie	95006
232.	Maureen	O'Connell	95017
233.	Melissa	Davis	95060
234.	Micah	Sorkin	95073
235.	Michael	Reinhold	95061-1288
236.	Michael	Fish	95065
237.	Michael	Cooper	95060
238.	Michael	Shaw	95060
239.	Michael	Athan	95005
240.	Michael	Conlee	95060
241.	Michael	Sherman	95060
242.	Michelle	Williams	95063
243.	Michelle	Michaud	95076
244.	Mike	Rotkin	95060
245.	Mike	Sheppard	95065
246.	Miki	Wood	95060

247.	miranda	mueller	94025
248.	Mischa	Kandinsky	95060
249.	Monica	L	95062
250.	Morgana	Malley	95063
251.	N	Czarrunchick	95062-1311
252.	Nancy	Gauquier	95060
253.	nancy	krusoe	95060
254.	Nancy	Glock-Grueneich	95062
255.	Nanlouise	Wolfe	95060
256.	Natalie	Beebe	95003
257.	Natalie	Delsemme	95060
258.	Natascha	Bruckner	95062
259.	Nattalia	Chevalier	95010
260.	Neal	Henderson	95073
261.	Nicole	Britton	95064
262.	Noraleigh	Carthy	95018
263.	Nova	Smith	95076
264.	Owlswan free	Eagle	95060
265.	Pamela	Scott	95006

266.	Pat	Zavella	95060
267.	Patrice	Wallace	95060
268.	Patricia	Guevara	95076
269.	Patrick	Buddeberg	95060
270.	Paul	Ripley	95062
271.	Paul	Cheney	95076
272.	Paula	Till	95060
273.	Pete	Shanks	95060
274.	phyl	greenleaf	95062
275.	Priscilla	Williams	95003-3402
276.	Rachel	Castillo	95064
277.	Rain	Doggerel	95018
278.	Randa	Solick	95003
279.	Randa	Solick	95003
280.	Randy	Cohen	95060
281.	Raneta	Pomeroy	95060
282.	Regan	Kelly	95003
283.	Reggie	Meisler	95060

284.	Rhiannon	Sims	95006
285.	rhonda	hoefs	95018
286.	Richard	Murphy	95006-9739
287.	Richard	veil	95062
288.	Robin	Brune	95018
289.	Rosie	King	95062
290.	Roya	Pakzad	95064
291.	S. LaVerne	Coleman	95060
292.	Safiya	Bonaventura	95003
293.	Sally	Gwin-Satterlee	95018
294.	Sallye	Bowyer	95073
295.	Samantha	Nelson	95060
296.	Sandra	Brauner	95062
297.	Sanjiv	Garg	95060
298.	Sarah	Rabkin	95073
299.	Sarah	Ringler	95062-1314
300.	Sarah	Emmert	95062
301.	Satya	Orion	95018

302.	Sean	Dougherty	95060
303.	Shannon	Freed	95060
304.	Sharon	Fisk	95005-9717
305.	Sharon	Harding	95066
306.	Sharon	McGraham	95060
307.	Shauna	Gunderson	95062
308.	Sheila	Carrillo	95060
309.	Sieta	Bel	95062
310.	Sita	Bhattacharji	95060
311.	Sonora	Piumarta	95062
312.	Stacey	Falls	95060
313.	Stacy	Newsom Kerr	95006
314.	Stephanie	Ulrich	95005-9423
315.	Stephen	Pablo	93111
316.	sterling	crispin	95062
317.	Steve	Pleich	95060
318.	steve	schnaar	95060
319.	steve	hicks	95060

320.	Stuart	Woodhams	95060
321.	Susan	Martinez	95060
322.	Susan	Anderson	93105
323.	Susan	Von Schmacht	95076
324.	Suzanne	Johnson	95062
325.	Sybille	Lange	94901
326.	Tabitha	Bale	95066
327.	Tannie	Low	95010
328.	Tauna	Grinager	95018
329.	Terri	Williams	95062
330.	Theodora	Kerry	95060
331.	Thomas	Martin	95060
332.	Thomas	Donohue	95060
333.	Tim	McCormick	95062
334.	Timmi	Pereira	95065
335.	tj	beal	95018
336.	Todd	Schafer	95062
337.	Tom	Graves	95076

338.	Tracy	Frankel	95018
339.	Val	Phipps	95003
340.	Vicki	Ward	95076
341.	Victoria	Downey	95062
342.	Virgil	Champlin	95007-0901
343.	wade	cooper	95060
344.	Will	Parrish	95060
345.	William	Butler	95005
346.	William	Wright	95005-9233
347.	Willow	Katz	95060
348.	yaron	rozenbaum	95060

## **Rosemary Balsley**

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**From:** Patrice Riley <patriceriley@gmail.com>  
**Sent:** Tuesday, June 23, 2020 12:53 PM  
**To:** City Council  
**Subject:** Comment in support of police surveillance technology

Dear Santa Cruz City Council members,

I am writing in support of the proposed ban on police surveillance technology. I am concerned with the damage that PredPol technology has wrought on communities of color over the last few years of its use, and am dismayed that this obviously racist technology started in Santa Cruz. I want to ensure that Black people, and other people of color in our community are not policed unnecessarily and encourage you to vote for the ban.

Thank you,  
Patrice Riley  
Capitola

## **Rosemary Balsley**

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**From:** Meghan Decoite <mdecoite@ucsc.edu>  
**Sent:** Tuesday, June 23, 2020 12:56 PM  
**To:** City Council  
**Subject:** Concerns about facial recognition & Chief Andy Mills Instagram

Hello,

I would like to reach out and voice my support for the ban of future use of facial recognition software in regards to use by our Santa Cruz police department.

Secondly, I would like to speak to how concerning Chief Andy Mills personal instagram is as a public profile that is making fun of people who are part of this community. There are often posts about people who suffer from addiction. It feels very unprofessional and uncomfortable to see him publicly ridicule these people.

Thank you.

## Rosemary Balsley

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**From:** Amanda Kippen <singleuseplanet@gmail.com>  
**Sent:** Tuesday, June 23, 2020 3:55 PM  
**To:** City Council  
**Subject:** Support for Surveillance Ordinance: Facial Recognition Technology and Predictive Policing (PD)

Greetings Mayor Cummings and Honorable Santa Cruz City Council Members;

Thank you for considering the Surveillance Ordinance: Facial Recognition Technology and Predictive Policing that would "prohibit the City's acquisition and/or use of face recognition technology and predictive policing technology, until we are confident that these technologies will neither perpetuate bias nor violate civil rights or liberties" and the additional recommendation that "the City Council authorize the creation of an ad hoc advisory committee of Councilmembers, to be comprised of Mayor Cummings and two other Councilmembers. This ad hoc committee could make recommendations for additional police reform measures to address racial equity and social justice in policing, seeking opinions and advice from the Chief of Police and from the local community, including the African American, Latinx, and LGBTQ+ communities."

I strongly support this proposed ordinance. I was discouraged and ashamed to learn about the City of Santa Cruz's history of using PredPol and the unjust legacy our town has created by supporting the expansion of this very obviously biased and racist technology. I was further embarrassed to learn of our own community members, folks whom I have held in such high regard, and their deep ties to this technology. This is an opportunity for Santa Cruz to undo a grave and very consequential misstep, and to instead step forward as leaders with the thoughtful consideration of any kind of technology deployed for policing, and the inclusion of voices and perspectives that are and have been historically oppressed by this very technology. I am grateful to you all for your work in bringing this forward, and in particular very appreciative of Mayor Cummings.

Secondarily, I would like to voice my concern around the use of social media both by the Santa Cruz Police Department and in particular by Chief Andy Mills on his individual account. It has become what appears to be common practice to share photos of apprehended individuals with the public via these social media accounts. I have noticed that the names/identities and faces of these individuals are shared publicly as well, seemingly prior to the individual having legal counsel or trial. This feels incredibly unethical and also contributing to racist stereotypes based on the photos shared of who is apprehended. I wonder why this practice is needed (and is it truly needed)? Perhaps it would be helpful to invoke social media for seeking community input, encouraging tips on a case, or as an alert for crime that is in process. I do not understand however why the police force or Chief Mills feel the need to celebrate the apprehension of alleged criminals by sharing and shaming them publicly. If you read the comment section of these posts, oftentimes there is a chorus of people who berate, insult, and write inappropriate and dehumanizing statements about the individuals. This seems to be in direct conflict with what the Police Department claims to stand for, and in conflict with the justice and equity-oriented moral backbone of the City of Santa Cruz as a whole.

Thank you for your kind consideration of my feedback and for the work that you do.

Kindly,  
Rachel Kippen  
City of Santa Cruz resident

# Santa Cruz Police Department

**Update on Use of Surveillance & Force Policies**

**June 23, 2020**



# NEW ORDINANCE CHAPTER 9.85 “SURVEILLANCE TECHNOLOGY”

- Introducing an ordinance that prohibits the City’s acquisition and/or use of Face Recognition Technology and Predictive Policing Technology, until these technologies are proven to protect and safe guards the civil rights and liberties of all people, and will not perpetuate bias.
- In addition, development of an ad hoc advisory committee by Council to make recommendations for institutional reform that address racial equity and social justice, by seeking opinions and advice from our local community, including the African American, Latinx, and LGBTQ+ communities.
- Update on police efforts to improve social justice

# UP DATE ON POLICE REFORM

## Reformation for SCPD – Before State Mandated Changes

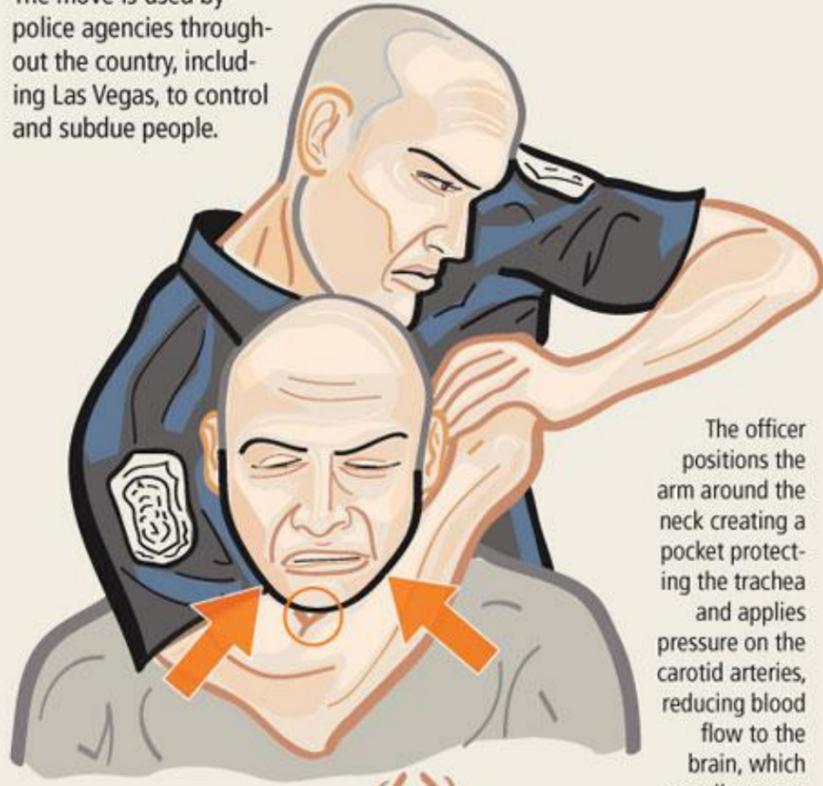
- Mandatory **De-escalation Training** for staff-Awards for risk takers
- Purchase and **up grade of equipment** to ensure compliance with policy
- Use of Force Policy change to include “**reasonable and necessary**” and the use of lethal force for “**immediate**” rather than “**imminent**” threats
- Complete **ban on the Choke hold and Cortaid restraint**
- Formed community group with the Mayor and Councilmember Watkins a community group of African-American leaders to guide SCPD
- Examining additional changes

38.144



## Vascular neck restraint

The move is used by police agencies throughout the country, including Las Vegas, to control and subdue people.



The officer positions the arm around the neck creating a pocket protecting the trachea and applies pressure on the carotid arteries, reducing blood flow to the brain, which usually causes unconsciousness within 15 seconds. Most people regain consciousness within 30 seconds.

Carotid Arteries

Trachea

# BAN ALL NECK RESTRAINTS

- 6 months of discussion and examination by SCPD Command Staff
- ***June 3, SCPD banned chokeholds***
- Governor decertification June 5, statewide
- Policy 300.3.4 (on-line)

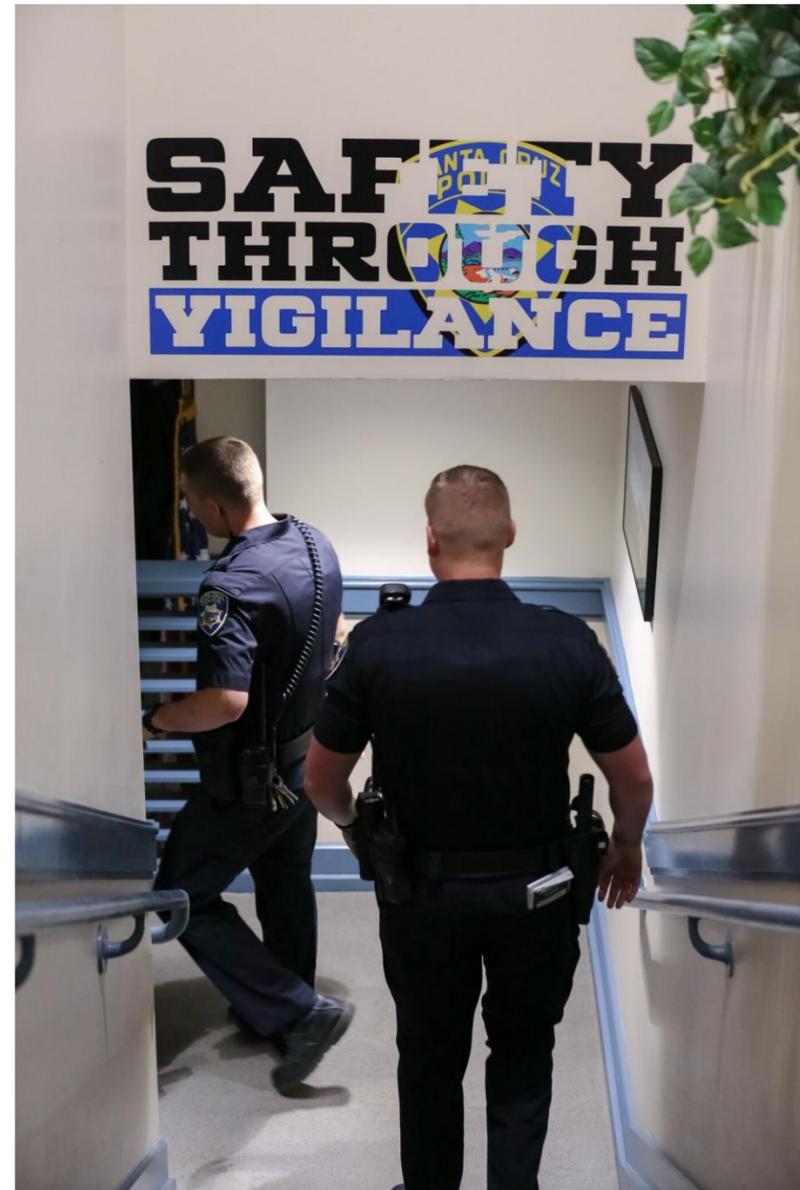
# REQUIRE DE-ESCALATION

- SCPD procedures and training requires officers to employ de-escalation techniques when dealing with those in crisis (Policy 300.4)
- Use of time, talk and tactics to reduce Use of Force
- Annual mandatory training
- Regular **scenario based training**
- Monthly video analysis of incidents elsewhere



# DUTY TO INTERVENE

## *“If you see it, You own it!”*



- All Santa Cruz police officers shall intervene in the use of force they reasonably believe to be excessive. (Policy 300.2.1).
- All officers shall immediately report excessive use of force to a supervisor.
- Failure to intervene or report may result in punishment, including termination.

# REQUIRE WARNING BEFORE SHOOTING

(When possible)

- Santa Cruz Police Department policy requires officers to provide verbal warnings when reasonably feasible prior to the use of any lethal force, including shooting a firearm (Policy 300.4(b)).



# EXHAUST ALL OTHER MEANS BEFORE SHOOTING (Tactical De-escalation)



- Santa Cruz Police Department policy requires officers to evaluate the use of other reasonably available resources and techniques when determining whether to use deadly force (Policy 300.4).

# BAN SHOOTING AT MOVING VEHICLES

38.150



- Officers are prohibited from shooting at or from a moving vehicle,
- Officers shall move out of the path of the vehicle rather than shooting at the vehicle.
- The exception is the driver of a vehicle is reasonably believed to use the vehicle as a weapon of mass casualty (Policy 300.4.1)

# REQUIRE COMPREHENSIVE REPORTING OF USE OF FORCE INCIDENTS

38.151

- Santa Cruz Police Department policy requires that any use of force by a member of this department shall be documented promptly, completely and accurately. (Policy 300.5).

IA Pro captures each Use of Force also – Early Warning System  
 Immediate Supervisory investigation on all Use of Force  
 Deputy Chief signs off each report  
 Body Camera Review  
 Report to State all hospitalizations by law  
 Report to Public Safety Sub-Committee

One form per incident

Santa Cruz Police Department

Use of Force Worksheet

Type of initial call: *TRESPASS, 484, 415* Incident # *205-03010* Date: *5/27/20*

Call for Service

Self Initiated



Type of Force: (Circle all that apply)

Controlling Force  
 Hands/Feet  Taser  Display Use  O.C.  Spray

Impact Tools  
 Baton/ASP  40 mm  Pepper ball

High Level  
 Neck Restraint  Hold only  Firearm  Display Use  Other  explain \_\_\_\_\_

Force Effectiveness Evaluation: Scale of 1-5 rate each technique used.<sup>5</sup>

Mental Health Status/Alcohol or Drugs Under the influence of a CNS Stimulant

Medical: Officer Injured  Level of treatment N/A  
 Suspect Injured  Level of treatment N/A

De-escalation: Did the incident pose a risk of death or GBI?  If yes, did the use of de-escalation techniques lower the level of Force: De-escalation techniques: Time  Verbal  Tactical  Lesser Force  Disengagement

Disposition:  
 Arrests  Detention  Escaped  Hospital  Cite  Primary Charge: *415 PC*

Routing:  
 Sergeant

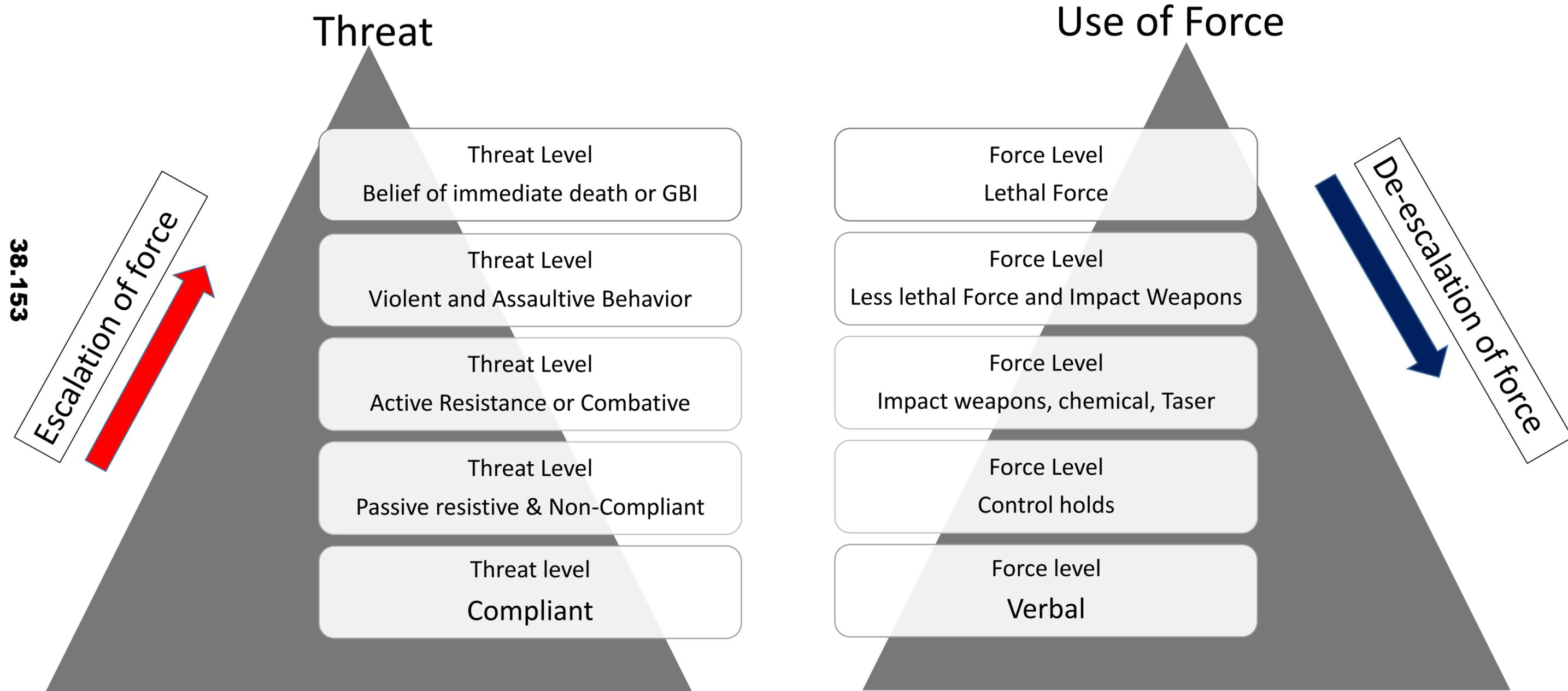
Demographics: Male Race/Ethnicity: Hispanic Age: *40* Number of Officers Deploying Force: *2*

Officer Badge # *179* Internal Use Only SCPD-087

# REQUIRE USE OF FORCE SYSTEM

- The level of force used shall escalate only when **reasonable and necessary** to effectuate an arrest and overcome resistance.
- The level of force must be consistent with the type of crime encountered.
- Force may be used to affect an arrest and to overcome resistance...reasonably

# FORCE MATRIX- STAGES OF FORCE



The use of force is never precise. We must strive to use the least amount of force possible, each time.

# ADDITIONAL IMMEDIATE REFORMS

## Breonna Taylor Rule

- Prohibition of "No Knock" search warrants: Entry of police officers unannounced into an occupied building. Only the Chief of Police can approve in advance. (Hostage rescue)
- A uniformed police officer will be present and visible during the execution of all search warrants at occupied buildings. Plain closed officers will not serve search warrants without a uniformed officer present.

NEW

NEW

## Rosemary Balsley

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**From:** Cassandra P <cassandrashea.p@gmail.com>  
**Sent:** Tuesday, June 23, 2020 6:50 PM  
**To:** City Council  
**Subject:** City Council meeting 6/23

Hi, my name is Cassandra Powell and I have been a resident of Santa Cruz for quite a bit now. I would like this comment to be a part of the public record for the city council meeting today, June 23rd, as even though I called at the beginning of the meeting, I could not speak.

I want to address the role of the city council in keeping the city institutions they preside over accountable.

But first, I just want to call out Renne Golder for laughing at her own constituents as they talk about things they want to see change. These meetings are recorded. We elected you, you do not need to openly mock us.

Anyways, according to the SCPD handbook section 322.6 available for public access on your website, police social media accounts are prohibited to posting content including but not limited to “any information that violates individual rights, including confidentiality and/or privacy rights.

Chief Andy Mills, on his Facebook, Instagram, and personal website which is DIRECTLY linked on the official city of Santa Cruz government website and on the official government Santa Cruz PD pages has been posting PERSONAL photos of suspects as he arrests them on his personal phone before there is even a chance for an official mugshot to be taken.

There is precedent that mugshots can be posted, although that is morally dicey at best, there is also clear precedent that police officers and other government officials cannot post personal photos of suspects on social media sites. According to both federal and state laws, these types of content are a clear violation of privacy laws at the city, state, and federal level.

The process for filing a complaint goes directly to chief Andy Mills, and I don’t know how anyone is to feel comfortable reporting this when he would be the one investigating himself. He did not investigate the most notable prior racist action by Officer Chris Galli in 2019 fully, and this does not inspire confidence that he will investigate himself or other issues with real scrutiny.

I am bringing it up now to have a basis in court according to Santa Cruz city code and I can and will be filing a lawsuit on behalf of the citizens of Santa Cruz.

Mayor Cummings, I am calling you out specifically to do better because your photo with the chief kneeling is and has been circulating across the Internet for a while now and has caused an increase in the traffic to social media pages for this police force and is gross misconduct from an organization that touts themselves as fair and just in this time of crisis.

Thank you.

## Rosemary Balsley

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**From:** Liane Bauer <liane.bauer25@gmail.com>  
**Sent:** Tuesday, June 23, 2020 7:04 PM  
**To:** City Council  
**Cc:** Justin Cummings; Bonnie Bush  
**Subject:** Public Comment For June 23rd, 2020 6pm Oral Communication - City Council Meeting

Dear City Council Members, Mayor Cummings, and City Clerk Administrator:

I am emailing because I would like to enter my comment into the record for the June 23rd 2020 6pm City Council Meeting.

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My name is Liane and I have been a resident of Santa Cruz for 5 years now. I am emailing today to urge the city defund the police and to instead reallocate funds to public/mental health services and services for homeless people.

As Mayor Cummings said in the Forum on Racial Injustice this past weekend (6/20) and as Chief Andy Mills wrote in his op-ed, most of the calls police get in Santa Cruz relate to mental health/homeless crises.

Police officers are not mental health workers. That is not the training they get. You know this. Social service and homeless service workers get that training. There are literally hundreds of non-profits in Santa Cruz who already have these trainings and regularly conduct these services. Encompass, Hope Services, Homeless Garden Project, etc. just to name a few. There is also the County Department of Public Health. These organizations and departments should be getting that budget increase. They should be the ones called for the majority of Santa Cruz "crimes", not the police.

The issue of how to actually take those funds away will come up. I'd like to note that just the other day, I watched an egregious waste of money unfold in downtown Santa Cruz. One man, clearly on drugs or mentally ill, was causing a scene. At least 10 police officers showed up. Only 4 actually got involved. I heard 2 making lunch plans while standing around. Whatever is paid to officers standing around is a waste of city funds and taxpayer money, you must agree? Simply, do not pay officers who do not make the community safe and put those salaries into the County Department or a community crisis intervention program like Eugene, Oregon's CAHOOTS project. Take pensions funds away from police officers with documented history of racism and overt use of violence. Further, whoever is dealing with these issues should not have guns. Weapons funding is a waste of money, especially for an office that deals mostly with homelessness and mental health crises.

So yes, there is plenty of room to reduce the police budget and there are clear pathways for how to do this. The conversation is already started so let's go ahead and take some action steps. I have already heard the cookie cutter responses. I went to the forum this weekend. I heard over and over "we will start the conversation" from Mayor Cummings or "I need to see other cities who have done this".... Please wake up... Racism is clearly not over, defunding police is all new territory for everyone. I understand this funding issue may need to be addressed at the county level. Great, so make it happen. With all due respect, you are the government. You have staff, (unpaid) interns, research assistants, etc. Put them to use for the issues you say you care about. It is your job to make Santa Cruz a more safe, and overall better place than before you came into office. Don't look to follow, be an example.

I close with this: you know of many reasons to make this change, to DEFUND THE POLICE. What you need is not more reasons and research. What you need is the actual *will* to do it. I, a resident and voter of Santa Cruz, and I call on you to find that will.

Thank you.

## Rosemary Balsley

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**From:** micha portaljumpinggirl <portaljumpinggirl@gmail.com>  
**Sent:** Tuesday, June 23, 2020 6:43 PM  
**To:** City Council  
**Subject:** Comment for today's city council mtg: DEFUND, DISARM, DISMANTLE THE POLICE IN SANTA CRUZ

Hello,

My name is Dr. micha cárdenas, and I am a Professor of Critical Race and Ethnic Studies and Digital Arts and New Media at UC Santa Cruz. I called into the city council meeting but was not allowed to comment.

I am adding my voice to the overwhelming number of calls to defund, disarm and dismantle the police in Santa Cruz. I want you all to know that if you do not decrease the police budget, you will be losing your city council and mayoral seats.

I am a trans Latina woman, and a survivor of sexual violence. My dissertation, which is now a forthcoming book, is about developing abolitionist methods for local safety networks that do not rely on police and prisons. I, and the people in my communities, know not to ever call the police, because police cause more harm to us. They do not keep us safe.

Police in the US enforce racism and cis-heteropatriarchy, as a continuation of their racist, sexist origins as slave patrols. The NAACP has shown that "African Americans are incarcerated at more than 5 times the rate of whites." (<https://www.naacp.org/criminal-justice-fact-sheet/>) The Prison policy initiative has shown that "Latinos are incarcerated at a rate about 2 times higher than non-Latino whites". (<https://www.prisonpolicy.org/racialgeography/report.html>) As Angela Davis has written, "the experience of [B]lack women has been that the very same white policeman who would supposedly protect them from rape, will sometimes go as far as to rape [B]lack women in their custody." (<https://incite-national.org/wp-content/uploads/2018/08/TOOLKIT-FINAL.pdf>)

What this city needs is far, far less police funding, and more investment in affordable housing, addiction counseling and support, and public health services. Santa Cruz claims to be progressive, but the dismissive response to the many calls to defund the police reveals the racist, classist, ableist attitudes of many in this city. Show us that this city cares about racial justice. Defund, disarm and dismantle the police. Your job, and your seat on the city council, depends on it.

Sincerely,

Dr. micha cárdenas

## Rosemary Balsley

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**From:** Rose Milligan <e.rose.milligan@gmail.com>  
**Sent:** Tuesday, June 23, 2020 6:52 PM  
**To:** City Council  
**Subject:** Comment for Tues 6/23

Hi City Counsellors,

I called in to speak at the meeting tonight but was unable to make my comment. I would like to add my voice to the majority of callers asking for a defunding of the Santa Cruz Police Department. Since, based on a 2018 operations analysis of the Santa Cruz Police Department, 80% of calls were "homeless-related," I suggest you use that number as a starting point for cutting the police budget. A number of callers quoted Chief Andy Mills' offer that we find a better solution than calling Police to surveil the houseless folks in our community and I agree. Redistribute 80% of the budget for SCPD, paid by our tax dollars, to education, housing, and mental health services. STOP criminalizing the houseless, black and brown people, and low income families in our communities by continuing to over-fund the police department. STOP allocating our tax dollars for armored vehicles and militarized law enforcement. We, as a city and county, are already suffering economically, mentally, and physically from the COVID-19 PANDEMIC, we are expecting huge cuts to the city budget, and if the police budget is not the first thing to go it will be obvious how little you value the under-privileged in Santa Cruz.

Higher police budgets, more surveillance, military-grade technology, and implicit bias training have shown to be ineffective in police reform. We are not interested in reform, or in watching Santa Cruz cops try to show us what good people they are. This is not about individual officers in Santa Cruz--this is about dismantling a racist, white supremacist, capitalist, prison-industrial system one brick at a time. Policing is a threat to public health, period. We need you to act on behalf of our community and defund the Santa Cruz Police.

Police are bad for the environment. Racist, Classist systems are not sustainable. We can build a better future for Santa Cruz without a 30 million dollar police budget.

Thanks for reading.

Rose Milligan  
7 yr resident

## Rosemary Balsley

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**From:** Bonnie Bush  
**Sent:** Tuesday, June 23, 2020 7:06 PM  
**To:** City Council  
**Subject:** FW: City Council meeting 6/23

*Bonnie Bush, CMC*

City Clerk Administrator  
City of Santa Cruz  
831-420-5035



Public Records Requests may be submitted online via the Public Records Request form, by or by hard copy form available at the City Clerk's Office located at 809 Center Street, Room 9, Santa Cruz, CA 95060.

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**From:** Cassandra P [mailto:cassandrashea.p@gmail.com]  
**Sent:** Tuesday, June 23, 2020 6:47 PM  
**To:** Bonnie Bush; Justin Cummings  
**Subject:** City Council meeting 6/23

Hi, my name is Cassandra Powell and I have been a resident of Santa Cruz for quite a bit now. I would like this comment to be a part of the public record for the city council meeting today, June 23rd, as even though I called at the beginning of the meeting, I could not speak.

I want to address the role of the city council in keeping the city institutions they preside over accountable.

But first, I just want to call out Renne Golder for laughing at her own constituents as they talk about things they want to see change. These meetings are recorded. We elected you, you do not need to openly mock us.

Anyways, according to the SCPD handbook section 322.6 available for public access on your website, police social media accounts are prohibited to posting content including but not limited to "any information that violates individual rights, including confidentiality and/or privacy rights.

Chief Andy Mills, on his Facebook, Instagram, and personal website which is DIRECTLY linked on the official city of Santa Cruz government website and on the official government Santa Cruz PD pages has been posting PERSONAL photos of suspects as he arrests them on his personal phone before there is even a chance for an official mugshot to be taken.

There is precedent that mugshots can be posted, although that is morally dicey at best, there is also clear precedent that police officers and other government officials cannot post personal photos of suspects on social media sites. According to both federal and state laws, these types of content are a clear violation of privacy laws at the city, state, and federal level.

The process for filing a complaint goes directly to chief Andy Mills, and I don't know how anyone is to feel comfortable reporting this when he would be the one investigating himself. He did not investigate the most notable prior racist action by Officer Chris Galli in 2019 fully, and this does not inspire confidence that he will investigate himself or other issues with real scrutiny.

I am bringing it up now to have a basis in court according to Santa Cruz city code and I can and will be filing a lawsuit on behalf of the citizens of Santa Cruz.

Mayor Cummings, I am calling you out specifically to do better because your photo with the chief kneeling is and has been circulating across the Internet for a while now and has caused an increase in the traffic to social media pages for this police force and is gross misconduct from an organization that touts themselves as fair and just in this time of crisis.

Thank you.



## CITY COUNCIL AGENDA REPORT

DATE: 6/15/2020

AGENDA OF: 6/23/2020

DEPARTMENT: Downtown Library Subcommittee

SUBJECT: Recommendation to Proceed with the Mixed Use Downtown Library Project

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RECOMMENDATION: The Downtown Library Subcommittee recommends that the City Council reaffirm the programmatic goals established by the Downtown Library Advisory Committee (DLAC), and take action on the following:

1. Conceptually approve, subject to appropriate environmental review and the required permit process, and give direction to staff to proceed with the design and development of a mixed-used project on parking lot 4 (located at Cathcart, Cedar, and Lincoln Streets) by adopting a resolution with the follow provisions:
  - a. Relocate the Downtown library to the ground floor a mixed use project on lot 4;
  - b. Include an affordable housing project containing a minimum of 50 low-income dwelling units with the discretionary permit applications for the affordable housing component of the project to be submitted no later than the start of construction of the library;
  - c. Include a parking garage with no more than 400 parking spaces, which will provide the required number of parking spaces for affordable housing units and replacement public parking spaces in the downtown area; and
  - d. Restrict the total height of the building not exceed the height of the University Town Center development or, if this isn't possible, the development at 1010 Pacific.
2. Authorize staff to proceed with selection of an owner's representative to manage the overall project implementation and a competitive RFP/RFQ process for selection of a Design-Build project team.
3. Direct staff to work with selected owner's representative and Design-Build team to initiate a community outreach process on project design, based off of the preliminary "Option D" concept developed by Group 4 and to return to Council with preliminary project design options for consideration.
4. Prior to the start of construction of the mixed-use project, initiate a public process to consider reuse options of the current library site, including affordable housing, a community commons and other public uses.

5. Direct staff to provide a report to City Council, 1-2 months following the selection of the Design-Build team, containing:
    - a. Detailed financial information regarding each component of the mixed-use project;
    - b. A work program and timeline for implementing the affordable housing units, library, and parking garage to include a public engagement process; and
    - c. General schematics showing the integration of the library, housing, parking, and commercial use components.
  
  6. Direct Staff to reengage with the Farmer's Market to finalize an agreement and develop a design for a permanent downtown Farmer's Market on parking lot 7 (located at the corner of Cathcart and Front Streets).
- 

BACKGROUND: In 2016, voters approved Measure S, which provides bond funding to modernize, repair, and upgrade library branches located throughout the county-wide system. Based on a thorough needs assessment process, funds were allocated to each participating jurisdiction who were given responsibility for managing the improvements or new construction, in consultation with professional library staff. Because of the condition and complexity of the Downtown Branch, the City establish the Downtown Library Advisory Committee (DLAC) to explore programmatic needs and construction costs of several options for the Downtown Library. On September 11<sup>th</sup>, 2018 the Council approved the project concept recommended by DLAC: a mixed-use project incorporating the library, commercial space, parking, and housing.

While there was support for the mixed use project concept, there was also opposition, and so on May 19<sup>th</sup>, 2019 the City Council voted to 1) put a hold on the decision to proceed with the Library project and 2) convene a Council Subcommittee to investigate project alternatives and return with a recommendation on how to move forward.

The September 11<sup>th</sup>, 2018 and May 19<sup>th</sup>, 2019 staff reports have been included as attachments to this report.

DISCUSSION: It was the intention of the Downtown Library Subcommittee to build off of the processes and findings of the 2013 Library Facilities Master Plan (attached) and 2017 Downtown Library Advisory Committee (DLAC) Report (attached). The focus of the Library Subcommittee's process was to evaluate and determine which option most fully met those identified goals.

The Council Subcommittee met over the course of a year. During that time they engaged with project stakeholders, received presentations from staff and external consultants, and worked with architecture firms to complete costs assessments for the renovation and mixed use project options.

The Renovation Cost Assessment, completed by Jayson Architecture (Jayson), included an assessment of the existing library building. Jayson determined that most of the building systems and components were well beyond their useable lifespan. Jayson's design proposed demolition of the 11,930 SF single story portion of the building, and renovation of the remaining two-story 30,380 SF library building on the existing library site. Jayson's final report (attached) includes a base design that can accomplished within the existing budget of \$27 million and a list of

alternates and add-ons for an additional \$11 million. More details can be found in the attached Renovation Use Cost Assessment Report.

The Mixed Use Cost Assessment completed by Group 4 Architecture, Research + Planning, Inc. (Group 4) looked at two mixed use options. In Option C, Group 4 proposed a mixed use building with library and commercial uses on the ground floor and parking and housing on the upper levels. In Option D Group 4 proposed the library on the ground floor with housing directly above the library and parking immediately adjacent. Group 4 was tasked with developing a floor plan for all of the project uses (library, housing, parking, and commercial) and a preliminary design and cost assessment for the library. With the opportunity to sell air rights as part of the development of housing on the upper floors, additional funding can be applied to the Library project. With the application of the air rights fees, the library square footage could be increased to 35,490 SF in Option C and 34,740 SF in Option D. More details can be found in the attached Mixed Use Cost Assessment Report.

Building off of the public outreach included as part of the overall DLAC process in 2016, and the outreach campaign that took place during the summer of 2018 (detailed attached), the Downtown Library Subcommittee produced a project webpage, held office hours, hosted community meetings with stakeholder group engagement, and reviewed hundreds of emails from the community. Further detail on the Subcommittee process is included as an attachment to this report. All related documents, reports, and Subcommittee meeting agendas and recaps can be found at [www.CityofSantaCruz.com/downtownlibrary](http://www.CityofSantaCruz.com/downtownlibrary).

As part of the final assessment of the project options, the Subcommittee developed an evaluation matrix based on the input received from the community and project stakeholders over the last year. Stakeholder groups were invited to provide feedback on the criteria at the June 2nd, 2020 Subcommittee meeting and the community was able to provide feedback via an online survey. The evaluation matrix (attached) groups the criteria into four categories: library, environment, risk and cost, and other community benefits.

Concluding this year long process, the Downtown Library Subcommittee feels that they have met their goals of thoroughly reevaluating all of the options, soliciting additional information, providing further context and information to the community, and engaging with project stakeholders. The subcommittee unanimously recommends moving forward with the actions detailed above.

**FISCAL IMPACT:** The Library and parking portions of Option D (base level design) have no fiscal impact on the General Fund. Estimated project costs include \$27 million in Measure S funding and \$37 million in parking district funding. Alternatives to the base level design of the Library which increase square footage and overall costs could be offset by future air rights fees paid to the City by the selected housing developer. Additional funding for affordable housing will likely be required for the project and a contribution from the City's Affordable Housing Trust Fund can be leveraged by the selected developer with other traditional sources of funding to bridge the gap.

Submitted by:  
Justin Cummings  
Mayor

Submitted by:  
Donna Meyers  
Vice Mayor

Approved by:  
Martín Bernal  
City Manager

Submitted by:  
Sandy Brown  
Councilmember

ATTACHMENTS:

September 11<sup>th</sup>, 2018 Staff Report  
May 14<sup>th</sup>, 2019 Staff Report  
Library Facilities Master Plan  
Downtown Library Advisory Committee Report  
Subcommittee Process Overview  
Past Library Project Outreach & Engagement  
Renovation Cost Assessment  
Mixed Use Cost Assessment  
Library Project Evaluation Matrix



## CITY COUNCIL AGENDA REPORT

DATE: 9/6/18

AGENDA OF: September 11, 2018

DEPARTMENT: Library, Public Works, Economic Development

SUBJECT: Recommendation to Proceed with the Library Mixed-Use Project  
(LB/PW/ED)

### RECOMMENDATIONS:

1. Accept the Downtown Library Advisory Committee recommendations for a new library space program and mixed-use Library Project and direct staff to move forward with the design and development of the project including affordable housing, commercial, and parking uses on the City-owned surface parking lot between Lincoln, Cedar and Cathcart streets (lot 4);
2. Authorization to proceed with selection of an owner's representative to manage overall project implementation and a competitive RFP/RFQ process for selection of a Design-Build project team;
3. Introduce an ordinance of the City of Santa Cruz amending Chapter 10.52 regarding parking meter rates;
4. Resolution amending parking and permit rates for Downtown parking lots and structures;
5. Direct staff to work with the Downtown Commission to update the current parking resolution for a five-year phase out of deficiency fees;
6. Direct staff to work with selected owner's representative and Design-Build team to initiate a community outreach process on project design and to return to Council with preliminary project design options for consideration;
7. Direct the City Manager to initiate an analysis with a land planning organization of needs, options, costs and opportunities for reuse of the existing City library site and nearby City facilities in the context of the broader downtown vision.

**BACKGROUND:** Our downtown is changing. After more than a decade of stalled downtown development impacted by the recession, new residential projects are coming on line, under construction, or poised to break ground in the next few years. In fact, more than 600 market rate and affordable units are in various stages of development with another 100-200 units in the planning stages. This housing is critically needed in our community, but with this opportunity comes the challenge and City responsibility of planning for the related infrastructure downtown to ensure that our downtown not only survives, but thrives and remains a vibrant community hub for shoppers, visitors, workers and the broader community.

Part of our aging infrastructure is our Downtown Library branch. In 2013, the Santa Cruz Public Libraries engaged in a comprehensive facilities master planning process resulting in the voter

approved Measure S bond measure in 2016 slated to address library facility needs across the system. Funding for the Downtown Library was identified as an urgent need and the City Council directed the formation of a Downtown Library Advisory Committee (DLAC) to comprehensively examine the current facility and the feasibility, options and costs for developing a Downtown Library branch that meets the needs of the community and voters (Attachment 1).

Another part of our downtown infrastructure that is the responsibility of the City is parking management. The City's parking division in Public Works manages the Downtown Parking District and overall downtown public parking supply. Since the origin of the District in 1956, the City has been planning for proposed projects in the pipeline, balancing current and projected needs while implementing best practices in transportation demand management. Santa Cruzans are among the top communities in the region and across the country in choosing alternative means other than the auto for traveling downtown. Despite our community's commitment to bicycling, walking, carpooling and other modes of travel, we still have a large number of downtown visitors, workers and shoppers who drive and need parking. While many of the proposed developments in the pipeline include parking for residential needs, providing new retail or commercial parking in a private development is a much less efficient use of land and a consolidated public structure as part of the shared parking model is more practical and viable for the overall downtown.

An additional challenge that the City's transportation planners are grappling with is the anticipated loss of 10% of the current existing public parking supply as both publicly-owned surface parking lots and privately-owned lots leased to the City are developed for mixed-use housing projects. Over 230 parking spaces have or will be removed from the current public parking supply over the next five years. These collective challenges are part of our changing downtown and, while daunting, provide a number of opportunities and options for discussion and consideration.

DISCUSSION: One of the top goals of the City is to provide long-term sustainability for our vibrant downtown. A mix of housing, both market rate and affordable, along with new retail, office and community spaces including a proposed 21<sup>st</sup> century library and a permanent downtown Farmers' Market are elements that could go a long way towards successfully planning for the future. A critical element that goes hand in hand with planning for our future downtown must also include a plan for our overall transportation and parking needs.

The City's vision for downtown is informed by planning documents, studies, and reports, including the original Downtown Plan and 2017 Plan amendments and the Santa Cruz Market and Retail Leakage Study, as well as recommendations and actions taken by numerous advisory committees, commissions, and the City Council over recent years. Moving forward with a library project was a focus area specifically called out as a main City infrastructure goal in the City Council's Two-Year Strategic Work Plan, and the DLAC unanimously recommended a new library facility as part of a larger mixed-use project on the City-owned surface parking lot No. 4. The Downtown Commission approved consolidating parking on the existing City-owned surface parking lots as a long-term Downtown strategy which was further approved as a long term Downtown Strategy by the City Council in the recently adopted Housing Blueprint Subcommittee Recommendations. Housing is another strategic goal in the City Council Two-Year Work Plan, and the plan calls for the update of Downtown zoning amendments and entitlements of 500-600 housing units in our Downtown core.

### Council Actions to Date

On December 6, 2016, the City Council discussed the feasibility of a new parking supply project as part of a mixed-use Library, commercial, office, and/or housing project at Lot No. 4. The Council directed staff to develop a work plan, outreach plan, and funding plan to move the project forward, and then return to City Council (Attachment 2). Council further directed staff to focus on three main areas: the Downtown Library and a public process for determining the best path forward; developing a permanent home for the Downtown Farmers' Market; and developing a parking rates matrix for funding the parking portion of the potential project.

At the June 12, 2018 meeting, the City Council received a presentation from staff on the overall downtown vision, challenges and opportunities from proposed and new housing development in the pipeline, an overview and analysis of downtown parking, city practices and efforts to support alternative transportation methods downtown and recommendations for a permanent downtown Farmers' Market. The City Council directed staff to work with the Farmers' Market board to develop a permanent home for the Downtown Farmers' market on the City-owned parking lot facing Front and Cathcart streets (City Lot No. 7).

At the June 19, 2018 study session, the City Council received a report and presentation on Downtown Parking Rates Strategy (Attachment 3) and the Downtown Library Advisory Committee (DLAC) recommendations for the Downtown Branch. The DLAC recommended that the City Council approve a new Downtown Library combined with other uses including commercial retail, parking and affordable housing.

### Community Outreach and Engagement

In addition to the public outreach included as part of the overall DLAC process, detailed in the DLAC report (Attachment 1), Council directed staff at the June 19<sup>th</sup> City Council Study Session to conduct additional outreach before returning again to Council for further discussion and action. Throughout the months of July and August, there have been more than 1000 contacts of community outreach across meetings with community groups and organizations, one-on-one and small group meetings, views of the project pages on the City website, and attendance at the August 6<sup>th</sup> Open House. Attachment 4 provides further detail on the community outreach and feedback on this project.

### Community Concerns, Project Constraints and Timing Considerations

While the community outreach, DLAC process and recommendations to date along with the City goals of long-term sustainability support the recommendation to move forward with a mixed-use Library project in the downtown, there are a number of community concerns and project constraints and alternatives to consider.

Major concerns heard about the library component of the mixed-use proposal included:

1. aesthetic issues including adequate natural light, vibrations from vehicles, air quality, ceiling heights and noise issues that might be associated with being on the first story of a multi-use building that contains parking;
2. appreciation for the Library's current location as part of the broader City plaza;
3. affection for and memories of the current building/love of the old building's architecture;
4. appreciation of the current service model - quiet space focused on books - would not like to see computers, digital content, learning spaces, teen spaces, etc;
5. belief that the Library is a legacy for future generations and want to pay more to have an architecturally significant, stand-alone building surrounded by green space and a public plaza;
6. loss of control of the design process if the Library is only a subset of a larger whole.

Additional Library Considerations include the timing of Measure S Funds and viable Library alternatives.

1. Timing of Measure S funds: The voters approved Measure S in 2016, and each jurisdiction has eight years to use their funding. With only 6 years remaining to use Measure S funds, the City will need to move quickly to begin the project recognizing that the design, permitting, EIR, and construction phases of the project are likely to take 3-5 years. As the City has ownership and control of the identified project site and the funding secured for the majority of the project components, the tight timeline is doable, but considerable delays in site location or project compatibility could significantly impact committed project funding.

2. Viable Library Alternatives: The DLAC considered multiple options for addressing future library needs including partial renovation on the existing library site, full renovation on site and new construction on site. The set aside Measure S funds for the Downtown branch could be used to partially renovate the existing site, but most if not all of the funding would be used for replacement and upgrades of library infrastructure (plumbing, HVAC, asbestos abatement, ADA upgrades, etc.) and wouldn't improve the library layout or user experience. Full renovation on the existing site was estimated by the architects to exceed the project budget and funding by over \$10 million and new construction on the existing site was estimated to exceed the project budget and funding by more than \$20 million. Another alternative suggested within the project budget would be to construct a new library approximately half the size of the recommended square footage, which would result in a significant reduction in services that the library would no longer be able to provide.

Each of the options considered by the DLAC, other than the recommended options, were determined not to meet the needs of the community due to inadequate space, excessive cost or both. The proposed Library mixed-use project met all the project needs including cost parameters. By sharing infrastructure costs with the other project mixes, each use pays its own share, but the overall project costs per use are significantly lower than stand-alone projects. With the proposed Library mixed-use project there is the greatest potential to meet all the identified future needs of the Library within the specified budget and funding. Attachment 1 more fully lays out the Library options, considerations, costs and final recommendations supporting the proposed Library mixed-use project.

### Parking concerns and considerations

Major concerns heard during the outreach process around the parking component of the project included environmental concerns about climate change, concerns about the overall height and design of a parking structure as part of a mixed-use project and concerns around the future need for additional parking with autonomous vehicles and increased alternative modes of transportation.

Over 230 existing parking spaces in our downtown surface lots, approximately 10% of our current parking supply, will come offline in the next seven years as those lots are developed for current or planned development underway. Most of those projects are providing much needed housing for our community and will also be providing a mix of supporting commercial retail on the ground floor. While the residential parking needs will largely be met for the private development within the projects as they are built, the future commercial retail parking needs as well as the parking needs for the proposed publicly funded affordable housing projects for the

downtown remain largely unmet. Without the addition of a new parking supply project, the downtown is projected to be deficient by over 600 parking spaces by 2026 and potentially over 1,200 parking spaces by 2036.

These projections do not take into consideration future policy considerations to encourage affordable housing development in our downtown which may include reducing or eliminating parking requirements or providing a public parking supply to offset the costs of developing affordable housing. While the City will continue to invest in transportation demand management programs to encourage alternative modes of transportation, the City must still plan and provide an adequate number of spaces for future parking needs. Finding the right balance of parking to meet the diverse needs of our current and future downtown parking users will ensure the long term sustainability of our downtown core as a vibrant and healthy commercial, retail and urban residential hub of our community.

### Affordable Housing

In response to our severe housing crisis, our community has become increasingly engaged in finding local and regional housing solutions, particularly in the area of affordable housing creation. Numerous regional, City and community led efforts over the last 18 months have resulted in initiatives, measures and policy decisions that encourage and enable future housing creation in our community. The City Council, through the work of the Housing Blueprint Council Subcommittee, recently adopted specific recommendations for the Downtown around parking and land use to encourage affordable housing creation. Several of the recommendations include surface parking lot consolidation to enable downtown affordable housing creation.

Another recommendation involves the consideration of providing parking spaces for the City-funded Pacific Station affordable housing project within the proposed Library mixed-use project. Including consolidated parking for both projects in the proposed Library mixed-use project would be a significantly lower cost to develop parking and it would additionally enable more affordable units to be included in the Pacific Station project. While overall new parking supply in the proposed Library mixed-use project is limited, the creation of new parking supply as part of the project provides the flexibility and future opportunity of encouraging additional affordable housing development downtown. Offsetting or reducing the related parking costs which can be prohibitive for affordable housing projects which are more challenging to finance may make the difference in the creation of future affordable units in our downtown.

### City Council Recommendations:

1. Accept the Downtown Library Advisory Committee recommendations for a new library space program and mixed-use Library Project and direct to move forward with the design and development of the project including affordable housing, commercial, and parking uses on the City-owned surface parking lot between Lincoln, Cedar and Cathcart streets (lot 4).

Following a 6 month extensive process, the DLAC committee unanimously recommended a mixed use project on lot 4. Their recommendation also includes a 44,000 square foot layout and additional space requirements as shown in Attachment 1.

2. Authorization to proceed with selection of an owner's representative to manage overall project implementation and a competitive RFP/RFQ process for selection of a Design-Build project team.

Retaining an owner agent with a specialization in Design-Build contracting will allow a specialized consultant to represent the City's interests at each stage of the process. The owner agent will draft the Request for Qualifications/Proposals (RFQ/RFP), assist with selection of a Design-Build firm, and will oversee the contract scope, budget, and execution. The City has successfully used this model for other highly specialized and large scale projects. A Design-Build contract will allow for continuity throughout the project phases, minimize costs, and enable a quicker delivery of the overall project

3. Introduce an Ordinance of the City of Santa Cruz amending chapters 10.52 regarding parking meter rates.

4. Adopt a Resolution amending parking and permit rates for Downtown parking lots and structures.

5. Direct staff to work with the Downtown Commission to update the current parking resolution for a five-year phase out of parking deficiency fees.

Adjusting the downtown parking fee structure to be more in line with area benchmarked cities and providing for the parking user to pay for the actual cost of providing parking is a parking industry best management practice. Phasing out the collection of parking deficiency fees over five years as parking rates gradually rise will provide time for adjustment to the new rates while at the same time allowing for the creation or modification of downtown parking programs for employees and residents. Downtown parking fees from meters, lots, garages and monthly permit passes will fund both the parking portion of the proposed mixed-use project as well as a \$300,000 annual fund for programs and transportation management to encourage alternative modes of transportation to the Downtown.

6. Direct staff to work with selected owner's representative and Design-Build team to initiate a community outreach process on project design and to return to Council with preliminary project design options for consideration.

Significant feedback from the community was received on overall project design. Concerns on overall height, massing, setbacks, articulation and architectural style were expressed and general sentiment that stand alone parking structures are not acceptable. An important part of the design build process for a mixed-use project of this public scale is considerable community engagement. Similar to the process for the initial new Library master planning process and the earlier Pacific Station proposed mixed-use project, community engagement and overall design options for Council consideration will be critical to overall project development

7. Direct the City Manager to initiate an analysis with a land planning organization of needs, options, costs and opportunities for reuse of the existing City library site and nearby City facilities in the context of the broader downtown vision for future Council consideration.

Another area of community feedback involved reuse of the existing City Library site. Land planning organizations like Urban Land Institute and SPUR based in the Bay Area are well equipped to assist the City and community in planning and weighing future options and considerations for future land use of the existing Library site in the context of the broader vision for downtown.

## Next Steps and Timeline

With approval by the City Council, staff will begin implementing next steps for the design phase of the project including hiring an owner’s representative to manage overall project implementation and issuing a RFQ for a Design-Build project team. Staff would then return to Council for approval of the Design-Build contract by December 2018. During the same period, staff would begin working with the owner’s representative and Design-Build team to initiate a community outreach process on overall project design starting in January of 2019. Staff would return to Council with preliminary project options for consideration in the spring of 2019.

FISCAL IMPACT: Project staff will work with Finance to review all of the following funds that may be available to finance the Library Mixed Use projects. Project financing will be provided by available Measure S funding for library infrastructure and Parking District funds. Additional funding for affordable housing development and other 2<sup>nd</sup> and 3<sup>rd</sup> floor uses will be required and could potentially be offset by future private contributions and affordable housing contributions. With the recent creation of the Downtown Opportunity Zone, staff are pursuing this new promising funding mechanism to leverage overall project costs. A detailed financing proposal reviewed and approved by the Finance Director and highlighting all specific fund impacts will be brought back to Council.

Submitted by:	Submitted by:	Submitted by:	Approved by:
Susan Nemitz Director of Libraries	Mark R. Dettle Director of Public Works	Bonnie Lipscomb Director of Economic Development	Martin Bernal City Manager

**ATTACHMENTS:**

- Resolution Downtown Parking Fee Increases
- Ordinance Regarding Parking Meter Rates
- Downtown Library Advisory Committee (DLAC) Report
- December 6, 2016 City Council agenda report
- Downtown Commission Parking Rates Strategy Staff Report
- Library Mixed Use Project Outreach Summary



## CITY COUNCIL AGENDA REPORT

DATE: May 3, 2019

AGENDA OF: May 14, 2019  
DEPARTMENT: City Council  
SUBJECT: Downtown Library Project and Council Subcommittee (CN)

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**RECOMMENDATION:** Motion to put on hold the decision to proceed with a Downtown Library project and to convene a Council Subcommittee composed of Councilmembers Cummings, Meyers, and Brown to investigate alternatives, in collaboration with Library staff and the interested community, and return with a recommendation no later than October 2019.

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**BACKGROUND:** As Councilmembers are aware, Measure S—a bond measure to fund in improvements throughout the county-wide Santa Cruz Public Libraries system—was passed in June 2016. Based on a thorough needs assessment process for all branches, funds were allocated to each participating jurisdiction, which was given responsibility for managing the improvements or new construction, in consultation with professional library staff. In some cases, bond funding was not adequate to complete the envisioned projects, and the jurisdictions have identified additional funding. The City of Santa Cruz initiated planning for the three branches within its jurisdiction: Branciforte, Garfield and Downtown. The Branciforte and Garfield improvements were relatively straightforward, and plans are proceeding for those two branches. Because of the condition and complexity of the Downtown Branch, a community committee was established to explore the desired functions, operational needs and construction costs of several options for the Downtown Library. Last fall the Council approved the project concept recommended by this committee: a mixed-use project incorporating the library, commercial uses, parking, and possible housing. However, while there was support for the project concept, it was clear that there was also opposition. Since that time, and following the last election, the project has not moved forward.

**DISCUSSION:** Measure S contains very specific timelines for the use of bond to carry out the projects identified in the ballot measure. The City was allocated a substantial, but limited, amount of money for the improvement of the Library's Downtown Branch. Because the available funding was limited, Library staff and the community committee explored alternative funding mechanisms bearing in mind the desire for a modern and excellent facility. The result of this effort was a recommendation for a library project combined with a parking garage on the site of a surface parking lot and the Farmers Market. The rationale for this project was based on the perceived inadequacy of Measure S funding for the Library project, the projected future demand for

replacement and additional parking in the Downtown, and a proposal to relocate the Farmers Market to a permanent and improved location.

There is significant confusion in the community about the specifics of the proposal as well as the possible existence of viable alternatives and opportunities. Based on this, in our view, there is a need for the Council to take a fresh look at options for the Downtown Branch project before proceeding with further work. In order to do this in a timely manner, we think the Council should convene a Council subcommittee and task it with investigating alternatives for the Downtown Branch project. As part of this effort, this subcommittee would work collaboratively with Library staff and concerned stakeholders with the expectation that it would return to the full Council with its recommendations no later than the October, 2019. The subcommittee as proposed, includes membership of the Council who are committed to approaching this important project with a full and complete investigation. We are recommending that Councilmembers Cummings, Meyers, and Brown be appointed to the subcommittee. Finally, this recommendation has been discussed with the Library Director and she is in agreement with this approach.

FISCAL IMPACT: No additional funding is requested at this time.

Prepared by:

Justin Cummings  
Vice Mayor

Submitted by:

Donna Meyers  
Councilmember

Submitted by:

Sandy Brown  
Councilmember

ATTACHMENTS:

None



# Santa Cruz Public Libraries Facilities Master Plan 2014-2023

Final Report 2013-03-28





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## EXECUTIVE SUMMARY

The Santa Cruz Public Libraries (SCPL) system enhances the quality of life in the community by providing vibrant physical and virtual public spaces where people connect, discover, and engage the mind, as evidenced by SCPL’s Statement of Purpose: “Connect, Inspire, Inform.” In 1996, the Library was formed as a special district governed by a Joint Powers Authority (JPA) and a nine member Library Joint Powers Board (LJPB). SCPL serves a population of more than 200,000 residents located in all urban, suburban and rural areas of Santa Cruz County except Watsonville.



*“Connect, Inspire, Inform”  
— Santa Cruz Public Libraries  
Statement of Purpose*

In 2012, SCPL initiated a master planning process to create modern library facilities that provide modern library service. Objectives of the master plan included implementing SCPL’s new service model, identifying strategies to prepare facilities for the future, and creating a foundation for proactive capital maintenance over the next decade. SCPL selected a consultant team led by Group 4 Architecture, Research + Planning, Inc. (Group 4), a firm with experience helping libraries nationwide develop sustainable service and facility plans. Concurrent with the development of the new facilities master plan, SCPL also commissioned a separate consultant to develop a library technology plan.

## STATE OF THE LIBRARY

The Library operates 10 branch libraries, a bookmobile, and a headquarters facility that work together as an integrated system sharing collections, virtual resources, programs, administration, and more. Other recent planning work by SCPL confirmed that this current network of libraries will be maintained without adding, consolidating, or eliminating facilities in any communities. Therefore this master plan addresses facilities within this system network.



SCPL’s individual facilities vary greatly in age and size as well as in how well they support modern library service. On average the Library’s buildings are 40 years old, and many were built before the Library JPA was formed 17 years ago. Insufficient funding and maintenance staff resources over the years have led to a significant backlog of deferred maintenance projects at many of the facilities.

More than half of the buildings have not been significantly renovated since they were built – let alone since the recent adoption of SCPL’s new service model. Systemwide, SCPL lacks appropriate facilities for library programs, computer training, and other core library services. And several of SCPL’s libraries are serving a high number of customers out of a disproportionately small amount of space – a deficit that will only increase as the population of Santa Cruz County continues to grow in size and diversity.



# EXECUTIVE SUMMARY

## MAINTAIN



## GAIN



## ATTAIN



## SUMMARY OF RECOMMENDATIONS 2014-2023

This master plan recommends three general categories of capital projects at SCPL libraries over the next decade.

- The Maintain plan is a proactive Capital Maintenance Plan (CMP) for SCPL's current library facilities. The Maintain plan is not a mandate, but rather a tool for allocating staff and budget resources for replacement of building components at specific intervals according to industry standards for expected service life. On a year to year basis, SCPL staff may accelerate or defer projects based on actual conditions, opportunities for cost savings by bundling projects, or other factors. SCPL may also opt to replace outdated components with new systems and materials that improve the buildings' energy efficiency and environmental footprint. From a library service perspective, the CMP merely maintains the status quo; it does not propose any changes that would improve a building's capacity to serve as a library.
- The Gain plan is designed to improve how SCPL's current buildings support the new service model. Building on the improvements in the Maintain plan, the Gain plan improves customer access to power and data, consolidates staff service points, increases customer self-service opportunities, and enhances access to the collection. Gain plan projects do not address current space deficiencies or build capacity for the future.
- The Attain plan builds SCPL's capacity to serve the community by replacing undersized and/or outdated facilities with modern libraries that provide modern library service. The Attain projects will have systemwide benefits, adding space and technology for collaborative work, study, and social activities for all ages.

The recommended plan (Maintain + Gain, and/or Attain) for each individual SCPL library is shown in the following summary matrix, along with master plan-level project budgets. These project budgets anticipate construction costs, soft costs (such as engineering fees and construction management) and contingencies, but do not include escalation, hazardous materials abatement, temporary library facilities, or other elements that will need to be identified in subsequent planning and design tasks.

## NEXT STEPS

The LJPB will evaluate funding strategies and develop phasing priorities for the master plan-recommended projects. The next phases of planning for individual projects will confirm project scope, develop design concepts, and refine project budgets.



# Santa Cruz Public Libraries FACILITIES MASTER PLAN 2014–2023



## Aptos

Built 1975  
8,000 SF  
Owner: Santa Cruz County

## Boulder Creek

Built 1984  
4,600 SF  
Owner: Santa Cruz County

## Branciforte

Built 1967  
7,500 SF  
Owner: City of Santa Cruz

## Capitola

Built 1999  
4,320 SF  
Owner: City of Capitola

## Downtown

Built 1968  
44,000 SF  
Owner: City of Santa Cruz

## Felton

Built 1893  
1,250 SF  
Owner: Belardi Trust

RECOMMENDATIONS 1.20

### Maintain

Capital Maintenance

\$1.8 million  
(if existing building is retained)

\$1.3 million

\$1.1 million

\$ 368,000  
(only short-term critical projects until replacement building is completed)

\$8.2 million  
(if existing building is retained)

\$55,000  
(only short-term critical projects until replacement building is completed)

### Gain

Service Model + Sustainable Energy

\$450,000 to \$700,000  

- Service model upgrades
- Improve meeting room flexibility
- Option: alternative energy
- Option: automated materials handling

\$325,000 to \$575,000  

- Service model upgrades
- Option: alternative energy
- Option: automated materials handling

\$325,000 to \$575,000  

- Service model upgrades
- Options: redesigned teen space; new group study space
- Option: alternative energy
- Option: automated materials handling

UNTIL

\$ 1.4 to \$1.9 million  

- Service model upgrades
- Options: new teen space; new computer lab
- Option: automated materials handling
- Option: alternative energy

UNTIL

OR

OR

### Attain

Building Capacity

\$7.6 to \$13.4 million  

- Renovate/expand or replace at 11,000 to 16,000 SF

\$10.2 to \$12.9 million  

- Replace at 12,000 to 15,000 SF

\$24.9 to \$35.6 million  

- Renovate or replace at 44,000 SF (current size)

\$8.6 million  

- Replace at operationally efficient size up to 9,300 SF

Total Recommended Project Budget

Gain + Maintain:  
\$2.2 to \$2.5 million  
OR  
Attain: \$7.6 to \$13.4 million

Gain + Maintain:  
\$1.6 to \$1.8 million

Gain + Maintain:  
\$1.5 to \$1.7 million

Attain: \$10.2 to \$12.9 million

Gain + Maintain:  
\$9.6 to \$10.1 million  
OR  
Attain: \$24.9 to \$35.6 million

Attain: \$8.6 million

# Santa Cruz Public Libraries FACILITIES MASTER PLAN 2014–2023



## Garfield Park

Renovated 2002  
2,343 SF  
Owner: City of Santa Cruz

## La Selva Beach

Built 1975  
2,200 SF  
Owner: LSB Recreation District

## Live Oak

Built 2006  
13,500 SF  
Owner: Santa Cruz County

## Scotts Valley

Built 2011  
13,150 SF  
Owner: City of Scotts Valley

## Headquarters

Built 2008  
13,800 SF  
Owner: City of Santa Cruz

RECOMMENDATIONS 1.21

### Maintain

Capital  
Maintenance

\$323,000

\$258,000

\$1.1 million

\$954,000

\$724,000

### Gain

Service Model  
+  
Sustainable Energy

\$125,000

- Service model upgrades
- Option: alternative energy

\$250,000

- Service model upgrades
- Option: alternative energy

\$325,000 to \$575,000

- Service model upgrades
- Option: create program space
- Option: automated materials handling
- Option: alternative energy

\$50,000 to \$300,000

- Sound attenuation system
- Option: automated materials handling
- Option: alternative energy

### Attain

Building  
Capacity

\$4.4 million

- Expand into rest of building

Total  
Recommended  
Project Budget

Gain + Maintain:  
\$448,000

Gain + Maintain:  
\$508,000

Gain + Maintain:  
\$1.5 to \$1.7 million

Gain + Maintain + Attain:  
\$5.4 to \$5.6 million

Maintain: \$724,000



## SCPL PLANNING HISTORY

SCPL has commissioned a number of planning studies in recent years. A facilities master plan completed in 2009 identified significant short-term improvement needs at most facilities – ranging from capital maintenance projects to interior remodels – as well as long-term goals to expand or build new libraries. One of the recommendations was an expanded Scotts Valley Library, a project realized in 2011 through partnership between SCPL and the City of Scotts Valley. However, primarily due to the downturn in the economy, few of the other recommendations of SCPL’s 2009 facilities master plan were realized.

In 2010, SCPL published its 2010-2015 Strategic Plan in which it confirmed strategic directions including Reading, Viewing, and Listening for Pleasure; Lifelong Learning; Community Connections; Financial Sustainability; Organizational Readiness; and A Welcoming Place. The Strategic Plan was developed through a highly participatory process that engaged the community through a countywide survey, town hall-style meetings at each library, and focus groups with senior citizens, homeschooling families, the homeless, the business community, and Bonny Doon residents.

Also in 2010, in response to the challenging financial climate in recent years, SCPL assembled a Task Force to examine options for a more fiscally sustainable service model. The LJPB subsequently confirmed that SCPL will continue to operate its current libraries, without either adding or eliminating any branches. SCPL developed service model strategies to improve service within its reduced budget, restore open hours in current facilities, create a sustainable cost plan with increased reserves and funds for capital maintenance, and rebalance expenditures. The new service model emphasizes operational efficiencies through strategies such as consolidated service points, improved customer self-service opportunities, a floating collection, and improved technology for customers and staff.

# INTRODUCTION

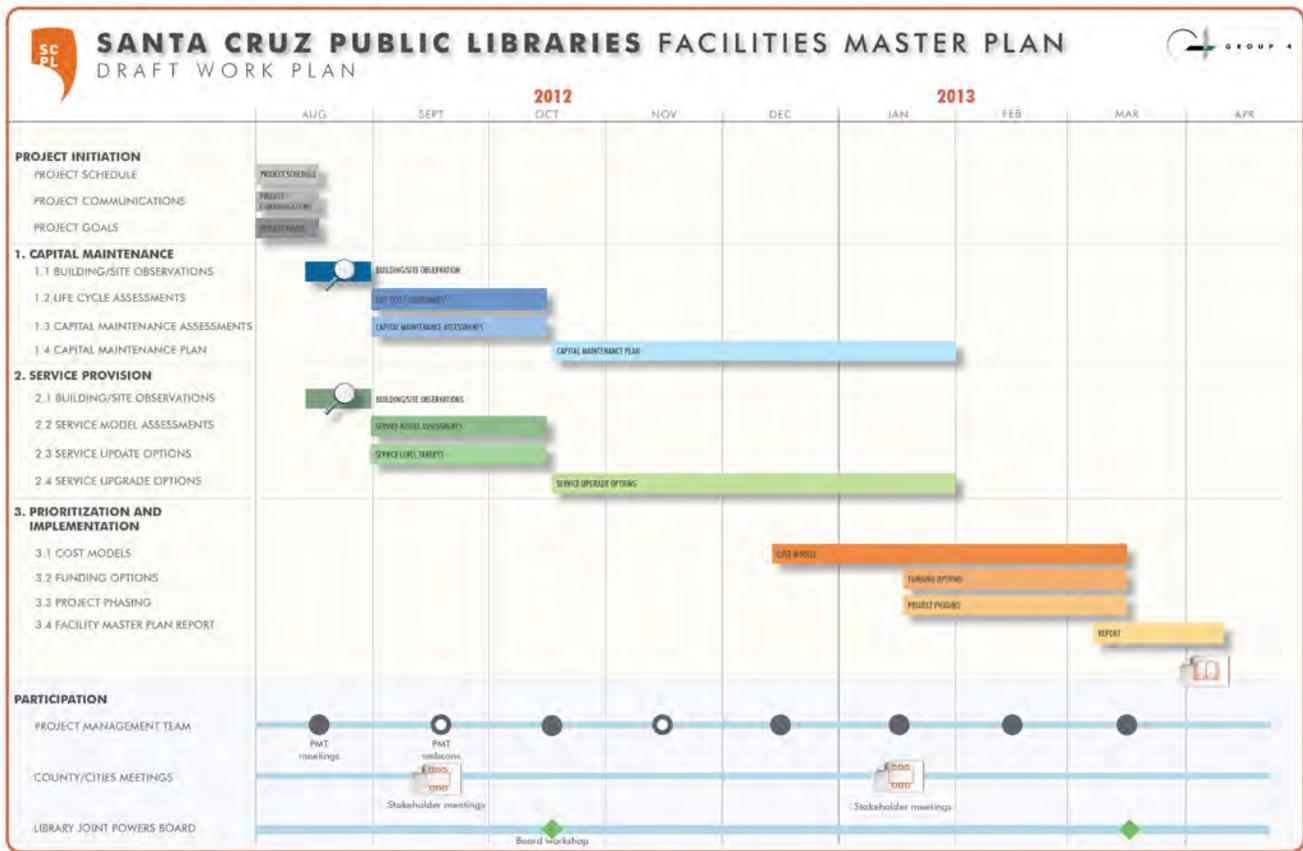
## PROJECT METHODOLOGY AND PARTICIPATION

This facilities master plan project was completed over an eight month period from August 2012 to March 2013. Data gathering included review of documents for each of SCPL’s current facilities, such as building plans and maintenance/service records, as well as demographics, former SCPL planning studies, and other information provided by SCPL.

Together with Group 4’s project team, SCPL’s leadership team formed the core Project Management Team (PMT) for the master plan. The PMT met as a group eight times over the course of the project to review project progress and provide project direction.

The consultant team met twice with department heads and staff representatives from the County as well as from the cities of Santa Cruz, Capitola, and Scotts Valley to review and confirm project findings and recommendations. Early in the project, Group 4 conducted a focus group with representatives of the Friends of the Library. Group 4 also presented the project twice to the Library Joint Powers Board: once to confirm project goals, and again later to present findings and recommendations.

Individual project participant names and members of the consultant team are listed in the Acknowledgments section of this report.





## 21ST CENTURY LIBRARY VISION

In 2011, in response to economy-driven budget reductions as well as the LJPB’s re-dedication to maintaining the current network of library facilities, SCPL developed a new community service model designed to increase open hours, build a sustainable cost structure with appropriate contingencies and reserves, rebalance the cost of materials within overall expenditures, and upgrade technology to meet modern library standards and adapt to future needs. In addition to organizational changes and new policies such as floating collections, the new service model recommended both customer-side and staff-side facility improvements intended to increase operational efficiency and enhance public library service.

But the implementation of self-checkout stations and consolidated service desks does not adequately reflect the whole vision for SCPL’s libraries. The Library’s Strategic Plan 2010-2015 confirmed “A Welcoming Place” as a core strategic direction – providing comfortable, welcoming, and customer-focused spaces that deliver a 21st century library experience.

Within the SCPL system, the new Scotts Valley Library best reflects both the new service model and the vision for the future. Upon entering the library, customers find a bright, open, and highly legible building that provides a variety of settings for individual and collaborative work, study, and activities. The collection is open and browsable, offering materials in retail-style shelving that can easily accommodate curated and themed displays. Teens have a distinct place of their own, separate from children

*“Fully 91% of Americans ages 16 and older say public libraries are important to their communities; and 76% say libraries are important to them and their families.”*  
 — Pew Research Center, *Library Services in the Digital Age* (2013)

# LIBRARY VISION

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*“... our research suggests there is a strong correlation between the condition of branches and the number of people using them.”*

— Center for an Urban Future, *Branches of Opportunity* (2013)

and adults. The meeting room is flexible, and can easily be set up as overflow work and study space when not in use for programs, such as after school.

The Scotts Valley Library also reflects the vision of how modern library facilities encourage and increase library use by all segments of the community. Today it is the second-highest circulating branch in the SCPL system and bustles with activity throughout the day. This phenomenon has been experienced by libraries nationwide who have modernized their facilities. Aging and outdated libraries have a depressive effect on use, turning away as many (or more) customers as they serve. By contrast, attractive facilities draw a much larger – and more diverse – customer population.

SCPL’s Vision Statement is “Transform lives and strengthen communities.” In addition to its strong vision of a vibrant future for residents of Santa Cruz County, SCPL also has a clear commitment to strengthening the community by maintaining links to its past. SCPL is an important portal for the community to learn about its shared history, actively collecting, preserving, curating, and providing access to local history documents, archived photographs, and genealogy reference materials. The lion’s share of the local history collection is located centrally at the Downtown Library, along with the music collection, back issues of newspapers and periodicals, and other systemwide collection resources. This core service is at the heart of SCPL’s vision, and will continue to be an important resource for the community in the future.

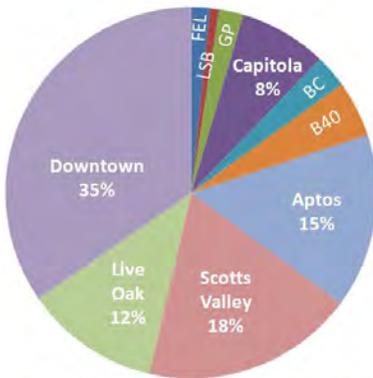
## STATE OF THE LIBRARY TODAY

SCPL’s facilities represent a wide range in terms of age, condition, and how well they support SCPL’s vision of library service. SCPL’s newest facilities are the Scotts Valley Library, which opened in 2011; its headquarters, built in 2008; and the Live Oak Branch, which opened in 2006. At the other end of the spectrum are the Felton Library – which operates in a church building that in 2013 is celebrating its 120th birthday – and the Carnegie-era Garfield Park Library. In the middle of the range are the Branciforte, Aptos, La Selva Beach, Downtown Santa Cruz libraries, built in a Santa Cruz County “boom” in library construction between 1967 and 1975. The Boulder Creek Library was added in the 1980s. The current Capitola Library was established in 1999 in a facility meant to be temporary.



# FACILITY ASSESSMENTS

Percent of total SCPL checkouts\*



\*Based on checkouts by branch, July-Sept. 2011

## PATTERNS OF LIBRARY USE

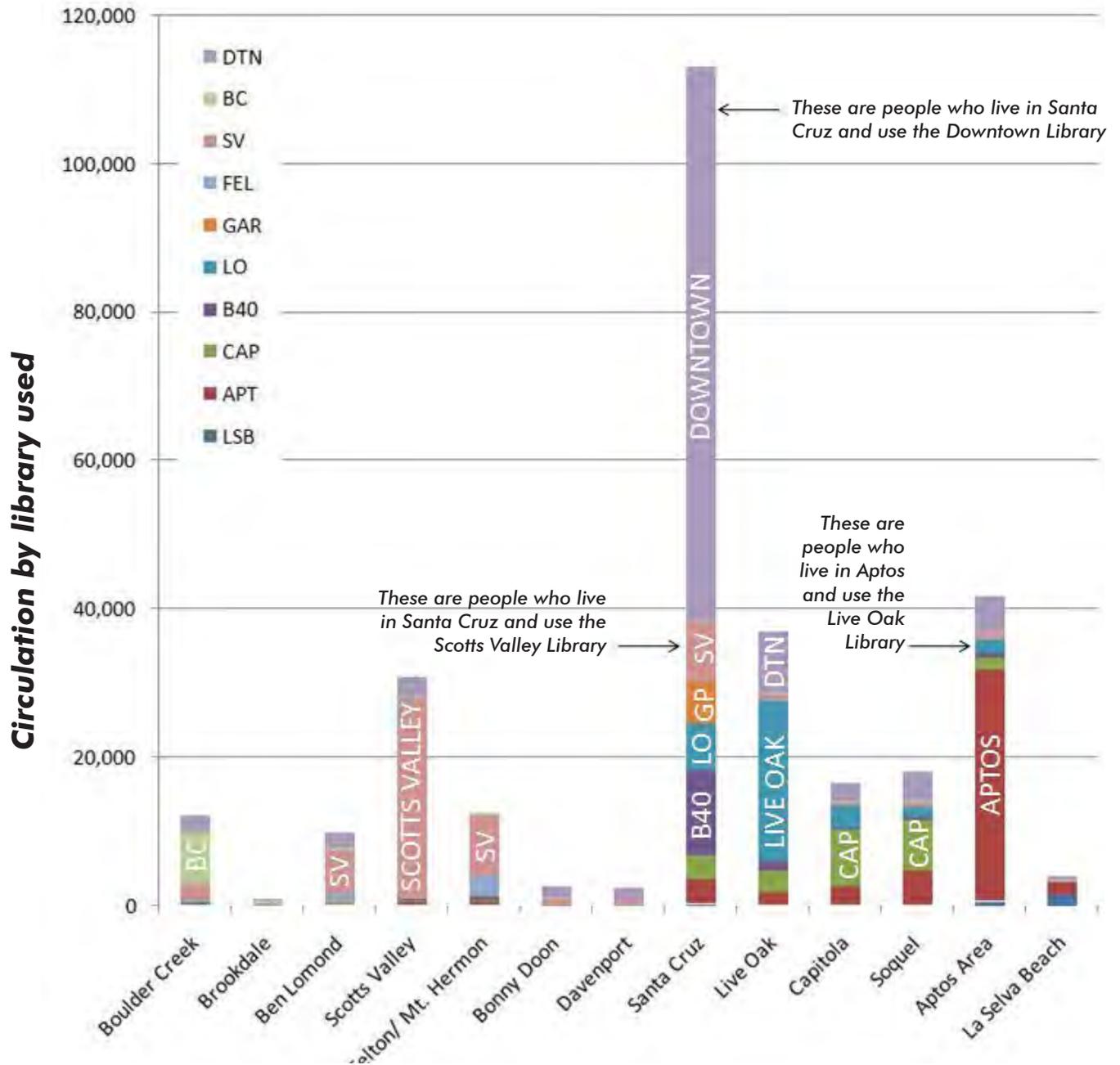
A key analysis in the development of the master plan was an examination of how Santa Cruz County residents currently use their libraries. Analysis of one year of circulation data between July 2011 and June 2012 revealed that in the SCPL system, 80% of all materials are checked out of four libraries – Downtown, Scotts Valley, Aptos, and Live Oak. Downtown and Live Oak both circulate materials roughly in proportion to the amount of space in their facilities relative to total space in the SCPL system; Downtown circulates 36% of all materials and has approximately 35% of SCPL’s total square footage, while Live Oak circulates 11% of materials in approximately 13% of SCPL square footage. The other two libraries account for a disproportionately high level of circulation relative to their building size; Scotts Valley circulates 17% of all materials in 13% of the space, while Aptos circulates 16% of materials out of just 8% of the space. Capitola, the fifth-highest circulating library in the SCPL system, circulates 7% of SCPL’s materials in just 4% of its library space.

SCPL also periodically compiles data comparing where customers live with where they check out books. SCPL provided a set of data collected over three months in 2011, following the opening of the new Scotts Valley Library. Findings from this data set include:

- SCPL’s customers do not only use the library nearest to their residence, but rather travel to the library that best meets their needs. During the data collection period, there were Ben Lomond residents who checked out materials from the La Selva Beach Library, Scotts Valley residents who visited the Aptos Library, and Santa Cruz residents who made the trip up to Boulder Creek.
- The Downtown Library is a countywide resource. Residents of every community in Santa Cruz County – from Davenport to Brookdale to Corralitos – regularly make the trip to the Downtown Library to check out books, study, participate in programs, get tutoring and literacy help, and visit the Friends of the Library bookstore.

The highly mobile lifestyle that Santa Cruz County residents lead and their willingness to travel means that improvements in individual libraries will have systemwide benefits. Although there are opportunities to make improvements at each SCPL library, not every facility needs to be expanded; instead, capacity added strategically at certain libraries will help alleviate the pressure on the others (as well as on themselves). Similarly, the addition of program space in some libraries will increase the availability of library programs and events for all communities in the county.





## Where customers live

Based on checkouts by branch, July-Sept. 2011

# FACILITY ASSESSMENTS



Branciforte Library

*Buildings have a finite life expectancy. Their longevity is affected by factors such as the quality of their original construction and materials; environmental conditions; types and patterns of use; and level of maintenance. Even under optimal conditions, however, most building systems and components will eventually need to be replaced.*



Live Oak Library

## SCPL'S CURRENT CAPITAL MAINTENANCE PROGRAM

SCPL does not own any of its facilities. Except for the La Selva Beach and Felton libraries, SCPL leases its facilities from its member cities or the County. According to the terms of each lease, SCPL is responsible for nearly all capital maintenance.

SCPL hires outside contractors to complete larger projects and/or perform more specialized work (such as HVAC maintenance, electrical work, and elevator repair). The rest of its maintenance projects are performed by SCPL's own crew of three full-time maintenance workers. The crew has a small office on the second floor of the Downtown Library, but for all intents and purposes each maintenance worker operates out of his van. They do not have a dedicated shop in which to work or space for storing specialized equipment, which limits the type of work they can perform and requires some duplication of equipment among the three vans. The maintenance crew also lacks dedicated storage for supplies, which prevents SCPL from taking advantage of discounts that may be available through bulk purchasing. Additional challenges for the maintenance crew include the addition of landscape maintenance for two branches to their workload, and the elimination of SCPL's in-house custodial crew (who also used to assist with minor maintenance problems).

To date, SCPL's approach to scheduling capital maintenance projects has been almost entirely reactive. During development of the annual budget, branch library staff are asked to identify maintenance projects at their facilities that they feel should be addressed in the upcoming year. These projects are then prioritized by SCPL administrative staff within the context of the annual budget allocation for capital maintenance – which in recent years has been much lower than would normally be expected for a library system of SCPL's size and building inventory. For other maintenance needs that arise during the course of the year, SCPL must either defer other projects on the original list, or use budget contingency funds.

A more proactive capital maintenance approach would schedule maintenance projects based on criteria such as the anticipated life cycle of building materials and systems. Taking care of maintenance needs on a regular schedule not only allows for better allocation of budget and maintenance resources, but also reduces the interruptions in library service that can occur when materials and systems fail. However, the realities of SCPL's limited maintenance budget and staff resources have made it practically impossible to develop and implement a proactive capital maintenance plan. Most projects are done essentially on an emergency basis, with even the squeakiest wheels only getting the grease when they are in imminent danger of falling off entirely.

## FACILITY CONDITION ASSESSMENTS

Group 4’s project team toured each of SCPL’s current facilities with SCPL administrative and maintenance staff, observing the current physical condition of the facilities as well as service and operational elements. In addition to the information gathered through the facility tours, the facility condition assessments were based on a combination of interviews with SCPL staff and review of available building plans and other documentation. Structural engineers Fratessa, Forbes & Wong conducted more detailed review of facility documentation for the Aptos Library and the Downtown Library.

Santa Cruz County residents love their libraries, and it shows in the condition of the buildings and their systems, materials, and finishes. The facilities have been kept clean and reasonably well maintained, but years of heavy use by the community has resulted in visible wear and tear in all but the newest buildings.

Inconsistent planning and insufficient budgeting for capital maintenance over the years has led to a backlog of deferred maintenance needs, such as:

- Building systems and materials at many libraries that have served beyond their anticipated useful life and are overdue for replacement;
- Gaps in ADA accessibility, from non-compliant restrooms to major barriers in paths of travel; and
- Dated furniture and finishes that show signs of significant wear.

It should be noted that a full ADA accessibility survey was beyond the scope of this master plan study. Although some of the assessment findings are accessibility-oriented, the consultant team did not do an exhaustive study of accessibility conditions at any of the libraries. As such, this assessment should not be considered a complete inventory of accessibility deficiencies at any of the facilities. A separate specific study of this issue is recommended.

The consultant team also did not directly observe the roofs of the existing buildings. SCPL may wish to commission a specific roof condition study.



Garfield Park Library

*“Reader chairs receive more use and abuse than any other piece of furniture in the library. They seem to present a challenge to patrons who have discovered many creative ways to occupy them.”*  
— Carole Graham & Linda Demmers, *Furniture for Libraries* (2001)



La Selva Beach Library

# FACILITY ASSESSMENTS



*Friends Store  
Downtown Library*

## **LIBRARY SERVICE ASSESSMENTS**

The service assessments looked generally at the extent to which SCPL's new service model has been implemented at each facility – for example, how the staff service desks, material holds shelves, and self-checkout units are configured to either support or discourage customer self-service. Opportunities to implement (or improve) elements of the service model were identified according to the following categories:

- Customer amenities and staff operations – consolidated staff service desks, more prominent self-service features, “marketplace”-style display of materials for improved browsability, and selected other improvements at selected libraries;
- Technology – power and data enhancements based on the findings and recommendations of SCPL's separately-commissioned technology plan; and
- Automated materials handling – adding automated materials handling (AMH) systems at selected libraries as appropriate based on circulation levels as well as the ability of the building to accommodate the technology.

SCPL's facilities are also showing their age in terms of their ability to support modern library service. With the exception of Scotts Valley, all of SCPL's facilities were designed according to a 20th century vision of library service oriented around staff-mediated access to the collection.

- Most of SCPL's facilities still have shelves that are tall, full, and difficult to browse.
- Although self-check units have been added at all of the libraries, many customers bypass them in favor of the large service desks, where staff feel tethered to transactional circulation tasks rather than moving out onto the library floor to provide customized services. Even Live Oak, which is less than 10 years old, has multiple large staff desks that are inconsistent with SCPL's new service model.
- Live Oak and Scotts Valley are the only libraries in the system built in anticipation of the current proliferation of laptops and other technologies that require increased customer access to data and power.
- Few of the facilities provide space for programs, meetings, and collaborative work.
- Few of the libraries offer dedicated space for teens.



*Downtown Library*

## CAPACITY AND FUTURE ADAPTABILITY

The service assessment also looked broadly at the capacity of SCPL's facilities to meet community needs, both now and in the future, and identified libraries that are simply too small and/or too outdated to adequately serve the community.

- The Felton Library's current building – a 1,250 square foot historic church – cannot even be renovated to support modern library service, let alone expanded to meet community demand. It is highly likely that the current building discourages many Felton community members from using the library. A more appropriate permanent home for the Felton Library is long overdue.
- The Capitola Library was established in 1999 in a modular building intended as a temporary facility; however, more than a decade later, the modular building is still in use. Approximately 7% of all materials checked out of the SCPL system are checked out from the Capitola Library, which provides only 4% of the total amount of library space systemwide. The modular building cannot reasonably be either upgraded or expanded to serve as a permanent facility, and should be replaced.

In addition, several facilities are insufficient to meet current community demand, and will be even more hard-pressed to serve as the population continues to grow.

- The Aptos Library is SCPL's third highest circulating library, with Aptos customers accounting for 16% of all materials checked out systemwide. However, the Aptos Library only provides 8% of the library space overall in the SCPL system.
- The Downtown Library is appropriately sized overall, with a proportionate amount of space relative to its circulation level. However, the Downtown Library serves even more visitor traffic than it circulates materials. In addition to programs and materials to serve the local community, the Downtown Library houses systemwide resources such as the music collection, the local history materials, genealogy resources, and back issues of periodicals as well as SCPL's Information Technology department and central materials routing. The Downtown Library is also the center of operations for the Friends of the Santa Cruz Public Libraries, including its main Friends store and office as well as storage and sorting space. With recent changes such as moving SCPL's Technical Services to the Headquarters building across the street, it is likely that some of the back-of-house space could be recaptured for public use, such as to create dedicated space for teens (who currently are allocated a small corner upstairs in the children's library).



*Felton Library*



*Capitola Library*



*Aptos Library*

# RECOMMENDATIONS

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MAINTAIN	GAIN	ATTAIN
<b>Capital Maintenance</b>	<b>Service Model Upgrades</b>	<b>Building Capacity</b>
<ul style="list-style-type: none"> <li>▪ Keep existing facilities open</li> <li>▪ Deferred maintenance and life-cycle renewal projects</li> <li>▪ <b>Status quo – MAINTAIN projects do not address library services, operations, or capacity</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ Improve service and operations in existing facilities</li> <li>▪ New service model, increased self-service, improved customer and operational technologies</li> <li>▪ <b>GAIN projects do not expand capacity</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ Accommodate current and future needs</li> <li>▪ Address space deficits</li> <li>▪ Replace temporary and outdated facilities</li> <li>▪ <b>ATTAIN projects improve service and build capacity for the future</b></li> </ul>

## RECOMMENDATIONS OVERVIEW

This master plan developed three categories of recommended improvements for SCPL’s facilities. Although some facilities are proposed to have multiple categories of improvements, the categories have been developed to be exclusive, without overlap or duplication of elements between them. These master plan categories and their associated overall project budgets are summarized in this section. The next chapter includes specific master plan-recommended projects and project budgets for individual SCPL facilities.

### MAINTAIN PLAN PROJECTS

The Maintain plan recommendations are focused on the physical conditions of SCPL’s existing facilities – addressing deferred maintenance needs and developing a proactive plan for capital maintenance projects over the next decade. The Capital Maintenance Plan (CMP) does not address routine maintenance, such as periodically changing light bulbs and air filters. Rather, the CMP is intended to replace building systems, materials, and furniture “in kind” as they reach the end of their expected useful lives.

From a library service perspective, the CMP merely maintains the status quo; it does not propose any changes that would improve a building’s functionality or its capacity to serve as a library. However, when implementing CMP projects, SCPL could opt to replace the current systems, finishes, and furnishings with alternatives that also achieve other goals, such as improved energy efficiency, different furniture types, and more up-to-date aesthetics.

## **GAIN PLAN PROJECTS**

Improvements in the Gain category are focused on improving the ability of each building to function as a library and to support SCPL’s new service model. Coordinated with the improvements in the CMP, the Gain plan includes elements such as increasing customer access to power and data; consolidating staff service points and increasing customer self-service opportunities; and enhancing access to new and popular collection materials. The Gain plan also proposes that SCPL consider adding automated materials handling (AMH) at libraries where circulation levels could make it a worthwhile investment. Gain plan projects do not build capacity to address current space deficiencies or future population growth.

## **ATTAIN PLAN PROJECTS**

The Attain plan recommends improvements at selected libraries to address the most severe deficits in facility condition and to build capacity to serve the community. The Attain projects will have systemwide benefits, adding capacity not only for the collection, but also for seating, technology, and space for collaborative work, meetings, and programs for all ages. These projects will help SCPL meet the needs of the current population – which has grown and shifted dramatically in the years since these libraries were first constructed – and to accommodate the added population growth expected in Santa Cruz County in the future.

## **PROJECT BUDGETING METHODOLOGY**

Budgets for the master plan-recommended projects are based on per-square-foot cost inputs that were reviewed and confirmed by Bogard Construction Inc., a Santa Cruz-based company that has provided construction, project management, and cost estimating services in the community since 1947. The goal for developing project budgets was to be comprehensive, including:

- “hard costs” of site and building construction;
- furniture, fixtures, and equipment (FF&E) and building technology;
- public art allowances;
- “soft costs” such as design and engineering fees, testing, permitting, and construction management; and
- contingencies to account for unforeseen circumstances as well as minor changes in size and scope as the projects are developed in more detail.

The capital maintenance plan incorporates escalation at approximately 3 to 4% per year over the life of the 10-year plan. However, because project timelines have not yet been developed for the recommended Gain plan (service model upgrades) and Attain plan (capacity expansion) projects, no escalation has yet been applied to these budgets.

## MAINTAIN PLAN – ADDRESSING CAPITAL MAINTENANCE NEEDS

The Maintain plan recommends projects over the next 10 years for all of SCPL’s current facilities except for Felton and Capitola.

- Due to the extent of deficiencies – both physical and operational – at the current Felton Library building, the master plan recommends that SCPL abandon the historic church building and move the Felton Library into another facility. As such, the CMP includes only critical projects that will be needed at the existing building over the next two to three years while the Felton Library prepares to move to new accommodations.
- Similarly, because the Capitola Library’s modular building has always been considered temporary, the master plan recommends that SCPL should find a more appropriate long-term facility for the Capitola Library. The CMP therefore includes a budget for critical projects that will arise over the next few years as SCPL and the Capitola community plan a new permanent library building.

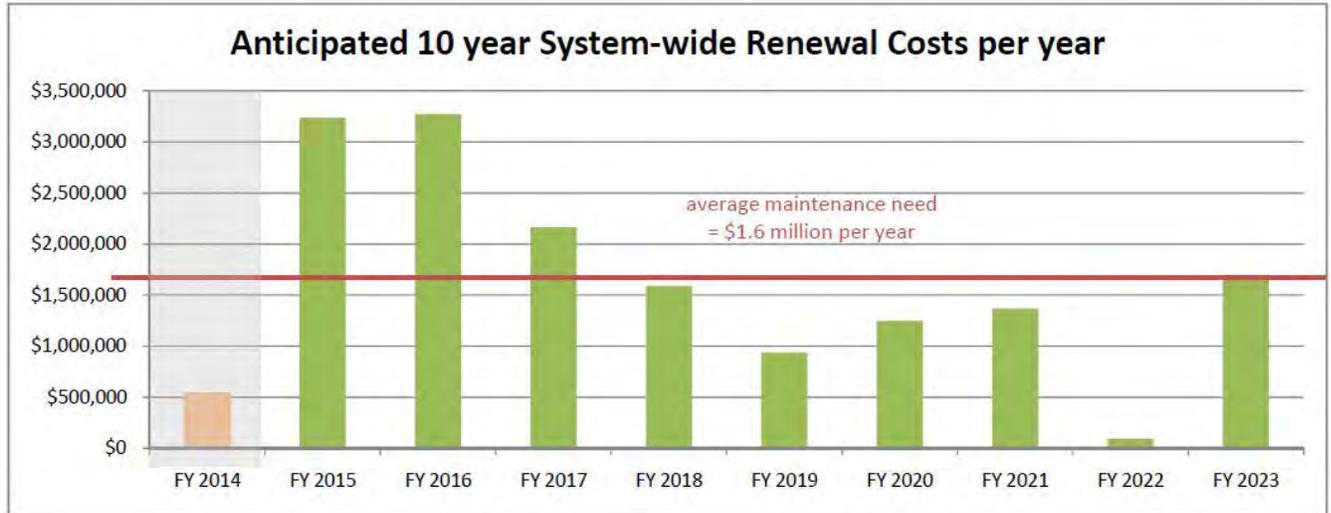
It should be noted that the approximate replacement dates for projects in the CMP are intended as a guide rather than as a mandate. On a year-to-year basis SCPL may elect to accelerate or defer some projects for reasons such as if building components are failing earlier than expected; if building components are judged to have additional life; if coordinating types of projects across facilities would save money; and/or to balance year-to-year expenditures or SCPL project management workload.

The construction budget for the projects in the 2014-2023 CMP totals approximately \$16.2 million. Over the 10 year CMP window, this would be an average capital investment of approximately \$1.6 million per year for the system overall. CMP budgets include cost escalation to each project’s anticipated implementation date at approximately 3 to 4% per year. Budgets for individual projects are included in the detailed CMP which is a separate appendix to this report.

Over the 10-year life of the CMP, it is recommended that SCPL periodically review the cost basis and cost inputs for the project budgets, and revise them as needed to reflect actual market conditions and escalation.

Anticipated 10 year System-wide Renewal Costs per year

FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
\$546,000	\$3,233,000	\$3,269,000	\$2,165,000	\$1,589,000	\$938,000	\$1,249,000	\$1,367,000	\$97,000	\$1,699,000



## MAINTAIN

Library	Owner	Maintain Projects
Aptos	County	\$ 1,755,000
Boulder Creek	County	\$ 1,271,000
Branciforte	Santa Cruz	\$ 1,128,000
Capitola	Capitola	\$ 368,000
Downtown	Santa Cruz	\$ 8,186,000
Felton	Belardi	\$ 55,000
Garfield Park	Santa Cruz	\$ 323,000
Headquarters	Santa Cruz	\$ 724,000
La Selva Beach	LSBRD	\$ 258,000
Live Oak	County	\$ 1,131,000
Scotts Valley	Scotts Valley	\$ 954,000
<b>Total</b>		<b>\$ 16,153,000</b>

# MAINTAIN



*Boulder Creek Library*

## HOW THE CAPITAL MAINTENANCE PLAN WAS DEVELOPED

The Capital Maintenance Plan (CMP) is a scheduled compilation of building components, anticipated replacement years, and associated budget information. Organized according to standard UCI categories, the CMP calculates the anticipated replacement year for each component. It is a powerful tool for building owners and managers to develop an annual capital maintenance budget and plan specific projects each year.

For SCPL's CMP, the calculation to determine year of replacement was done in two ways:

- Where the age of a component was known, an industry standard life expectancy was used to calculate the year of anticipated replacement. For example, if a rooftop mechanical unit with a life expectancy of 20 years was installed in 2001, its anticipated year of replacement would be 2021.
- For components whose exact year of installation was not known, two criteria were used to develop an approximate replacement date. The first criterion was current condition, based on observation and rated on a scale from one (like new) to five (high risk of failure). The second criterion was the impact that the component's failure would have on library operations, also rated on a scale from one (little to no impact) to five (major interruption to operations). The ratings from these two criteria were added together, and the sum was subtracted from 2023 (the end of the 10-year capital maintenance planning timeline) to assign a year for capital replacement.



*Branciforte Library*

In the aggregate, the CMP information also offers a high-level view of the condition of SCPL's facilities overall. An indicator known as the Facility Condition Index (FCI) is calculated as the ratio of the value of the recommended CMP projects for each building to the estimated construction cost to replace the building entirely. A lower FCI suggests that a building is more up-to-date on capital maintenance, whereas a higher FCI suggests that there are significant deferred maintenance issues that need to be addressed. As the FCI increases beyond 40%, building owners should conduct a cost-benefit analysis of continuing to maintain the existing building. Some agencies and property managers even establish an upper FCI limit beyond which they automatically elect to replace the entire building.

## Facility Summary and FCI

Facility	Gross SQ FT	Yr. Built	Anticipated Renewal Costs FY2014-2023	Facility Condition Index (FCI)	
				5 Year FCI	10 Year FCI
Aptos	8,000	1975	\$1,755,000	38.4%	45.2%
Boulder Creek	4,600	1984	\$1,271,000	45.8%	51.7%
Branciforte	7,500	1967	\$1,127,000	28.2%	30.9%
Capitola	4,320	1999	\$368,000		
Downtown	44,000	1968	\$8,186,000	25.6%	38.4%
Felton	1,250	1892	\$56,000		
Garfield Park	2,340	1915	\$323,000	19.0%	25.9%
Headquarters	13,800	2008	\$724,000	5.5%	11.4%
La Selva Beach	2,200	1975	\$259,000	15.3%	22.0%
Live Oak	13,500	2006	\$1,130,000	8.5%	17.3%
Scotts Valley	13,150	2011	\$954,000	0.2%	15.0%

## System Summary and System FCI

System Summary	GSF	Average Building Age (Yrs)	Anticipated Renewal Costs FY2014-2023	Facility Condition Index (FCI)	
				5 Year FCI	10 Year FCI
All Buildings	114,660	40	\$16,153,000	19.6%	29.0%

- Facility Condition Index (FCI) is an indicator of overall building condition.

Building Condition FCI

Good	0 to 10%
Fair	10.1 to 20%
Poor	20.1 and above

**Formula:** 
$$\frac{\text{Renewal Costs (\$)}}{\text{Building Replacement Value (\$)}} = \text{FCI}$$

**Example:** 
$$\frac{\text{Renewal Costs of \$5M}}{\text{Replacement Value of \$10M}} = \frac{5,000,000}{10,000,000} = .5 \text{ or } 50\%$$

## GAIN PLAN – IMPROVING LIBRARY SERVICE AND OPERATIONS

Gain plan projects will modify SCPL’s current facilities to better serve the public and adapt to changing needs, technologies, operations, and services over the next decade and beyond.

The Gain plan is recommended for the following facilities, which are adequately sized and do not need to expand. At these libraries, recommended projects include the creation of a browsable, retail-style “marketplace” with new and popular materials, consolidation of staff service points, and enhancement of express checkout units and other customer self-service amenities. SCPL is also encouraged to evaluate opportunities to improve the sustainability of these facilities, such as through participation in renewable energy programs.

- Boulder Creek
- Branciforte
- Garfield Park
- Live Oak
- La Selva Beach

For the following libraries, the Gain plan is one option. Alternative project options for these libraries are proposed in the Attain plan, which is described in the next section.

- Aptos – The meeting room at the Aptos Library is under-utilized, sitting dark and empty for much of the day. In addition to implementing other Gain-level recommendations such as a marketplace, there is an opportunity at the Aptos Library to open up the wall between the meeting room and the main adult reading room, creating flexible space that can be more easily used for reading and study when not in use for programs. Given its high circulation rate, the Aptos Library may also be a candidate for an automated materials handling system.
- Downtown – Over time, the Downtown Library’s role in supporting the rest of the libraries in the SCPL system has changed. For example, although Reference Services staff remain in the Downtown Library, Technical Services staff have moved their operations across the street to SCPL Headquarters. In addition to implementing the other Gain-level recommendations (such as a marketplace and improved self-service), there is an opportunity at the Downtown Library to recapture some of its underutilized back-of-house space for public uses such as a technology learning lab and/or improved space for teens. As the highest circulating library in the SCPL system, the Downtown Library could also be a strong candidate for a robust automated materials handling system.

- Scotts Valley – The Scotts Valley Library is the first in the SCPL system to implement the major elements of the new service model – a retail-style marketplace, a consolidated service desk, prominent self-service features, and excellent customer access to power and data. The building is already designed to support the Gain-level implementation of an automated materials handling system. Another improvement that SCPL may wish to consider at the Gain level would be a sound-attenuation system, as the popularity of the new library has resulted in some complaints about noise at peak use times such as after school.

The master plan does not include Gain-level recommendations for Felton and Capitola, as both of these current facilities should be abandoned. The Gain plan also does not make recommendations for Headquarters.

The budget for the Gain plan is approximately \$3 million to \$5 million for projects at all of the libraries except Felton, Capitola, and Headquarters. The Gain plan budget is in addition to the budget for the projects in the Maintain plan at each facility. The budget includes construction costs, soft costs, and contingencies. However, because phasing has not yet been determined, escalation has not been included in the Gain plan project budgets.

		<b>MAINTAIN + GAIN</b>			
<b>Library</b>	<b>Owner</b>	<b>Low</b>	<b>to</b>	<b>High</b>	
Aptos	County	\$ 2,205,000	to	\$ 2,455,000	
Boulder Creek	County	\$ 1,596,000	to	\$ 1,846,000	
Branciforte	Santa Cruz	\$ 1,453,000	to	\$ 1,703,000	
Capitola *	Capitola	\$ 368,000	to	\$ 368,000	
Downtown	Santa Cruz	\$ 9,586,000	to	\$ 10,086,000	
Felton *	Belardi	\$ 55,000	to	\$ 55,000	
Garfield Park	Santa Cruz	\$ 448,000	to	\$ 448,000	
Headquarters **	Santa Cruz	\$ 724,000	to	\$ 724,000	
La Selva Beach	LSBRD	\$ 508,000	to	\$ 508,000	
Live Oak	County	\$ 1,456,000	to	\$ 1,706,000	
Scotts Valley	Scotts Valley	\$ 1,004,000	to	\$ 1,254,000	
<b>Total</b>		<b>\$ 19,403,000</b>	<b>to</b>	<b>\$ 21,153,000</b>	

\* No Gain plan recommendations for Felton and Capitola; Attain plan only

\*\* Maintain plan recommendations only for Headquarters

**ATTAIN PLAN – BUILDING CAPACITY FOR THE FUTURE**

The Attain plan addresses space deficiencies relative to current needs and provides additional capacity to accommodate future population growth. Attain projects include the following:

- Capitola – The Capitola Library moved into its “temporary” facility in 1999 – the same modular building it still occupies today. Capitola is overdue for a larger and more permanent facility. The Attain plan recommends a new library for Capitola of approximately 12,000 to 15,000 square feet. The recommended project budget is approximately \$10.2 to \$12.9 million to develop a new library building of this size along with its associated parking on the current Capitola Library site. It should be noted that the dissolution of Capitola’s Redevelopment Agency also removed the obligation to develop the library only on the current site; the Capitola community may wish to evaluate opportunities to develop a new library on an alternate site.
- Felton – The Felton Library’s current building simply cannot be upgraded to meet the community’s library needs. The Felton Library should move to another building. For a number of years, members of the Felton community have been planning for a new library; the latest iteration of the plan was a new 9,300 square foot standalone building on land that is in the process of being donated to the County. Should this option prove unfeasible, one possible alternative would be to acquire an existing building in Felton’s commercial corridor and convert it for use as a new library. The recommended project budget for a 9,300 square foot new Felton Library is approximately \$8.6 million.
- Aptos – The Aptos Library is the third highest-used SCPL branch. This master plan recommends expansion of the Aptos Library in order to better serve the community. One option would be to renovate and expand the existing building up to approximately 11,000 square feet, which is the most that the current building and site configuration can reasonably accommodate without sacrificing either operational efficiency or parking capacity. The Aptos Library could also be replaced on its current site with a new, more operationally- and energy-efficient building of up to 16,000 square feet. The recommended project budget is approximately \$7.6 to \$13.4 million.
- Downtown – Although expansion of the Downtown Library is not recommended, this master plan strongly recommends that the building should be extensively renovated or replaced. Major renovation would replace most of the 45-year-old building’s aging systems, upgrade interior (and possibly exterior) finishes, and upgrade the building to meet current codes; the project could also include major reorganization of the interior to create new spaces, enhance operational efficiency, and improve customer wayfinding. In addition to improving library service, full building replacement would provide the opportunity to maximize energy efficiency, minimize the environmental footprint, and further enhance downtown urban development. A new Downtown Library could also offer the opportunity to build partnerships, such as through shared facilities with complementary uses. The recommended project budget is approximately \$24.9 to \$35.6 million.

- **Scotts Valley** – The Scotts Valley Library is the second-busiest branch in the SCPL system, circulating proportionally more materials than the amount of space it provides. Although its current size is adequate, population growth may exceed the library’s capacity to meet community needs in the future. SCPL may want to consider future expansion into the adjacent tenant space in the Scotts Valley Library building. The recommended project budget for expansion is approximately \$5.4 to \$5.6 million.

For the renovation/expansion options at Aptos and Downtown, these budgets incorporate the projects (as applicable) contained in the capital maintenance plan, and therefore are not additive to the Maintain plan budgets for those facilities. The proposed expansion of the Scotts Valley Library is in addition to the projects in both the Maintain and Gain plans, and therefore is additive to those budgets.

**MAINTAIN + GAIN + ATTAIN**

<b>Library</b>	<b>Owner</b>	<b>Low</b>	<b>to</b>	<b>High</b>
Aptos	County	\$ 7,630,000	to	\$ 13,400,000
Boulder Creek	County	\$ 1,596,000	to	\$ 1,846,000
Branciforte	Santa Cruz	\$ 1,453,000	to	\$ 1,703,000
Capitola	Capitola	\$ 10,160,000	to	\$ 12,880,000
Downtown	Santa Cruz	\$ 24,900,000	to	\$ 35,550,000
Felton	Belardi	\$ 8,620,000	to	\$ 8,620,000
Garfield Park	Santa Cruz	\$ 448,000	to	\$ 448,000
Headquarters	Santa Cruz	\$ 724,000	to	\$ 724,000
La Selva Beach	LSBRD	\$ 508,000	to	\$ 508,000
Live Oak	County	\$ 1,456,000	to	\$ 1,706,000
Scotts Valley	Scotts Valley	\$ 5,384,000	to	\$ 5,634,000
<b>Total</b>		<b>\$ 62,879,000</b>	<b>to</b>	<b>\$ 83,019,000</b>

# IMPLEMENTATION



*“Libraries are experiencing an historic resurgence as community centers at exactly the same time that government support for them is waning.*

*Circulation is at historic highs despite dwindling book budgets, and the number of programs on offer is greater and more diverse than ever before, even as staff levels have plateaued. This is a huge lost opportunity... If libraries are going to fulfill their potential as engines of upward mobility and take advantage of opportunities afforded by the Internet, they will need far greater financial and institutional support than they have received so far.”*

*— Center for an Urban Future,  
Branches of Opportunity  
(2013)*

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## IMPLEMENTATION PLANNING

The scope of this master plan does not include the development of a specific implementation plan. It will be the task of the LJPB to determine strategies for phasing and funding the master plan-recommended projects. This section is intended as a guide for the LJPB as it moves forward with the next steps of planning implementation of the Gain and Attain-level recommendations.

### SUMMARY OF PROJECT BUDGETS

The project budgets developed for this master plan attempted to be as comprehensive as possible in accounting for the hard costs, soft costs, contingencies, and other anticipated project components. However, there are likely to be additional costs that have not yet been included in the project budgets because they are not yet well defined. It will be important to better define these elements and add their associated costs into the program budget in order to ensure that they are incorporated in the funding strategy.

As their scope becomes better defined, the following will need to be added into the program budget:

- SCPL program management (currently estimated at approximately \$100,000 per year per staff position)
- cost escalation to the anticipated date of construction bid
- hazardous materials abatement, as appropriate
- temporary library facilities during construction
- moving expenses

## PROJECT BUDGET SUMMARY

		<b>MAINTAIN</b>		<b>MAINTAIN + GAIN</b>	
	Owner	Maintain Projects	Low	to	High
<b>Library</b>					
Aptos	County	\$ 1,755,000	\$ 2,205,000	to	\$ 2,455,000
Boulder Creek	County	\$ 1,271,000	\$ 1,596,000	to	\$ 1,846,000
Branciforte	Santa Cruz	\$ 1,128,000	\$ 1,453,000	to	\$ 1,703,000
Capitola	Capitola	\$ 368,000	\$ 368,000	to	\$ 368,000
Downtown	Santa Cruz	\$ 8,186,000	\$ 9,586,000	to	\$ 10,086,000
Felton	Belardi	\$ 55,000	\$ 55,000	to	\$ 55,000
Garfield Park	Santa Cruz	\$ 323,000	\$ 448,000	to	\$ 448,000
Headquarters	Santa Cruz	\$ 724,000	\$ 724,000	to	\$ 724,000
La Selva Beach	LSBRD	\$ 258,000	\$ 508,000	to	\$ 508,000
Live Oak	County	\$ 1,131,000	\$ 1,456,000	to	\$ 1,706,000
Scotts Valley	Scotts Valley	\$ 954,000	\$ 1,004,000	to	\$ 1,254,000
<b>Total</b>		<b>\$ 16,153,000</b>	<b>\$ 19,403,000</b>	<b>to</b>	<b>\$ 21,153,000</b>

		<b>MAINTAIN + GAIN + ATTAIN</b>		
	Owner	Low	to	High
<b>Library</b>				
Aptos	County	\$ 7,630,000	to	\$ 13,400,000
Boulder Creek	County	\$ 1,596,000	to	\$ 1,846,000
Branciforte	Santa Cruz	\$ 1,453,000	to	\$ 1,703,000
Capitola	Capitola	\$ 10,160,000	to	\$ 12,880,000
Downtown	Santa Cruz	\$ 24,900,000	to	\$ 35,550,000
Felton	Belardi	\$ 8,620,000	to	\$ 8,620,000
Garfield Park	Santa Cruz	\$ 448,000	to	\$ 448,000
Headquarters	Santa Cruz	\$ 724,000	to	\$ 724,000
La Selva Beach	LSBRD	\$ 508,000	to	\$ 508,000
Live Oak	County	\$ 1,456,000	to	\$ 1,706,000
Scotts Valley	Scotts Valley	\$ 5,384,000	to	\$ 5,634,000
<b>Total</b>		<b>\$ 62,879,000</b>	<b>to</b>	<b>\$ 83,019,000</b>

# IMPLEMENTATION

## PROJECT PHASING

There are many criteria for the LJPB to consider in developing a sequencing plan for the recommended projects. In no particular order, these include:

- Geographic equity – distributing facility improvements throughout the county so that communities in each region see improvements
- Continuity of service – ensuring that communities retain access to library services even during closure of facilities for construction
- Facility condition – early implementation of projects that address the most challenging facility conditions, such as Felton and Capitola
- Facility capacity – early implementation of projects that expand the amount of library space available to the community
- Project management – balancing project phasing within SCPL’s project management capacity
- Funding flow – matching projects to available funding sources and strategies
- Opportunity – taking advantage of partnerships and opportunities as they arise

There may also be other political, fiscal, social, and/or community criteria that the LJPB could include in determining the sequencing of specific projects.

*Phasing example 1 at right illustrates one concept for combining the criteria of facility condition; facility capacity; and geographic equity.*

**Illustrative phasing example 1**

	EXAMPLE 1		
	Phase 1	Phase 2	Phase 3
Aptos		X	
Boulder Creek		X	
Branciforte	X		?
Capitola	pre-design	X	
Downtown	pre-design	X	
Felton	X		
Garfield Park			X
La Selva Beach			X
Live Oak	X		
Scotts Valley			X
HDQ	depends on DTN strategy		



*Phasing example 2 at right illustrates a concept based on prioritizing the Gain plan projects for early implementation of the service model.*

**Illustrative phasing example 2**

	EXAMPLE 2		
	Phase 1	Phase 2	Phase 3
Aptos		X	
Boulder Creek	X		
Branciforte	X		?
Capitola	X		
Downtown	pre-design	X	
Felton	X		
Garfield Park	X		
La Selva Beach	X		
Live Oak	X		
Scotts Valley			X
HDQ	depends on DTN strategy		



## FINDINGS AND RECOMMENDATIONS BY FACILITY

This section summarizes the specific master plan-recommended projects and project budgets for each of SCPL's facilities.

### MAINTAIN PROJECTS

The Maintain plan focuses on the physical conditions of SCPL's existing facilities – addressing deferred maintenance needs and developing a proactive plan for capital maintenance projects over the next decade. The Capital Maintenance Plan (CMP) does not address routine maintenance, such as periodically changing light bulbs and air filters. Rather, the CMP focuses on replace building systems, materials, and furniture as they reach the end of their expected useful lives. When implementing CMP projects, SCPL will have the option to replace the current systems, finishes, and furnishings with alternatives that also achieve other goals, such as improved energy performance, reduced environmental footprint, a wider variety of reader seating, and updated aesthetics.

It should be noted that a full ADA accessibility survey was beyond the scope of this master plan study. Although some of the recommended projects are accessibility-oriented, the CMP should not be considered a complete list of all projects that may be needed to comply with current accessibility codes. A separate specific study of this issue is recommended.

SCPL may also wish to commission a specific roof condition survey, as in most cases the consultant team did not directly observe the roofs.

### GAIN PROJECTS

The Gain plan recommends improvements to SCPL's current buildings to enhance library service and support SCPL's new service model. The Gain plan builds on the projects in the Maintain plan, adding elements such as increased customer access to power and data (as recommended in the technology plan); consolidated staff service points; enhanced customer self-service opportunities; and a more browsable collection. The Gain plan also proposes that SCPL consider adding automated materials handling (AMH) at libraries where circulation levels are high enough to have benefit. Gain plan projects do not include building expansion.

### ATTAIN PROJECTS

The Attain plan addresses the most severe deficits in facility condition and builds capacity to better serve the community. The Attain projects will help SCPL meet the needs of the current population – which has grown and shifted dramatically in the years since these libraries were first constructed – and to accommodate the added population growth expected in Santa Cruz County in the future.

**MAINTAIN**

**GAIN**

**ATTAIN**

### PROJECT BUDGETS

*The project budgets developed for this master plan attempted to include all anticipated elements such as hard costs, soft costs, and contingencies. However, the master plan budgets do not include other costs that have not been well defined.*

*As SCPL moves forward with implementation, it will be important to evaluate to what extent the following elements and their associated costs should be added to the program budget, as appropriate:*

- SCPL program management
- construction cost escalation for Gain and Attain projects
- hazardous materials abatement
- temporary library facilities

# APTOS

7695 Soquel Drive  
Aptos, CA 95003

Built in 1973  
8,000 Square Feet  
Owner: Santa Cruz County



## MAINTAIN

Ventilation is a persistent problem at the Aptos Library. The original design did not permit sufficient venting at the roof, leading to mold in the ceiling (which has been addressed in recent repairs). The HVAC system provides heat but little cooling; the design intent was that louvers at the windows would provide sufficient cross-ventilation to cool the interior of the building most of the time. Staff have added multiple oscillating fans, but report that the library is still uncomfortably warm inside even when the weather is not hot.

Major Maintain projects due over the next decade include replacing the roof, refurbishing or replacing library furniture, new interior finishes, and new exterior paint.

## GAIN

The meeting room at the Aptos Library is designed so that it can be used independently from the rest of the library. However, outside of use for programs, it is under-utilized, sitting dark and empty for much of the day. There is an opportunity to open up the wall between the meeting room and the main adult reading room, creating flexible space that can be more easily used for reading and study when not in use for programs.

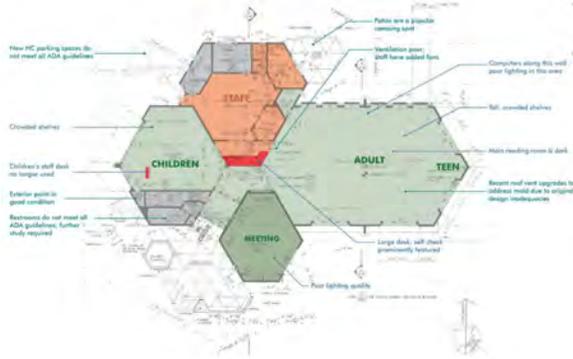
Other Gain plan recommendations include a redesigned service desk, more prominent self-checkout, and the creation of a marketplace with browsable, retail-style shelving for new materials and themed collections. There is a budget in the Gain plan for enhanced customer access to power and data.

Given its high circulation rate, the Aptos Library may be a candidate for an automated materials handling system.

There appears to be sufficient space on the site to provide an opportunity for photovoltaics and/or other technologies that could enhance the library's energy efficiency and reduce its environmental footprint.

**MAINTAIN**

**Aptos**



Major projects by 2020 include:

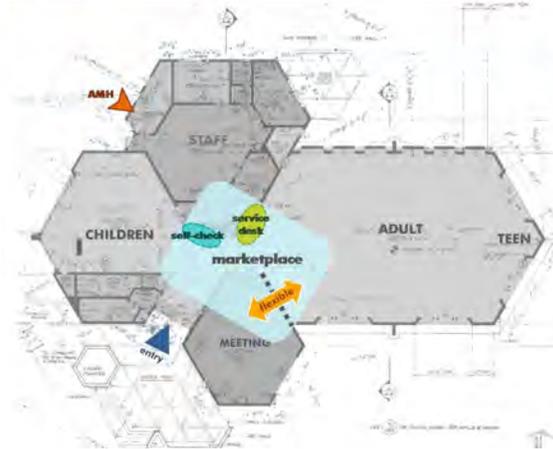
- New roof
- Restroom rebuild
- New interior finishes
- Exterior paint

**MAINTAIN**

Recommended budget for 2014-2023 Maintain projects at Aptos Library is approximately **\$1.8 million** including escalation

**GAIN**

**Aptos**



- Upgrade service desk, holds retrieval, and self-check
- Improve merchandising and display of popular materials
- Upgrade customer access to power and data
- New retractable wall at meeting room to improve flexibility
- Option: AMH

**GAIN**

Recommended budget for Aptos Library Gain projects is **\$450,000 to \$700,000** not including Maintain Plan (see page 29 for budgeting methodology)

# APTOS

## ATTAIN

The master plan recommends expansion of the Aptos Library – the third highest-used SCPL branch – of up to 16,000 square feet in order to better serve the community today and in the future. The current site can accommodate a more efficient and sustainable replacement building of approximately 16,000 square feet.

As an alternate, the current building could be expanded up to approximately 11,000 square feet without sacrificing operational efficiency or parking.

*One option is renovation and expansion of the existing building up to approximately 11,000 square feet, which is the most that the current building and site configuration can reasonably accommodate in a single story without sacrificing either operational efficiency or parking capacity. This would include major renovation of the existing structure to bring it into compliance with modern structural, energy, accessibility, and other applicable codes.*

## ATTAIN APTOS – RENOVATE/EXPAND EXISTING



### SIDE ADDITIONS

- Total ~11,000 SF
- Retain existing parking
- Retain existing roof structure

### Opportunities

- Strengthen civic connections
- Improved public space
- Better circulation
- Configured to enable multi-mode operations

**ATTAIN**

**APTOS – REPLACE**



UPPER LEVEL



LOWER LEVEL



**Building Capacity**

- ~12,000 to 16,000 SF
- Retain existing parking

**Opportunities**

- Echoes grand reading room of previous building
- Multimode functionality
- Good daylighting
- Better circulation
- Room shapes offer more efficient use of space



**ATTAIN**

Recommended budget for expansion or replacement of the Aptos Library is **\$7.6 to \$13.4 million** (see page 29 for budgeting methodology)

# BOULDER CREEK

13390 West Park Avenue  
Boulder Creek, CA 95006

Built in 1984  
4,600 Square Feet  
Owner: Santa Cruz County



## MAINTAIN

Although it is one of the newer libraries in the SCPL system, the Boulder Creek Library is nearly 30 years old, and has not had any major renovation since it was built. Recommended Maintain plan projects within the next decade include a new roof, new interior finishes, and upgraded restrooms that comply with accessibility codes. Currently there are two separate electrical panels in the building; this is not compliant with current code and poses a significant hazard to maintenance personnel working on the building. There is evidence of site erosion that will likely need to be addressed. There is some rotting of original wood doors.

When replacing finishes in the circulation area, there is an opportunity to use materials that will reduce the noise and echoing that currently occur in that space. The light fixtures in this space are high and difficult to re-lamp; replacement lighting should support better lighting levels as well as easier re-lamping.

## GAIN

The large staff desk at the Boulder Creek Library is a candidate for replacement with a smaller service point and an expanded focus on customer self-service. There is also a budget in the Gain plan for enhanced customer access to power and data per the recommendations of the technology plan.

There may be sufficient space on the site to provide an opportunity for photovoltaics and/or other technologies that could enhance the library's energy efficiency and reduce its environmental footprint.

The configuration of the building could support the addition of an automated materials handling system relatively easily, should SCPL feel that it would be warranted by circulation levels.

## ATTAIN

The Boulder Creek Library is adequately sized and is not recommended for replacement. No expansion is proposed.

**MAINTAIN**



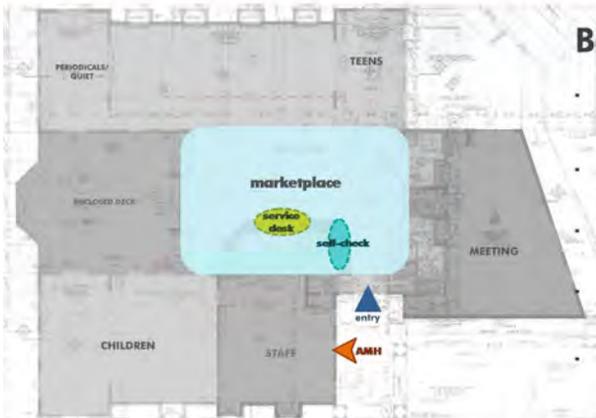
**Boulder Creek**

- Major projects by 2020 include:
  - HVAC upgrade
  - New roof
  - New interior finishes
  - Restroom upgrades
  - (Septic system repairs in progress)

**MAINTAIN**

Recommended budget for 2014-2023 Maintain projects at Boulder Creek Library is approximately **\$1,271,000** including escalation

**GAIN**



**Boulder Creek**

- Upgrade service desk, holds retrieval, and self-check
- Upgrade customer power and data access
- Better merchandising and display of collection materials
- Reconfigure staff area to recapture space for public use
- Option: AMH

**GAIN**

Recommended budget for Boulder Creek Library Gain projects is **\$325,000 to \$575,000** not including Maintain Plan (see page 29 for budgeting methodology)

# BRANCIFORTE

230 Gault Street  
Santa Cruz, CA 95062

Built in 1967  
7,500 Square Feet  
Owner: City of Santa Cruz



## MAINTAIN

The Branciforte Library is an attractive building filled with light. Interior and exterior finishes are showing clear signs of wear and are due for replacement soon. Some roof repairs have been completed recently on an emergency basis following a fire; however, a full roof replacement will likely be due over the next decade. Other major Maintain plan projects include upgrades to the electrical and HVAC systems and refurbished or replacement library furniture.

## GAIN

The original large staff desk at the Branciforte Library was replaced relatively recently with a smaller “Ask Here” desk and a more prominent self-checkout unit. However, the new configuration is such that customers have a hard time seeing the “Ask Here” desk from the building entry; staff at the returns sorting station report that customers frequently interrupt them to ask for assistance.

Gain plan opportunities to improve the service model at the Branciforte Library include a more visible and functional service desk, improved self-checkout, and the creation of a marketplace with browsable, retail-style shelving for new materials and themed collections. There is also a budget in the Gain plan for enhanced customer access to power and data.

The Branciforte Library has a designated space for teens with seating, computers, and collection materials. Customers must walk through the teen area to access the group study/meeting room, which may be underutilized for this reason. As part of the Gain plan there may be an opportunity to recapture some of the staff space for use as a meeting/group study room, which would permit the existing group study room to be more permanently incorporated into the teen space.

There is little space on the site to add photovoltaics and/or other technologies that could enhance the library’s energy efficiency and reduce its environmental footprint. When the roof is due for replacement as part of the Maintain plan, SCPL may wish to evaluate opportunities to add such technologies on the roof.

## ATTAIN

The Branciforte Library is adequately sized and is not recommended for replacement. No expansion is proposed.

## MAINTAIN

**Branciforte**

- Major projects by 2020 include:
  - Front door and door lock replacement
  - New interior finishes
  - Window repairs
  - Replace built-up roof

## MAINTAIN

Recommended budget for 2014-2023 Maintain projects at Branciforte Library is approximately **\$1,128,000** including escalation

## GAIN

**Branciforte**

- Upgrade service desk, holds retrieval, and self-check
- Upgrade customer access to power and data
- Options: reclaim staff area for group study; upgrade teen area; create marketplace
- Option: AMH

## GAIN

Recommended budget for Branciforte Library Gain projects is **\$325,000 to \$575,000** not including Maintain Plan (see page 29 for budgeting methodology)

# CAPITOLA

2005 Wharf Road  
Capitola, CA 95010

Built in 1999  
4,320 Square Feet  
Owner: City of Capitola



## MAINTAIN

The Capitola Library moved into its “temporary” facility in 1999 – the same modular building it still occupies today. Because the modular building has served beyond its reasonably anticipated life span, SCPL should find a more appropriate long-term facility for this branch. The Maintain plan includes only a limited budget for projects that will arise over the next few years as SCPL and the Capitola community plan a new permanent library building.

## GAIN

The master plan does not include Gain plan recommendations for the Capitola Library. It is hard to justify the expense of upgrading the modular structure, which should be abandoned.

## ATTAIN

The Attain plan recommends a new library for Capitola of approximately 12,000 to 15,000 square feet. The current Capitola Library site could accommodate a new library building of this size along with its associated parking.

The dissolution of Capitola’s Redevelopment Agency removed the obligation to develop the library only on the current site. The Capitola community may wish to evaluate opportunities to develop a new library on an alternate site and/or with complementary partners in a shared facility.

**MAINTAIN**

**Capitola**

**Modular building – reaching the end of its expected life**

**To maintain, major projects by 2020 include:**

- Foundation repairs
- New interior and exterior finishes
- Replace HVAC package units

**MAINTAIN**

Recommended budget for Maintain projects at Capitola Library is approximately **\$368,000** including escalation. This represents only critical projects over the next few years until a new permanent Capitola Library facility is acquired.

**ATTAIN**

CAPITOLA – REPLACE ON CURRENT SITE



- 1. Single Story: 12,000 – 15,000 SF
- Smaller = All uses on one-story
- Larger = Multipurpose room, tech classroom etc on second level
- Sufficient parking for both options

- Opportunities**
- Preserves and integrates the playground
  - Multimode functionality
  - Compatible design with surroundings
  - Better circulation
  - Outdoor terrace for community room



**ATTAIN**

Recommended budget for replacement of the Capitola Library is **\$10.2 to \$12.9 million** (see page 29 for budgeting methodology)

# DOWNTOWN

224 Church Street  
Santa Cruz, CA 95060

Built in 1968  
44,000 Square Feet  
Owner: City of Santa Cruz



In addition to serving the local Santa Cruz community, the Downtown Library is a critical resource for the entire SCPL system, housing a number of special collections (music, local history, genealogy, etc.) as well as services such as the Information Technology department and centralized materials routing. The Downtown Library is also the center of operations for the Friends of the Santa Cruz Public Libraries.

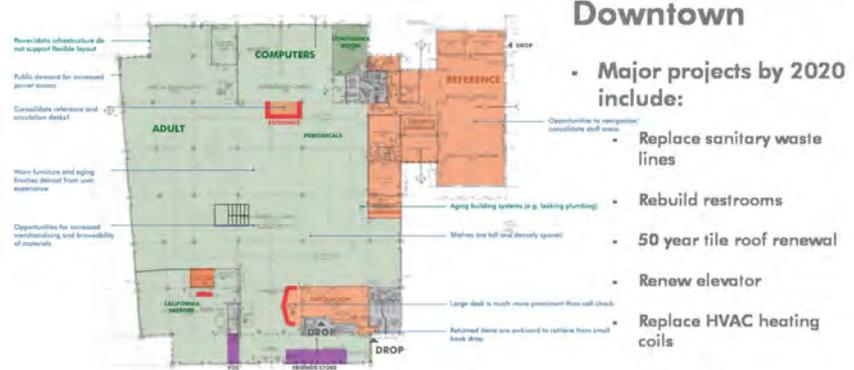
## MAINTAIN

The building is due for a number of significant deferred maintenance projects. There is evidence that the sanitary piping system on the second level is failing and needs replacement. The restrooms do not comply with current accessibility codes. The building exterior was repainted in 2012, but interior finishes and furniture are heavily worn and due for replacement. The elevator and the roof will both be due for replacement during the 10-year Maintain plan.

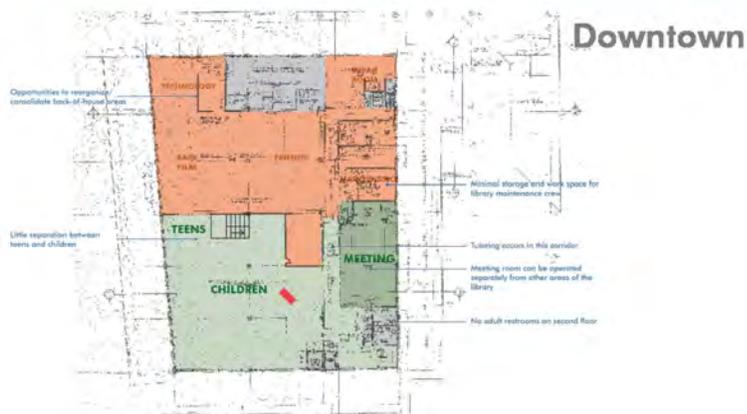
## MAINTAIN

Recommended budget for 2014-2023 Maintain projects at Downtown Library is approximately **\$8.2 million** including escalation

## MAINTAIN DOWNTOWN – FIRST FLOOR



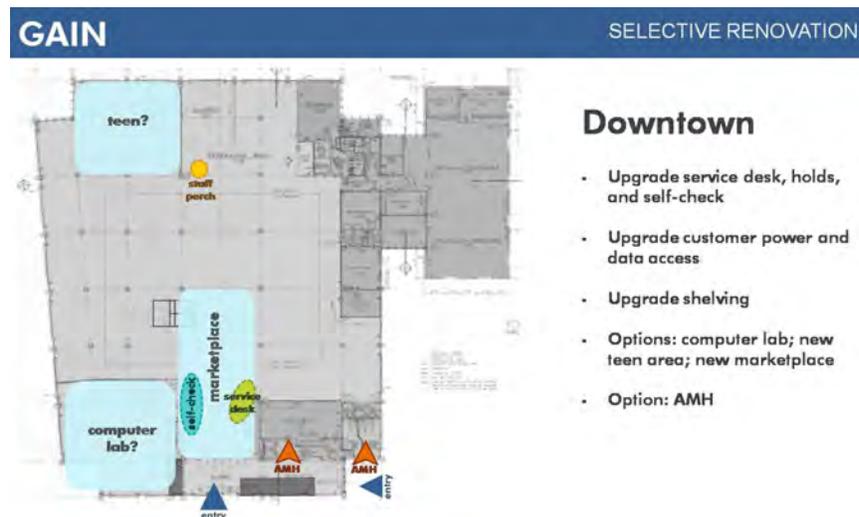
## MAINTAIN DOWNTOWN – SECOND FLOOR



## GAIN

Over time, the Downtown Library’s role in supporting the rest of the libraries in the SCPL system has changed. For example, although Reference Services staff remain in the Downtown Library, Technical Services staff have moved across the street to SCPL Headquarters. In addition to implementing standard Gain plan recommendations such as a marketplace, improved self-service, and enhanced customer access to power and data, there is an opportunity at the Downtown Library to recapture some of its underutilized back-of-house space for new public uses such as a technology learning lab and/or improved space for teens. As the highest circulating library in the SCPL system, the Downtown Library could also be a strong candidate for a robust automated materials handling system.

There is little space on the site for ground-mounted photovoltaics or other energy generating/saving technologies. When the roof is due for replacement as part of the Maintain plan, SCPL may wish to evaluate the opportunity to add such technologies on the roof.



### Downtown

- Upgrade service desk, holds, and self-check
- Upgrade customer power and data access
- Upgrade shelving
- Options: computer lab; new teen area; new marketplace
- Option: AMH

## GAIN

Recommended budget for Downtown Library Gain projects is **\$1.4 to \$1.9 million** not including Maintain Plan (see page 29 for budgeting methodology)

# DOWNTOWN

## ATTAIN

Although the master plan does not find that the Downtown Library needs to be expanded, due to the age and condition of the building the Attain plan strongly recommends extensive renovation or full replacement.

Major renovation would replace most of the 45-year-old building's aging systems, upgrade interior (and possibly exterior) finishes, and upgrade the building to meet current codes; the project could also include major reorganization of the interior to create new spaces, enhance operational efficiency, and improve customer wayfinding.

In addition to improving library service, full building replacement would provide the opportunity to maximize energy efficiency, minimize the environmental footprint, and enhance downtown urban development. A new Downtown Library could also offer the opportunity to build partnerships, such as through shared facilities with complementary uses.

A "structural remodel" of the Downtown Library would be one strategy for renewing the building for another 40 to 50 years of service. Such a project would maintain the basic structure and shell of the building, but replace most or all of the building systems with "greener" and higher efficiency alternatives. The library interior could be reorganized for improved layout and to create new spaces such as a distinct teen area and/or a cafe.



**ATTAIN**

DOWNTOWN – REBUILD ON CURRENT SITE

Opportunities

- Strengthen civic connections
- Good solar orientation for daylighting and views
- Improved outdoor public spaces
- Multimode functionality
- Organized for efficient operations



Second Floor – Program Massing



First Floor – Program Massing



Second Floor Plan



First Floor Plan

**ATTAIN**

Recommended budget for structural remodel or replacement of the Downtown Library is **\$24.9 to \$35.6 million** (see page 29 for budgeting methodology)

*Replacement of the building on its current site could provide a range of opportunities, such as an improved connection with Pacific Street and a more environmentally-friendly building. There may also be opportunities to support revenue generation through the inclusion of rentable retail space, and/or the development of a joint-use facility with other public or private partners.*

# FELTON

6299 Gushee  
Felton, CA 95018

Built in 1893  
1,250 Square Feet  
Owner: Belardi Trust



## MAINTAIN

Due to the extent of deficiencies – both physical and operational – at the current Felton Library building, the master plan recommends that SCPL abandon the historic church building and move the Felton Library into another facility. As such, the CMP includes only projects that will be needed at the existing building over the next two to three years while the Felton Library prepares to move to new accommodations.

## GAIN

The master plan does not include Gain plan recommendations for the Felton Library. Its current building simply cannot be upgraded to meet the community's library needs.

## ATTAIN

The Felton Library should move to another building. For a number of years, members of the Felton community have been planning for a new library; the latest iteration of the plan was a new standalone building of approximately 9,300 square feet on a site being donated to the County.

An alternative to new construction would be to acquire an existing building in Felton's commercial corridor and adapt it for use as a new library. As the recent conversion of an existing building into the new Scotts Valley Library shows, adaptive reuse can be a cost-effective way to develop an attractive modern library that meets community needs.

**MAINTAIN**



**Felton**

- Leased facility is more than 120 years old
- Nearly all systems and materials are overdue for replacement
- Owner responsible for some repairs

**MAINTAIN**

Recommended budget for Maintain projects at Felton Library is approximately **\$55,000** including escalation. This represents only critical projects within SCPL's responsibility over the next few years until a new permanent Felton Library facility is acquired.

**ATTAIN**

FELTON – PROPOSED NEW BUILDING

**Felton**



Previously proposed new ~9,300 SF library

**Opportunities**

- Convenient location
- Level site
- Full service library
- Good indoor-outdoor connections
- Natural light



**ATTAIN**

Recommended budget for replacement of the Felton Library is up to about **\$8.6 million** (see page 29 for budgeting methodology)

*A new library is needed in Felton at a size that can be operated efficiently. Members of the Felton community have been working for more than a decade to plan a new permanent library for the community. The latest version of the plan was a new building of approximately 9,300 square feet. Adaptive reuse of an existing building in the Felton commercial corridor (to be determined) may be an alternative.*

# GARFIELD PARK

705 Woodrow Avenue  
Santa Cruz, CA 95060

Built in 1915  
Renovated in 2002  
2,343 Square Feet  
Owner: City of Santa Cruz



## MAINTAIN

The Garfield Park Library was the subject of a major renovation and expansion in 2002, so many of its building components are relatively new compared to other SCPL facilities. However, over the 10 year life of the master plan, Garfield Park will again be a candidate for updated interior and exterior finishes as well as some HVAC equipment replacements.

The historic designation of the Garfield Park Library complicates maintenance projects and can add expense. For example, there are a number of leaking windows; replacement windows will need to be custom made – at significant expense – in order to match the appearance and construction of the original frames as closely as possible.

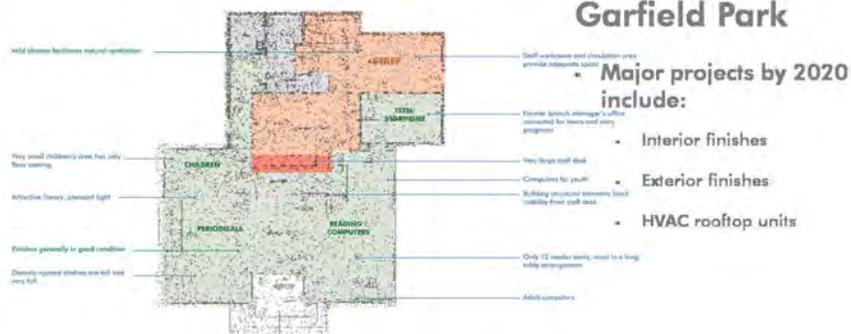
## GAIN

The Gain plan includes a budget for a less prominent service desk, improved self-service, and enhanced technology and data access at the Garfield Park Library. It is a relatively low-circulating library and is not a strong candidate for automated materials handling.

## ATTAIN

The Garfield Park Library is adequately sized and is not recommended for replacement. No expansion is proposed.

## MAINTAIN



## MAINTAIN

Recommended budget for 2014-2023 Maintain projects at Garfield Park Library is approximately **\$323,000** including escalation

## GAIN



## GAIN

Recommended budget for Garfield Park Library Gain projects is approximately **\$125,000** not including Maintain Plan (see page 29 for budgeting methodology)

# LA SELVA BEACH

316 Estrella Avenue  
La Selva Beach, CA 95076

Built in 1975  
2,200 Square Feet  
Owner: La Selva Beach  
Recreation District



## MAINTAIN

One of the La Selva Beach Library's bigger deficiencies is in controlling interior temperatures. There is no cooling system, and the space becomes uncomfortably warm in the summer. During colder weather, heating of the space is accomplished through large, noisy heating units suspended from the ceiling. The HVAC system is due for renovation/upgrade during the 10 year window of the Maintain plan.

Interior finishes and furniture at the La Selva Beach Library are due for replacement relatively soon.

## GAIN

The Gain plan proposes replacement of the service desk, making self-checkout more prominent and user-friendly, and creating a browsable marketplace for new materials and themed collections. Upgrades to the electrical system would increase the availability of power for customer devices. The Friends of the La Selva Beach Library recently had proposed a project to accomplish several of the goals of the Gain plan, including replacement of the service desk and selected furniture, as well as swapping the adult and children's areas; for budget reasons this project was put on hold following the design phase.

## ATTAIN

The La Selva Beach Library is adequately sized and is not recommended for replacement. No expansion is proposed.

**MAINTAIN**

**La Selva Beach**



- Leased facility; owner (LSB Recreation District) responsible for some repairs
- Major projects by 2020 include:
  - New interior finishes
  - New heating units
  - New roof

**MAINTAIN**

Recommended budget for 2014-2023 Maintain projects at La Selva Beach Library within SCPL's responsibility is approximately **\$258,000** including escalation

**GAIN**

**La Selva Beach**



- Upgrade service desk, holds, and self-check
- Upgrade customer power and data access
- Option: swap adult and children's areas
- Option: create more well-defined teen zone

**GAIN**

Recommended budget for La Selva Beach Library Gain projects is approximately **\$250,000** not including Maintain Plan (see page 29 for budgeting methodology)

# LIVE OAK

2380 Portola Drive  
Santa Cruz, CA 95062

Built in 2006  
13,500 Square Feet  
Owner: Santa Cruz County



## MAINTAIN

The Live Oak Library is the second-newest branch in the SCPL system. At less than 10 years old, it is still in very good condition, although some components such as the HVAC and electrical systems have required higher-than-anticipated levels of maintenance to date. A number of the building's components will reach the end of their anticipated 15-20 year life spans during the latter part of the 10-year Maintain plan window, from heating and cooling system components to some interior and exterior finishes.

## GAIN

The Gain plan includes a budget for removing the reference and children's service desks, which are no longer staffed. There is an excellent opportunity to convert these areas into adult and children's marketplaces with highly browsable displays of popular materials and themed collections. The current large main circulation desk could be replaced with a less prominent staff post and more prominent self-service features such as material holds and express checkout units. The Gain plan also includes a budget to improve customer access to power and data, if needed.

There may be opportunities to create flexible space for programs in either the current non-fiction wing or the fiction pavilion.

As one of the top circulating libraries in the SCPL system, Live Oak may be a candidate for an automated materials handling system.

SCPL may wish to evaluate opportunities to implement photovoltaics and/or other energy generating/saving technologies on the site (such as on parking canopies) or on the roof.

## ATTAIN

The Live Oak Library is adequately sized and is not recommended for replacement. No expansion is proposed.

**MAINTAIN**

**Live Oak**



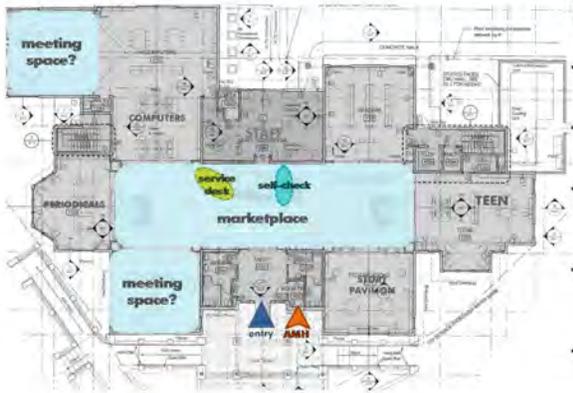
- Major projects by 2020 include:
  - Repaint exterior
  - Replace interior finishes

**MAINTAIN**

Recommended budget for 2014-2023 Maintain projects at Live Oak Library is approximately **\$1.1 million** including escalation

**GAIN**

**Live Oak**



- Upgrade service desk, holds retrieval, and self-check
- Upgrade customer access to power and data
- Replace children's & reference desks with new marketplace
- Option: consolidate collections to create flexible meeting space
- Option: AMH?

**GAIN**

Recommended budget for Live Oak Library Gain projects is **\$325,000 to \$575,000** not including Maintain Plan (see page 29 for budgeting methodology)

# SCOTTS VALLEY

251 Kings Village Road  
Scotts Valley, CA 95066

Built in 2011  
13,150 Square Feet  
Owner: City of Scotts Valley



## MAINTAIN

The Scotts Valley Library is the newest facility in the SCPL system. Compared to SCPL's other facilities, there are relatively few projects in the Maintain plan at Scotts Valley, other than potentially addressing wear and tear on interior finishes and furniture over time. The building's roof was not upgraded as part of the adaptive reuse project, and will need to be replaced as part of the Maintain plan.

## GAIN

The new Scotts Valley Library incorporates the service model elements that are recommended for the rest of SCPL's libraries in the Gain plan. Therefore, a smaller scope of projects is proposed at the Gain level for the Scotts Valley Library: the installation of a sound attenuation system, and the option of adding an automated materials handling system (and in fact the building was designed to be AMH-ready).

When the roof is due for replacement as part of the Maintain plan, SCPL may wish to investigate adding roof-mounted photovoltaics.

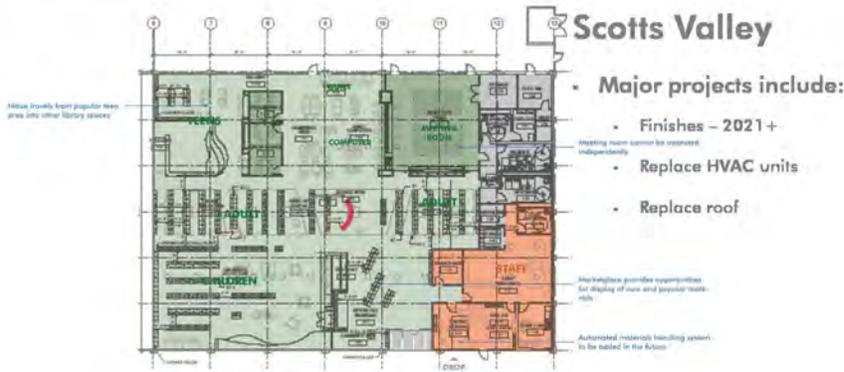
## ATTAIN

The Scotts Valley Library is the second-busiest branch in the SCPL system, circulating proportionally more materials than the amount of space it provides. Although its current size appears to be adequate in the near term, future population growth may exceed the library's capacity to meet community needs in the long term. SCPL may want to consider future expansion into the adjacent, approximately 9,000 square foot tenant space. Options for this space include:

- Utilize the expansion space as a flexible space for meeting, conference, training, and performance uses with support spaces.
- Plan the expansion space to be flexible to allow independent use for library and other community uses.
- In place of the current program room that may move to expansion space, create maker spaces or customer media content creation studios.

Relocating the current meeting space and some or all of the group study spaces into the expansion space provides the opportunity for creative collaboration and content creation spaces that are emerging as a key component of the 21st century library. Maker spaces and media studios provide library customers with space, technology, and training to publish creative works, videos, and presentations. These are resources that are likely to be provided at many of the larger SCPL facilities in the future.

**MAINTAIN**



**MAINTAIN**

Recommended budget for 2014-2023 Maintain projects at Scotts Valley Library is approximately **\$954,000** including escalation

**GAIN**



**GAIN**

Recommended budget for Scotts Valley Library Library Gain projects is **\$50,000 to \$300,000** not including Maintain Plan (see page 29 for budgeting methodology)

**ATTAIN**

SCOTTS VALLEY – EXPANSION



Scotts Valley

Expand into tenant space in existing building

- Opportunities**
- Meeting/performance space can support large programs or theatrical performances
  - Along with the smaller support spaces, training and multi-event conferences can be hosted
  - Meeting rooms in the library portion can become "maker spaces" to support the production of new content using digital media, fabrication and publishing

**ATTAIN**

Recommended budget for expansion of the Scotts Valley Library is approximately **\$4.4 million** in addition to Maintain Plan and Gain Plan projects (see page 29 for budgeting methodology)

# HEADQUARTERS

117 Union Street  
Santa Cruz, CA 95060

Built in 2008  
13,800 Square Feet  
Owner: City of Santa Cruz



## MAINTAIN

Recommended budget  
for 2014-2023 Maintain  
projects at Headquarters is  
approximately **\$724,000**  
including escalation

### MAINTAIN

Library Headquarters occupies leased space in a building across the street from the Downtown Library that is shared with another public agency. The building is approximately five years old and is in good condition. There are relatively few projects anticipated in the Maintain plan at Headquarters other than addressing wear and tear on interior finishes and furniture over time.

### GAIN

There are no service model improvements proposed in this master plan for Headquarters. There may be opportunities for future renovation to improve functionality and to achieve greater efficiency in back-of-the-house operations. Detailed analysis was beyond the scope of this master plan.

The Headquarters building is certified LEED Gold and already has photovoltaic panels on the roof. As photovoltaic technologies evolve over time to increase energy generation, SCPL may wish to evaluate opportunities to expand or replace this system in the future.

### ATTAIN

No Attain plan projects are recommended for Headquarters, as the current facility appears to have sufficient space. Administrative staff report that the close proximity of Headquarters to the systemwide services still located at the Downtown Library (for example, Information Technology) is important.

## ACKNOWLEDGMENTS

The Santa Cruz Public Libraries Facilities Master Plan is built on the participation and generous contributions of many library, city, county, and community stakeholders.

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\* *Term ended 2012*

\*\* *Term began in 2013*

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# ACKNOWLEDGMENTS

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# ACKNOWLEDGMENTS

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# ACKNOWLEDGMENTS

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29 March 2013

**MEMORANDUM**

Library Joint Powers Board  
SANTA CRUZ PUBLIC LIBRAIES  
117 Union Street, Santa Cruz, CA, 95060

**PROJECT**  
FACILITIES MASTER PLAN

**SENT VIA**  
E-Mail:

**TOPIC**  
Planning & Cost Methodologies

Dear Chair Terrazas and Members of the Library Joint Powers Board:

On March 18, 2013 members of the Group 4 planning team made a summary presentation to the LJPB of the master plan process and preliminary findings. We have incorporated comments received and refined our methodologies and updated the recommendations. This work has been incorporated into the Facilities Master Plan 2014-2023 Final Report dated 3/28/2013.

The Final Report's written narrative, though concise, answers many questions about the planning process and how the recommendations were developed. We have prepared this memo to share additional technical detail with you on the methodology.

We have appreciated the time and input given from staff of JPB communities and are happy to meet again to discuss the material further.

David Schnee, AIA, AICP, LEED  
Principal

DS/HS

cc: Teresa Landers, Martin Bernal, Susan Mauriello, Jamie Goldstein, Steve Ando

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Planning & Cost Methodologies Memorandum, 3/28/2013

Group 4 Architecture Research + Planning, Inc.  
Jonathan Hartman, Senior Associate, Architect, LEED

## 1. MAINTAIN METHODOLOGY:

**CMP, CMMS Methodology.** The Maintain plan was derived using Capital Maintenance Plan (CMP) methodology that is compatible with standard Computerized Maintenance Management Systems (CMMS). The CMP is a scheduled compilation of building components, anticipated replacement years, and associated budget information. Organized according to standard UCI categories, the CMP calculates the anticipated replacement year for each component. It is a powerful tool for building owners and managers to develop an annual capital maintenance budget and plan specific projects each year.

**Service Life.** Service life of building uses BOMA and ASHRAE standards for specific components. For example a built-up roof has a service life of 20 years, and a clay tile roof has a service life of 50 years. The CMP methodology used budgets for *component replacement at the end of its service life*.

**Assessment Survey.** The SCPL maintenance survey was conducted by visual observation and historic document/record review. Where installation dates were not known, visual assessment criteria were used to project a renewal timeline. In some instances, such as the evaluation done on the septic system at the Boulder Creek Library, work done concurrently with this study was included in the study to provide a more full and accurate picture of the system's total deferred maintenance needs.

**Maintenance Timing.** It should be noted that the approximate replacement dates for components in the CMP are intended as a guide rather than as a mandate. On a year-to-year basis SCPL may elect to accelerate or defer some projects for reasons such as if building components are failing earlier than expected; if building components are judged to have additional life; if coordinating types of projects across facilities would save money; and/or to balance year-to-year expenditures or SCPL project management workload.

**Component Costs.** The replacement costs of for each item in the Maintain plan were derived from a variety of sources, primarily RSMeans Building and Construction Cost Data, as well as Saylor Publications cost guides for 2013. The unit costs, general contractor's overhead and profit, and contingency factor were reviewed for appropriateness in methodology and unit cost accuracy by Bogard Construction, a local building contractor with significant library experience, and David Tanza, the construction manager for the recent Scotts Valley Library renovation project. The work was assumed to be performed by union installers/prevaling wage rates, and costs for contractor's overhead and profit were added to the base install cost. Because the individual item costs are tied directly to very specific items (e.g. the cost of a new HVAC rooftop air handler), a contingency cost of 30% on top of the base install cost was included for each line item to capture linked costs (in the example of the rooftop air handler, this contingency figure would include the removal of the original unit, the reworking of the elevated curb

that the unit sits upon in order to address changes in the size of the unit from old to new, and localized patching of the roofing material around the unit where these changes have taken place). These costs (the base install cost, the contractor's overhead and profit, and the contingency) are represented in today's (2013) dollars. The costs are then escalated to the anticipated renewal year.

**FFE Methodology.** Furnishings replacement costs are estimated on based on the total gross square footage of a facility. Group 4 used its own historic budgeting data from past, recent, and current library projects to estimate furnishings costs in four categories: Library Furniture, Office Furniture, Custom Casework, and Metal Shelving. Each category of furniture has a different approach to lifecycle costing.

**Library Furniture.** Library Furniture consists of reader chairs, lounge furniture, and furniture used by the public. Library furniture sees the greatest amount of wear because of its intense-use. Current best practices in library interiors are to include a mix of comfortable seating with partial to full upholstery. Institutional, commercial grade upholstery materials typically come with five year warranties. These fabrics can be repaired and furniture re-upholstered to extend its service life. This type of maintenance is typically seen within 10 years of install. This has proven to be true on the Santa Clara Central Park Library, a project with very durable finishes that has needed ongoing repair and re-upholstery of many pieces of furniture after about 8 years of service. By 15 years, a more significant repair, rebuild, or replacement will likely be required to address cushion material, failed springs, etc. *The CMP recommendation is to replace Library Furniture after 20 years.* Most SCPL library facilities have furnishings that are beyond this timescale, and so total replacement has been proposed. For the Live Oak and Scotts Valley branches, these buildings have newer furnishings and so it has been proposed that 20% of the total replacement value be used as a maintenance allowance for existing furniture in these two spaces. This allowance has been scheduled at a date that is 10 years from library opening.

**Office Furniture.** Office Furniture consists of systems furniture, workstations, and accessories. Office Furniture is heavily used by staff in back-of-house areas for their own personal workstations (cubicles). Workstation furniture is modular and can be partially updated and even reconfigured to extend its service life. Most major workstation furniture manufacturers continue to make complementary replacement parts and accessories for many years. After every 10 years of service reconfigurations and replacement to select components is typically required. *The CMP recommends budgeting office furniture at 30% of system replacement every 10 years or full replacement after 30 years.* After 30 years of service, it is likely that it will be difficult to continue to get the repair pieces necessary to maintain the system, and that workflow, ergonomic and space planning needs have evolved and changed enough that total replacement may be recommended. This last recommendation covers most of the branches in the Maintain Plan, with the exception of Live Oak, Scotts Valley, and Headquarters. These three locations will receive the maintenance budget described above. It is important to note that workflow and space planning changes can happen faster than 20 years. The Live Oak branch has already relocated staff workstations from the originally planned upstairs office area to the downstairs workroom, so that all staff are co-located on the ground floor. Because this change has already happened and Scotts Valley and Headquarters already have co-located staff on the same level, the maintenance-level recommendations for these branches are appropriate. Additional flexibility at a system-wide level will

be gained if the Library standardizes on one office furniture manufacturer for workstations, including complementary finishes at different branches to enable pieces to be seamlessly relocated to a new site.

**Custom Casework.** Custom Casework consists of service desks, self-checkout counters, some reader tables, merchandising shelving, and metal shelving end panels. Custom Casework is, for many libraries, a character defining element. Well-made pieces, usually from woods and laminates, can last for many decades. Custom furniture spans a wide range of uses that have very different turnover timescales. Reader tables, a staple of libraries for centuries, have not evolved very much in their general role over the past 100 years, but the functions that they must accommodate have changed notably in the last 10-15 years. Everyone now looks for places to plug in their laptop or device. With proper care and maintenance every 10 years, a reader table can last for 30 years. Certainly, there are examples of tables lasting much longer with excellent care. Display shelving (aka 'browsers') have also changed in the last 20 years to respond to a ever-evolving electronic media material (Beta, VHS, laserdisc, cassette, CD, DVD, audioplayers) marketplace. These are items that have generally very high circulation rates, and very different ways of browsing and merchandising them. Because of these changing needs, some browser shelving may need be replaced for functional reasons on a more frequent (10 year) basis, where other pieces can be refinished and repaired. Circulation desks are another custom casework item that can last for many years with good care, but often require changes more frequently due to changing operational model and service delivery needs. These desks need to be very flexible, and can now occupy a smaller footprint because modern operational models do not keep multiple library staff members anchored to service desks anymore, but rather encourage them to move around the library engaging the public without the barrier of a desk between staff and patron. Generally speaking, with the exception of Scotts Valley, all the libraries have service/circulation desks and browsing shelving that are not meeting 21<sup>st</sup> century library needs, and have been recommended to be replaced. Because the primary driver for this replacement recommendation is operational in nature, these costs have been generally covered in the Gain Plan scope, and only the complementary maintenance costs have been shown in the Maintain Plan. *For the CMP custom casework budget recommendations vary by facility.*

**Metal Shelving.** Metal Shelving has long been a mainstay for dense material storage, and is expected to continue to be so for many years to come. With limited care, metal shelving can last indefinitely. Indeed, some branches still have their original shelving. Metal shelving, like office furniture, is modular within a product line from a single manufacturer. The Library has shelving from many different manufacturers, and in at least one case is using second-hand shelving taken from other library systems. The Library staff have done a shelving survey in support of this plan, and have listed the branches that require new metal shelving. Several branches do not require new shelving, including Headquarters. For these branches, it is anticipated that shelving requirements will continue to evolve with changing patterns in patron usage and materials demand. *The CMP recommends that a budget of 10% total shelving replacement every 10 years* be instituted to allow for minor addition, reduction, and reorganization of portions of the main stack shelving to address maintenance and changing needs. This plan has recommended that shelving replacement, when required, be linked in the schedule to a complementary activity. The Maintain Plan has linked shelving replacement to flooring replacement activities at each specific branch. Like office furniture workstations, the Maintain Plan recommends that

all new shelving be procured from the same manufacturer to provide additional flexibility between branches, and that all new shelving have the same neutral paint color.

**SCPL Capital Maintenance Backlog.** The Maintain plan establishes budgeting levels for capital maintenance items and costs over the next 10 years. It includes deferred maintenance items as well as anticipated life-cycle scheduled capital maintenance items. System wide projected 10 year total cost is approximately \$16.5M for Maintain plan items. Of this total approximately \$11M is projected within the first five years (FY2014-FY2018) reflecting a significant backlog of deferred maintenance items. This equates to approximately \$20/SF/year averaged across the entire system. For years 6-10 this drops to approximately half as the CMP identifies approximately \$5.5M of capital maintenance needs. This equates to approximately \$10/SF/year averaged across the entire system.

**On-going CMP Needs Past 10 Years.** Looking beyond the specific scope of this ten year plan, there will continue to be annual capital maintenance needs. A general rule of thumb is that annual capital maintenance is between 1.5%-3% of the total replacement cost of the building. In 2013 dollars this is equivalent to \$6 to \$15/sf/year. Budgeting for on-going capital maintenance is a common challenge in municipal contexts. A review of other municipal maintenance budgeting levels was outside of the scope of this project.

**CMP Escalation Costs.** Standard CMP/CMMS methodology builds escalation into the costs shown in each year work is anticipated to come due. Annual cost escalation for 2014 and 2015 were taken from Engineering News and Record's projections for the next two years. Beyond two years, it is difficult to project cost escalation because market forces are unpredictable. For years 2016 through 2023, a historic cost escalation factor of 3.3% was used. Because cost escalation can become a large factor in the course and scope of a 10 year long plan, it is important to continue to track and adjust the near-term cost escalation, including during the plan implementation phase.

## **2. GAIN METHODOLOGY:**

**Scope.** The Gain plan focuses on "makeovers" that consist of strategic changes to limited areas of each library branch focused on improving service and operations to better serve the public and adapt to changing needs, technologies, operations. Gain scope is limited to service desk replacement, 'marketplace' display browsing furniture, self-checkout furniture, modifications to metal book shelving, and allowances for signage, and limited areas of paint and carpet. Scope also includes minor demolition and allowances for modifications to walls, electrical, and data. Project area for Boulder Creek, Branciforte, and Live Oak is approximately 1,000SF each, La Selva Beach is 500SF and Downtown approximately 4,000SF with shelving modifications and carpeting for up to 16,000SF. Felton and Capitola have been excluded from the Gain plan, because the Master Plan's direction is to replace these facilities in their entirety (as part of the Attain Plan) rather than make an incremental investment as part of the Gain Plan. Gain project scope also includes facility modifications to implement some of the new SCPL Technology Plan by providing additional power outlets at reader tables and lounge seating. An

allowance for automated materials handling has been applied to all branches except the smallest Garfield Park and La Selva Beach where space limitations and limited circulation make this impractical.

**Costs.** Project costs include hard costs, soft costs and contingencies. Gain costs were modeled after similar work conducted by Group 4 as part of interior makeover of South San Francisco branch library 2011 and Marin County Free Library's five branch remodels 2013.

The Gain plan costs are shown as a range with high costs including automated materials handling. Costs that are excluded from the Gain Plan include: cost escalation, hazardous materials remediation, staff management, and renewable energy (e.g. photovoltaic systems) that may be acquired through a third party lease-back program.

### **3. ATTAIN METHODOLOGY:**

The Attain plan focuses on building capacity for the future through renovation and new construction projects at several branches: Aptos, Capitola, Downtown, Felton, and Scotts Valley. The proposed levels of renovation and/or new construction vary based on the condition of the existing facility and the ability of the existing building to be renovated and expanded. There are three proposed levels of Attain-level construction:

#### **Recommendation Summary:**

**Aptos:** the Attain low range value represents a major renovation of the existing facility and expands the existing facility with new construction additions. The high budget is new construction of a larger facility.

**Capitola:** The existing facility cannot be expanded. The low and high budget ends of the budget range both represent new construction, with minimum and maximum recommended square footages.

**Downtown:** the Attain low range value represents a major renovation of the existing facility. The high budget is new construction of a facility that is the same size as the existing facility.

**Felton:** the Attain low and high range values are equal and represent new construction of a larger facility, because there is already a proposed new construction design that has been developed separate from the master plan project scope.

**Scotts Valley:** the Attain low and high range values are equal, because Attain-level proposal is a Tenant Improvement expansion into the remaining portion of the building. In order to bring the proposed TI expansion portion of the building up to the same level as the existing Library portion will be at the end of its Maintain Plan work, reroofing and HVAC equipment replacement (commensurate with the Maintain Plan work being done on the existing Library) have been added to the Attain Plan scope. The value differences seen on the summary Maintain + Gain + Attain chart in the report are a result of value difference in Gain.

**New Construction Costs:** This includes demolition of the existing building, construction of a new facility and modifications to the existing site. New construction costs used in this model are \$450/GSF for areas greater than 10,000SF and \$500/GSF for areas up to 10,000SF. Historic data for library construction costs vary widely due to multiple factors and are strongly influenced by the amount of concurrent construction activity within a given market area as well as labor rates. Based on discussions with Bogard Construction and David Tanza, it was agreed that values used for this project represent a mid-range level cost of construction that is consistent with SCPL's goals and values. This was validated through a review of construction costs on 11 new library projects bid by Bogard in the last eight years, ranging in cost from \$350/SF to \$700/SF, with an average cost of \$482/SF.

**Major Renovation Costs:** includes demolition existing building equipment and finishes (gutting the building), and the renovation of the entire building (structural seismic retrofit; relocated partitions; new finishes and roofing; and new mechanical, electrical, plumbing, and telecom systems). Major Renovation costs used in this model are \$300/GSF, and includes general contractor markups. This value was derived by looking at square foot cost for building sub-systems, using: historic data from Group 4 projects - including the recently completed Palo Alto Downtown Library project, discussions with Bogard and Tanza, and discussions with GWH Construction Cost Consulting – a local firm whose staff has worked on over 30 Bay Area library projects, including multiple San Jose libraries.

**Tenant Improvement (TI):** includes demolition existing building equipment and finishes (gutting the building), and the renovation of the building interior (relocated partitions; new finishes; and new mechanical, electrical, plumbing, and telecom distribution systems – the electrical service, major HVAC equipment and existing roofing would remain. The existing structural system would remain, with minor modifications). Tenant Improvement costs used in this model are \$220/GSF, and were derived using the same methodology as was used for Major Renovation costs. Because the scope of work and affected building sub-systems are less than in a Major Renovation, the costs are appropriately lower. Additionally, some of the sub-system costs were vetted against the estimated costs for the recently completed Scotts Valley Library project.

**Site Costs:** Site construction for Attain Plan projects was restricted to modifying the site as necessary to provide an interface between the existing parking areas and street access and the new or revised entries. This included modifications to portions of the parking areas, ADA ramps at Aptos to provide an accessible path of travel from the street to the front door, two new utility connections to provide for the increased size of the facilities, and some minor landscape modifications. These site costs are in addition to the building costs listed above.

**FFE Costs.** In addition to building and site costs, the Attain Plan estimates costs on a square foot basis for furniture, shelving, custom casework, and technology (computers, etc). Automated materials handling is estimated as an allowance and Public Art is estimated as a percentage of the construction cost for building, site, shelving and signage.

**Other Project Costs.** The sum of Building Costs, Site Costs, FF&E, Signage, Technology and Public Art make up the Construction Budget. Based on this budget, Soft Costs of 30% are estimated, which

include: Design and Engineering; testing, fees and permits; third-party construction management; and moving costs. The 'Project Budget' includes all of the items listed above, but excludes escalation, hazardous materials remediation, renewable energy installations, and internal staff program management.

Total Project costs for new construction projects are \$807/SF for Downtown, \$837/SF for Aptos, and \$926/SF for Felton. These costs are in line with other area library construction projects. In 2008, Palo Alto passed a bond measure of approximately \$76M for three library projects that included a 9,000SF Major Renovation, a 24,000SF Major Renovation + 5,000SF New Construction, and 57,000SF of new construction for an average project budget of \$817/SF. Pacifica's new 36,500SF library has a total project cost of just over \$30M or \$822/SF in 2012 dollars and Larkspur's new 20,000SF Library and Community Center has a total project cost of \$17M or \$850/SF in 2013 dollars.

**Escalation.** Assuming that the project phasing for Gain and Attain plan projects happened in a sequence that allowed for four equal encumbrances of bond funds that were timed approximately two years apart, the combined Gain and Attain cost escalation would range between approximately \$10M-\$15M.

# Recommendation for the Downtown Branch Library

Report from the Downtown Library Advisory Committee (DLAC)

To: Santa Cruz City Council

From: Downtown Library Advisory Committee: Steve Blair, Linda Craighead, Martha Dexter, Rena Dubin, Nikolara Dunbar-Jansons, Martin Gomez, Elisa Granata, Yolanda Henry, Tera Martin, Teresa Thomae

Date: January 25, 2018

Re: Recommendation for the Downtown Branch Library

Contents:

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Construction Option Summary

## **Overview of the DLAC and its Process**

Measure S Background; Downtown Library Advisory Committee Background; DLAC Meetings and Workflow; Public Input & Outreach; The Building Program

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Option A: Partial Renovation of Existing Library; Option B: New Mixed-Use Construction; Option C: Full Renovation of Existing Library; Option D: New Construction on Existing Library Lot

## **Frequently Asked Questions**

## **Appendices**

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## Recommendation of the DLAC

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The DLAC unanimously voted to recommend Option B, relocating the Downtown Branch Library to a mixed-use project on Cedar, Lincoln, and Cathcart Streets.

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Committee members agree that Option B gives the Downtown Branch Library the desired square footage balanced with a fiscally responsible price. The mixed-use building has the potential to be a beautiful and vibrant asset to the community, allowing for new programs and spaces that could increase library usage across all age groups and demographics.

Option B enables Santa Cruz to become a library that is prepared for the 21<sup>st</sup> century and be a vital, relevant, and dynamic resource for residents for the next thirty years. Our vision includes: state-of-the-art technology and expanded free technological services; a safe gathering space for teens; meeting rooms of various sizes to provide exciting opportunities for the community; tutoring spaces; genealogy & local history; and a transformative children's area.

The mixed-use space also has the potential to assuage current safety and security concerns through purposeful architectural improvements.

Committee members also appreciate that the Downtown Branch Library will remain open while new construction commences.

Based upon reports by Nesh Dhillon, Executive Director of the Farmers' Market, and various city agencies, Committee members recognize that a new mixed-use structure has the potential to facilitate more affordable housing units downtown, mitigate the expected infill of existing surface lots, and provide the impetus for an all-weather, covered, outdoor Farmers' Market and Antique Faire.

## Construction Option Summary

The DLAC unanimously voted to rank the options in the following order:

1. Option B: New Mixed-Use Construction
2. Option C: Full Renovation of Existing Library
3. Option A: Partial Renovation of Existing Library
4. Option D: New Construction on Existing Library Lot

<b>Cost and Timing</b>	<b>Option A</b>	<b>Option B</b>	<b>Option C</b>	<b>Option D</b>
Noll & Tam expense estimate (rounded)	\$24.6M	\$26.7M	\$37.8M	\$49.3M
Reduces yearly maintenance costs		✓	✓	✓
Within 15% of allocated Measure S funds	✓	✓		
Avoids temporary relocation expenses		✓		
Avoids disruption of library operations		✓		
<b>Design and Services</b>	<b>Option A</b>	<b>Option B</b>	<b>Option C</b>	<b>Option D</b>
Remediates or resolves existing infrastructure problems		✓	✓	✓
Meets requested library services and program goals		✓	✓	✓
Provides the recommended 44,000 square feet		✓	✓	✓
Provides expanded design opportunities		✓	✓	✓
Allows potentially greener infrastructure and design		✓	✓	✓
Retains current location	✓		✓	✓
Allows possible outdoor reading, meeting, and activity space				✓
<b>Security</b>	<b>Option A</b>	<b>Option B</b>	<b>Option C</b>	<b>Option D</b>
Improves obscured sightlines caused by location of stacks and desks	✓	✓	✓	✓
Improves traffic flow in entrance area		✓	✓	✓
Minimizes hidden spaces and obscured sightlines caused by architectural design		✓	✓	✓
Moves exterior walls to sidewalk to discourage loitering around exterior		✓		✓

In addition to reaffirming our recommendation for Option B, the DLAC wishes to communicate to the City Council that partially renovating the existing library, Option A, is not a logical alternative.

Committee members recognized that the partial renovation Option A offers is an irresponsible use of Measure S funds.

- Option A offers 8,000 square feet of less usable space than other options and the DLAC did not want to vote for an option that would not meet the expressed needs of the Santa Cruz community. With the additional 8,000 square feet, the library can have a dedicated teen space, more public computers and printers, tutoring rooms, genealogy and local history, and community meeting rooms. Without the additional square footage, the library is limited to existing services, or eliminating existing services to

add the above programming needs, neither of which were acceptable options for the DLAC.

- The DLAC felt that Option A was fiscally irresponsible and continued the habit of deferring maintenance, one of the reasons for this situation in the first place. Option A disrupts services and spends millions of dollars on a building that would not last 30 years; would yield substantial yearly maintenance costs; would not meet modern public library program and service goals; nor fully address issues such as updated wiring, an HVAC system, and a new roof.
- Committee members were also concerned that most of the purposeful architectural design elements which enhance safety and security could not be implemented with Option A.
- Option C would be able to utilize all 44,000 square feet and meet all programmatic goals, but was deemed too expensive.
- Committee members want the City Council to know that the DLAC has confidence in the estimates provided by the architect. While these numbers have been called into question by some members of the public, the estimates are based on other library construction projects in the Greater Bay Area.

*While the DLAC voted unanimously for Option B, we did so with confidence that the city council would approve the new mixed-use construction in tandem with the following:*

1. The city council would provide a mechanism for library administration to have control of the design in all phases of construction. We believe the architects and city manager when they say that a library can coexist harmoniously in a mixed-use building with a parking garage and other tenants and be beautiful and inviting. However, we also share concerns with some members of the public that a mixed-use structure, without input and collaboration, could result in an ugly, noisy, dimly lit, and poorly-ventilated library.

If Option B is approved, the DLAC realizes that the library would technically be a tenant but expects the city to recognize the Library as a full partner in ongoing operational decisions.

The DLAC voted for Option B assuming that the City Council would provide a way for library architects and advocates to be consulted throughout the design process.

Committee members want to be sure the new Downtown Branch Library contains:

- Many large windows that envelop the new library with tons of natural light throughout its entirety
- Clean ventilation, free from car exhaust, around the entry and inside the building
- Soundproofing from cars on the ramps and garage, as well as the mixed-use tenants

- Purposeful architecture design around the entrance and perimeter of the building that discourages loitering and encourages flow and increased security
  - Inviting curb appeal
  - Green building principles throughout
2. Committee members are aware that a new parking garage has the potential to be part of a broader vision for the city that includes more affordable housing, alternative transportation, and a thriving downtown. We were told that the mixed-use space could potentially contain affordable housing units; experimental and affordable “micro-units;” and extra parking spaces that would enable additional housing units -- new housing could be built more densely without on-site parking. Many committee members voted for Option B with the intention that the new library is an integral part of this vibrant, dynamic vision for the Santa Cruz community. Although this visioning is beyond the scope of the DLAC’s mission, the Committee’s hope is that the parking garage can be linked to positive changes downtown, particularly affordable housing. Committee members request that the new mixed-use construction contains or directly facilitates more downtown affordable housing units.
  3. Consolidating parking downtown by eliminating many (or all) surface lots. The city manager informed the DLAC that surface parking lots are an inefficient use of land, particularly when demand downtown (and throughout the city) is at a premium. The committee was told that a new parking garage will ultimately not add many parking spaces downtown because surface lots will likely be eliminated. The city manager shared a vision of a downtown that includes a new parking garage, but also accommodates exciting new developments, like affordable housing, on existing surface parking lots. Committee members’ unanimous vote for the new mixed-use construction is predicated on the assumption that surface parking lots downtown are repurposed.
  4. Relocating the Farmers’ Market in a way that increases its vitality and incorporates its long-term goals. The DLAC has been assured by Nesh Dhillon, the Executive Director of the Santa Cruz Community Farmers’ Markets, that Option B will not negatively affect the Downtown Farmers’ Market. He is encouraged that his vision of an all-weather, covered market space downtown can be achieved. The DLAC voted for Option B on the good faith that the Downtown Farmers’ Market would be enhanced by the move, and that the City Council will agree to implement the Market’s long-term goals.

## Overview of the DLAC and its Process

### Measure S Background

In 2013, the Santa Cruz Public Libraries (SCPL) engaged in a comprehensive facilities master planning process to assess the needs at each of our branches, and concluded that a local source of funding was needed to upgrade and improve local libraries. On February 11, 2016, the SCPL Facilities Financing Authority unanimously voted to place a \$67 million bond measure (later designated Measure S) on the June 7, 2016, ballot to address the most urgent needs. With 70% approval, voters agreed to fund Measure S.

Measure S funds are allocated to the government jurisdiction (the City of Santa Cruz, the City of Capitola, the City of Scotts Valley, and Santa Cruz County) for the improvements of library buildings in the communities they serve. Since the bond measure was approved, new construction of the Capitola and Felton branches is already designed, as well as analysis started for the renovations for the La Selva, Branciforte, Garfield Park, Boulder Creek, and Live Oak branches.

### Downtown Library Advisory Committee Background

In the fall of 2016, with concerns about escalating construction costs, the City of Santa Cruz requested the development of a study to examine the feasibility of including the library in a joint-use project with a parking garage on the city-owned property on Cedar Street. A consultant (Group 4) found the project would be “less expensive” and an “ideal location.” The City Council directed the formation of the Downtown Library Advisory Committee (DLAC).

The Downtown Library Advisory Committee, working with an architectural consultant, was directed to:

- Explore national library trends;
- Assess current and future library services;
- Examine the existing library building conditions; and,
- Evaluate the library service needs for Santa Cruz City residents over the next twenty years.

The final report of the committee should make recommendations as to:

- The programmatic scope of Downtown Branch Library services;
- The feasibility of co-locating the SCPL administrative offices (currently residing elsewhere in 14,000 square feet) on-site with the Downtown Branch Library;
- The evaluation of the three site options for the Downtown Branch Library (new/current site, remodel/current site, and new/parking garage site);
- An estimate of the cost of program goals against the current budget.

The Library Director, Assistant Director, a City Council Member and the City Manager recommended ten applicants for review by the Mayor.

The selected committee members include:

**Teresa Thomae** is the Director of the Santa Cruz Small Business Development Center (SBDC) at Cabrillo College. Teresa was recently recognized as Women of the Year by the Santa Cruz Chamber of Commerce and serves on many local non-profit Boards of Directors. The SBDC team of advisors provides no cost small business counseling to hundreds of businesses a year. SBDC services also include the presentation of many seminars and classes every year. Friends of the Library is a partner with the SBDC in the presentation of the "Brown Bag Series" for small business owners.

**Linda Craighead** is a Santa Cruz resident since 1968 with two children and one grandchild born and raised in Santa Cruz. She is an arts professional and art center director of Palo Alto for over 40 years. She is an avid library patron.

**Nikolara Dunbar-Jansons** is a Santa Cruz native, downtown resident, worker and volunteer. She is a Board Member of Friends of Santa Cruz State Parks and CERT member. She is a Lover of books and our local libraries. Her educational background is in community and urban planning.

**Martín Gomez** is a nationally known librarian who has held various leadership positions in both public and academic libraries. Highlights from his career include service as the general manager of the Los Angeles Public Library, Executive Director of the Brooklyn Public Library and head of the Oakland Public Library. He also served as the President of the Urban Libraries Council and the Executive Director of the Friends and Foundation of the San Francisco Public Library. In 2016, he retired from his position as vice dean of libraries at the University of Southern California.

**Martha Dexter** has over 30 years of experience as a professional librarian in the Washington, DC area, including the Library of Congress. She served on the Santa Cruz Public Library Joint Powers Board, 2013-2016, was a member of the Measure S Campaign Committee, and currently serves as Chairman of the Library Advisory Commission.

**Rena Dubin** has been a high-volume SCPL user for over twenty years. She homeschools her children, who attended story-time every week as infants and toddlers, and has borrowed mountains of books as part of their elementary, middle and high school curriculum.

**Elise Granata** has lived in Santa Cruz for 5 years after moving from the east coast and has worked at the Santa Cruz Museum of Art & History (MAH) in various capacities ever since. She also serves on the Downtown Association board, volunteers for other local non-profits, lives Downtown, and loves her cat named Munch.

**Tera Martin** is the Faculty Director of the Integrated Learning Center at Cabrillo College's Watsonville Center. She received her Ph.D in English from UC Santa Cruz and teaches writing at Cabrillo and UCSC. She is mother to two daughters who read voraciously, and she docents at Henry Cowell Redwood State Park.

**Steve Blair** is a passionate advocate for and supporter of public libraries. He has made a living with the written word his entire life: first as the manager and buyer of the largest independent bookstore in the state of Delaware, then as a writing instructor at the University of Delaware, and finally as a technical writer and writing manager in the high tech industry. He is thrilled at the opportunity to help provide Santa Cruz with the amazing public library it deserves!

**Yolanda Henry** has 19 years of experience as the Executive Director and Director of a non-profit that works with immigrants in Santa Cruz County. She is also the former Director to the Family Resource Collective of Community Bridges as well as a former teacher of Santa Cruz City Schools.

Through a separate RFP process, Noll & Tam, an architect firm with significant expertise in library buildings, was selected to support the committee's process. The Noll & Tam team included:

- Chris Noll, Principal
- Trina Goodwin, Associate Principal
- Eric Skiba, Architect
- Penelope Hummel, Library Consultant

### [DLAC Meetings and Workflow](#)

DLAC members met publicly twelve times between June and December of 2017.

Subcommittees on Public Input Process, Community Input Meeting, and Final Report Writing were formed and met regularly. The DLAC meetings were open to the public, advertised in advance, and contained public comment opportunities at each meeting.

The Downtown Library Advisory Committee:

- Reviewed the library governance, Measure S, the Library Facilities' Master Plan, and the Strategic Plan (June 14)
- Completed a walk-through of the current library and reviewed the library's technology plan, work-plan, and area demographics (June 29)
- Toured the Los Gatos Public Library and reviewed characteristics of contemporary public libraries (July 12)
- Worked with staff and key constituencies, in conjunction with Penny Hummel, a library space planning consultant, to identify and prioritize contemporary library service needs as well as characteristics of a good library site (July 27)
- Approved a process for surveying the community goals for the Downtown Branch Library and discussed library safety, services to the homeless and safety design strategies (August 9)
- Reviewed preliminary program data, received a building assessment of the current facility by Noll & Tam, reviewed the feasibility study prepared for the city on multiuse options, and refined the siting criteria (September 13)

- Reviewed community input on the library program and developed design considerations (September 28)
- Analyzed preliminary cost options (October 11)
- Continued discussion of cost as well as the pros and cons of each option (October 26)
- Sponsored a field trip to the Los Gatos Public Library and Downtown Branch Library for the Santa Cruz City Council and staff (November 7)
- Held a community meeting to discuss remodeling and building options (December 3)
- Discussed options and made a recommendation (December 13)
- Approved final report with changes (January 25)

### Public Input & Outreach

All DLAC meetings, aside from subcommittee meetings, were public, and announced on the SCPL website and the City of Santa Cruz website. All committee materials were posted on the library website. Articles on the process appeared in the *Santa Cruz Sentinel* and *Good Times*. The public meeting held on December 3 was advertised in the *Santa Cruz Sentinel* and advertised on the SCPL social media channels.

All DLAC meetings included time for comments from the public. Each person who desired to address the committee was accommodated during the public comment period. Meetings were extended to allow for additional public input, so that every person was heard. Over the seven-month period, 76 public comments were made at DLAC meetings from 38 unique individuals. In addition, 210 email messages were reviewed by the DLAC members. 92 people attended the community meeting on December 3.

Three themes recurred during the above public process. Firstly, people spoke and emailed about their opposition to a new parking garage being built downtown and including the library as part of this project. Secondly, people desired to preserve the existing library and the current traditional services. Thirdly, people spoke on behalf of keeping a space in the Downtown Branch Library dedicated to genealogy and local history.

The DLAC also surveyed the community about their vision for the Downtown Branch Library and potential features the library may contain. The survey was accessible in print at the Downtown Branch Library as well as online from the SCPL's website. Additionally, committee members and library staff distributed paper surveys in twelve locations downtown. The survey elicited 2,273 participants, 96% of whom consider themselves Santa Cruz Public Library users. The large response rate far surpassed our goals.

The survey elucidated the following:

- Comments proliferated regarding concerns about safety, security, and cleanliness in and around the library environs. Roughly one-third of the comments were about unhoused people, safety concerns, drug users, and/or the unacceptable state of the bathrooms.

- Overwhelmingly, respondents requested priority for computers, WiFi and printing space; quiet space; and a dedicated children’s room. This was reinforced in the open-ended comments.
- Over half of respondents (54%) rated dedicated library parking “very important.” Eighty-eight people did not want the library located in a shared facility with a parking garage.
- About half the respondents did not prioritize a cafe, and a third did not prioritize the genealogical research center.

The Committee also conducted three focus groups: in the Beach Flats Community Center, at the Boys & Girls Club, and at a meeting with homeschooling teenagers. The findings of the survey and focus groups influenced the building program and are attached as Appendix A.

### The Building Program

An assessment of the existing library that was completed by Noll & Tam found:

- Non-compliance with ADA
- Operational failures of HVAC, plumbing, electrical systems, and elevator
- Expansion of the footprint of the building to be limited by seismic code requirements
- Poor lighting, ventilation, and wiring and cabling for technological use
- Inefficient work spaces/delivery, poorly placed book drops, and poor sight lines
- Inadequate seating, bathrooms, electrical plugs, study spaces, and programming spaces
- Small, worn, and isolated children’s space and no teen space
- Cluttered entry
- Poor ratio of public to back-of-house spaces
- Asbestos
- Dated interior

The DLAC used two days’ worth of interviews with staff and key stakeholders; the findings of the survey of over 2,200 community members; and the results of the focus groups to develop a Library Building Program (See Appendix B).

The building program suggests a library of 44,000 - 47,000 square feet. The building program:

- Increases a dedicated children’s space by 2,000 square feet, including a children’s program space (6,000 total square feet)
- Adds a teen room (1,300 square feet)
- Maintains the current collections size

- Provides abundant comfortable seating (from 189 to 268 spots)
- Creates a 2,000 square foot, dividable programming room (increasing capacity from 88 to 125 seats)
- Adds 8 small group study rooms
- Includes 69 public computer stations
- Maintains a joint genealogy/local history area
- Incorporates two-dimensional art
- Moves out system-wide administrative spaces and incorporates all Downtown Branch Library staff
- Brings building infrastructure to code, including ADA disability and green building standards

Other design considerations are outlined in Appendix B. A building program for the administrative functions of the library system was created. Because the cost of construction greatly exceeded available resources in all scenarios, no consideration was given to consolidating system administration into the project (Appendix C).

### Siting

The Downtown Library Advisory Committee engaged in an exercise and discussion on the preferred qualities a site for the downtown library would possess. These qualities include the following:

- Accessible (with available public transit, walkable, bike friendly, and with parking)
- Location (visible, with vistas, and with density)
- Connectivity (to the civic regions, culture, and commercial district)

## Construction Options

This section summarizes each of the four construction options for the downtown Santa Cruz library discussed during the DLAC meetings. None of the options comes in under the \$23,000,000 slated for the downtown library by Measure S. Each option requires additional funding that could include fundraising, partnership with private sector, and/or reduced scope to bridge the shortfall.

The programming goals and service needs for the Downtown Branch Library were determined by DLAC members, library staff, with input from community members who attended the DLAC meetings, and the public survey. The design goals for the library were determined by the services and desired physical features of the library. Each of the cost estimates in this document is a combination of construction expenses and service needs.

The architectural firm of Noll & Tam, with specialized expertise in remodeling, renovating, and new construction of public libraries, priced the options based on their knowledge of library construction, taking into account the design features prioritized by DLAC after the survey. The DLAC has confidence in the integrity of their estimates.

The *Measuring Measure S* website at [https://www.santacruzpl.org/measure\\_s/](https://www.santacruzpl.org/measure_s/) provides background on the library project. Additional documents including the detailed cost estimates from Noll & Tam are available on this website at [https://www.santacruzpl.org/measure\\_s/branch/7/documents/](https://www.santacruzpl.org/measure_s/branch/7/documents/).

### Option A: Partial Renovation of Existing Library

Option A is a proposed partial renovation of the existing downtown library building that is capped as close as possible to the \$23,000,000 funding provided by Measure S for the downtown library.

#### Cost and Timing

- Estimated budget: \$24,620,958 - Over budget by \$1,620,958
- Lowest initial construction cost but the greatest future operating expenses
- Shortest time period of 124 weeks with construction beginning April 2019
- Budget includes costs incurred by temporary relocation of collection and equipment; some patron interruption

#### Design and Services

- Addresses accessibility and seismic code compliance and remodels 36,000 s.f.
- Does not resolve many infrastructure problems
- Remediation of roof problems not included in this estimate
- Upgrades existing ventilation system but does not replace it with modern HVAC or provide air conditioning
- Works around structural issues rather than designs for the future (For example, power needs would be addressed with wiring in floor-to-ceiling columns, rather than in-floor wiring)

- More costly to operate due to workarounds of structural limitations rather than replacement of systems
- Does not replace or increase size of existing windows (single-pane glass)
- Retains current location
- Maintains integrity of Civic Complex (City Hall / Civic Center / Library area)
- Reuses the current building
- Provides adjacent parking (existing surface lot)
- Accessible to public transit
- Does not provide the recommended 44,000 s.f. for programmatic needs
- 8,000 s.f. of existing library not part of the remodel and unavailable for public use
- 20% smaller than the other options
- Smaller size prevents the library from meeting program goals including teen space, meeting rooms, study/tutoring spaces, and expanded computing without trade offs

#### Security

- Does not fully address desire for increased security (consequence of preserving existing architectural footprint)
- Building exterior essentially untouched
- Main entrance not redesigned to decrease loitering or improve traffic flow
- Hidden spaces and obscured sightlines caused by stairwell and power drops in columns are not mitigated
- Sightlines could be improved by position and size of stacks and location of help desk

#### Option B: New Mixed-Use Construction

Option B is a new mixed-use construction project on the site of the existing Cedar Street surface lot behind the Logos building. This multi-story structure would be lower than the buildings on Pacific Avenue and would house both the library, a parking garage, and possibly affordable housing or office space. The needs of both the Farmer's Market and the Antique Faire are addressed in this option.

#### Cost and Timing

- Estimated budget: \$26,674,381 - Over budget by \$3,674,381
- This option provides the greatest number of desired program and design features for the amount of library funds invested
- Exterior construction costs come from Parking Authority budget; library dollars spent on services and interior design

- Requires a relationship with the Parking Authority; does not give library full control of design
- The project would take 188 weeks with construction beginning March 2020
- There are no additional costs for temporary relocation and little disruption of services

#### Design and Services

- Solves infrastructure problems associated with the current building
- Does not retain current location of library
- Removes the library from the existing Civic Complex (City Hall / Civic Center / Library area)
- Provides an additional asset for the city
- Provides adjacent parking (new garage on existing surface lot)
- Proximity to public transit
- Provides the recommended 44,000 s.f. and meets all library program goals including teen space, meeting rooms, study/tutoring spaces, genealogy and local history, and expanded computing
- Provides expanded design opportunities
- Shared construction costs allow possibility of double-pane windows and additional natural light
- Design constrained by a multi-use space (library and parking garage)
- Does not require increasing the number of existing parking spaces
- Does not require expanding the number of parking lots; the proposed Cedar St. site is an existing surface parking lot
- Will result in the loss of (non-heritage) trees currently located in the existing surface lot
- Relocates the Farmer's Market and Antique Faire to nearby downtown areas

#### Security

- Fully addresses desire for increased security by allowing for purposeful architectural improvements that minimize loitering and improve traffic flow while eliminating hidden spaces and obscured sightlines caused by stairwell and columns in the existing library.

#### Option C: Full Renovation of Existing Library

Option C renovates the existing downtown library building as much as possible while preserving the architectural footprint. It allows for reuse of the existing building and redesign of the interior by demolition of non-load bearing walls; construction and renovation are limited to prevent affecting the structural integrity and triggering seismic code retrofit.

### Cost and Timing

- Estimated budget: \$37,785,761 - Over budget by \$14,785,761
- The project would take 188 weeks with construction beginning March 2020
- Budget includes costs incurred by temporary relocation of collection and equipment; some patron interruption

### Design and Services

- Solves infrastructure problems associated with the current building
- Retains current location
- Maintains integrity of Civic Complex (City Hall / Civic Center / Library area)
- Reuses the current building
- Provides adjacent parking (existing surface lot)
- Accessible to public transit
- Provides the recommended 44,000 s.f. and meets all library program goals including teen space, meeting rooms, study/tutoring spaces, genealogy & local history, and expanded computing
- Provides expanded design opportunities
- Limited by footprint of the existing building due to seismic code regulations
- Allows possibility of double-pane windows and skylights
- Window size and exterior must be retained due to seismic concerns

### Security

- Partially addresses desire for increased security (limited by preserving existing architectural footprint)
- Enables some external security improvements
- Although building footprint is preserved, entrance can be reoriented to west facing side to discourage loitering
- Enables some internal security improvements
- Sightlines improved by position and size of stacks and location of help desk
- Hidden spaces and obscured sightlines caused by stairwell and power drops in columns are not fully mitigated

### Option D: New Construction on Existing Library Lot

Option D reuses the existing lot of the downtown library, but not the building itself. It attempts to maintain the integrity of the existing Civic Complex (City Hall / Civic Center / Library area) while meeting all the desired program goals and design features.

## Cost and Timing

- Estimated budget: \$49,313,846 - Over budget by \$26,313,846
- The project would take 188 weeks with construction beginning March 2020
- Budget includes costs incurred by temporary relocation of collection and equipment; some patron interruptions

## Design and Services

- Solves infrastructure problems associated with the current building
- Retains current location
- Maintains integrity of Civic Complex (City Hall / Civic Center / Library area)
- Provides adjacent parking (existing surface lot)
- Accessible to public transit
- Provides the recommended 44,000 s.f. and meets all library program goals including teen space, meeting rooms, study/tutoring spaces, genealogy & local history and expanded computing
- Provides the only option that allows for outdoor reading space, outdoor event/meeting space, and outdoor activity space (such as messy children's programming)
- Closure for remodel results in interruption of services
- Provides expanded design opportunities
- Not limited by footprint of the existing building
- Allows possibility of double-pane windows and skylights
- Incurs temporary relocation costs and disruption of services
- The branch would need to be closed for the duration of the renovation and the collection moved
- Some Downtown Branch resources would still be available for checkout at other branches

## Security

- Fully addresses desire for increased security by allowing for purposeful architectural improvements that minimize loitering and improve traffic flow while eliminating hidden spaces and obscured sightlines caused by stairwell and columns in the existing library.

## Frequently Asked Questions

### Does Measure S allow for new construction?

Yes. The ballot language of Measure S reads as follows:

*To modernize, upgrade and repair local libraries in Santa Cruz, Aptos, Live Oak, Scotts Valley, Boulder Creek, Capitola, Felton and La Selva Beach - replace failing roofs, outdated bathrooms, electrical systems/ structurally damaged facilities; support growing use by children, seniors, veterans and others; expand access to modern technology; and construct/ expand facilities where necessary; shall Santa Cruz Libraries Facilities Financing Authority issue \$67,000,000 in bonds for Santa Cruz Libraries Facilities Financing Authority Community Facilities District No. 2016-1; levy a special tax annually on parcels within the Community Facilities District; establish an initial appropriations limit; and assure mandatory accountability.*

Two new construction projects have been designed for the Felton and Capitola Branch Libraries.

**How do the DLAC’s recommendations align with the SCPL Facilities Master Plan (2014-2023)?**

DLAC’s endorsement of Options B and secondarily, Option C, aligns with the conclusion of the SCPL Facilities Master Plan 2014-2023. The FMP “strongly recommends extensive renovation or full replacement. Major renovation would replace most of the 45-year-old-building’s aging systems, upgrade interior (and possibly exterior finishes), and upgrade the building to meet current codes; the project could also include major reorganization of the interior to create new spaces, enhance operational efficiency, and improve customer wayfinding....Full replacement would provide the opportunity to maximize energy efficiency, minimize the environmental footprint, and enhance downtown urban development” (42).

**What is the status of the current library’s roof?**

The Facilities Master Plan notes that the elevator and the roof will both be due for replacement during the next ten years.

**The costs of these proposals seem unrealistically high. Are they correct?**

They are consistent with the Group 4 analysis done in December 2016 and are consistent with the cost associated with the Capitola and Felton Branch Library projects. The architects who advised the DLAC of the costs are experienced with building similar projects in the Greater Bay Area Region. The DLAC has confidence in their estimates.

**What tenants would the new mixed-use site contain?**

The City Council will determine the uses of a new site.

**How would the old library be reused?**

The City of Santa Cruz owns the current Downtown Branch Library. The City Council would determine its reuse.

**What happens next?**

The City Council is expected to hear this report in late March or early April. They will consider this report along with information on affordable housing, parking and the Farmers’

Market. They will make the recommendation as to whether to move forward with a mixed-use construction.

### Where can I get copies of documents referred to in this report?

Documents related to this process have been posted on the SCPL's website on the Measure S page, [https://www.santacruzpl.org/measure\\_s/branch/7/](https://www.santacruzpl.org/measure_s/branch/7/).

## Appendices

- Appendix A: Survey Findings
- Appendix B: Library Program
- Appendix C: Design Considerations
- Appendix D: Administration Program
- Appendix E: Cost Analysis
- Appendix F: Schedule

### Appendix A: Survey Findings

Review of Community Input: Phase One, Features

#### Purpose

The DLAC Communications Subcommittee, comprised of Martin Gomez, Yolanda Henry, and Rena Dubin, was created to facilitate community input about the vision for the new Downtown Branch Library and the site options. The Phase One goal of the committee was to gather opinions on potential key features. The Subcommittee wanted the DLAC to have the opportunity to incorporate these findings when the Committee deliberates on recommendations for square footage requirements and general features for the Downtown Branch. (The Phase Two goal will be to gather information regarding specific site options, with a report due December 1, 2017.)

#### Process

Because a thorough survey was administered to the community as part of the Library Strategic Plan less than a year ago, in September through November of 2016, the Subcommittee could use the raw data as a foundation.

For Phase One, the Subcommittee decided to try a variety of ways to reach the public. We surveyed the community about the features of the potential Downtown Branch. We conducted two focus groups, one for youth and one for Latinos to build on the Library Strategic Plan findings. We also put up butcher paper in the Downtown Branch asking the question, "What features would you like to see in the new library?" and invited people to write their responses on the banner. We reached out to key stakeholders in the community and are in the process of organizing a tour of the Downtown Branch Library and Los Gatos Public Library.

### The Survey Process

Because residents county-wide use the Downtown Branch, according to the Library Strategic Plan, we thought it was important the county could access the survey from the Santa Cruz Public Library’s website. An invitation to complete the survey popped up when people visited the home page. The survey link was also accessible on the web, which was shared via email and social media. Paper surveys were available to Downtown Branch users in the library, and participation was encouraged by library staff. Incarcerated individuals had the opportunity to participate at the county’s Roundtree facility during the library’s People and Stories program, and the surveys were collected from unhoused individuals attending the library’s Working Together program.

In an effort to reach a cross-section of the community, committee members, along with library staff, distributed paper surveys in a total of 12 locations in Downtown Santa Cruz between August 24<sup>th</sup> and September 13<sup>th</sup>. Locations included the Wednesday Farmers’ Market, Spanish Storytime at Abbott Square, the Metro Bus Station, and myriad places around Pacific Avenue like Walnut Avenue Café, Pour, and O’Neill Surf Shop. We tried to capture a variety of people and lifestyles, so not only did we vary our locations, but we surveyed during diverse times of the day and week.

Surveys were available in Spanish and English.

The survey consisted of four questions: (1) “How important are the following features in the new Downtown Branch Library?” followed by fifteen features accompanied by 1 - 3 scale where 1 = not at all important, 2 = somewhat important, and 3 = very important (2) Do you use the Santa Cruz Public Libraries? (3) Optional: Please circle your age and (4) Are there any other features you would like to see in the building?

*Over twenty-two hundred people completed the survey!*

The Subcommittee feels that the large response rate and the diverse collection strategies represent an important window into the opinions of the community.

### Participation in the Phase One Survey about Features

Item	Responses	Response %
Online surveys completed through popup invitation on the website	1,327	58%
Online survey completed via the web link shared by email and social media	478	21%
Paper surveys hand-delivered and received in Downtown Santa Cruz, at the Downtown Branch and elsewhere	468	21%
<b>TOTAL RECEIVED</b>	<b>2,273</b>	<b>100%</b>

## Paper Survey - Front

The city of Santa Cruz has allocated \$23 million to improve the Downtown Branch Library.  
Please give us your input.



How important are the following features in the new Downtown Branch Library?  
Scale: 1 = not at all important; 2 = somewhat important; 3 = very important

Dedicated teen space (12-18 yr)	1	2	3
Study/tutoring/small group spaces	1	2	3
Creation/maker spaces: labs including cutting edge technology, such as 3D printing, virtual reality, video and sound editing equipment	1	2	3
Art and exhibit space	1	2	3
Outdoor patio/reading space	1	2	3
Café	1	2	3
Used book store	1	2	3
Flexible community rooms	1	2	3
Computer, wifi, and printing area	1	2	3
Dedicated children's room (0-12 yr)	1	2	3
Dedicated California and local history collections	1	2	3
Genealogical research center	1	2	3
Print collections	1	2	3
Quiet space	1	2	3
Dedicated library parking	1	2	3

Survey continues on other side

## Paper Survey - Back

Do you use the Santa Cruz Public Libraries?

Yes / No

Optional: Please circle your age:      3-11    12-17    18-25    26-40    41-55    56-65    65+

Are there any other features you would like to see in the building?

*Thank you for participating! We will have a future survey regarding the potential locations of the Downtown Branch Library.*

## Survey Findings

Ninety-six percent of the survey respondents “use the Santa Cruz Public Library.” For respondents over 25, we had a fairly even cross-section of ages between groups of 26-40, 41-55, 56-65, and 65+. Thirteen percent of respondents were 25 or under.

### Listing of Features: By Rating of “Very Important”

Total responses: 2,263 (10 skipped)

Features	# of responses	%
Computer, WiFi, and printing areas	1,579	71%
Quiet space	1,569	71%
Dedicated children’s room	1,469	67%
Dedicated library parking	1,190	54%
Study, tutoring, small group spaces	1,040	48%
Flexible community rooms	968	44%
Dedicated teen space(12-18 yr)	933	43%
Outdoor patio/reading space	835	38%
Dedicated California and local history collections	804	36%
Print collections	768	36%
Creation/maker spaces: labs including cutting edge technology, such as 3D printing, virtual reality, video and sound editing equipment	758	35%
Art and exhibit space	740	34%
Used book store	736	34%
Genealogical research center	577	26%
Café	518	24%

Listing of Features: By Rating of “Not at All Important”

Total responses: 2,263 (10 skipped)

Features	# of responses	%
Café	1,082	49%
Genealogical research center	729	33%
Creation/maker spaces: labs including cutting edge technology, such as 3D printing, virtual reality, video and sound editing equipment	645	29%
Outdoor patio/reading space	591	27%
Used book store	526	24%
Print collections	523	24%
Dedicated California and local history collections	494	22%
Art and exhibit space	463	21%
Dedicated library parking	453	21%
Dedicated teen space	410	19%
Flexible community rooms	317	15%
Study, tutoring, small group spaces	275	13%
Dedicated children’s room (0-12 yr)	257	12%
Computer, WiFi, and printing areas	192	9%
Quiet space	177	8%

### Weighted Average of All Features

The weighted average uses a scale of 1 - 3:

- 3 = very important;
- 2 = somewhat important
- 1 = not at all important

Computer, WiFi, and printing areas	2.63
Quiet space	2.63
Dedicated children's room	2.55
Study, tutoring, small group spaces	2.35
Dedicated library parking	2.33
Flexible community rooms	2.30
Dedicated teen space(12-18 yr)	2.24
Dedicated California and local history collections	2.14
Art and exhibit space	2.13
Print collections *	2.11
Outdoor patio/reading space	2.11
Used book store	2.10
Creation/maker spaces: labs including cutting edge technology, such as 3D printing, virtual reality, video and sound editing equipment	2.05
Genealogical research center	1.93
Café	1.74

\* Many people did not know what "print collections" meant. Administrators of the paper survey were asked this question, and comments in the open-ended section reflected this confusion.

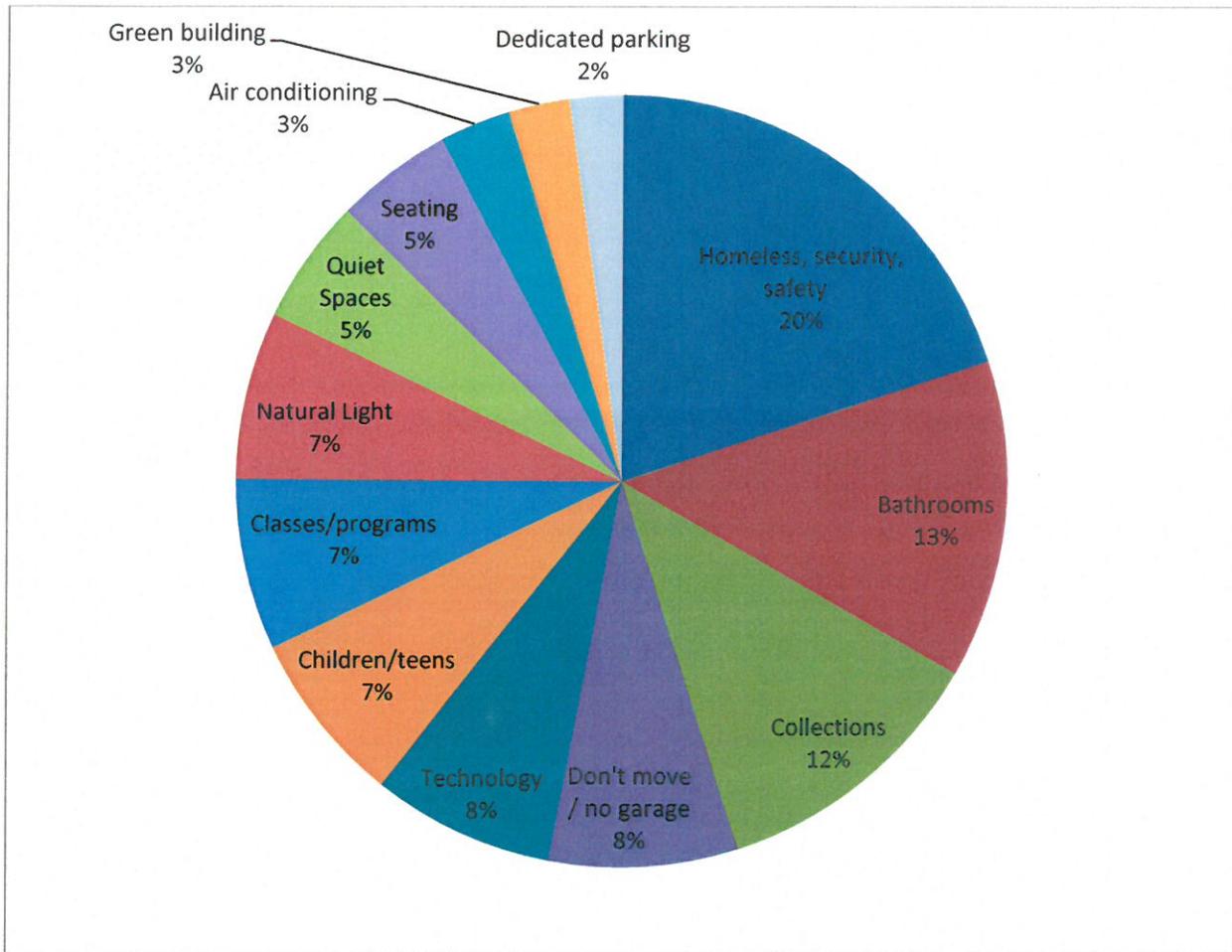
Most Frequently-Cited Comments to the Open-ended Question: “Are there any other features you would like to see in the new building?”

51%, or 1,169, people responded

222	Mentions of homeless or feeling unsafe <i>--Respondents reported that the behavior of the people hanging out in front of the library made them feel unsafe. Some respondents were not as forgiving, using derogatory remarks and offering punitive solutions such as banning homeless as a group or providing separate rooms for them. Others suggested providing onsite social services.</i>
148	Bathrooms -- more stalls, larger, cleaner, and/or safer <i>--Some respondents offered detailed descriptions of horrific conditions in the bathrooms, including feces on the walls, drug use, and people bathing. Thirty-nine respondents blamed the homeless for the bathroom conditions.</i>
131	Collections <i>--Books. Recommendations also included more Spanish language materials; textbooks; updated collections; DVD's and CD's with an accompanying listening/viewing station; and greater emphasis on traditional print.</i>
88	Don't move to the parking garage <i>--Although this was a survey specific to the features of the library, 88 people (about 8%) opined about not moving the Downtown Library. An additional 6 people expressed their desire to move the library to Pacific Avenue or combine it with a parking garage.</i>
85	Technology <i>--A majority of the references were to the need for public access computers, charging stations, and/or electrical outlets. Faster WiFi was also mentioned, along with computer labs, printers, and family computer areas. Some people wanted spaces to listen or watch CDs and DVDs in the library.</i>
81	Children/ teen spaces <i>--Thirteen comments were about teens and teen spaces specifically. This count did not include mentions of the safety of the library or children's area, as those were previously included.</i>
80	Classes/programs <i>--Adult programs, lectures, discussion groups and events; children/teen programs; technology classes</i>
78	Natural Light <i>--More windows were requested, and also skylights. Many people simply stated “more natural light.”</i>
58	Noise management <i>--Quiet in the library. Some people complained about cell phone use.</i>
55	Comfortable, clean seating <i>--People requested easy-to-clean seating and soft, cozy seating, as well as larger family seating.</i>
33	Air quality <i>--Air conditioning was frequently mentioned as a desired feature, as well as good ventilation. There were complaints that the library feels “stuffy.”</i>
28	Green building <i>--Respondents wrote about LEED Certification, and including solar panels and energy efficiencies.</i>
25	Dedicated parking <i>--Comments about this feature were not specifically for the parking garage. People like the idea of easy, free parking adjacent to the library. Several commenters mentioned the need for a drive-through drop-off.</i>

Roughly one-third of the comments were about unhoused people, safety concerns, drug users, and/ or bathrooms.

Most Frequently-Cited Comments to the Open-ended Question, by Percentage  
1,169 total respondents



Subcommittee Survey Summary

The following trends can be gleaned about the respondent’s desires in the Downtown Branch Library. These findings will be used as the DLAC deliberates priorities and questions about square footage.

- The survey elicited 2,273 participants, 96% of which consider themselves Santa Cruz Public Library users.
- Overwhelmingly, respondents requested priority for computers, WiFi and printing space; quiet space; and a dedicated children’s room. This was reinforced in the open-ended comments.
- Over half of respondents (54%) rated dedicated library parking “very important.”
- About half the respondents did not prioritize a cafe, and a third did not prioritize the genealogical research center.

- Over half of the respondents (51%) wrote comments in the open-ended section. Comments proliferated regarding concerns about safety, security, and cleanliness in and around the library environs.
- Respondents would appreciate a green building with natural light and windows, comfortable seating, air conditioning and ventilation.
- Although the survey did not request feedback on a potential move to a shared parking garage location, 88 people wrote opinions against this idea.

### The Focus Group Process

Two focus groups were conducted by committee members: one at the Beach Flats Community Center, and one at the downtown Boys & Girls Club.

On August 22<sup>nd</sup>, five parents attended the bilingual (Spanish and English) focus group at the Beach Flats, including four Latinas and one female African-American. Three Community Center staff also participated, two males and one female, all three Latinos.

On September 18<sup>th</sup>, committee members facilitated a focus group with fifteen teens at the Boys and Girls Club, five males and 10 females, aged 12 - 18. The teens attend Mission Hill Middle School, Branciforte Middle School, and Santa Cruz High School.

### The Focus Group Findings

#### Beach Flats Community Center Focus Group

Have you used or visited the Downtown Library?

- 2 don't know where it is.
- 1 knows where is but her children use the bookmobile
- 1 has visited recently, she is new to Santa Cruz
- 1 visits regularly
- 2 others have visited and used it but not recently

Which programs and services have you used in the past?

- 1 has taken her child to a math tutoring program for her children
- 1 has used the computers

Which current services would you like to improve?

- All participants indicated they did not know what services or programs are available
- Suggested improved outreach, advertising, connecting more with the community
- Mobile van (Bookmobile) every week

What new services would you like to see in the future?

- Reading groups for elementary school age kids
- Parent and child reading groups for all ages-like in Watsonville
- Basic computer classes
- Teach Microsoft office—Excel, Publisher, etc. for adults and kids
- Citizenship classes
- Coding for kids and young adults
- How to/DIY classes-gardening, stitching, household repairs
- Workshops/crafts—make stuff they-kids can take home
- Open space, attractive, coffee, comfortable, and a napping space.

### **Boys and Girls Club Focus Group**

Who has used the Downtown Library?

- 13 library users
- 2 Non users
- 9 Library card-holders
- One youth thought it cost \$10 for the card.

Which services or programs have you used?

- Study areas
- Check out books
- Computers
- Research
- Videos/CD's

Which of the current services would you like to improve?

- Free parking
- Books in better condition
- Crime books
- Longer hours
- Safer place for kids
- Comfortable chairs/seating
- New Books—many are worn

- Improved computers—more power
- Better study area
- The people who hang out in front of the library

What new services or programs would you like to see?

- Sheet music collection
- Board games
- History of Latinos—specific to the contributions of Latinos.
- Gaming computers
- League of legends club
- Teen nights
- Lounge area
- Section with articles of current events
- More colors (on walls) that have “pop”
- A mural
- Separate teen area—uses children’s area
- Café like Starbucks---has to leave and go get something to eat and drink
- Text books for middle and high schools (in case they are forgotten)

**Teen Focus Group on November 8, 2017, conducted by Rena Dubin**

The focus group demographics:

- 21 homeschooling teens, ranging from 13 - 18
- All were “library users”
- All had visited the Downtown Branch

We first talked about the current Downtown Branch Library.

The first comment was that it felt “unsanitary.” Other comments relating to homeless issues, safety, and security included:

- “Shady” exterior, but better inside
- “Creepy dudes have tried to talk to me”
- “Not a place to hang out”
- Lots of “homeless people”

- Interesting “social interactions”
- Theft on the bike racks outside

One student mentioned that he noticed there was great staff that helped the homeless, and he appreciated that the homeless could get services here.

Some teens also mentioned loving the staff, the programs like the poetry programs and reading to dogs. They also mentioned the WiFi, past artwork displays in the children’s room, and that they have studied upstairs in the children’s room. They mentioned they appreciated the natural light upstairs. They had mixed reviews on the collection.

We then looked at some examples of “21st century” and “forward thinking” libraries, and the possibilities for downtown. Some comments included being excited about the community space, possibilities of the library serving as a partial museum role, appreciating the access to technology, a place to study and focus, but also be with other people. Some mentioned the possibilities of an event space, particularly teen events, and how fun that would be. Others wanted to be sure there would always be print books.

One teen mentioned the possibility of combining the library with meals, housing, and homeless services.

We then talked about the various options and configurations of relocating or rebuilding. There was no consensus.

- Comments regarding the \$37 million remodel option:
- Several mentioned this as the “perfect solution” in an “ideal world.”
- Reasons included liking the current library’s location and a reluctance to tear down a building.
- The “debts are worrisome” with this option.
- It is a “challenge to find more funds”
- The “outside is fine; it is the inside that is the problem.”

Comments about the parking garage option:

- One teen mentioned environmental concerns
- However, most were more concerned about the potential ugliness of the parking garage building, as well as the “lack of natural light.” One also was concerned about the noisiness of being underneath a parking garage. In general, it was hard to envision how the exhaust smells, starkness, lack of natural light, and car noise could coexist with a library.
- One teen thought the adjacent additional parking would be beneficial generally and would particularly be helpful to library employees and patrons.

Other comments included:

- Anything was better than nothing, even the \$23/\$25 million remodel at the existing location
- Perhaps we could use the \$23 million specifically to fix up the existing library, and then ask the voters for more funding to remodel in the future to do it correctly.

Santa Cruz Downtown Library  
Draft Spaces Summary (10.5.17)

CODE	SPACE	PROPOSED SQ FEET	PROPOSED TOTAL SF	EXISTING TOTAL SF
	<b>Public Areas</b>			
1.10	First Floor Lobby	228		
1.20	Friends' Corner	150		
1.25	Public Restrooms - First Floor	IN GSF		
1.30	Outdoor Patio Area	IN GSF		
1.35	Express Checkout	248		
1.40	Information/Service Desk	278		
1.45	Holds	80		
1.55	Copy Center	100		
	<i>Total Public Areas</i>		1,084	1,600
	<b>Adult Services</b>			
1.50	New Books	631		
1.90	Public Access Computers	1,180		
1.95	Reference Collection	1,118		
2.00	Tech Podium	60		
2.15	Adult Fiction	2,674		
2.20	Nonfiction	3,850		
2.25	Spanish Language Collection	291		
2.30	Magazine & Newspapers	988		
2.35	Media	882		
2.50	Genealogy/Californiana/Local History	3,334	3,334	2,323
2.60	Large Print Books	312		
2.70	Outreach	587		
2.90	Quiet Reading	550		
	<i>Total Adult Services</i>		16,456	16,000
	<b>Youth Services</b>			
2.40	Teenspace	1,328		
3.00	Family Space	625		
3.10	Kidspot	4,431		
3.20	Kidspot Storytime Area	910		
3.40	Children's Service Desk	60		
3.55	Family Restrooms	IN GSF		
	<i>Total Youth Services</i>		7,354	4,000
	<b>Meeting Spaces</b>			
2.45	Learning/Collaboration Space	541		
3.60	Community Meeting Room (Dividable)	1,910		
3.65	Meeting Room Storage	186		
3.70	Kitchen	90		
3.71	Medium Meeting Room	500		
3.75	Small Meeting Room	250		
3.80	Group Study/Tutoring Rooms	350		
	<i>Total Meeting Spaces</i>		3,827	1,200
	<b>Staff Areas</b>			
1.60	Branch Manager's Office	145		
1.65	Aide Supervisor's Office	100		
1.67	Telephone Info	97		
1.69	Staff Offices	768		
1.70	Circulation	727		
2.55	Local History Workroom	128		
2.75	Outreach Office	120		
3.45	Children's Services Workroom	568		
3.85	Staff Lounge	492		
	<i>Total Staff Areas</i>		3,145	6,000

Santa Cruz Downtown Library  
Draft Spaces Summary (10.5.17)

<b>Support Areas</b>				
1.75	Delivery Area	94		
1.80	Janitorial Closet	227		
3.90	Server Room	180		
3.92	Storage	384		
<i>Total Support Areas</i>			885	2,000
<b>Net Assignable Square Feet:</b>			<b>32,751</b>	30,800
<b>Gross Square Feet @ 70% Net to Gross SF:</b>			<b>46,788</b>	44,000

Santa Cruz Downtown Library  
Detailed Spaces Summary

		Quantity	Item	SF/Item	Total SF
<b>1.10</b>	<b>First Floor Lobby</b>				<b>228</b>
	floor mats, with minimum 16' walk-off length			NA	0
	seating, bench, 5' x 24", 2-person	1	bench	26	26
	community information display unit, wall-mounted, with brochure & racks, bulletin board & storage below, 8'L x 5'H x 1.5'D	2	units	36	72
	display case, glass-enclosed, wall-mounted, 6'w x 6'h x 2'd	1	case	30.0	30
	flat screen monitor, large, wall-mounted for announcements	1	monitor	0.0	0
	exhibit space for two- dimensional art	1.0	space	100	100
					0
<b>1.20</b>	<b>Friends' Corner</b>				<b>150</b>
	shelving, 72", wall-mounted, for books on sale	2	SS sections	10	20
	shelving, retail, 60" mobile units, for books on sale	2	D/S section	40	80
	storage closet for immediate supply/inventory needs	1	closet	50	50
<b>1.25</b>	<b>Public Restrooms - First Floor</b>			GSF	<b>0</b>
<b>1.30</b>	<b>Outdoor Patio Area</b>			GSF	<b>0</b>
<b>1.35</b>	<b>Express Checkout</b>				<b>248</b>
	express self-checkout machines	4	machines	40	160
	shelving, reserves	4	sections	16	64
	queuing space	4	people	6	24
<b>1.40</b>	<b>Information/Service Desk</b>				<b>278</b>
	staff counter positions with computer workstns	4	positions	50	200
	cash register, behind counter	1	machine	12	12
	book trucks	2	trucks	8	16
	shelving, for ready reference	2	sections	10	20
	display of Library handouts, built into desk	1	unit	6	6
	queuing space	4	people	6	24
<b>1.45</b>	<b>Holds</b>				<b>80</b>
	shelving, reserves	10	sections	8	80
<b>1.50</b>	<b>New Books</b>				<b>631</b>
	shelving, new books	15	sections	15	225
	2 place tables, rectangular	8	seats	25	200
	seating, lounge chairs	4	seats	35	140
	online catalog workstation @ stack end	1	station	16	16
					0
<b>1.55</b>	<b>Copy Center</b>				<b>100</b>
	copy machines, standard	2	machines	40	80
	debit card dispenser, change machine	1	each	4	4
	storage cabinet w work counter & small eqpt	1	cabinet	16	16
<b>1.60</b>	<b>Branch Manager's Office</b>				<b>145</b>

Santa Cruz Downtown Library  
Detailed Spaces Summary

	desk, computer workstation, printer, task chair	1	desk	50	50
	table, conference, round 36"	1	table	60	60
	chairs, guest	2	chairs	0.0	0
	shelving, 84", wall mounted	2	sections	10.0	20
	lateral file 3 drawer unit	1	cabinet	15.0	15
					0
<b>1.65</b>	<b>Aide Supervisor's Office</b>				<b>100</b>
	desk, computer workstation, printer, task chair	1	desk	50	50
	chairs, guest	1	chair	15.0	15
	shelving, 84", wall mounted	2	sections	10.0	20
	lateral file 3 drawer unit	1	cabinet	15.0	15
<b>1.67</b>	<b>Telephone Info</b>				<b>97</b>
	desk, computer workstation, printer, task chair	1	desk	50	50
	lateral file 3 drawer unit	1	cabinet	15.0	15
	Sheet music collection	4	sections	8	32
					0
<b>1.69</b>	<b>Staff Offices</b>				<b>768</b>
	workstations, modular, 8' x 8' (librarians and information specialists)	7	wkstns	64	448
	workstations, modular, 8' x 8' (library assistants I/II)	5	wkstns	64	320
					0
<b>1.70</b>	<b>Circulation</b>				<b>727</b>
	workstations, modular, 8' x 8' (library assistants I/II)	2	wkstns	64	128
	workstations, modular, 8' x 8' (aides, library volunteers)	2	wkstns	64	128
	work counter, 10' x 2', w sink, cabinets	1	counter	20	20
	staff workstations for returns + checkins, 6' x 6', height adjustable work surfaces	2	workstation	30	60
	mail and delivery sorting counter, 6' x 3'	1	counter	30.0	30
	book truck parking	12	trucks	8	96
	delivery box stacking space (6 stacks @ 4 boxes each)	6	stacks	4	24
	trash/recycling containers	1	container	6	6
	shelving, 84", for circ problems and withdrawn materials	6	sections	10	60
	lateral file 3 drawer unit	1	cabinet	15.0	15
	bulletin board, wall-mounted, 6' x 4'	1	board	0	0
	whiteboard, wall-mounted, 2' x 3'	1	board	0	0
	clear floor space for temporary storage	1	space	50	50
	supply closet for supplies storage	1	closet	50	50
	coat closet, 4' x 3'	1	closet	20	20
	material returns slot/bin, exterior	2	return unit	10	20
	material returns slot/bin, interior	2	return unit	10	20
					0
<b>1.75</b>	<b>Delivery Area</b>				<b>94</b>
	shelving, industrial	2	sections	14	28
	clear floor space for receiving + unpacking shipments	1	space	50	50
	trash container, large	1	container	6	6
	shelving, 84" for temporary storage (donations, boxes etc.)	1	sections	10	10

Santa Cruz Downtown Library  
Detailed Spaces Summary

<b>1.80</b>	<b>Janitorial Closet</b>				<b>227</b>
	shelving, industrial, 80" for supplies, storage	8	sections	14	112
	supply cabinet, 2-door, for secure supplies storage	2	cabinet	20	40
	clear space for boxed, bulk storage	1	space	50	50
	mop sink, floor-mounted w mop storage, wall-mounted	1	space	25	25
				0	0
<b>1.90</b>	<b>Public Access Computers</b>				<b>1,180</b>
	computer workstations	26	wkstns	40	1,040
	special needs computer	1	wkstns	40	40
		1	space	100	100
					0
<b>1.95</b>	<b>Reference Collection</b>				<b>1,118</b>
	shelving, 66", for reference books	19	sections	12.0	228
	seating @ 2-pl tables	20	seats	25	500
	seating @ 1-pl tables	10	seats	25	250
	seating, lounge chairs	2	seats	35	70
	online catalog workstation @stack end	1	wkstn	16	16
	networked printer/print release station	1	printer	24	24
	scanner	1	scanner	30	30
					0
<b>2.00</b>	<b>Tech Podium</b>				<b>60</b>
	work station, 8' x 6' + 25% circ space	1	position	60	60
					0
<b>2.15</b>	<b>Adult Fiction</b>				<b>2,674</b>
	shelving, 66", fiction	181	sections	12	2,172
	shelving, 66" for adult book club kits	5	sections	12	60
	seating, lounge chairs	6	seats	35	210
	tables, occasional @ lounge chairs	6	tables	0	0
	seating @ 2-pl tables	8	seats	25	200
	online catalog workstation@stack end	2	wkstns	16	32
					0
<b>2.20</b>	<b>Nonfiction</b>				<b>3,850</b>
	shelving, 66", nonfiction	284	sections	12.0	3,408
	seating @ 2-pl tables	8	seats	25	200
	seating, lounge chairs	6	seats	35	210
	tables, occasional @ lounge chairs	4	tables	0	0
	online catalog workstation@stack end	2	wkstns	16	32
					0
<b>2.25</b>	<b>Spanish Language Collection</b>				<b>291</b>
	shelving, Spanish language books	6	sections	12.0	72
	shelving, 66", for Spanish audio books	1	sections	12.0	12
	shelving, 66", for Spanish DVDs	1	sections	12.0	12
	shelving, 66", Music CDs	1	sections	15.0	15
	shelving, 66" display for Spanish language magazines	1	sections	10.0	10
	seating @ 2-pl tables	4	seats	25	100
	seating, lounge chairs	2	seats	35	70

Santa Cruz Downtown Library  
Detailed Spaces Summary

<b>2.30</b>	<b>Magazine &amp; Newspapers</b>				<b>988</b>
	shelving, slanted, for magazine, with backfiles below	24	sections	10.3	247
	shelving, for newspaper display of current/recent issues	2	sections	10.3	21
	shelving, for newspaper back issues	5	sections	8	40
	seating, lounge chairs	8	seats	35	280
	tables, occasional @ lounge chairs	8	tables	0	0
	seating @ 2-pl tables	8	seats	25	200
	seating @ 1-pl tables	8	seats	25	200
					0
<b>2.35</b>	<b>Media</b>				<b>882.0</b>
	new media display tables, 3' x 3'	2	tables	25	50
	shelving, DVDs	12	sections	12.5	150
	shelving, 66", Music CDs	14	sections	15.0	210
	shelving, 66", audiobooks	34	sections	12.0	408
	shelving, 66", for Soundswell music collection	1	bookshelf	12.0	12
	shelving, 66", for mass market paperbacks	1	bookshelf	12.0	12
	benches, 2-person, 2' x 6'	2	seats	20	40
<b>2.40</b>	<b>Teenspace</b>				<b>1,328</b>
	shelving, retail display, for teen new and popular books	1	unit	30	30
	shelving, teen fiction	19	sections	12.0	228
	shelving, teen nonfiction	2	sections	12.0	24
	shelving, teen Spanish	1	sections	12.0	12
	shelving, teen audio books	3	sections	12.0	36
	shelving, teen DVDs	1	sections	12.0	12
	seating @ 4-pl round tables or booth seats	8	seats	35	280
	casual seating (e.g., café tables, cockpit chairs)	8	seats	25	200
	seating @ 2-pl tables	10	seats	25	250
	computer workstations, sitdown	5	wkstns	40	200
	online catalog workstation @ stack end	2	wkstns	16	32
	networked printer/print release station	1	printer	24	24
					0
<b>2.45</b>	<b>Learning/Collaboration Space</b>				<b>541</b>
	seating, 2 place tables, mobile	15	seats	25	375
	counter, 8' x 2', w double sink, commercial grade, cabinets above and below	1	counter	50	50
	supply closet	1	closet	30	30
	laptop/tablet storage/recharging station, 12-unit capacity, w 12 devices	1.0	storage uni	12	12
	networked printer/print release station	1	printer	24	24
	service desk, 1-person, with computer workstation	1	desk	50	50
	video/digital projector, ceiling-mounted	1	projector	0	0
	projection screen, ceiling-mounted	1	screen	0	0
	white board, wall-mounted, interactive	1	board	0	0
					0
<b>2.50</b>	<b>Genealogy/Californiana/Local History</b>				<b>3,334</b>

Santa Cruz Downtown Library  
Detailed Spaces Summary

seating @ 2-pl tables	12	seats	25	300
seating @ 1-pl tables	8	seats	25	200
Large historical table (2.6' x 10')	8	seats	25	200
seating, lounge chairs	4	seats	35	140
online catalog workstation @ stack end	1	wkstn	16	16
computer workstations, sitdown	1	wkstns	40	40
copier/scanner	1	copier/ sca	30	30
microform printers	3	printers	36.0	108
shelving, 72", Genealogy Collection	81	sections	12.0	972
shelving, 72", Californiana Collection	42	sections	12.0	504
shelving, 72", Local History Collection	9	sections	12.0	108
shelving, 72", Local History Collection, oddly shaped items, archival boxes, etc.	2	sections	12.0	24
microform cabinets (Genealogy)	20	cabinets	12.5	250
file cabinets (Genealogy)	2	cabinets	8	16
file cabinets (Genealogy)	2	cabinets	10.0	20
cabinet, 2 door, 6' wide x 6' high (Genealogy)	1	cabinet	30.0	30
bulletin board (Genealogy)	1	bulletin boa	12.0	12
map case (Local History)	1	case	24	24
file cabinets (Local History)	16	cabinets	8	128
flat files (Local History)	1	case	24	24
atlas stand (Local History)	1	stand	38	38
Display unit for current genealogy/local history periodicals	1	display unit	8	8
historic wooden bookshelves	2	bookshelve	10	20
historic wooden clock	1	clock	2	2
display cases, glass-enclosed, wall-mounted, 6'w x 6'h x 2'd (1 for Genealogy, 1 for Californiana/Local History)	2	cases	30.0	60
1 person service desk with computer workstation (Local History/Genealogy) 8' x 6' + 25% circ space	1	position	60	60
				0
<b>2.55 Local History Workroom</b>				<b>128</b>
workstations, modular, 8' x 8' (Local History librarians/info specialists)	2	wkstns	64	128
<b>2.60 Large Print Books</b>				<b>312</b>
shelving, 66", large print books	26	sections	12.0	312
<b>2.70 Outreach</b>				<b>587</b>
staff/volunteer offices (desk, computer, task chair, guest chair)	2.0	officew	100	200
shelving, 66", for collection	1	bookshelf	12.0	12
lateral file 3 drawer unit	1	cabinet	15.0	15
work counter, 8' x 24", w sink, cabinets below	1	counter	40	40
computer workstations	2	wkstns	40	80
6 person table	6	seats	25	150
seating, lounge chairs	2	seats	35	70
display unit for current brochures and materials	1	display unit	8	8
bulletin board	1	bulletin boa	12.0	12
				0

Santa Cruz Downtown Library  
Detailed Spaces Summary

<b>2.75</b>	<b>Outreach Office</b>				<b>120</b>
	desk, computer workstation, printer, task chair	1	desk	55	55
	chairs, guest	2	chair	15.0	30
	shelving, 84", wall mounted	2	sections	10.0	20
	lateral file 3 drawer unit	1	cabinet	15.0	15
<b>2.90</b>	<b>Quiet Reading</b>				<b>550</b>
	seating @ 1-pl tables	8	seats	25	200
	seating, lounge chairs	10	seats	35	350
					0
<b>3.00</b>	<b>Family Space</b>				<b>625</b>
	lounge seats, parent/child	10	chairs	35	350
	seating @ 4 person tables, mobile, round for toddlers	8	seats	20	160
	computer workstation, early literacy	2	computers	40	80
	space for interactive manipulatives	1	space	20	20
	cabinet for puzzle and toy storage	1	cabinet	15	15
					0
<b>3.10</b>	<b>Kidspot</b>				<b>4,431</b>
	shelving, 48", for picture books/easy readers	37	sections	12	444
	shelving, 66" for children's nonfiction	61	sections	12.0	732
	shelving, 66" for children's fiction	35	sections	12.0	420
	shelving, 66" for children's reference	22	sections	12.0	264
	shelving, 66" for youth Spanish language F/NF books	9	sections	12.0	108
	shelving, 66", for Spanish language media	1	section	12.0	8
	shelving, retail display for children's new books	5	sections	15	75
	new media display tables, 3' x 3'	2	tables	25	50
	shelving, 66" for children's DVDs	5	sections	15.0	75
	shelving, 66" for children's audio CDs	4	section	15.0	60
	shelving, 66" for children's music CDs	1	section	15.0	15
	shelving, 66" for Read to Me kits	2	sections	12.0	24
	shelving, 66" display for children's magazines	1	sections	10	10
	seating @ 4-pl tables	32	seats	25.0	800
	seating @ 2-pl tables	18	seats	25.0	450
	seating @ 1-pl tables	8	seats	25.0	200
	seating, lounge chairs	8	seats	30.0	240
	online catalog workstation @ stack end	2	wkstn	16	32
	computer workstations, sitdown	5	wkstns	40	200
	express self-checkout station	1	machine	40	40
	networked printer/print release station	1	printer	24.0	24
	flat screen monitor, large, wall-mounted for announcements	1	monitor	0.0	0
	display boards, tackable, wall-mounted	2	boards	0	0
	display cases, glass-enclosed, wall-mounted, 6'w x 6'h x 2'd	2	cases	30.0	60
	aquarium	1	aquarium	50.0	50
					0
<b>3.20</b>	<b>Kidspot Storytime Area</b>				<b>910</b>

Santa Cruz Downtown Library  
Detailed Spaces Summary

	carpeted floor space for children and caregivers	85	spaces	10	850
<b>3.40</b>	<b>Children's Service Desk</b>				<b>60</b>
	work station, 8' x 6' + 25% circ space	1	wkstn	60	60
					0
<b>3.45</b>	<b>Children's Services Workroom</b>				<b>568</b>
	workstations, modular, 8' x 8'	4	wkstns	64	256
	printer	1	printer	12	12
	work counter, 8' x 2', w sink, cabinets	1	counter	40	40
	shelving, 84", for supplies, storage	8	sections	10	80
	supply closet	1.0	closet	50	50
	bulletin board, wall-mounted, 6' x 4'	1	board	0	0
	whiteboard, wall-mounted, 2' x 3'	1	board	0	0
	work table, 8' x 3', with flat file storage below	1	table	40	40
	file cabinets	4	cabinets	8	32
	mobile AV cart	1	cart	12	12
	clear space for temporary storage of exhibits, supplies, programming materials	1	space	40	40
					0
					0
<b>3.55</b>	<b>Family Restrooms</b>				IN GSF
<b>3.60</b>	<b>Community Meeting Room (Dividable)</b>				<b>1,910</b>
	stacking chairs	125	seats	15	1,875
	tables, folding, lightweight, 5' x 2'	24	tables	0	0
	baby grand piano	1	piano	35	35
	podium, moveable	1	podium	0	0
	video/digital projector, ceiling mounted	1	projector	0	0
					0
<b>3.65</b>	<b>Meeting Room Storage</b>				<b>186</b>
	dollies, mobile, for stacking chairs	12	dollies	8	96
	table trucks for folding tables	4	dollies	10	40
	equipment racks for meeting room AV equipment	1	rack	10	10
					0
<b>3.70</b>	<b>Kitchen</b>				<b>90</b>
	work counter, 8' x 2.5', w double sink, commercial grade, dishwasher, cabinets above and below	1	counter	50	50
	refrigerator, full size	1	unit	20	20
	microwave oven, on counter	1	oven	0	0
	oven with range-top, under counter	1	oven	0	0
	storage cabinet for supplies	1	cabinets	20	20
					0
<b>3.71</b>	<b>Medium Meeting Room</b>				<b>500</b>
	table, conference	1	table	0	0

Santa Cruz Downtown Library  
Detailed Spaces Summary

	seating @ 20-place conference table	20	seats	25	500
	white board, wall-mounted, interactive	1	board	0	0
	video/digital projector, ceiling mounted	1	projector	0	0
					0
<b>3.75</b>	<b>Small Meeting Room</b>				<b>250</b>
	table, conference	1	table	0	0
	seating @ 10-place conference table	10	seats	25	250
	white board, wall-mounted, interactive	1	board	0	0
					0
<b>3.80</b>	<b>Group Study/Tutoring Rooms</b>				<b>350</b>
	4-person study rooms (table and 4 chairs)	2.0	study room	100	200
	2-person study rooms (table and 2 chairs)	3	study room	50	150
					0
<b>3.85</b>	<b>Staff Lounge</b>				<b>492</b>
	lockers, half-height, 2 per stack	16	stacks	5	80
	coat closet, 6' x 3'	1	closet	30	30
	lounge seats	4	seats	25	100
	seating @ 4-place tables	8	seats	25	200
	work counter, 8' x 24", w double sink, cabinets above and dishwasher below	1	counter	40	40
	refrigerator, full size	1	unit	20	20
	microwave oven, on counter	1	oven	0	0
	toaster oven, on counter	1	oven	0	0
	dishwasher, full-size, in cabinet	1	dishwasher	0	0
	trash containers/recycling containers	1	container	6	6
	bulletin board, wall-mounted	1	board	0	0
					0
<b>3.90</b>	<b>Server Room</b>				<b>180</b>
	equipment racks	2	racks	40	80
	supply cabinet, 2-door, for IS supplies storage	1	cabinet	20	20
	PC at workstation	1	wkstn	30	30
	work bench, 8' x 30", for equipment repairs	1	bench	50	50
					0
<b>3.92</b>	<b>Storage</b>				<b>384</b>
	Reference, periodicals and newspapers (88" shelving)	40	sections	8	320
	General storage	8.0	sections	8	64
	<b>Total Net Assignable Square Feet:</b>				<b>32,751</b>
	<b>Total Gross Square Feet @ 70% Efficiency:</b>				<b>46,788</b>
					0



				% on Shelf	Kems Shlvd	Shelf Type	Number of Shelves	Items/LF	LF Needed	Sections Needed	Sections Rounded	SF Needed
<b>Teen Books</b>												
Teen New Books/Browsing	230		66%	152	66" display	5	4	38	1.5	2	30	
Teen Fiction	3,400		66%	2,244	66"	4	10	224	18.7	19	228	
Teen Nonfiction	384		75%	288	66"	4	10	29	2.4	2	24	
Teen Spanish	93		75%	70	66"	4	10	7	0.6	1	12	
<b>Total Teen Books</b>	<b>4,107</b>			<b>2,754</b>				<b>298</b>	<b>23</b>	<b>24</b>	<b>294</b>	
<b>Youth Books:</b>												
Youth New Books/Browsing	720		66%	475	gondola, 2.5 x 5'	5	4	119	4.8	5	75	
Youth Reference	1,831		100%	1,831	66"	4	7	262	21.8	22	264	
Youth Fiction	5,931		70%	4,152	66"	4	10	415	34.6	35	420	
Youth Nonfiction	9,784		75%	7,338	66"	4	10	734	61.2	61	732	
Youth Spanish Language F/NF	1,561		70%	1,093	66"	4	10	109	9.1	9	108	
Picture Books/Easy Readers	9,416		70%	6,591	48"	4	15	439	36.6	37	444	
<b>Total Youth Books</b>	<b>29,243</b>			<b>21,480</b>				<b>2,078</b>	<b>168</b>	<b>169</b>	<b>2,043</b>	
<b>Total Book Collection:</b>	<b>128,024</b>			<b>97,573</b>				<b>12,458</b>	<b>860</b>	<b>862</b>	<b>9,762</b>	
<b>Media Collections</b>												
<b>Adult Media:</b>												





January 19, 2018

## **DESIGN CONSIDERATIONS – SANTA CRUZ DOWNTOWN LIBRARY STUDY**

### **Acoustics**

The Downtown Branch Library tends to be noisy. Normal conversations can carry from one end of the building to the other. While recognizing that some noise and activity is inevitable, it will be important to try to establish non-overlapping zones for the noisiest and the quietest areas. General sound-dampening features are desirable throughout the building, but some areas should have a special emphasis on noise control. Mechanical sounds should be minimized.

### **Aesthetics**

The library user should experience vistas both inside and outside. The interior should provide a series of rooms and overlooks; walking through the building should provide pleasant surprises like cozy reading nooks and interior “porches” that inspire library visitors to linger. Views should embrace the outdoors, bringing the landscape into the building. The interior should feel warm and comfortable, with an interesting variety of seating, soothing light, and user-friendly furniture.

### **Art**

Ideally, the building itself will be art, and certain aspects of the building, such as windows and specialty flooring, might constitute artistic elements. Art should be plentiful, tasteful and make sense in the context. It would be good to have elements that are playful and fun.

### **Flexibility**

In order to be able to adapt as service patterns or library needs change, space should be mostly open and planned with the standard library shelving module of three feet in mind. Fixed elements should be grouped as much as possible, and interior walls kept to a minimum. Where interior walls are required, they should not be weight-bearing. There should be as few columns as possible, and some areas, such as the circulation area, the lobby, and the meeting room, will need to be column-free. Where columns are required, they should be as unobtrusive as possible, or used as a design element.

### **Floors**

Because almost any area might eventually contain parts of the collection, floors must be designed to carry the weight this entails, a live load of 150 pounds per square foot. Carpet tiles are the preferred carpet option.

#### Furniture

Furniture for the building should be consistent with the SCPL design standard created in 2015 focusing on maintenance sustainability, ease of cleaning and creation of a consistent standard of quality across the system.

#### Future Costs

The design should strive to minimize future operating costs, both for maintenance and for operations. Issues to be considered are the minimum number of staff required to operate the building, ease of general maintenance, energy efficiency, and quality, durability, and longevity of the materials used.

#### Heating/Cooling

HVAC should operate with high efficiency and low noise. It will be important to make sure that the system supports separate zones and promotes clean, dehumidified, mold-free air. HVAC is controlled centrally. Exterior units should be protected and screened from public view.

#### Lighting

Buildings should rely upon as much natural light as possible. Lighting needs to be bright enough for reading and working, but without glare, especially on computer screens. Where glare from sunlight is an issue, it will need to be addressed. Light levels need to be sufficient for easily carrying out the functions of each area. Library shelving is high and dense, and it can be difficult for light to penetrate to the levels needed. Small spine labels need to be easily readable in stack areas. Lighting should be designed to work appropriately even if stacks and furniture are rearranged. Study workstations and reader/ lounge seating will require task lighting to reach needed light levels. Staff workstations will have their own unique lighting needs.

General lighting switches should be located in the circulation workroom, or at a service desk. There should be no switches in public areas except on task lighting. Night and emergency lighting should be switched separately.

#### Navigation

Clear sightlines and transparent spaces will greatly increase the usability and safety of the building. Open sightlines will help orient users to where they want to go and enable intuitive wayfinding. Strategies such as using lower shelving or glass partitions should be used to help eliminate hidden or blind areas of the building.

#### Retailing

Almost every public area of the building should allow some kind of retail display. This will be especially important in featuring the collection, but it will also be essential to have neat and attractive ways to display, post, or house brochures, announcements, and posters. Collection

display fixtures should allow for face-out display of materials, and should be easily reached for refilling.

#### Safety

Within the library space, it will be important to have clear lines of sight from the service desks to most areas of the library. Security cameras should be used to improve control of the facility. High resolution cameras should record at entry and exits.

#### Shelving

Standard SCPL shelving is SafeStak Library Bureau Steel Shelving (or equal) in 340 Almond Commercial powder coated metal and needs to be seismically reinforced. The program assumes a collection size of 150,000 items.

Free-standing, double-faced shelving units.

There should be a mixture of low and high shelving units. Higher shelving unit should be located in areas where they do not block sightlines or natural light.

Shelving layout should allow a logical arrangement of materials in numerical or alphabetical order.

Breaks in shelving should be between collections, or in other logical spots.

#### Service Delivery

SCPL creates ease of use by providing a single service point for most transactions. The Library relies on a supported self-service model where patrons may place/pick up holds, check in/check out materials and pay fines without the assistance of staff.

#### Signage

Exterior and interior signage should follow the SCPL sign standards created in 2015 utilizing a consistent naming convention across the system.

#### Windows

Windows should provide ample natural light. It should be possible to enjoy the exterior view when seated in a lounge area. Windows with potential for glare should be equipped with easily-operable sunshades.



Santa Cruz Public Library Administrative Offices  
Detailed Spaces Summary

		Quantity	Item	SF/Item	Total SF
<b>1.00</b>	<b>Reception Area</b>				<b>154</b>
	desk with transaction ledge, 2 lateral files, two lounge chairs and table	1	space	154	154
					0
<b>1.20</b>	<b>Restrooms</b>			In GSF	In GSF
<b>1.25</b>	<b>Director's Office</b>				<b>200</b>
	desk, computer workstation, printer, task chair	1	desk	77	77
	table, conference, round 36"	1	table	88	88
	chairs, guest	4	chairs	0.0	0
	shelving, 84", wall mounted	2	sections	10.0	20
	lateral file 3 drawer unit	1	cabinets	15.0	15
					0
<b>1.30</b>	<b>Assistant Director's Office</b>				<b>120</b>
	desk, computer workstation, printer, task chair	1	desk	55	55
	chairs, guest	2	chairs	15.0	30
	shelving, 84", wall mounted	2	sections	10.0	20
	lateral file 3 drawer unit	1	cabinets	15.0	15
					0
<b>1.35</b>	<b>Regional Manager (1)</b>				<b>120</b>
	desk, computer workstation, printer, task chair	1	desk	55	55
	chairs, guest	2	chairs	15.0	30
	shelving, 84", wall mounted	2	sections	10.0	20
	lateral file 3 drawer unit	1	cabinets	15.0	15
					0
<b>1.40</b>	<b>Regional Manager (2)</b>				<b>120</b>
	desk, computer workstation, printer, task chair	1	desk	55	55
	chairs, guest	2	chairs	15.0	30
	shelving, 84", wall mounted	2	sections	10.0	20
	lateral file 3 drawer unit	1	cabinets	15.0	15
					0
<b>1.45</b>	<b>Regional Manager (3)</b>				<b>120</b>
	desk, computer workstation, printer, task chair	1	desk	55	55
	chairs, guest	2	chairs	15.0	30
	shelving, 84", wall mounted	2	sections	10.0	20
	lateral file 3 drawer unit	1	cabinets	15.0	15
					0
<b>1.50</b>	<b>ILS Coordinator</b>				<b>178</b>
	workstations, modular, 8' x 8'	2	wkstns	64	128
	shelving, 84", wall mounted	2	sections	10.0	20
	lateral file 3 drawer unit	2	cabinets	15.0	30
					0
<b>1.55</b>	<b>Accounting</b>				<b>178</b>
	workstations, modular, 8' x 8'	2	wkstns	64	128

Santa Cruz Public Library Administrative Offices  
Detailed Spaces Summary

	shelving, 84", wall mounted	2	sections	10.0	20
	lateral file 3 drawer unit	2	cabinets	15.0	30
					0
<b>1.60</b>	<b>Volunteer Office</b>				<b>178</b>
	workstations, modular, 8' x 8'	2	wkstns	64	128
	shelving, 84", wall mounted	2	sections	10.0	20
	lateral file 3 drawer unit	2	cabinets	15.0	30
					0
<b>1.65</b>	<b>Admin Office</b>				<b>317</b>
	workstations, modular, 8' x 8'	3	wkstns	64	192
	shelving, 84", wall mounted	2	sections	10.0	20
	lateral file 3 drawer unit	4	cabinets	15.0	60
	director's files (lateral files 3 drawer unit)	3	cabinets	15.0	45
					0
<b>1.70</b>	<b>Admin Work Area</b>				<b>430</b>
	workstations, modular, 8' x 8'	5	wkstns	64	320
	shelving, 84", wall mounted	5	sections	10.0	50
	lateral file 3 drawer unit	4	cabinets	15.0	60
					0
<b>1.75</b>	<b>Friends of the Library</b>				<b>381</b>
	workstations, modular, 8' x 8'	4	wkstns	64	256
	shelving, 84", wall mounted	5	sections	10.0	50
	lateral file 3 drawer unit	5	cabinets	15.0	75
					0
<b>1.85</b>	<b>Communications Manager</b>				<b>100</b>
	desk, computer workstation, printer, task chair	1	desk	50	50
	chairs, guest	1	chair	15.0	15
	shelving, 84", wall mounted	2	sections	10.0	20
	lateral file 3 drawer unit	1	cabinet	15.0	15
					0
<b>1.90</b>	<b>Training Librarian</b>				<b>100</b>
	desk, computer workstation, printer, task chair	1	desk	50	50
	chairs, guest	1	chair	15.0	15
	shelving, 84", wall mounted	2	sections	10.0	20
	lateral file 3 drawer unit	1	cabinet	15.0	15
					0
<b>1.95</b>	<b>Analyst</b>				<b>100</b>
	desk, computer workstation, printer, task chair	1	desk	50	50
	chairs, guest	1	chair	15.0	15
	shelving, 84", wall mounted	2	sections	10.0	20
	lateral file 3 drawer unit	1	cabinet	15.0	15
					0
<b>2.00</b>	<b>Bookmobile Staff</b>				<b>100</b>
	desk, computer workstation, printer, task chair	1	desk	50	50

Santa Cruz Public Library Administrative Offices  
Detailed Spaces Summary

	chairs, guest	1	chair	15.0	15
	shelving, 84", wall mounted	2	sections	10.0	20
	lateral file 3 drawer unit	1	cabinet	15.0	15
					0
<b>2.05</b>	<b>Maintenance Staff</b>				<b>170</b>
	desk, computer workstation, printer, task chair	1	desk	50	50
	chairs, guest	1	chair	15.0	15
	shelving, 84", wall mounted	4	sections	10.0	40
	lateral file 3 drawer unit	1	cabinet	15.0	15
	work bench, 8' x 30", for repairs	1	bench	50	50
					0
<b>2.15</b>	<b>Medium Meeting Room</b>				<b>300</b>
	table, conference	1	table	0	0
	seating @ -place conference table	12	seats	25	300
	white board, wall-mounted, interactive	1	board	0	0
	video/digital projector, ceiling mounted	1	projector	0	0
					0
<b>2.25</b>	<b>Training Room</b>				<b>480</b>
	seating, 2 place tables, mobile	18	seats	25	450
	supply closet	1	closet	30	30
	video/digital projector, ceiling-mounted	1	projector	0	0
	projection screen, ceiling-mounted	1	screen	0	0
	white board, wall-mounted, interactive	1	board	0	0
					0
<b>2.30</b>	<b>Copy Area</b>				<b>100</b>
	copy machine	1.0	machine	36	36
	shelving, for office and paper supplies	4.0	sections	10	40
	clear floor space for boxed storage	1.0	space	24	24
					0
<b>2.35</b>	<b>Staff Lounge</b>				<b>206</b>
	lounge seats	2	seats	25	50
	seating @ 4-place table	4	seats	25	100
	work counter, 6' x 24", w double sink, cabinets above and dishwasher below	1	counter	30	30
	refrigerator, full size	1	unit	20	20
	microwave oven, on counter	1	oven	0	0
	toaster oven, on counter	1	oven	0	0
	dishwasher, full-size, in cabinet	1	dishwasher	0	0
	trash containers/recycling containers	1	container	6	6
	bulletin board, wall-mounted	1	board	0	0
					0
<b>2.40</b>	<b>CMS Manager's Office</b>				<b>150</b>
	desk, computer workstation, printer, task chair	1	desk	55	55
	table, conference	1	table	60	60
	chairs, guest	2	chairs	0.0	0
	shelving, 84", wall mounted	2	sections	10.0	20

Santa Cruz Public Library Administrative Offices  
Detailed Spaces Summary

	lateral file 3 drawer unit	1	cabinets	15.0	15
					0
<b>2.45</b>	<b>CMS Workroom</b>				<b>3,135</b>
	analyst workstations, modular, 10' x 10'	4	wkstns	225	900
	staff workstations, 10' x 10'	14	wkstns	100	1,400
	volunteer workstation, 8' x 8'	1	wkstns	64	64
	mending station, 10' x 6'	1	wkstns	60	64
	work table (for cutting), 8' x 3'	1	table	40	40
	work counter, 10' x 2', w sink, cabinets	1	counter	20	20
	2 sided book trucks	17	booktrucks	5	77
	one sided book trucks	96	booktrucks	2.7	259
	disc repair machine and surround workspace	1	space	20.0	20
	printer	1	printer	12	12
	shelving, 88", for supplies, storage	26	sections	8	208
	bulletin board, wall-mounted, 6' x 4'	1	board	0	0
	whiteboard, wall-mounted, 2' x 3'	1	board	0	0
	clear floor space for temporary storage	1	space	50	50
	lateral file 3 drawer unit	1	cabinet	15.0	15
	trash/recycling containers	1	container	6	6
					0
<b>2.50</b>	<b>LIT Workroom</b>				<b>2,312</b>
	LIT manager office (desk, computer, printer, task chair)	1.0	office	100	100
	analyst workstations, modular, 10' x 15'	4	wkstns	150	600
	tech workstations, modular, 10' x 15'	4	wkstns	150	600
	printer	1	printer	12	12
	shelving, 88", for supplies, storage	84	sections	12	1,000
					0
<b>2.55</b>	<b>Data Room</b>				<b>400</b>
	equipment racks	4	racks	40	160
	supply cabinet, 2-door, for IS supplies storage	2	cabinet	20	40
	PC at workstation	1	wkstn	16	16
	telecom equipment and patch panels, wall-mounted	1	panel	30	30
	work bench, 8' x 30", for equipment repairs	1	bench	50	50
	shelving, 84", for IT supplies, tech manuals, software etc.	4	sections	10	40
	unassigned square footage	1	space	64	64
<b>2.60</b>	<b>Delivery Area</b>				<b>94</b>
	shelving, industrial	2	sections	14	28
	clear floor space for receiving + unpacking shipments	1	space	50	50
	trash container, large	1	container	6	6
	shelving, 84" for temporary storage (donations, boxes etc.)	1	sections	10	10
					0
<b>2.65</b>	<b>Janitorial Closet</b>				<b>227</b>
	shelving, industrial, 80" for supplies, storage	8	sections	14	112
	supply cabinet, 2-door, for secure supplies storage	2	cabinet	20	40
	clear space for boxed, bulk storage	1	space	50	50

Santa Cruz Public Library Administrative Offices  
Detailed Spaces Summary

	mop sink, floor-mounted w mop storage, wall-mounted	1	space	25	25
				0	0
<b>2.70</b>	<b>Storage</b>				<b>1,560</b>
	Outreach (88" shelving)	42	sections	12	504
	Programming and system supplies (88" shelving)	88.0	sections	12	1,056
	<b>Total Net Assignable Square Feet:</b>				<b>12,030</b>
	<b>Total Gross Square Feet @ 70% Efficiency:</b>				<b>17,185</b>

January 19, 2018

**COST ANALYSIS – SANTA CRUZ DOWNTOWN LIBRARY STUDY**

**ALTERNATIVE A – PARTIAL RENOVATION**

**Project Cost Model**

**Alternative A: Partial Renovation of Existing Library**

**Basic Project Info:**

<b>Project Budget from Measure 5</b>				<b>\$23,000,000</b>
<b>Gross Building Size</b>	(consistent)	SF		<b>44,000</b>
<b>Net Site Development Area</b>	(varies)	SF		<b>44,000</b>

<b>1. CONSTRUCTION COSTS</b>	<b>Quan.</b>	<b>Unit</b>	<b>\$/unit</b>	<b>Total</b>
1.1 Site Development Costs	44,000	SF	\$10.00	\$440,000
1.2 Building Construction Costs	44,000	SF	\$327.27	\$14,400,000
1.3 Escalation to start of construction, (April 2019)	18	months	13.8%	\$2,053,856
<b>Subtotal</b>				<b>\$16,893,856</b>

<b>2. SOFT COSTS</b>				<b>Total</b>
2.1 A/E Fees & Expenses	12%	of	Constr.	\$2,027,263
2.2 Other Professional Fees	1.5%	of	Constr.	\$253,408
2.3 Construction Management	2.5%	of	Constr.	\$422,346
2.4 Testing/Inspection	1.25%	of	Constr.	\$211,173
2.5 Permits and Fees	1%	of	Constr.	\$168,939
2.6 Utility Fees		LS		\$80,000
2.7 Printing Costs		LS		\$5,000
2.8 Moveable Furnishings and Equipment	36,000	SF	\$25.00	\$900,000
2.9 Library Graphics and Signage	36,000	SF	\$2.50	\$90,000
2.10 Computers and Printers	36,000	SF	\$7.00	\$252,000
2.11 Telecom Active Equipment	36,000	SF	\$3.00	\$108,000
2.12 Security system	36,000	SF	\$1.50	\$54,000
2.13 AV equipment	36,000	SF	\$3.00	\$108,000
2.14 FF&E Design Fees (see 2.2 above)				
2.15 Public Art	1%	of	Constr.	\$240,000
2.16 Donor Signage and Assoc. Fees		LS		\$0
2.17 Temporary Facility Costs (15k sf at \$2 per mo for 24 mo)		LS		\$720,000
2.18 Moving expenses		LS		\$30,000
2.19 Project Contingency	10.0%	of construction		\$1,689,386
<b>Subtotal</b>				<b>\$7,359,514</b>

<b>2. TOTAL CONSTRUCTION AND SOFT COSTS</b>		<b>\$24,253,370</b>
<b>PROJECT BUDGET</b>		<b>\$23,000,000</b>
<b>Surplus / (Deficit)</b>		<b>(\$1,253,370)</b>

ALTERNATIVE B – SHARED SPACE

## Project Cost Model

### Alternative B: Shared Space

**Basic Project Info:**

Project Budget from Measure S				\$23,000,000
Gross Building Size	(consistent)	SF		44,000
Net Site Development Area	(varies)	SF		0

1. CONSTRUCTION COSTS	Quan.	Unit	\$/unit	Total
1.1 Site Development Costs	0	SF	\$0	\$0
1.2 Building Construction Costs	44,000	SF	\$380	\$16,720,000
1.3 Escalation to start of construction, (April 2020)	18	months	20.5%	\$3,429,272
<b>Subtotal</b>				<b>\$20,149,272</b>

2. SOFT COSTS				Total
2.1 A/E Fees & Expenses	8%	of	Constr.	\$1,611,942
2.2 Other Professional Fees	1.5%	of	Constr.	\$302,239
2.3 Construction Management	1.0%	of	Proj. Cost	\$272,015
2.4 Testing/Inspection	0.5%	of	Constr.	\$100,746
2.5 Permits and Fees	0.5%	of	Constr.	\$100,746
2.6 Utility Fees			LS	\$0
2.7 Printing Costs			LS	\$5,000
2.8 Moveable Furnishings and Equipment	44,000	SF	\$25.00	\$1,100,000
2.9 Library Graphics and Signage	44,000	SF	\$2.50	\$110,000
2.10 Computers and Printers	44,000	SF	\$7.00	\$308,000
2.11 Telecom Active Equipment	44,000	SF	\$3.00	\$132,000
2.12 Security system	44,000	SF	\$1.50	\$66,000
2.13 AV equipment	44,000	SF	\$3.00	\$132,000
2.14 FF&E Design Fees (see 2.2 above)				
2.15 Public Art	1%	of	Constr.	\$201,493
2.16 Donor Signage and Assoc. Fees			LS	\$50,000
2.17 Temporary Facility Costs (15k sf at \$2 per for 24 mo)			LS	\$0
2.18 Moving expenses			LS	\$18,000
2.19 Project Contingency	10.0%	of	construction	\$2,014,927
<b>Subtotal</b>				<b>\$6,525,109</b>

<b>2. TOTAL CONSTRUCTION AND SOFT COSTS</b>		<b>\$26,674,381</b>
<b>PROJECT BUDGET</b>		<b>\$23,000,000</b>
<b>Surplus / (Deficit)</b>		<b>(\$3,674,381)</b>

ALTERNATIVE C – FULL RENOVATION

**Project Cost Model**

**Alternative C: Renovation of Existing Library**

**Basic Project Info:**

Project Budget from Measure S		\$23,000,000
Gross Building Size	SF	44,000
Net Site Development Area	SF	59,200

1. CONSTRUCTION COSTS	Quan.	Unit	\$/unit	Total
1.1 Site Development Costs	59,200	SF	\$28.40	\$1,681,000
1.2 Building Construction Costs	44,000	SF	\$504.00	\$22,176,000
1.3 Escalation to start of construction, (April 2019)			13.8%	\$3,301,809
<b>Subtotal</b>				<b>\$27,158,809</b>

2. SOFT COSTS				Total
2.1 A/E Fees & Expenses	12%	of	Constr.	\$3,259,057
2.2 Other Professional Fees	1.5%	of	Constr.	\$407,382
2.3 Construction Management	2.5%	of	Constr.	\$678,970
2.4 Testing/Inspection	1.25%	of	Constr.	\$339,485
2.5 Permits and Fees	1%	of	Constr.	\$271,588
2.6 Utility Fees			LS	\$80,000
2.7 Printing Costs			LS	\$5,000
2.8 Moveable Furnishings and Equipment	44,000	SF	\$25.00	\$1,100,000
2.9 Library Graphics and Signage	44,000	SF	\$2.50	\$110,000
2.10 Computers and Printers	44,000	SF	\$7.00	\$308,000
2.11 Telecom Active Equipment	44,000	SF	\$3.00	\$132,000
2.12 Security system	44,000	SF	\$1.50	\$66,000
2.13 AV equipment	44,000	SF	\$3.00	\$132,000
2.14 FF&E Design Fees (see 2.2 above)				
2.15 Public Art	1%	of	Constr.	\$271,588
2.16 Donor Signage and Assoc. Fees			LS	\$0
2.17 Temporary Facility Costs (15k sf at \$2 per mo for 24 mo)			LS	\$720,000
2.18 Moving expenses			LS	\$30,000
2.19 Project Contingency	10.0%		of construction	\$2,715,881
<b>Subtotal</b>				<b>\$10,626,952</b>

<b>2. TOTAL CONSTRUCTION AND SOFT COSTS</b>	<b>\$37,785,761</b>
PROJECT BUDGET	\$23,000,000
Surplus / (Deficit)	<b>(\$14,785,761)</b>

ALTERNATIVE D – NEW CONSTRUCTION

**Project Cost Model**

**Alternative D: New Construction - Two Story with Roof Deck**

**Basic Project Info:**

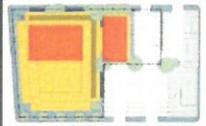
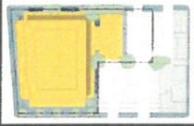
Project Budget from Measure S				\$23,000,000
Gross Building Size	(consistent)	SF		44,000
Net Site Development Area	(varies)	SF		44,000

1. CONSTRUCTION COSTS	Quan.	Unit	\$/unit	Total
1.1 Site Development Costs	44,000	SF	\$50	\$2,244,000
1.2 Building Construction Costs	46,788	SF	\$632	\$27,796,620
1.3 Escalation to start of construction, (April 2020)	18	months	20.5%	\$6,161,331
<b>Subtotal</b>				<b>\$36,201,951</b>

2. SOFT COSTS				Total
2.1 A/E Fees & Expenses	10%	of	Constr.	\$3,620,195
2.2 Other Professional Fees	1.5%	of	Constr.	\$543,029
2.3 Construction Management	2.5%	of	Proj. Cost	\$1,221,816
2.4 Testing/Inspection	1.25%	of	Constr.	\$452,524
2.5 Permits and Fees	1%	of	Constr.	\$362,020
2.6 Utility Fees			LS	\$160,000
2.7 Printing Costs			LS	\$5,000
2.8 Moveable Furnishings and Equipment	46,788	SF	\$25.00	\$1,169,700
2.9 Library Graphics and Signage	46,788	SF	\$2.50	\$116,970
2.10 Computers and Printers	46,788	SF	\$7.00	\$327,516
2.11 Telecom Active Equipment	46,788	SF	\$3.00	\$140,364
2.12 Security system	46,788	SF	\$1.50	\$70,182
2.13 AV equipment	46,788	SF	\$3.00	\$140,364
2.14 FF&E Design Fees (see 2.2 above)				
2.15 Public Art	1%	of	Constr.	\$362,020
2.16 Donor Signage and Assoc. Fees			LS	\$50,000
2.17 Temporary Facility Costs (15k sf at \$2 per mo for 24 mo)			LS	\$720,000
2.18 Moving expenses			LS	\$30,000
2.19 Project Contingency	10.0%	of	construction	\$3,620,195
<b>Subtotal</b>				<b>\$13,111,895</b>

<b>2. TOTAL CONSTRUCTION AND SOFT COSTS</b>				<b>\$49,313,846</b>
	<b>PROJECT BUDGET</b>			<b>\$23,000,000</b>
	<b>Surplus / (Deficit)</b>			<b>(\$26,313,846)</b>

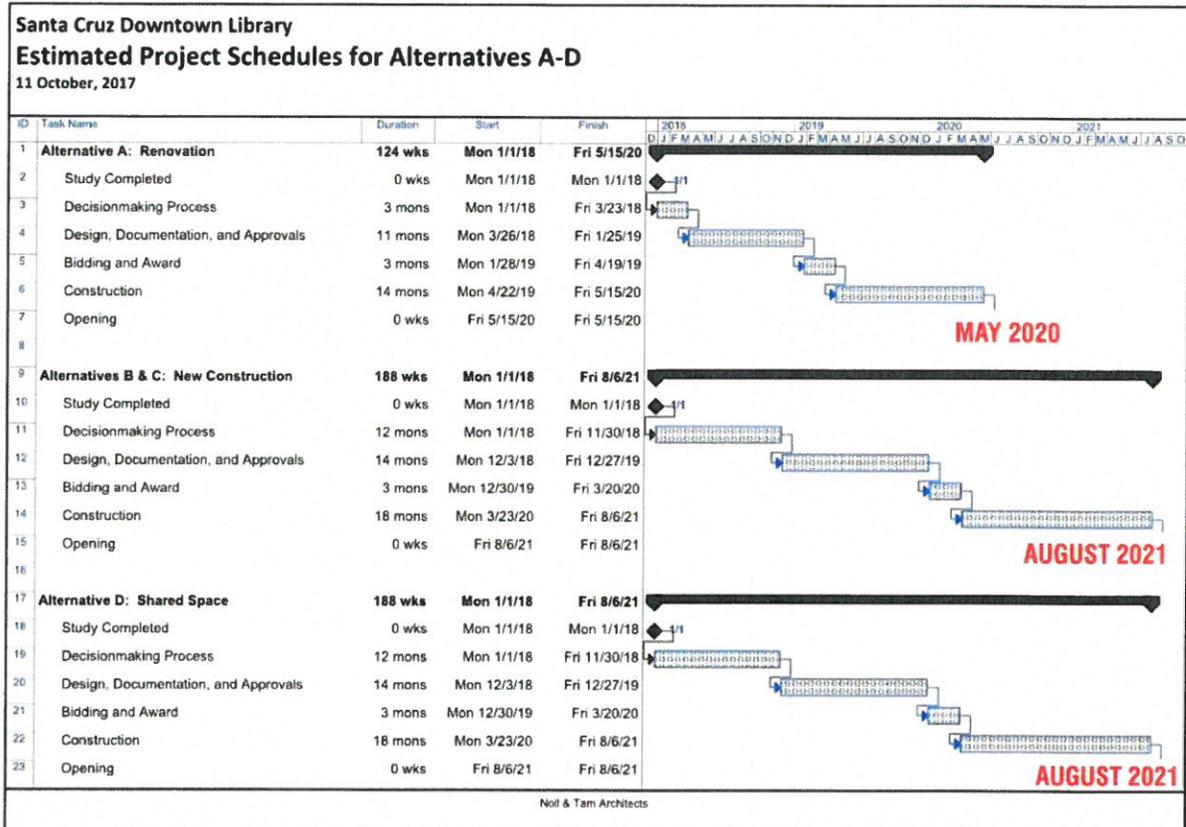
SUMMARY OF COSTS

	 <b>A:</b> PARTIAL RENOVATION 36,000 SF	 <b>B:</b> SHARED SPACE 44,000 SF	 <b>C:</b> FULL RENOVATION 44,000 SF	 <b>D:</b> NEW 2 STORY 46,788 SF
<b>COST</b>	\$24,253,370	\$26,674,381	\$37,785,761	\$49,313,846
<b>BUDGET</b>	\$23,000,000	\$23,000,000	\$23,000,000	\$23,000,000
<b>DEFICIT</b>	<b>\$1,253,370</b>	<b>\$3,674,381</b>	<b>\$14,785,761</b>	<b>\$26,313,846</b>

**SUMMARY PROJECT COST MODELS**

January 19, 2018

## SCHEDULE – SANTA CRUZ DOWNTOWN LIBRARY STUDY



# Attachment 3: Downtown Library Subcommittee Process Overview

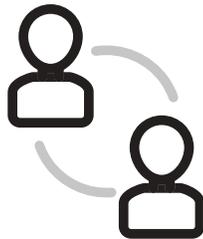
On May 14th 2019, the Santa Cruz City Council voted to put a hold on the decision regarding how to proceed with a Downtown Library Mixed Use Project, and approved formation of a Council Subcommittee to investigate library project alternatives, in collaboration with Library staff and the interested community.

Over the last year, the Council Subcommittee created a project webpage, held office hours, hosted community meetings, and produced an online survey.



**2,200+**

*Project  
Webpage  
Views*



**27**

*Office Hours  
with Stakeholder  
Groups*



**7**

*Community  
Meetings &  
Presentations*



**404**

*Survey  
Response*

Following competitive RFP process, the Council Subcommittee selected two Architect Firms to complete cost assessments for the renovation and mixed use project options.

## **JAYSON** ARCHITECTURE

Jayson Architecture completed a Cost Assessment for the Renovation Project Option.

***Community Presentations: October 24th, 2019 & December 13th, 2019***



Group 4 Architecture, Research + Planning, Inc. completed a Cost Assessment for the Mixed Use Project Option.

***Community Presentations: May 7th, 2020 & June 2nd, 2020***

# PAST LIBRARY PROJECT OUTREACH

## *Downtown Library Advisory Committee (DLAC)*

### *Public Input & Outreach June-December 2017*

Over 6 months, the DLAC members held 12 meeting that the public was invited to attend and share their comments.



**12**  
**Public**  
**Meetings**



**2,273**  
**Survey**  
**Response**



**76**  
**Public**  
**Comments at**  
**Meetings**

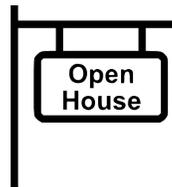
## *Community Engagement on Proposed Mixed Use Project*

### *July - September 2018*

Council directed staff at the June 19th City Council Study Session to conduct additional outreach before returning again for further action. Throughout the months of July and August, there have been over 1000 contacts of community engagement including meetings with community groups and organizations, one-on-one and small group meetings, views of the project pages on the City website, and attendance at the August 6th Open House.



**580**  
**Views of Project**  
**Webpage**



**170**  
**Aug. 6th Open**  
**House Attendees**



**17**  
**Meetings with**  
**Community Groups**

**(278 people)**     **1.144**



**62**  
**1-on-1 & Small**  
**Group Meetings**

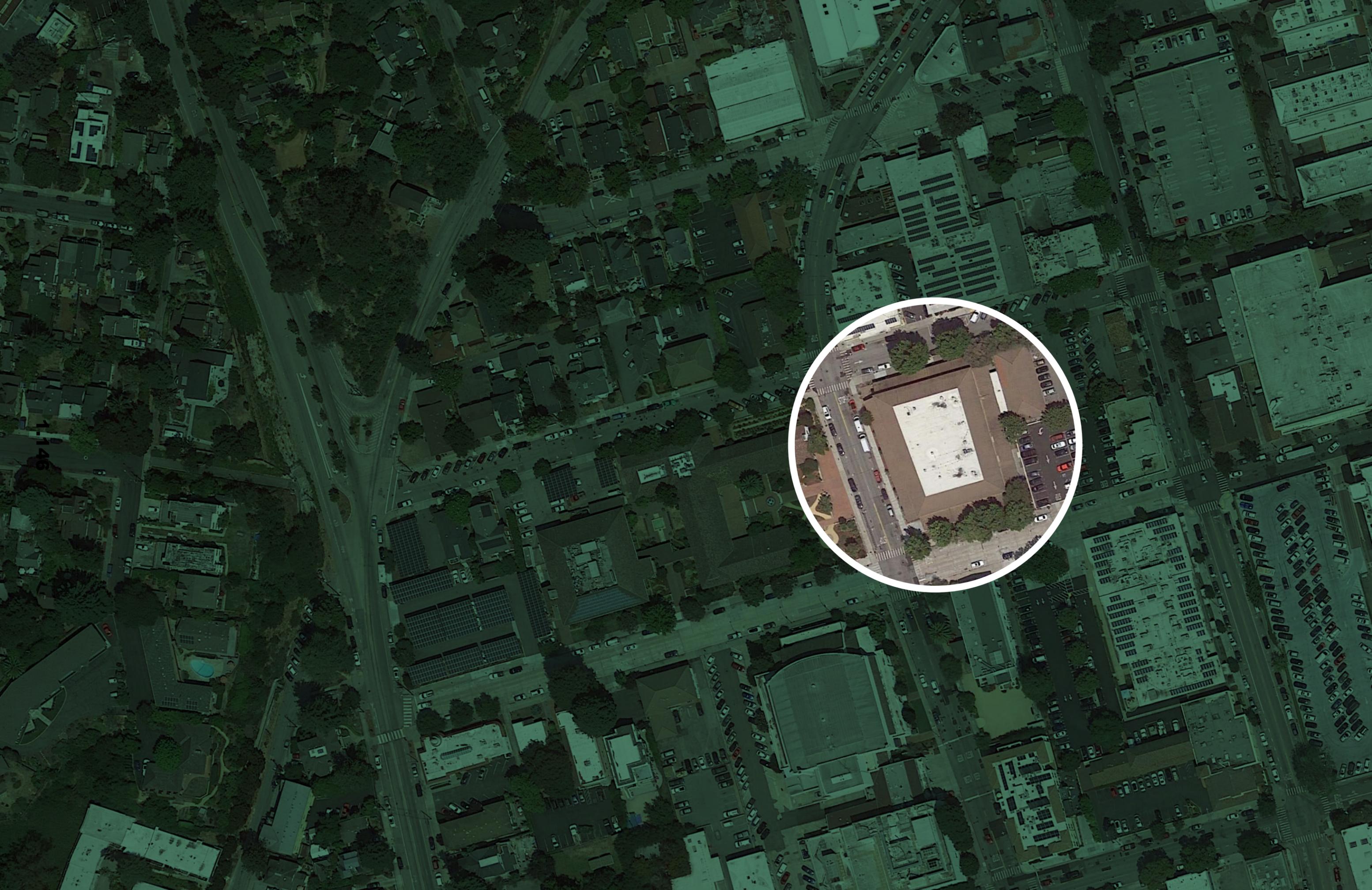
**JAYSON**  
ARCHITECTURE

50 29<sup>th</sup> Street  
San Francisco CA 94110  
jaysonarch.com  
415.317.0529



**SANTA CRUZ DOWNTOWN LIBRARY  
RENOVATION COST ASSESSMENT  
FINAL REPORT**

November 22<sup>nd</sup>, 2019





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# EXECUTIVE SUMMARY

On August 23rd, 2019, Jayson Architecture was engaged by the City of Santa Cruz to evaluate the feasibility of renovating the 42,000 square foot two story downtown branch library within a total project budget, inclusive of soft costs, of \$27 million. To support this effort, we engaged a team of engineering sub-consultants with expertise directly relevant to the scope of the project. This team included BKF for civil engineering, BASE Design Inc. for structural engineering, Alter Consulting Engineers for mechanical and plumbing engineering, and RIJA Inc. for electrical engineering. In addition to our direct sub-consultant team, we also worked directly with Mack5 consultants, the cost estimator engaged directly by the City to evaluate our design approach.

Our first task was to establish the construction budget target, working backwards from the total project cost of \$27 million. Working directly with Mack5, a Project Cost Model (see report section V) was created outlining all soft costs and contingencies required to complete the scope of work. An \$18 million construction budget target was established based on this exercise, roughly equating to a total project budget with 33% soft costs, within the typical range for a public project of this scale.

Following the establishment of the \$18 million construction budget target, our next task was to assess the condition of the existing facility and its underlying infrastructure. We began this process by reviewing available existing documentation of the building, including the original 1966 construction drawings, as well as the hazardous material report prepared for the City in 1999 by Fowler Associates. After reviewing the existing documentation, we spent a day at the project site with our engineering team methodically going through each space and area of the building and evaluating the condition of the facility. Our findings are detailed in sections I and III of this report. Our primary takeaway from the building assessment is that the aging facility has reached the end of its usable life. Mechanical and electrical systems are obsolete, materials and finishes are worn and damaged, access compliance issues are present throughout the building, and asbestos containing materials can be found in the walls, floors, and insulation. The structural system is seismically deficient at the perimeter one story sections of the building; however, the primary gravity load bearing structure was found to be adequate for future use. In addition, primary utility service connections for gas and electric service were also deemed to be adequate.

With the assessment complete, we turned to an evaluation of the Library's programmatic and space need considerations, evaluated through the lens of the \$18 million construction budget target. Based on recent historical cost data provided by Mack5, we established a required cost per square foot range of \$650-1,050 to renovate the facility. At approximately 42,000 square feet, even the low end of the cost per square foot range would result in a construction cost of over \$27 million, leaving no room for the 33% anticipated soft costs. Based on this calculation, we determined that to meet the City's budget the building would have to be reduced in size. Our strategy for a reduction in square footage was determined by the findings of the facility assessment that the one-story sections of the building are seismically deficient. Based on this condition we recommend demolishing these sections of the building and reducing the square footage to an approximately 32,000 square feet two-story structure.

In addition to the reduction in square footage, our proposed design makes several key changes to the layout of the building. First, the main entrance has been relocated to the west side of the building, across from the City Hall, creating a better civic connection between the two properties. A secondary entrance is located on the east side of the building directly adjacent to a combined City parking lot. The removal of the one-story sections at the perimeter of the building provide the opportunity for floor to ceiling windows on the ground floor, increasing natural light and providing a more welcoming experience from the street. Inside the library, the staff and back of house space has been condensed to a more reasonable scale relative to the size of the building. The Children's area has been moved to the ground floor and increased in size, and a large community meeting room has been added in a location that would allow for convenient after hours use. Upstairs a reduced adult collection is located with other uses such as a teen area, technology, quiet reading, a life literacies center, as well as other uses.

Even with the reduction in square footage, the \$18 million target construction budget is a challenge. Subsequently, we have presented a design approach with a base level project, and a series of alternates that provide increased functionality, program, and quality. The base, while achieving significant programmatic and layout improvements, is of low quality and excludes many building elements that would be typical of a modern library such as acoustic ceilings and quality finishes. In addition, the site work is limited to the bare minimum required to achieve the proposed design. The base design is within range of the budget at slightly over \$18 million for construction costs. We have outlined 14 alternates with a combined construction cost of roughly \$5 million, which include both functional and aesthetic improvements such as additional restroom facilities and landscaping. Even with these additional features, the building is only improved to a low-medium quality facility and will lack many of the amenities the public has come to expect in a modern library. The total cost of project with these alternates is approximately \$34.3 million, making them unfeasible under the current budget. These costs are outlined in detail in section V of the report.

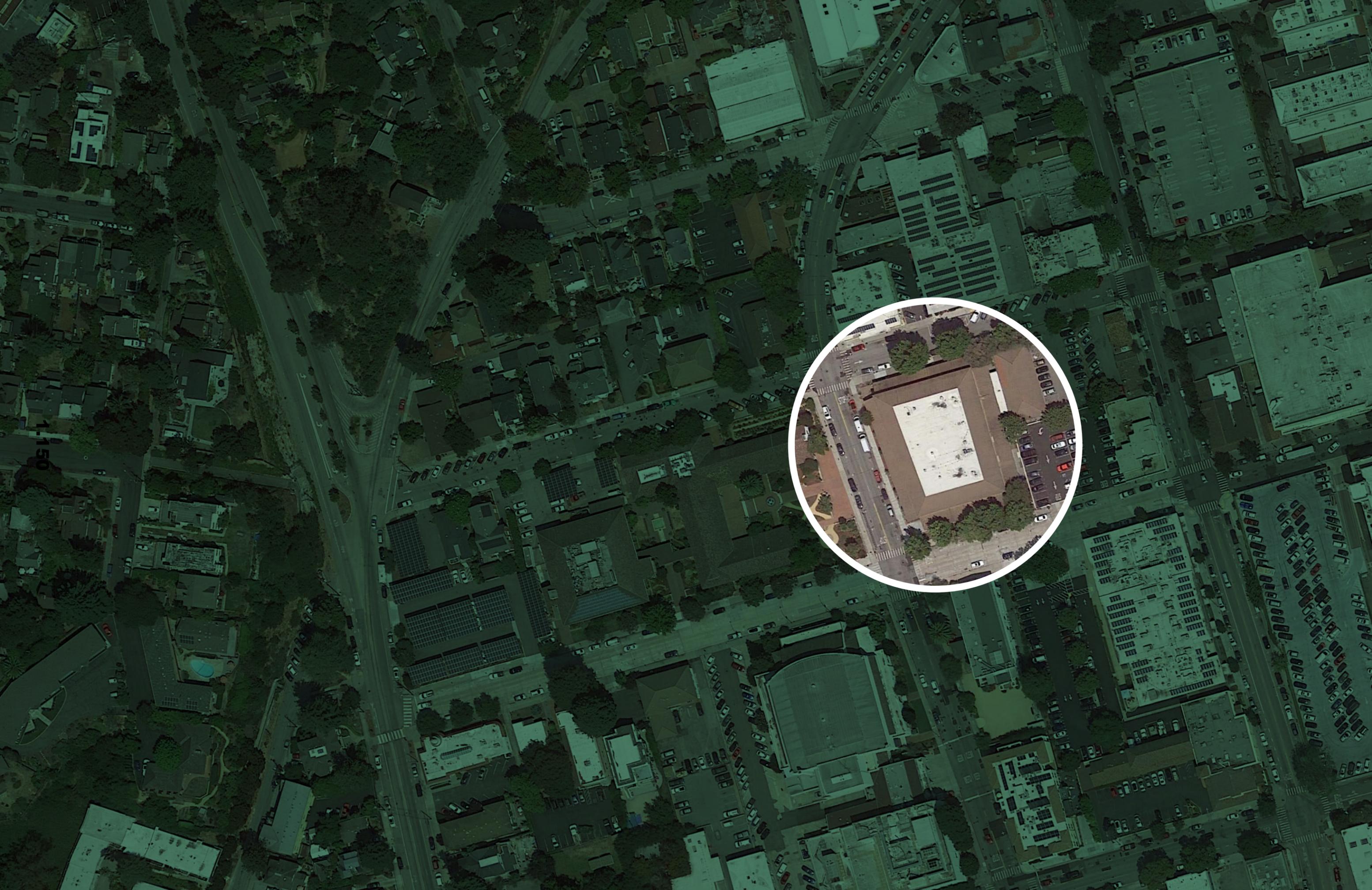
Jayson Architecture and our sub-consultant team have worked thoughtfully to deliver the best design approach available within the directives of the City to evaluate a \$27 million renovation of the existing downtown library facility. While our proposed design does provide tangible improvements in comparison to the existing aging facility, the limitations of the budget severely constrain the potential scale and quality of the project. This report is intended to serve as the basis of future decision making by the Library Subcommittee and City Council about how to proceed with future improvements for the Downtown Branch Library.

Sincerely,



Abraham Jayson | Architect | LEED AP BD+C  
Principal, Jayson Architecture





1150



# ASSESSMENT SUMMARY

## Architectural Assessment Summary

Jayson Architecture completed a thorough assessment of the existing library building. In general, the architectural elements of the building are not salvageable and are due for replacement.

The exterior of the building demonstrated deterioration typical for a 50-year-old building in relatively close proximity to the ocean. The roof is aged and shows signs of leaking and water damage and is overdue for re-roofing. The redwood facade is worn, and the windows do not meet current code mandated energy performance requirements. While the concrete block walls at the perimeter are in acceptable condition, they are opaque and block daylight, resulting in a dark interior. Inside the building, surface finishes, such as carpet, wood veneer, tile, and acoustic ceilings, among other finishes, are worn and well beyond their useful life. The two elevators are unreliable and are prone to unexpected maintenance issues.

As established in the testing report prepared for the City in 1999 by Fowler Associates, asbestos is prevalent throughout the building. Friable ACMs (Asbestos Containing Materials) are present in the sprayed-on fireproofing protecting the steel building structure, joint compound and skimcoat on all original sheetrock walls, linoleum flooring and adhesive through the building, and insulation on HVAC pipe fittings. Non-friable ACMs are present in various floor tile systems, interior and exterior wall panel finishes, and roof patching compound. The report did not test for lead and given the age of the building we recommend this testing be completed if the City elects to move forward with this project.

Our assessment also identified multiple code compliance deficiencies. The building is only partially sprinklered, primarily at the main entry lobby. Building code requires complete sprinkler coverage for a library facility, and the current condition is a potential life safety hazard. Additionally, while a complete CAsp inspection was not performed as a part of our scope, it was apparent there are accessibility compliance issues in all areas of the library. These include an accessible path of travel to the main entry of the building, restroom fixture and accessory mounting heights, turning areas, reach ranges, and other obstacles. These types of issues are prevalent in facilities constructed before the Americans with Disabilities Act (ADA) was passed into law in 1990. If the facility is to remain unrenovated we recommend a full CAsp compliance report be performed to identify the full scope of non-compliance and potential liability.

Based on this assessment, Jayson Architecture recommends replacing or updating most architectural features on this building, which are overwhelmingly beyond their useful life.

### Civil Engineering Assessment Summary

BKF Engineers assessed the existing site and utilities, and made a number of determinations regarding the reuse of this existing location for a renovated facility.

The curb and sidewalk improvements completed in 1997 are showing signs of deterioration and are in need of repair. The deteriorating sidewalks and ramps do not comply with current accessibility standards, and therefore replacement is recommended. The stormwater system connecting the building to the sanitary sewer is adequate, however the on site bio-retention areas do not comply with current codes. In addition, the existing backflow preventers on sprinkler and domestic water lines are non-compliant and will need to be brought up to code as a part of any work done. Utility service sizing is generally adequate, and will be sufficient to serve a renovated building. Gas, Water & Electrical Service will not need to be updated as a part of this project.

BKF's assessment shows that while the utility services to the building are generally acceptable, there are a number of site improvements that need to be addressed in order to bring this building in line with current codes and standards.

### Structural Assessment Summary

BASE Design Inc. evaluated the structure of the existing library through an on site visit and extensive review of the as built drawings. Their findings show that while the building has deficiencies, there are significant elements of the structural system that can be reused.

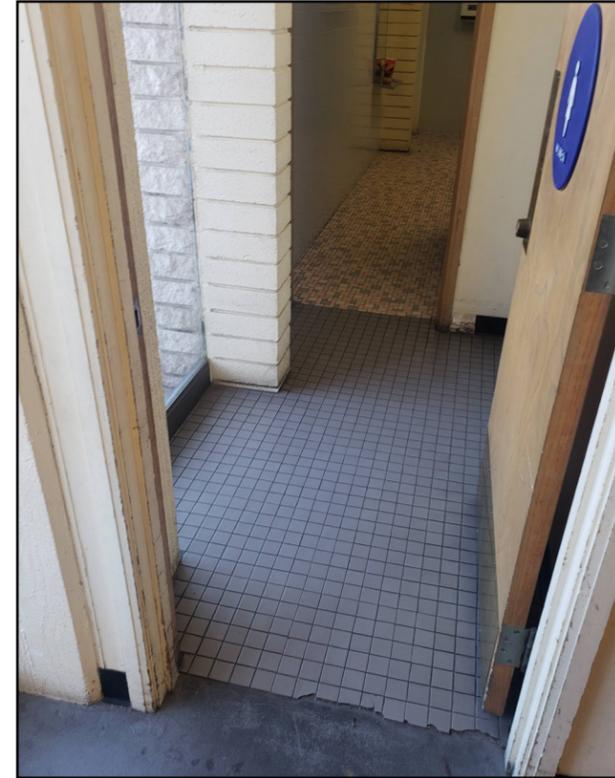
The greatest deficiency of the existing structure is the seismic system, which resists lateral forces in the event of an earthquake. The one-story sections of the building at the perimeter are seismically inadequate, and during an earthquake, could create forces which act on the two-story portion of the building, unbalancing it.

This two-story portion of the building also lacks lateral structure; however, the existing steel is adequate to support gravity loads. The existing footings are in good shape, and they are large enough to support the gravity loads of the existing building. While the building's seismic system will need to be updated, the gravity load bearing elements can be recommended for future use.

### Mechanical/Plumbing Assessment Summary

Alter Consulting Engineers evaluated the mechanical and plumbing systems of the existing building through on-site assessment and thorough examination of the existing building plans. They found the mechanical and plumbing systems to be severely outdated and unable to fulfill their basic functions.

The existing primary mechanical system provides only heating – no cooling, which results in very hot temperatures during the summer months, potentially creating an unsafe environment and preventing the building from being occupied. These high temperatures can be so extreme they result in the need to close the library. Server equipment,



*Barriers to wheelchair access at restroom entry*



*Deteriorating and water damaged ceilings*



*Aging and damaged floor tiles*



*Concrete block walls at 1-story section*



*Outdated and worn air handling system*



*Obsolete mechanical and plumbing distribution systems*



*Unreliable and non-compliant elevator*



*PVC roof overdue for replacement*

which can only operate within a fixed temperature range, is cooled with a dedicated unit which serves a single zone and has no capacity for expansion. A similar dedicated unit cools the community meeting room. These units provide cooling to individual areas only and are completely inflexible for expansion.

The primary mechanical system is also extremely outdated, and uses obsolete pneumatic controls. The system is by a defunct manufacturer, and replacement parts are no longer available for numerous components, many of which are badly in need of repair. Dampers for outside air are well beyond their useful life, and prone to failure. Several rooftop exhaust fans are completely non-operational.

The plumbing systems, like the HVAC system, are operating past their expected useful service life, and are recommended to be replaced. Major areas of concern include a sprinkler system that only serves a portion of the building, plumbing fixtures which do not comply with current water conservation codes regarding flow rate, and outdated, energy inefficient water heaters.

The mechanical system is outdated and nearly impossible to repair, and the plumbing systems have reached the end of their useful life and are not up to current code. Full replacement of both systems is recommended.

### Electrical Assessment Summary

RIJA Electrical Engineers, working as a consultant of Jayson Architecture, did a complete assessment of the existing building's electrical systems. As was found to be the case with the mechanical system, the existing electrical system is outdated and well beyond its useful life.

The electrical distribution equipment was manufactured by a company that has gone out of business, making replacement parts difficult to find. This distribution system is outdated and failing, and inadequate for support of upgraded systems. Lighting types are varied, inconsistent, and the controls are not compliant with current standards and codes.

Power service is adequate for future use, provided there are no additional loads on the system in the form of an electric mechanical system or photovoltaic panels. This service will be acceptable for the proposed renovation but would be unable to support potential sustainability driven upgrades in the future.

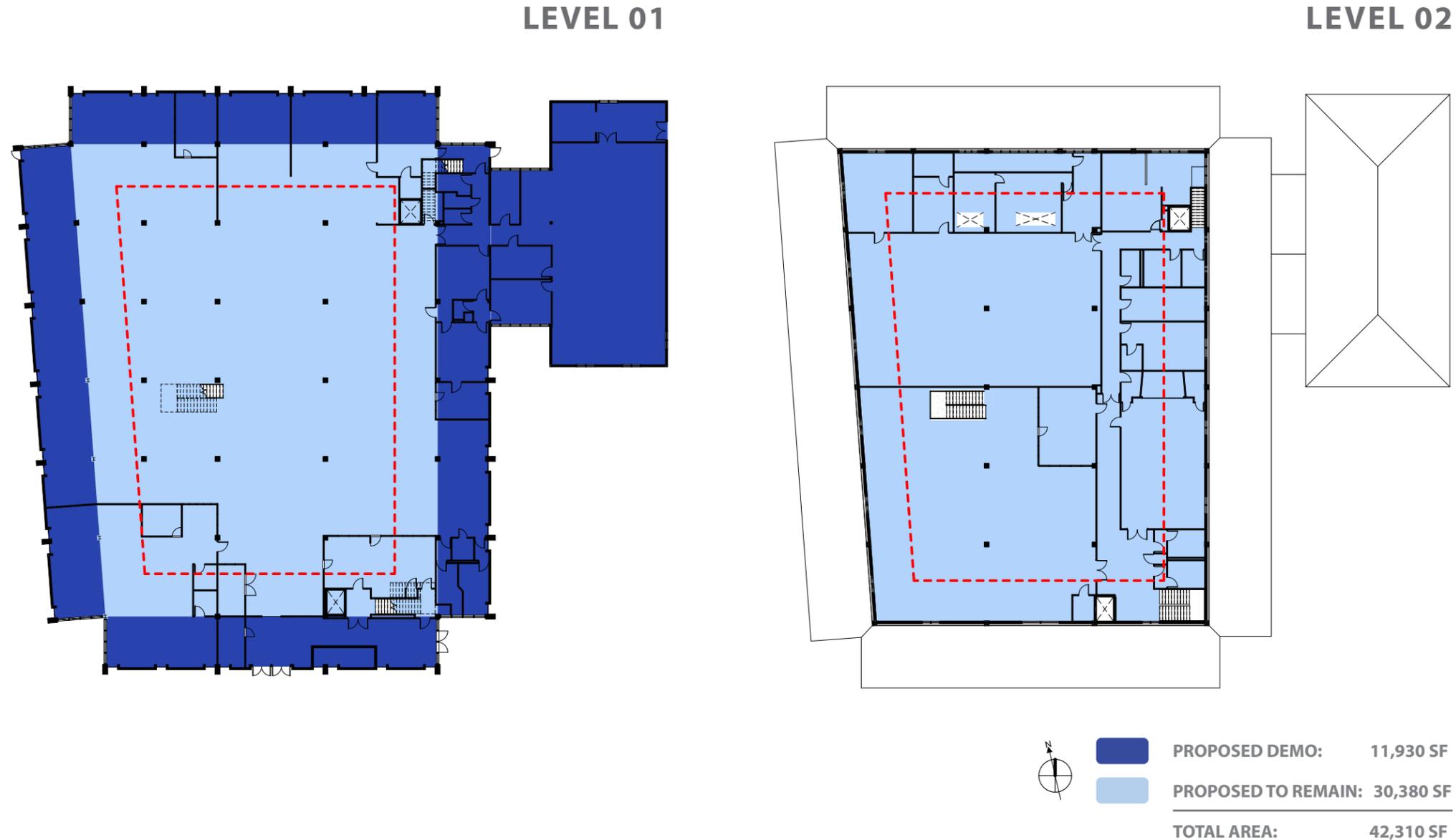
The existing building's distribution and lighting systems are beyond their useful life, and replacement is recommended. While the primary electrical service may be adequate for a simple renovation, it is not "future-proofed" and will not be sufficient to support either an electric mechanical system or photovoltaic panels.

Figure A: Budget Diagram

# BUDGET

As outlined in the Executive Summary of this report and detailed in the Cost Model in Section V, Budget, we have established that a \$27 million project budget results in an \$18 million construction budget target. We explored three budget test fit scenarios. The first was a full renovation of the existing library, which was well beyond the available budget. The second was a new ground up facility limited to the available budget, which resulted in a 19,000 square foot building. The third was a 30,000 square foot renovation, which while still over the available budget was in range of our target. This third option is the only design approach explored in detail in this report.

Figure A provides a graphic illustration of this budget in relation to the existing 42,000 square foot library floor plan. The dark blue at the perimeter of the 1st floor plan indicates the one-story sections of the building we propose to demolish, approximately 10,000 square feet. The light blue area shown at the center of the 1st floor, and the entirety of the 2nd floor indicates the area of the library proposed to remain, approximately 32,000 square feet. The dashed red line indicates the footprint of a two-story 19,000 square foot building.



1.154

## BASIS OF DATA

- **\$/SF (square foot) range based on recent historical data from mack5, with 2 years future escalation @ 5-6% /year**
- **Low \$/SF: cheap finishes, materials, & products, salvage structure & main utility service connections if applicable**
- **High \$/SF: high performance building with quality finishes, materials, & products**

## 42,000 SF

### RENOVATION

- \$650 - \$1,050 /SF
- \$27.3 MIL - \$44.1 MIL
- \$430 /SF @ \$18 MIL

**BUDGET NOT VIABLE**

## 19,000 SF

### NEW BUILDING

- \$950 - \$1,200 /SF
- \$18 MIL - \$22.8 MIL
- \$950 /SF @ \$18 MIL

**MUCH LESS PROGRAM**

## 30,000 SF

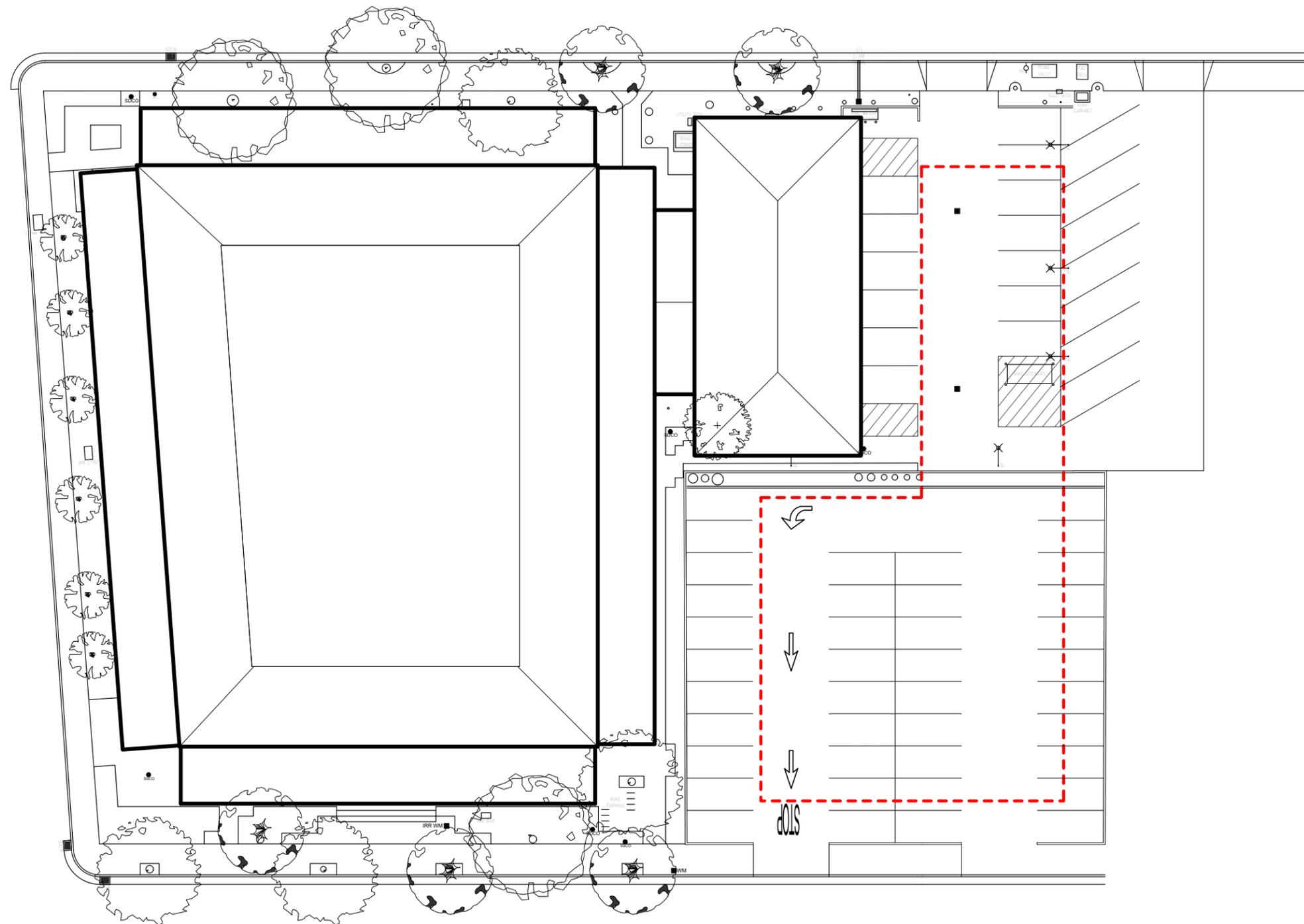
### RENOVATION

- \$650 - \$1,050 /SF
- \$19.5 MIL - \$31.5 MIL
- \$600 /SF @ \$18 MIL

**COMPROMISE OF \$ VS. SF**

Figure B: New Building

1.155



## NEW BUILDING

While not explored in any detail as a part of this report, we were asked by the City to demonstrate the 19,000 footprint of a new two-story library in diagrammatic form. Figure B illustrates this footprint over the existing City parking lots located to the east of the library. New construction in this location would allow the Library to continue to operate during construction, and demolition to occur after the Library had relocated to the completed new facility. While the spatial configuration of the parking lots are not ideal for a Library facility, the available site area is adequate to accommodate the footprint of a 19,000 square foot two-story building. This diagram represents the extent of the study Jayson Architecture prepared for the possibility of a new ground up Library. All other diagrams, drawings, analysis, and plans in this report are in relation to a 32,000 square foot renovation.



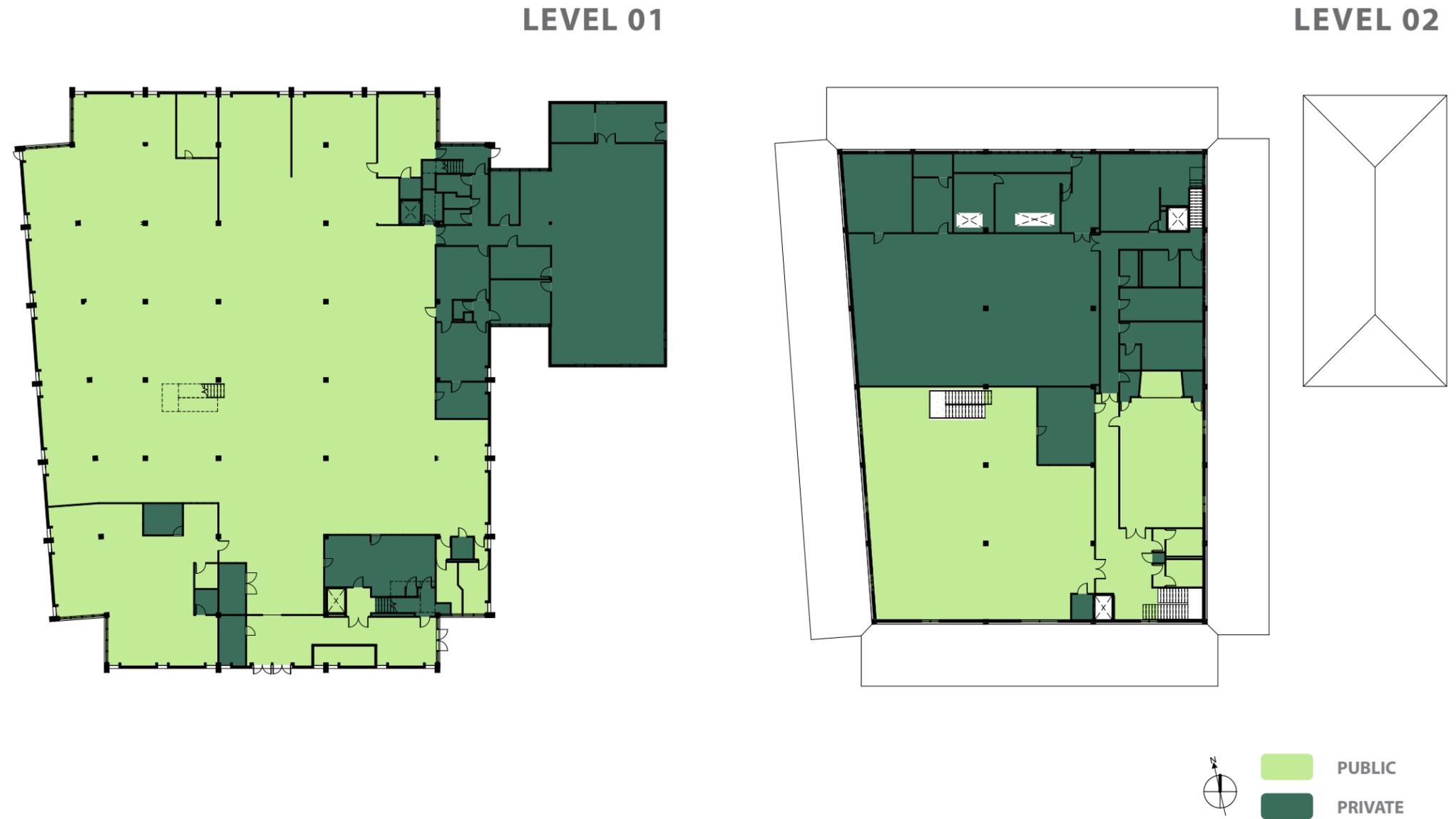
NEW CONSTRUCTION: 19,000 SF

Figure C: Existing Public & Private

# EXISTING PUBLIC & PRIVATE

In addition to square footage, an important metric of our analysis was the ratio of public to private space in the library. Figure C illustrates the distribution of public and private space in the existing building. Public space is shown in light green, and private space that is inaccessible to the community is shown in dark green. The space allocation of the existing building is 65% public and 35% private. Compared to other recently constructed Bay Area libraries, which typically have 80-85% of their square footage allocated to public use, the existing library is actually operating from the standpoint of the public more like a 33,000 square foot building than a 42,000 square foot building.

1.156



## SIMILAR LIBRARY RATIOS:

Average Public to Private Ratio: 83% to 17%

<b>EXISTING LIBRARY:</b>	
<b>PUBLIC:</b>	27,394 SF (65%)
<b>PRIVATE:</b>	14,916 SF (35%)
<b>TOTAL:</b>	42,310 SF

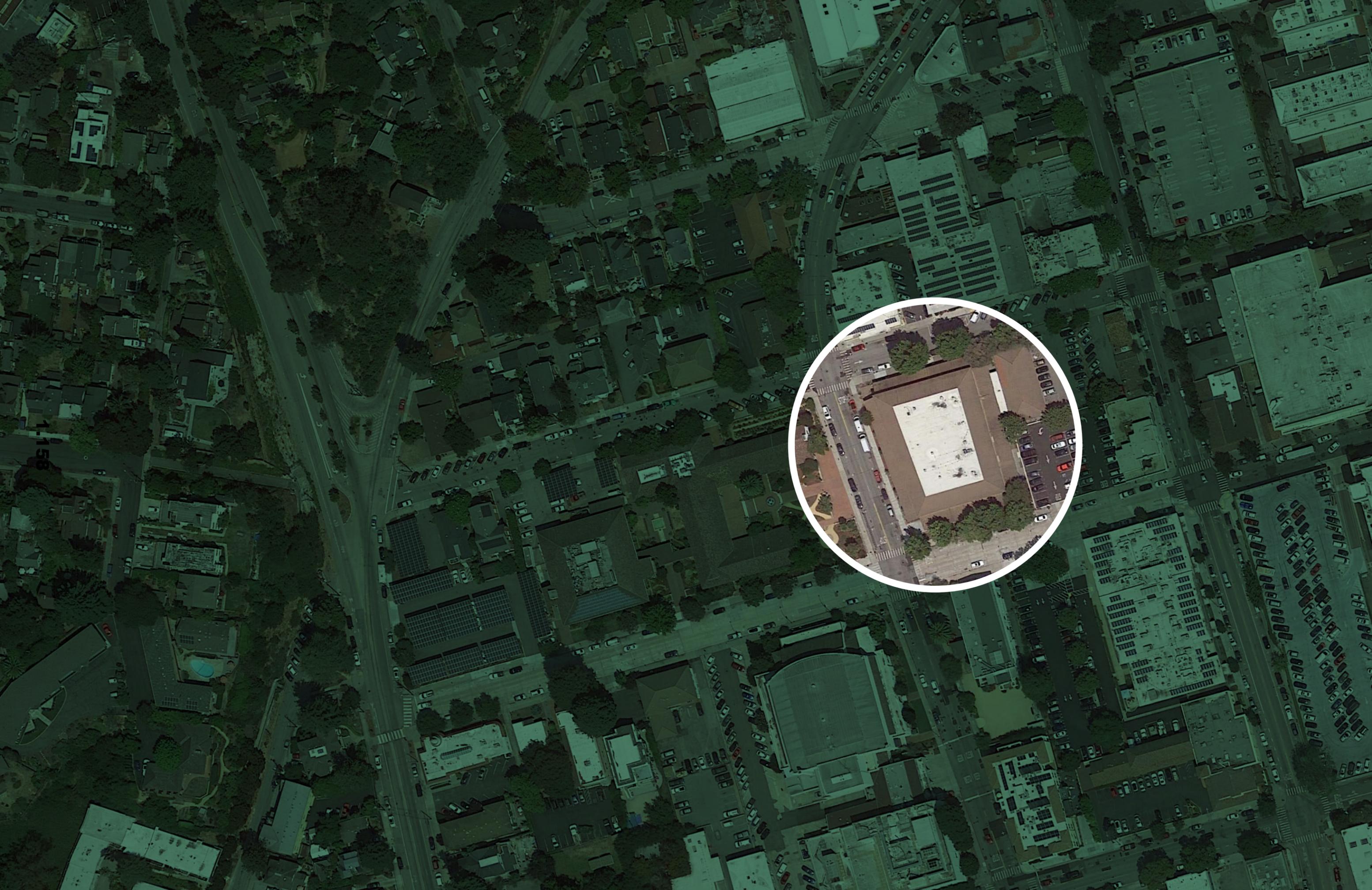
<b>LOS GATOS:</b>	
<b>PUBLIC:</b>	23,740 SF (81%)
<b>PRIVATE:</b>	5,500 SF (19%)
<b>TOTAL:</b>	29,240 SF

<b>HAYWARD:</b>	
<b>PUBLIC:</b>	47,405 SF (82%)
<b>PRIVATE:</b>	10,612 SF (18%)
<b>TOTAL:</b>	58,017 SF

<b>HALF MOON BAY:</b>	
<b>PUBLIC:</b>	17,948 SF (85%)
<b>PRIVATE:</b>	3,184 SF (15%)
<b>TOTAL:</b>	21,132 SF

<b>LIBRARY @ 17% PRIVATE</b>	
<b>PUBLIC:</b>	27,394 SF (83%)
<b>PRIVATE:</b>	5,611 SF (17%)
<b>TOTAL:</b>	33,005 SF







## CONCEPTUAL DESIGN SUMMARY

Our conceptual design approach was based on an analysis of several factors. First, we evaluated the project site, including the relationship to the adjacent City Hall, the relative level of activity on each street, solar exposure, existing mature street trees, and parking. We also looked at the existing Library's program and space allocation, and then compared this to the Downtown Library Advisory Committee's (DLAC) program for a 47,000 square foot library prepared in 2017. These programs were also analyzed through the lens of other recently constructed Bay Area libraries. With this as a foundation for our design process, we engaged in a series of internal workshops with the City and the Library to determine the best way to allocate program within the reduced 32,000 square foot building. We identified two areas of the program that were to be increased from the existing program, the Children's Area and the Public Meeting Rooms. Other areas of the program were reduced from current levels, such as the Staff Area, and the Adult Collections.

Due to budgetary limitations, as described in the Assessment Summary Section I of the report, we have proposed the demolition of the one-story sections of the building. While regrettably reducing square footage, this removal does provide several opportunities. First, the elimination of these portions of the building frees up space on the site for several outdoor areas such as a Children's Garden, Community Patio, and Staff Patio. In addition, it allows for the merging of the two adjacent parking lots to the east. Lastly, this approach allows for the addition of large floor to ceiling windows on the ground floor, opening up the library to the community.

The form of the two-story structure is largely kept unchanged, however we have proposed new a cement plaster finish on the exterior, as well as new windows and entry canopies. Once inside the library, the layout is designed to maximize the available square footage. Spaces are arranged in efficient and economical ways, with large open spaces comprising a majority of both floors.

As described in detail in the Budget Section V, we have proposed a series of 14 alternates to keep the base project in line with the \$18 million construction budget target. These alternates generally do not affect the core functionality of the library however, they do improve quality and usability significantly.

The specifics of the proposed conceptual design are outlined in detail in this section of the report.

# SITE PLAN

As shown in Figure D, we are proposing several significant changes to the way the library interfaces with the site and surrounding neighborhood. The main entry has been relocated from the south elevation along Church Street to the west elevation along Center Street. This reinforces the civic connection between the library and the City Hall. In addition, a secondary entry has been located on the east side of the building, allowing direct access from the City parking lot, which has been consolidated into a single lot with additional capacity. In addition, new 90-degree parking has been added on both Locust and Church streets.

The removal of the single-story sections of the building provides an opportunity to create functional outdoor program spaces. To the west of the building is a new entry plaza, civic in scale and more befitting a public library than the current condensed entry steps at the existing building. To the north a small but useful enclosed patio is dedicated to staff use. Most significantly, to the east of the building there are two new outdoor public program spaces, a new Children's Garden and a new Community Patio. Both are enclosed by fences and dedicated to the adjacent program space within the building.

To the south and west of the building tiered landscape areas provide a buffer from the street, and a location for beautiful green space befitting of the natural environment of Santa Cruz. Existing mature site and street trees are supplemented by new trees carefully placed in relation to the redesigned exterior of the building.

- 1 MAIN ENTRY
- 2 SECONDARY ENTRY
- 3 CHILDREN'S GARDEN
- 4 COMMUNITY PATIO
- 5 STAFF PATIO
- 6 STREET PARKING
- 7 CLERESTORY
- 8 MECHANICAL
- 9 COMBINED PARKING LOTS

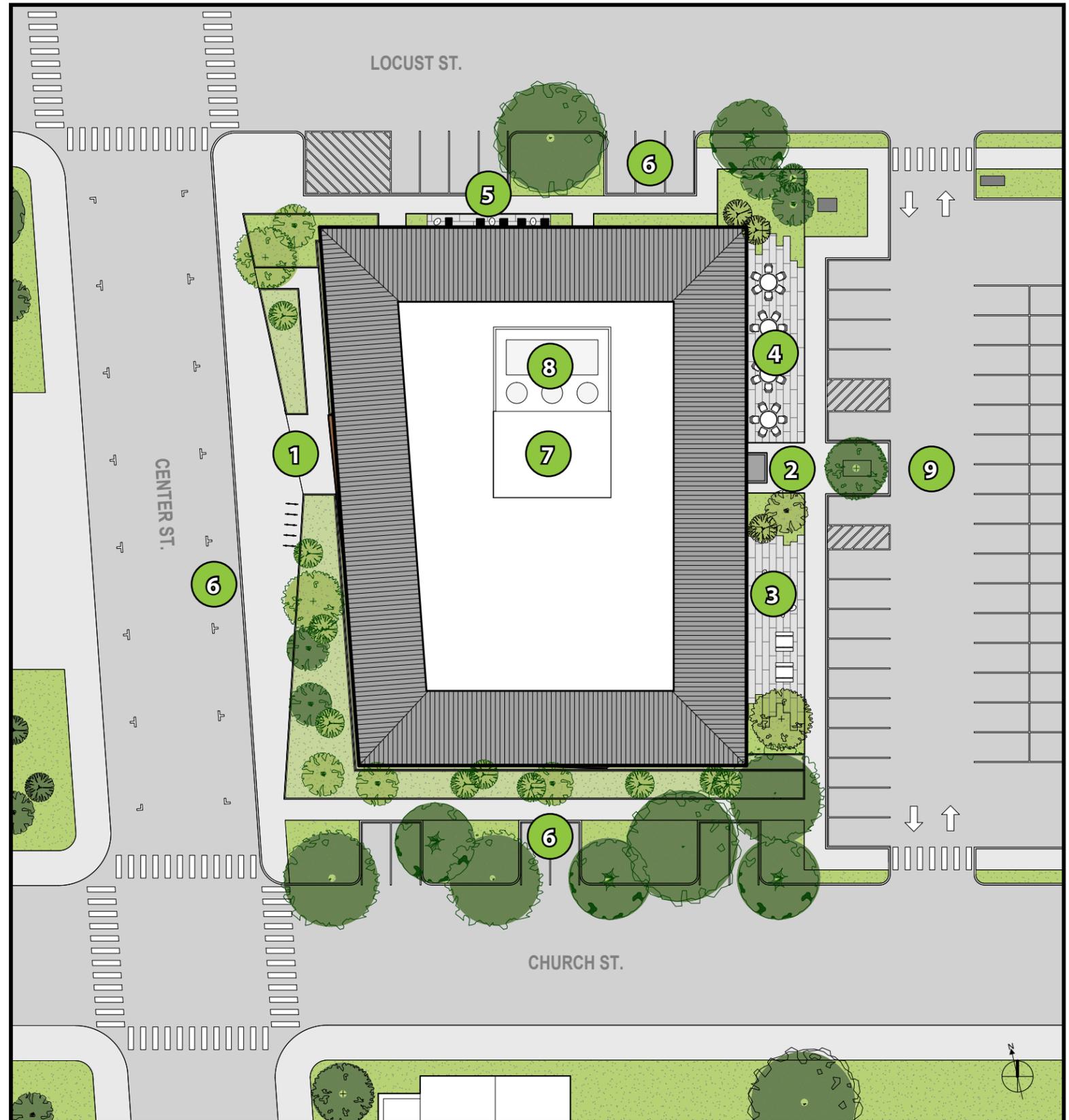


Figure E: Program Plan Level 1

1.161



- 1 LOBBY
- 2 CIRCULATION DESK
- 3 CHILDREN'S AREA
- 4 CHILDREN'S STORY TIME
- 5 COMMUNITY ROOM
- 6 COMMUNITY ROOM KITCHEN
- 7 STAFF
- 8 PUBLIC RESTROOM
- 9 ELEVATORS

## PROGRAM PLAN LEVEL 1

The new first floor layout, shown in Figure E, is arranged around a new central lobby that bisects the middle of the building in an east-west direction. The main circulation desk has a direct line of sight to each entry, the main stair, the restrooms, and the Children's Area circulation desk. The Staff Area is located on the north-west side of the floor plan to allow for convenient flow from the book drops to the sorting and deliveries area, creating an efficient workflow for county wide distribution of library materials. The open staff area, while condensed from the current staff space, is comfortably laid out, and provides a break room, dedicated restroom, and direct access to the secondary stairs up to the 2nd floor.

A majority of the 1st floor is dedicated to an expanded Children's area. Floor to ceiling windows run along the south and west sides of the space, allowing for generous natural daylight. A Storytime room allows for acoustic separation from the rest of the Children's Area, and a dedicated outdoor garden serves to directly supplement the indoor program space.

At the northeast corner of the 1st floor is a large Community Meeting Room, capable of comfortably seating over 100 people. This room is supported by a dedicated kitchen and storage area. The kitchen allows for catered events, and the storage room supports flexible seating arrangements such as formal presentations or tables and chairs for workshops. A patio located directly outside the Community Room, when combined with an operable glass wall, doubles the size of the space available for large gatherings.



# PROGRAM PLAN LEVEL 1

## AFTER HOURS

One of the key benefits of the proposed layout is the ability to operate the Community Meeting Room completely autonomously from the rest of the library after hours. The dashed red line shown in Figure F indicates the extent of the area that can be used separately when the rest of the facility is closed. This area is located immediately adjacent to the secondary entrance, where large event groups are likely to enter from after parking in the City lot to the east of the library. A roll down gate located in the lobby can be closed, preventing the public from entering the rest of the library. The public restrooms remain open and accessible, directly off the area of the lobby still open to the public. The building code required two exits are provided, one through the parking lot entry, and one through the community patio.

The configuration provides maximum flexibility for a diverse range of after-hours programmatic activities including events such as author readings, community meetings, weddings, workshops, and other group activities.

- 1 AFTER HOURS ENTRY
- 2 COMMUNITY ROOM
- 3 COMMUNITY ROOM KITCHEN
- 4 PUBLIC RESTROOMS

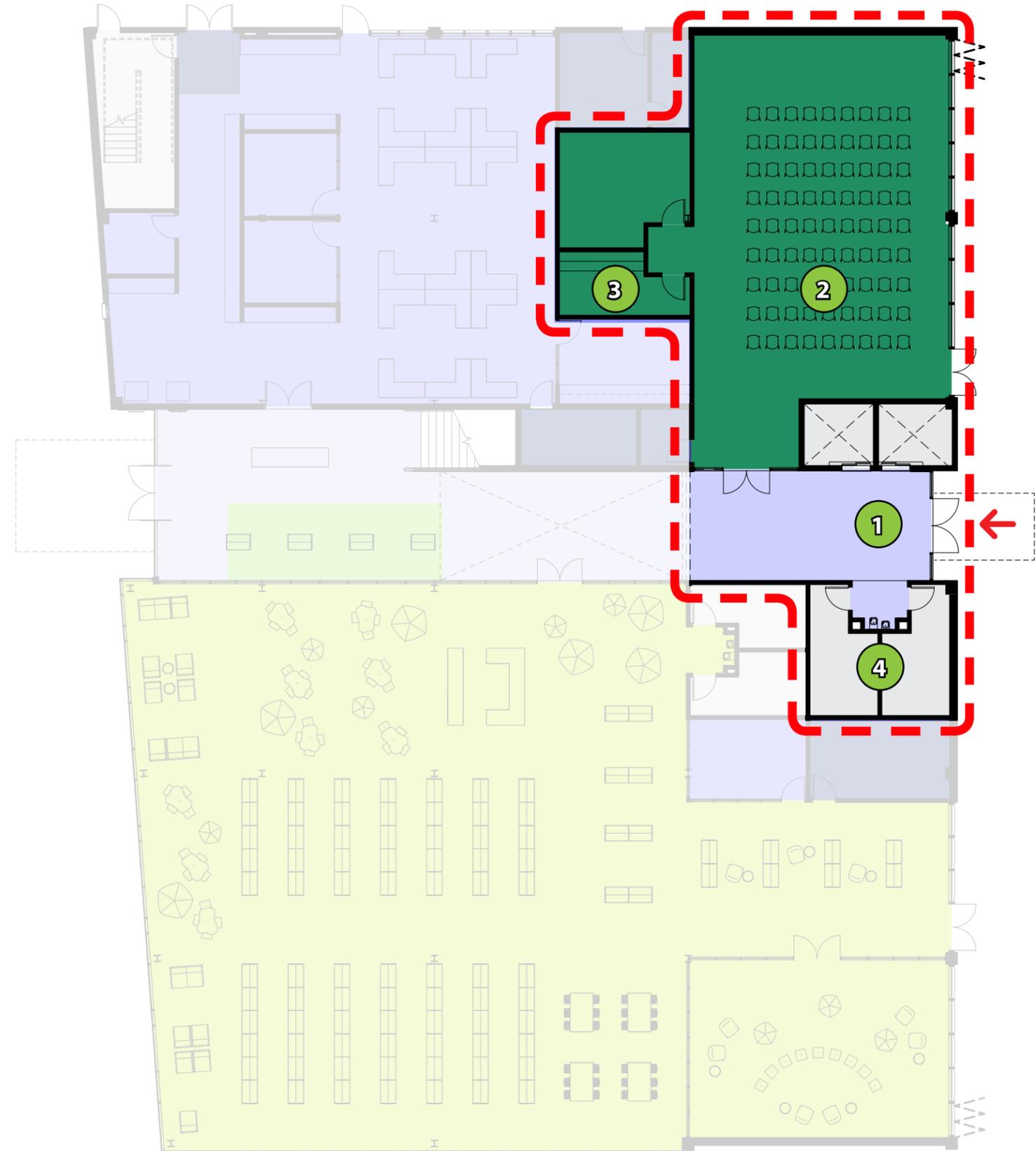


Figure G: Program Plan Level 2

# PROGRAM PLAN LEVEL 2

The 2nd floor shown in Figure G is oriented around a double height opening at the main stair, located with a raised clerestory above bringing daylight into the center of the library. A long counter at the edge of the opening provides a perch for people to sit and work on homework or on laptops. A majority of this level is dedicated to adult collections. While the number of volumes will see some reduction from the current collection levels, all sections of the current collection will remain represented. Adjacent to the book collections, generous space is dedicated to comfortable seating to be utilized for either reading, socializing, or studying. A circulation desk is centrally located, allowing clear sightlines to the elevators, stair, restrooms, teen area, and secondary staff area. In addition to the Adult Collections and Teen Area, the 2nd floor also contains a new Life Literacies Center. The 2nd floor program is supported by a medium size meeting room, a technology room, and several small group study rooms.

- 1 MAIN STAIR
- 2 CIRCULATION DESK
- 3 PUBLIC COMPUTERS
- 4 ADULT COLLECTIONS
- 5 MEETING ROOM
- 6 TEENS
- 7 LIFE LITERACIES
- 8 QUIET READING
- 9 STAFF
- 10 PUBLIC RESTROOMS
- 11 ELEVATORS



1.163

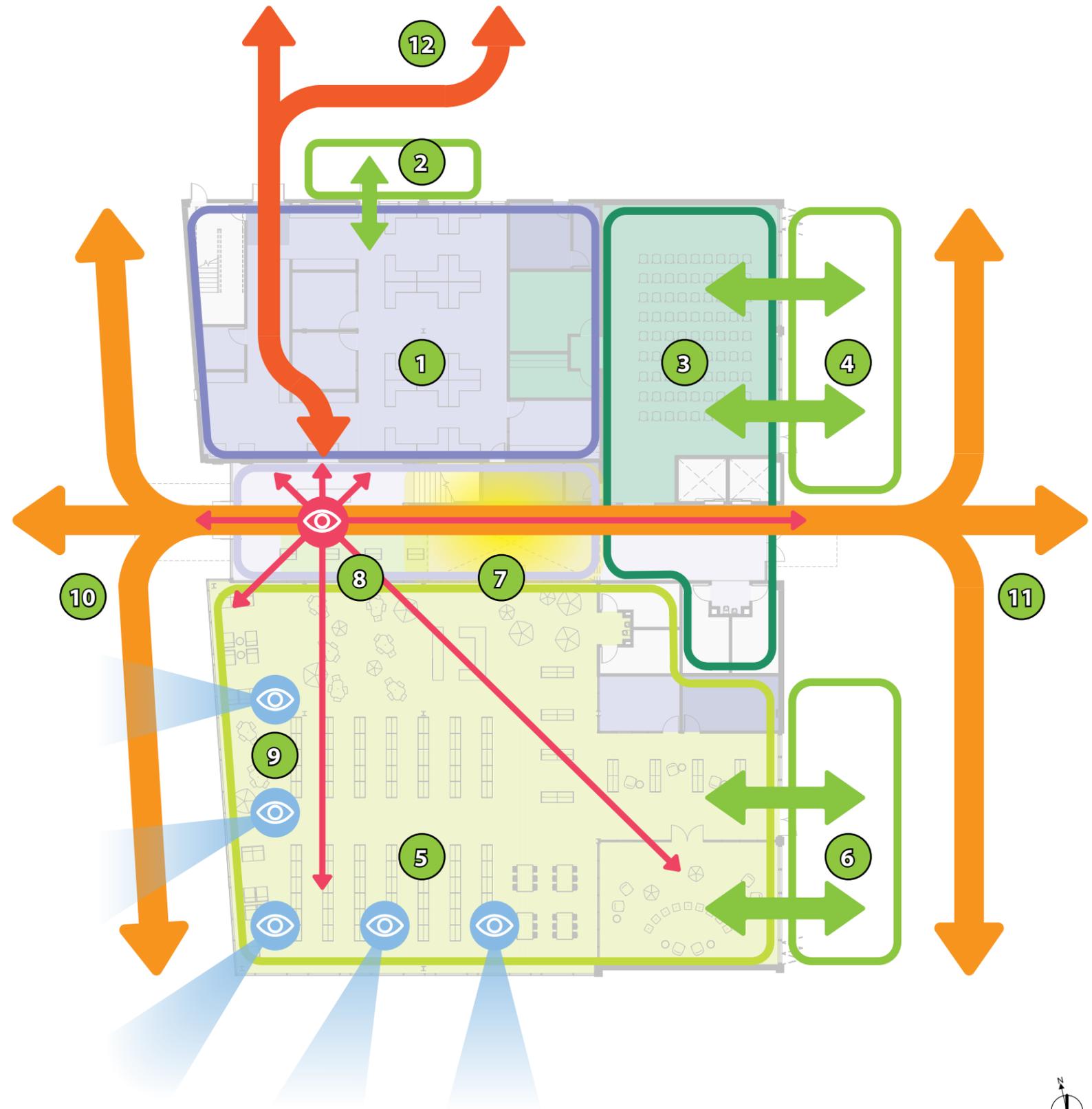


# DIAGRAM LEVEL 1

The proposed plans are laid out to create clear circulation paths through the library, and maximize daylight, views, and sightlines throughout the space. On the 1st floor, spaces are organized along a circulation spine which links the west and east entries. The main circulation desk is located along this path, with clear sightlines to both entries, the children's area, the staff space, and the public restrooms. This circulation spine bisects the atrium, which brings daylight down to the first floor through the new clerestory windows at the roof above.

Staff access to the building is located at the north, through a dedicated entry. The staff area directly connects with a new staff patio, located on the north side of the building. Directly adjacent to the staff area is the community room, which can be closed off to provide after-hours access. The community room has a dedicated patio which is accessed from inside the space. To the south of the circulation spine, the children's area has views to the outdoors created by a wall of windows at the south and west sides of the space. The children's area also opens to a dedicated outdoor area, the children's garden, at the east side of the building.

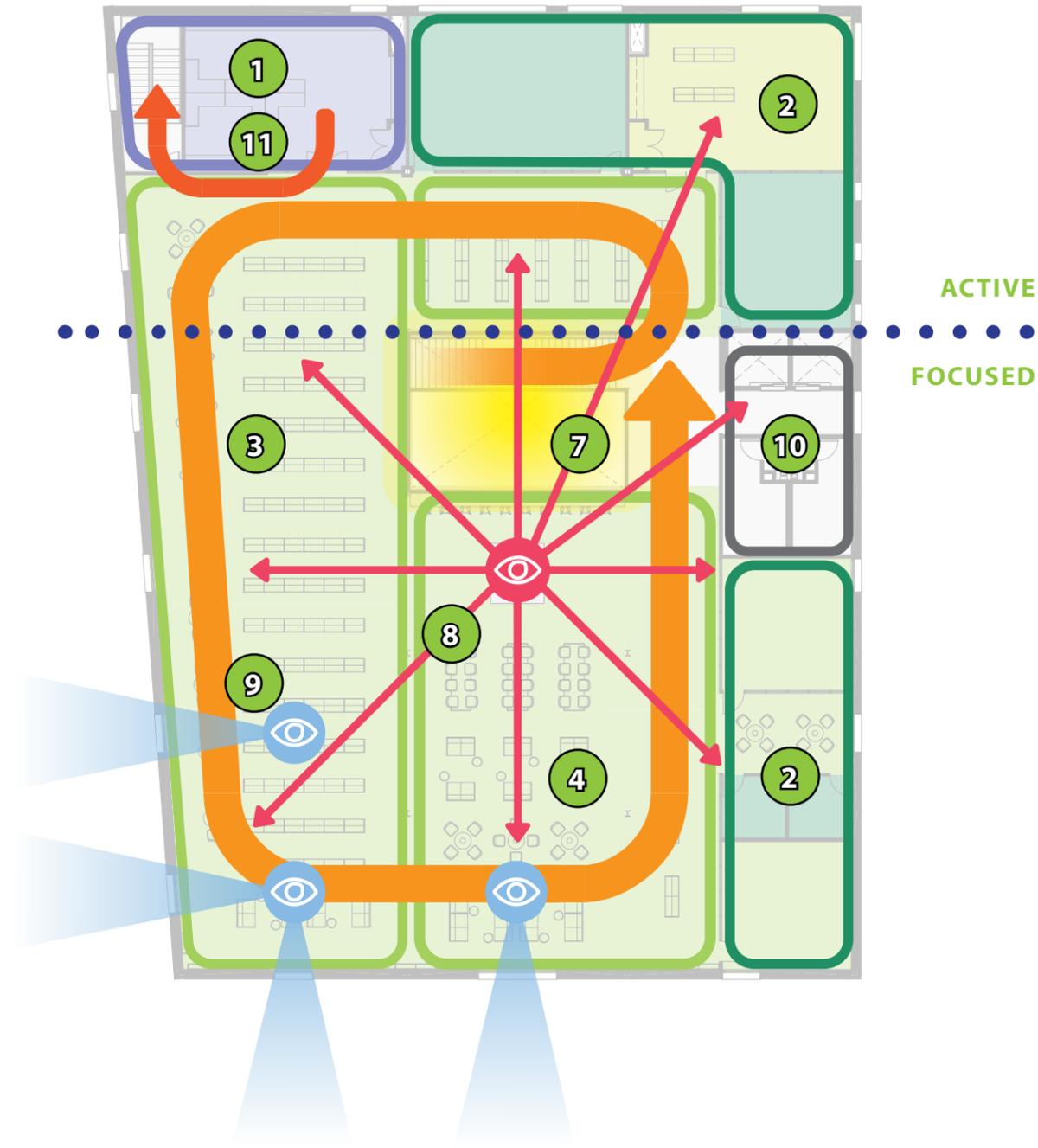
- 1 STAFF
- 2 STAFF PATIO
- 3 COMMUNITY ROOM/ AFTER HOURS
- 4 COMMUNITY PATIO
- 5 CHILDREN'S AREA
- 6 CHILDREN'S GARDEN
- 7 DAYLIGHTING FROM ABOVE
- 8 SIGHTLINES FROM DESK
- 9 VIEWS FROM CHILDREN'S AREA
- 10 CIRCULATION TO CITY HALL
- 11 CIRCULATION TO PARKING
- 12 STAFF CIRCULATION



1.164

Figure 1: Diagram Level 2

1.165



- 1 STAFF
- 2 SERVICES
- 3 COLLECTIONS
- 4 READING
- 5 SUPPORT
- 6 CIRCULATION PATH
- 7 DAYLIGHTING FROM ABOVE
- 8 SIGHTLINES FROM DESK
- 9 VIEWS FROM COLLECTIONS
- 10 PUBLIC RESTROOMS/ELEVATORS
- 11 STAFF CIRCULATION

## DIAGRAM LEVEL 2

The 2nd floor is accessed by the main stair located in the center atrium. Clerestory windows are located above this atrium opening, bringing in daylight from above. Collections are centrally located, and seating at the southwest maximizes the views available through the existing windows. The 2nd floor staff desk is located just to the south of the atrium. From this circulation desk, a single staff member can supervise the entire floor, including collections, the teen space, the public computers, and the enclosed meeting rooms and library service spaces. A smaller staff office is located to the north, with a clear sightlines to the circulation desk, and access to a dedicated staff stair. Spaces are generally located with more active, dynamic spaces to the north, and more quiet, focused spaces to the south.



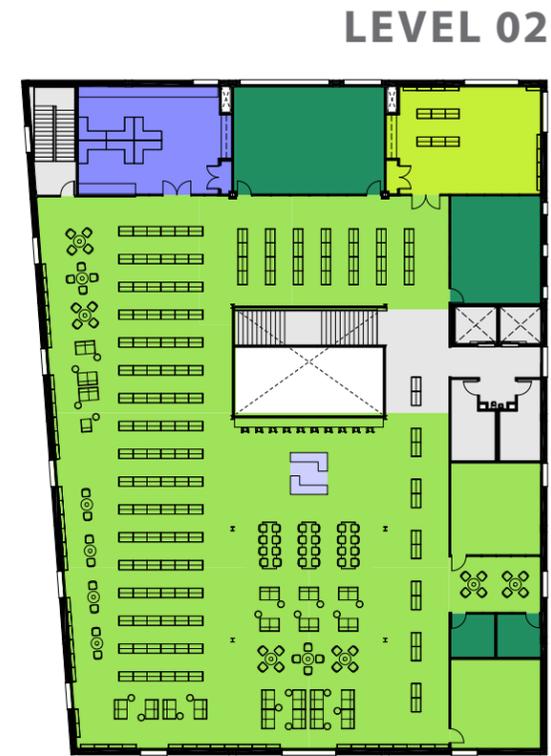
# RENOVATION PUBLIC & PRIVATE

The proposed design was laid out with careful thought towards maximizing space available to the public, in contrast with the existing library's high percentage of private space demonstrated in Figure C in the Section I Assessment Summary. Figure J illustrates the ratio of the proposed renovation design, with public space shown in light green and private space shown in dark green. The proposed renovation is 87% public space, or approximately 26,000 square feet. This area is close to the amount of public space present in the existing building, approximately 27,000 square feet. This diagram demonstrates that from the perspective of the public the proposed renovation design will provide nearly equal programmatic square footage to the existing building, despite the overall reduction in square footage.

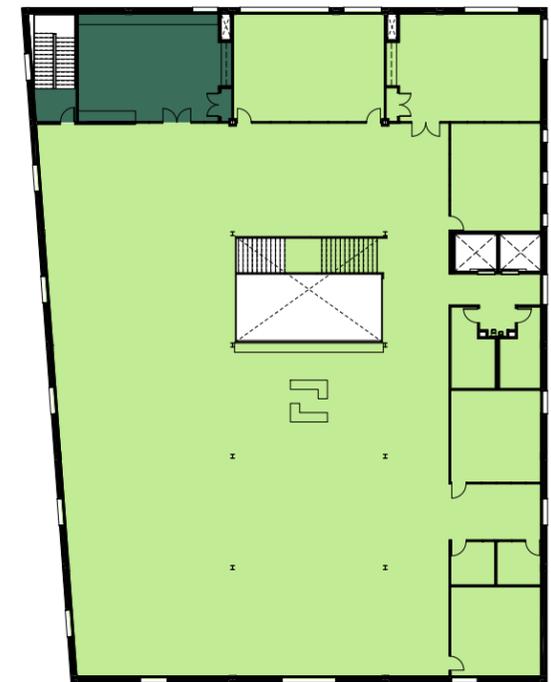
1.166

EXISTING LIBRARY:	
PUBLIC:	27,394 SF (65%)
PRIVATE:	14,916 SF (35%)
<b>TOTAL:</b>	<b>42,310 SF</b>

RENOVATION:	
PUBLIC:	26,181 SF (87%)
PRIVATE:	4,049 SF (13%)
<b>TOTAL:</b>	<b>30,230 SF</b>



- GROSS SQ FT
- PUBLIC AREAS
- ADULT SERVICES
- YOUTH SERVICES
- MEETING SPACES
- STAFF AREAS
- SUPPORT AREAS



- PUBLIC
- PRIVATE



Figure J: Renovation Public & Private

## COLLECTIONS: NUMBER OF VOLUMES

	EXISTING (42,000 SF)	DLAC PROGRAM (47,000 SF)	RENOVATION (30,000 SF)	Δ FROM EXISTING	Δ FROM PROGRAM
KIDS	26,300	±33,100	±31,200	4,900	(1,900)
TEENS	3,700	±4,700	±2,200	(1,500)	(2,500)
ADULTS	105,500	±152,600	±73,500	(32,000)	(79,100)
<b>TOTALS:</b>	<b>135,500</b>	<b>±190,400</b>	<b>±106,900</b>	<b>(28,600)</b>	<b>(83,500)</b>

Figure K: Number of Volumes

## COLLECTIONS: RATIOS

	% of EXISTING	% of PROGRAM
KIDS RENOVATION	119%	94%
TEENS RENOVATION	59%	47%
ADULTS RENOVATION	70%	48%
<b>TOTAL RENOVATION:</b>	<b>79%</b>	<b>56%</b>

Figure L: Ratios

## PROGRAM ANALYSIS

We analyzed the program using three metrics, total number of volumes, ratios of volumes, and square footage.

Per Figure K showing the number of volumes, and Figure L showing the ratio between the existing library and the proposed renovation design, the adult collection has been significantly reduced. The Children's collection, however, shows a significant increase in comparison to the existing building, and nearly reaches the collection levels outlined as the target in the 47,000 square foot program prepared by the Downtown Library Advisory Committee (DLAC).

As shown in Figure M, the square footage distribution of the proposed renovation design was compared to the allocation of programmatic spaces in the existing 42,000 square foot library. Due to the reduced overall building size, the proposed renovation significantly reduces the square footage of the Staff Area and Adult Services. Youth Services and Meeting Areas, however, are actually proposed to increase in size, allowing more robust programming and the ability to provide better service to the public.

These determinations regarding program were made in consultation with the Library staff, to allow for the best use of the 32,000 square foot proposed renovation design.

## PROGRAM: SQUARE FOOTAGE

	PROGRAM	EXISTING	RENOVATION	Δ FROM EXISTING
	00 GROSS SQ FT	11,510 SF	3,190 SF	(8,320) SF
	01 PUBLIC AREAS	1,600 SF	1,545 SF	(55) SF
	02 ADULT SERVICES	16,000 SF	10,319 SF	(5,681) SF
	03 YOUTH SERVICES	4,000 SF	7,530 SF	3,530 SF
	04 MEETING SPACES	1,200 SF	3,496 SF	2,296 SF
	05 STAFF AREAS	6,000 SF	3,542 SF	(2,458) SF
	06 SUPPORT AREAS	2,000 SF	608 SF	(1,392) SF
	<b>TOTAL GROSS SQUARE FOOTAGE</b>	<b>42,310 SF</b>	<b>30,230 SF</b>	<b>(12,080) SF</b>

Figure M: Square Footage

# RENDERINGS BASE DESIGN

## View from City Hall

The west elevation highlights a number of improvements made to the existing building, site, and facade. Most notably, the removal of the one-story sections of the building at the perimeter of the library allow for floor to ceiling glass located at the Church & Center Street corner, which provides a much more welcoming appearance than the current closed off opaque facade of solid concrete masonry. A new plaza draws people into to the main entry, which is framed by a new canopy finished in natural wood. The building is painted white to reflect the City Hall across the street. While the improvements are significant and dramatic, the limited budget target in the base design does limit the inclusion of landscaping and new finishes, leaving the site and building feeling a little bare and underdeveloped.

- 1 MAIN ENTRY
- 2 ENTRY AWNING WITH WOOD
- 3 BOOK DROP
- 4 ENTRY PLAZA
- 5 MULCHED SITE
- 6 EXISTING HERITAGE TREES
- 7 FULL HEIGHT GLASS
- 8 GLASS AT CORNER
- 9 EXISTING WINDOWS
- 10 PAINTED CONCRETE



- 10
- 3
- 1
- 4
- 2
- 9
- 5
- 7
- 8
- 6

Figure N: Rendering - Base - View from City Hall



1.169

# RENDERINGS ALTERNATE

## View from City Hall

The west elevation is improved dramatically with the addition of the alternates, described in detail in Section V, Budget. The sloped concrete tile roof at the perimeter is replaced with a metal roof and new gutters, and the rainwater leaders are moved inside the walls of the building. A natural wood soffit brings some warmth to the underside of the roof. The painted concrete at the second-floor walls is replaced with new white cement plaster, creating a more refined facade with a unified finish on both stories of the exterior walls. The 2nd floor windows are replaced with new operable windows without intermediate mullions, allowing for more daylight, better air circulation, and better energy performance. In addition, site landscaping is added, including trees, ground cover, boulders, and patinaed metal retaining walls. While these alternates provide a real and noticeable improvement to the quality of the streetscape and urban environment, they still only bring the level of overall quality to a low-medium level when compared with other recently constructed libraries and civic projects in the greater Bay Area.

- 1 MAIN ENTRY
- 2 ENTRY AWNING WITH WOOD
- 3 BOOK DROP
- 4 ENTRY PLAZA
- 5 LANDSCAPED SITE
- 6 EXISTING HERITAGE TREES
- 7 PATINAED METAL PLANTER
- 8 BIKE RACKS
- 9 FULL HEIGHT GLASS
- 10 GLASS AT CORNER
- 11 NEW WINDOWS
- 12 CEMENT PLASTER FINISH
- 13 NEW ROOF WITH WOOD SOFFIT



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- 13
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Figure O: Rendering - Alternate - View from City Hall



1.171

# RENDERINGS BASE DESIGN

## View from Entry Plaza

This view demonstrates the experience of approaching the main entry from the plaza. The entry canopy clearly frames the front door, and the book drop is identified by signage. Views into both the lobby and the Children's Area are apparent, providing a preview of the programs underway inside the library. The facade is welcoming, and modernized. Both the main stair and staff circulation desk are visible immediately inside the front door, and the improved spatial organization is immediately apparent.

- 1 MAIN ENTRY
- 2 ENTRY AWNING WITH WOOD
- 3 BOOK DROP
- 4 ENTRY PLAZA
- 5 MULCHED SITE
- 6 FULL HEIGHT GLASS
- 7 NEW WINDOW
- 8 EXISTING WINDOWS
- 9 PAINTED CONCRETE



- 7
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- 1
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Figure P: Rendering - Base - View from Entry Plaza



1.173

# RENDERINGS ALTERNATE

## View from Entry Plaza

The alternate for the main entry brings life to the arrival sequence. Bike racks provide a location for those who live close enough by to ride to the building to lock up their bicycles while at the library. Lush landscaping frames the base of the building and softens its relationship to the ground plane. The natural wood canopy at the 1st floor and the matching natural wood eave at the 2nd floor creates two distinct lines of warm materiality that draws the eye down to the entry. The smooth cement plaster facade creates a uniform appearance between 1st and 2nd floor, creating the sense of an entirely new building despite the fact that underneath the improvements the structure and outline of the original building remains. While these alternates provide a real and noticeable improvement to the quality of the plaza and entry, they still only bring the level of overall quality to a low-medium level when compared with other recently constructed libraries and civic projects in the greater Bay Area.

- 1 MAIN ENTRY
- 2 ENTRY AWNING WITH WOOD
- 3 BOOK DROP
- 4 ENTRY PLAZA
- 5 LANDSCAPED SITE
- 6 PATINAED METAL PLANTER
- 7 BIKE RACKS
- 8 FULL HEIGHT GLASS
- 9 GLASS AT CORNER
- 10 NEW WINDOWS
- 11 CEMENT PLASTER FINISH
- 12 NEW ROOF WITH WOOD SOFFIT



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Figure Q: Rendering - Alternate - View from Entry Plaza



1.175

# RENDERINGS BASE DESIGN

## View Inside Lobby

The lobby space is organized around a double height opening that connects the two floors with a main stair. Clear signage orients the public to the space, with entrances to the Community Meeting Room and Children's area clearly identified. The exterior can be seen both through the secondary entrance on the parking lot side of the building, as well as through the full height windows on the other side of the Children's Area, creating a connection to the outdoors with views of greenery and street activity. While the spatial improvements are well defined, the finishes are stripped down and basic. Walls are limited to painted gypsum wallboard, and there are no acoustic ceilings anywhere in the building. The structure and ductwork are exposed, creating an industrial look. Daylight is limited on the 2nd floor due to the small existing windows that remain.

- 1 MAIN STAIR
- 2 POLISHED EXISTING CONCRETE
- 3 EXPOSED STRUCTURE
- 4 PAINTED GYPSUM BOARD
- 5 AREA SIGNAGE
- 6 FULL HEIGHT GLASS



4

1

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6

Figure R: Rendering - Base - View Inside Lobby



1.177

# RENDERINGS ALTERNATE

## View Inside Lobby

With the addition of the alternates on the interior of the library, significant improvements are visible. Natural wood wall paneling, and ceilings bring warmth and a soft touch to the interiors. The clerestory above the main stair and the new 2nd floor windows at the perimeter bring added daylight to the space. Large sculptural lights fixtures add a playful touch to the tall ceiling above the main stair. Importantly, acoustic ceilings have been added throughout, creating a more refined and finished appearance, and more critically mitigating sound impacts. A large and bold custom wall graphic has been added at the second floor for color. The overall level of finish is more in line with what the public has come to expect in a new civic building. While these alternates provide a real and noticeable improvement to the quality of lobby and interiors, they still only bring the level of overall quality to a low-medium level when compared with other recently constructed libraries and civic projects in the greater Bay Area.

- 1 MAIN STAIR
- 2 POLISHED EXISTING CONCRETE
- 3 WOOD PANEL CEILING
- 4 ACOUSTIC CEILING
- 5 WOOD PANEL WALL
- 6 FULL HEIGHT GLASS
- 7 VINYL WALL GRAPHIC
- 8 FEATURE LIGHTING
- 9 AREA SIGNAGE



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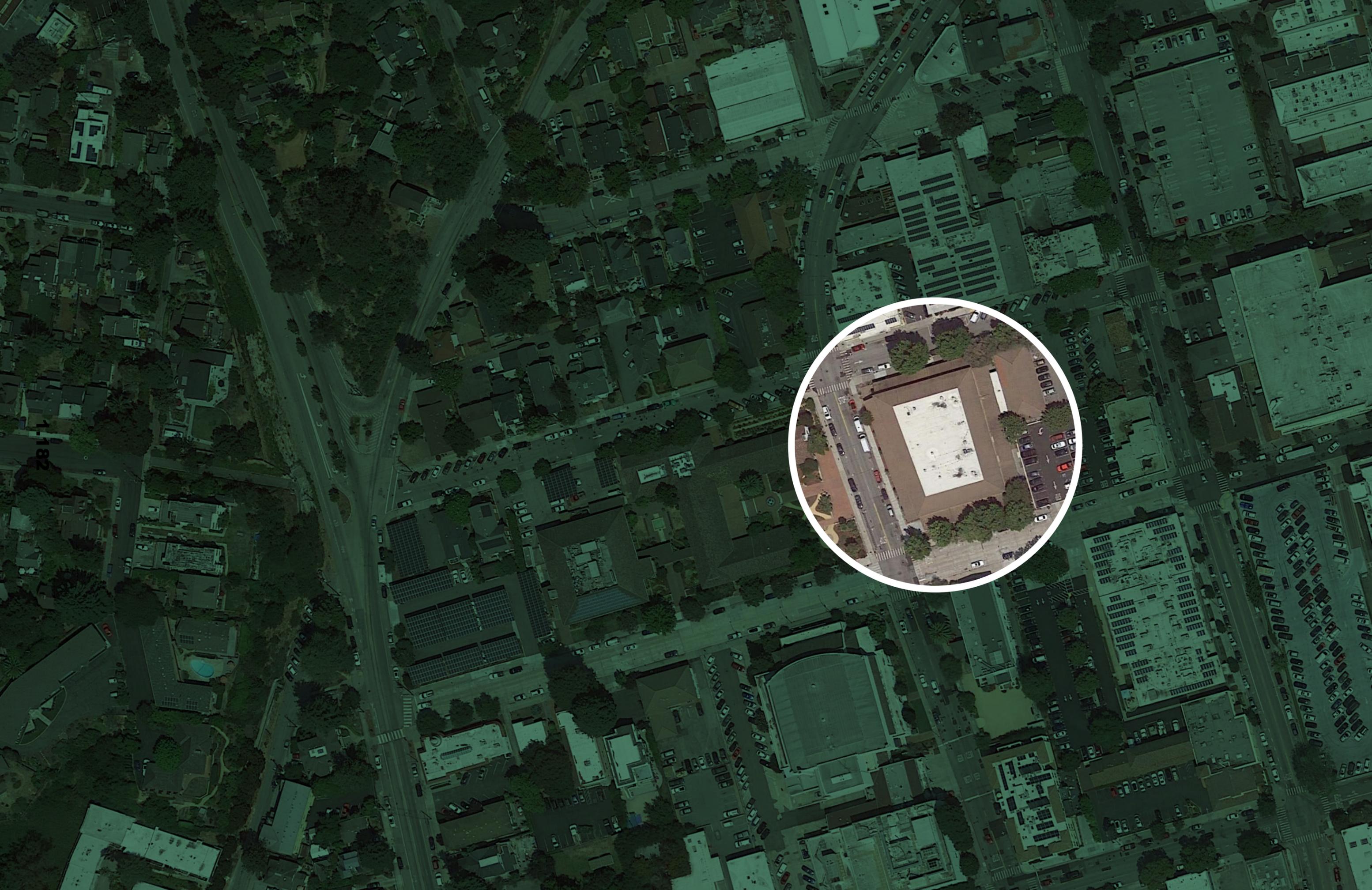
Figure S: Rendering - Alternate - View Inside Lobby



1.179









## SUB CONSULTANT TEAM

We have assembled a team of engineering subconsultants with deep expertise in the design of public buildings and libraries. Each member of the team has worked with Jayson Architecture on multiple projects throughout the Bay Area. They all have taken a design approach with an eye towards cost efficiency, while maintaining an appropriate level of robust quality and functionality to appropriately serve a heavily used civic facility for decades into the future.



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# CIVIL ASSESSMENT

## SUMMARY

The purpose of this report is to summarize the field conditions noted during BKF Engineer's site visit and outline site & utility improvements based on the proposed building renovation.

The report includes site descriptions of the existing street curb, sidewalk, walkway and parking lot conditions along with descriptions of the proposed site concrete improvements, anticipated grading scope of work and general requirements for ADA compliance.

As the existing two story library building was constructed in the 1960's, it is anticipated that domestic, fire and irrigation water utility improvements will be required for the renovation. Stormwater treatment measure will be incorporated in accordance with the County's stormwater management requirements and ensure that the post-development stormwater peak flow rate will be comparable to the pre-project conditions.

## EXISTING CONDITIONS

### Site Improvements

The site is currently developed with an existing two story building with surface parking lots and associated walkways and landscaping. The site is generally flat, and slopes gently from north to south at an approximately 1% slope.

Street curb and sidewalk improvements were completed in 1997. The main entry to the existing building is off Church Street with site stairs and walkways from the street sidewalk. Several site walkways appear to be out of conformance with current accessibility standards. Additionally, street curb ramps at the intersections of Church and Center Streets, and Center and Locust Streets do not meet current accessibility standards.

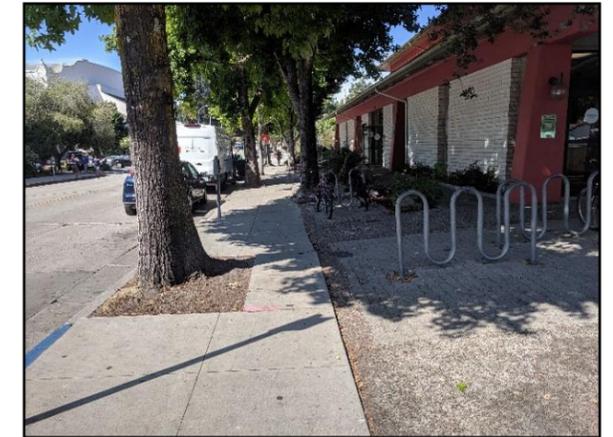
### Utility Improvements

The site is currently served with existing storm drain, sanitary sewer, water, gas and electric services. The following are existing utilities found that serve the existing site:

- Storm drain laterals appear to pickup building roof drains are piped to existing 12 to 18-inch storm drain main lines in Center Street and Church Street.
- Runoff from surface parking lots are collected in inlets and are piped through the curb and into the gutter on Locust Street and Church Street.
- A sanitary sewer lateral with cleanout for the building is provided off the existing main in Church Street. The sanitary sewer lateral size is unknown and is assumed to be 6-inch.
- A water service and meter for combined domestic and fire water is provided off the existing 8-inch water main in Church Street. The domestic water backflow preventer is currently inside the building. There is no backflow preventer



Civil Figure 1: Library main entry on Church Street



Civil Figure 2: Sidewalk along Church Street



Civil Figure 3: Sidewalk along Center Street



Civil Figure 4: Sidewalk along Locust Street



Civil Figure 5: Curb ramp on Church & Center Street



Civil Figure 6: Curb ramp on Locust & Center Street



Civil Figure 7: Building roof leader on Center Street



Civil Figure 8: Backflow preventer inside the building



Civil Figure 9: Gas meter on Locust Street



Civil Figure 10: PG&E transformer on Locust Street

- on the fire water service which is tapped off the domestic water service prior to the domestic backflow preventer.
- A water service with meter and backflow preventer for irrigation is provided off the existing 8-inch water main in Church Street.
- Gas service and meter (PG&E) is provided off Locust Street.
- Electrical service and transformer (PG&E) is provided off Locust Street.

## PROPOSED CONDITIONS

### Site Improvements

Site grading design will focus on pedestrian and vehicular accessibility, safety, visual connections and ease of pedestrian circulation and connectivity while conforming to existing grades and conforms.

- Grading design for site accessibility will be in accordance with the requirements of the 2019 California Building Code (CBC). The pedestrian accessible path of travel will be provided at a longitudinal slope of less than 5% without the need for ramps and handrails to the extent practical, or at less than 8.33% with ramps and handrails.
- Grading is required for areas where sections of the existing building are to be removed, ensuring positive drainage away from the building.
- The elevation of the existing parking area is approximately 12-inches lower than the proposed parking area. Grading and repaving will be required connect the existing and the proposed parking areas.

Site hardscape improvements include but are not limited to new concrete sidewalk, curb & gutters, asphalt paving and parking areas along Church Street and Locust Street. The existing curb, gutter and sidewalk along Center Street to remain.

### Earthwork

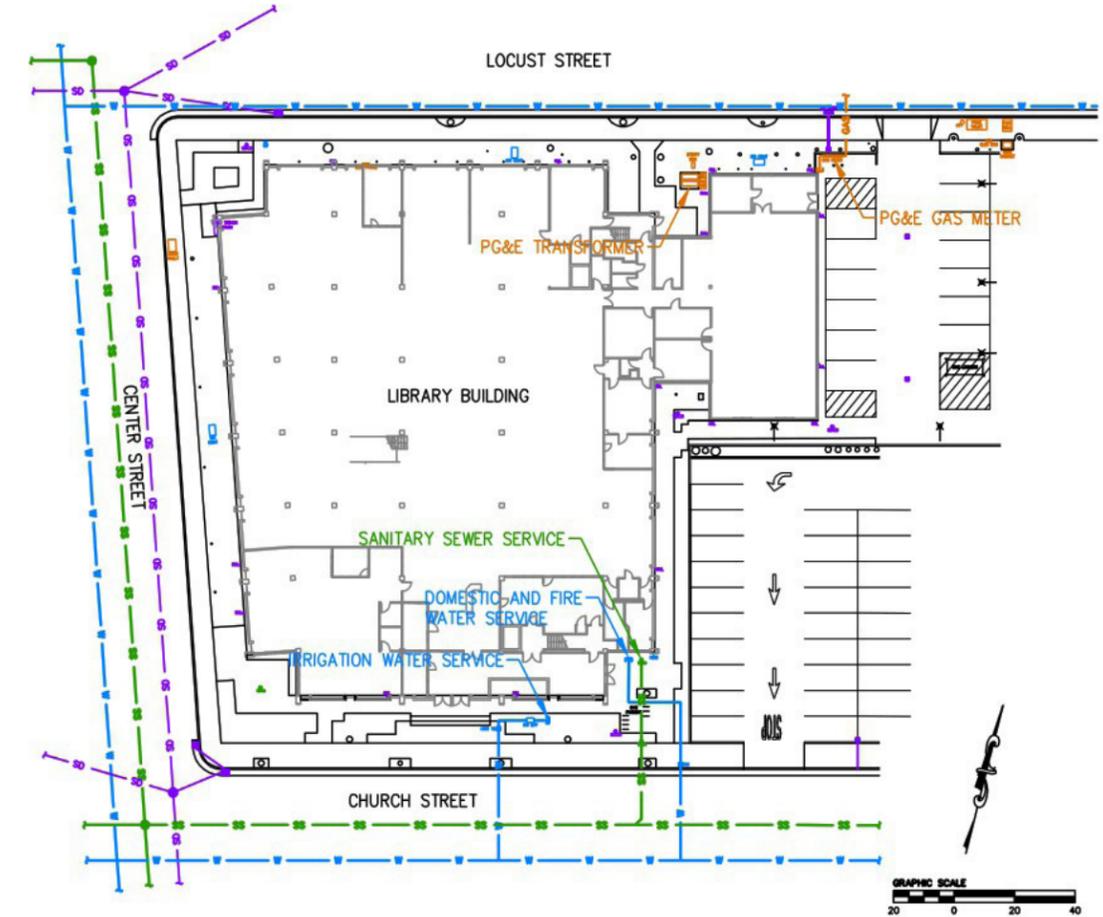
It is anticipated the project will generate minimal earthwork from cut and fill operations from site improvement excavations and proposed pavement sections.

- Fill will be required to backfill excavations where the existing building slab and foundation are to be removed.

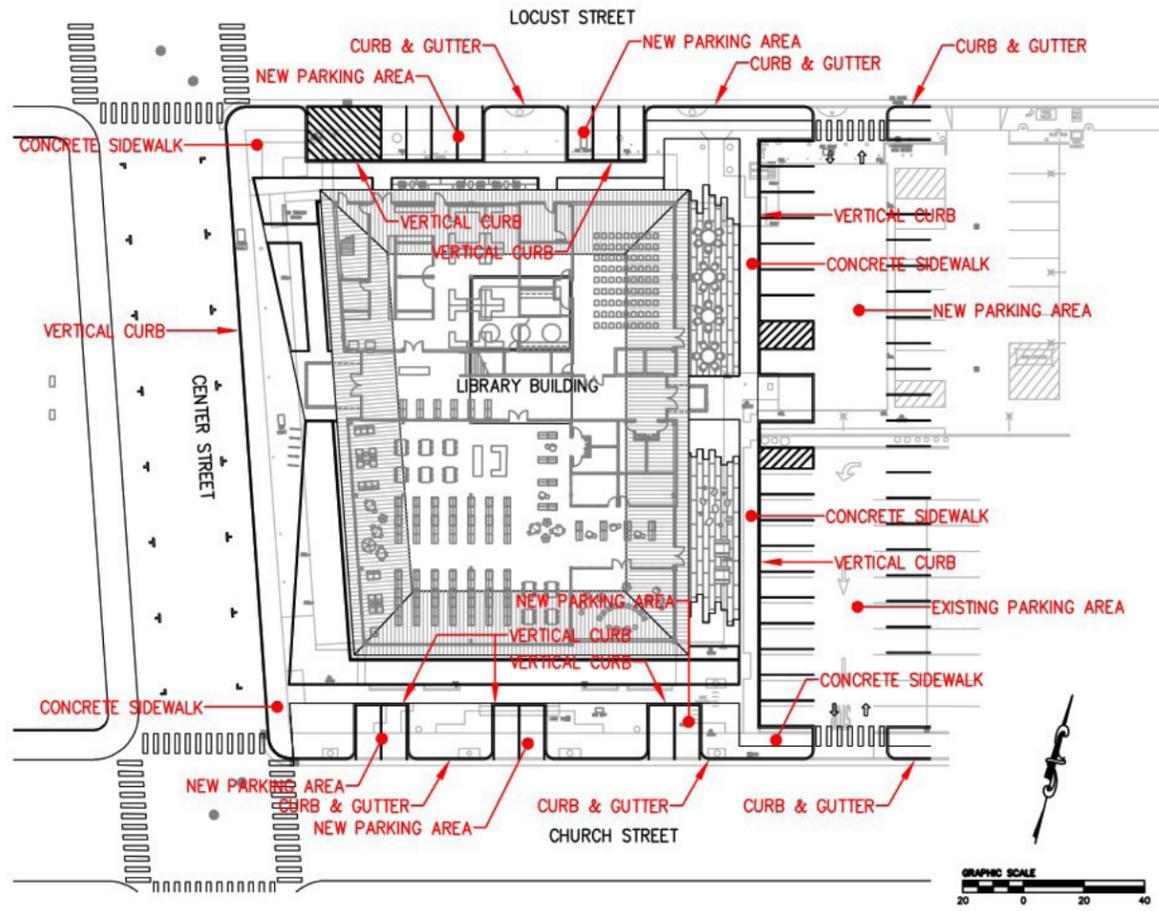
## Utility Improvements

Utility services shall be maintained and operational with minimal interruption during construction. The following are utility improvements proposed for the project:

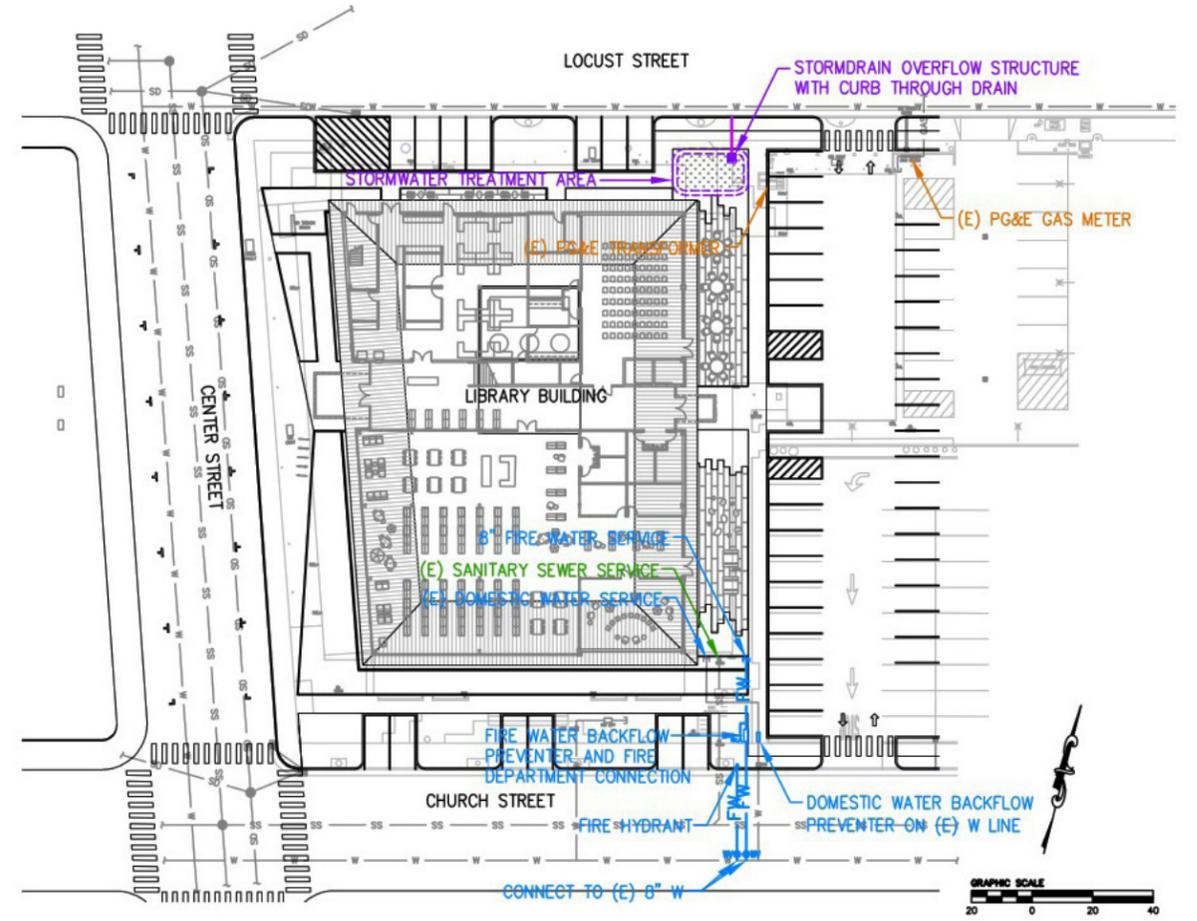
- Rainwater leaders from the building roof to be reconnected to the existing site underground storm drain system
- No new sanitary sewer service lateral connections are anticipated.
- A new domestic water reduced pressure backflow preventer to be installed on the existing water service lateral serving the existing building. The current backflow preventer is located inside the building.
- A new 8-inch dedicated fire water service lateral connection to be provided for the building, connected to the existing 8-inch water main in Church Street. A double check detector backflow preventer and fire department connection to be provided per the California Fire Code and City of Santa Cruz Fire Department standards.
- A new fire hydrant and fire service lateral connection to be provided, connected to the existing 8-inch water main in Church Street.
- Stormwater treatment measures such as bioretention areas, flow-through planters and vegetated areas to be incorporated to treat and store stormwater runoff generated from new impervious surfaces in accordance with the County's stormwater management requirements.
- It is anticipated the post-development stormwater peak flow rate will be comparable with the pre-project conditions. If required and to limit the impact to the downstream existing storm drainage system, stormwater detention measures in the form of oversized detention pipes or storage within bioretention areas will be provided to detain the increase in post-development 10-year stormwater peak runoff from the project area and release the peak flow through an orifice controlled outlet at a rate that is equal to the pre-project 10-year storm event flow level.



Civil Figure 11: Existing Conditions Plan



Civil Figure 12: : Proposed Site Conditions Plan



Civil Figure 13: Proposed Utility Conditions Plan

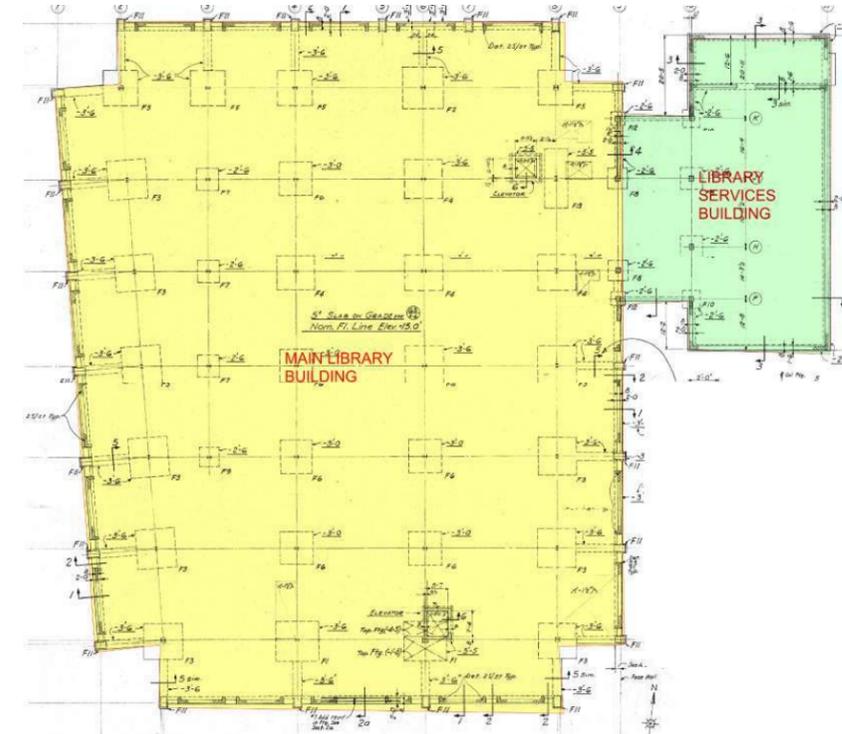
# STRUCTURAL ASSESSMENT

## SUMMARY

The purpose of this study is to conduct a renovation cost assessment study of the Santa Cruz Downtown Main Library. This report provides a description of the building and the structural features essential to this study, the detailed criteria and procedure employed, the computer model of the lateral force resisting system and the findings of this assessment.

The Main Library Building is a two-story, steel frame and concrete floor hybrid structure which was reportedly built 1966. The roof framing system consists of metal deck supported by steel wide flange beams and columns. The second floor consists of reinforced concrete one-way slab supported by steel wide flange beams/columns and reinforced concrete masonry walls. Steel columns and walls are founded on shallow foundations. Lateral resistance is provided by cast-in-place concrete walls at the second floor and reinforced concrete masonry walls at the first floor.

Proposed renovations will include demolition of the low roof extensions around the main library building and demolition of the library services building. By demolishing the low roof extension and perimeter shear walls, ground floor lateral force resisting system will be eliminated. A new lateral system will be introduced at the ground floor.



Structural Figure 1: Building Layout

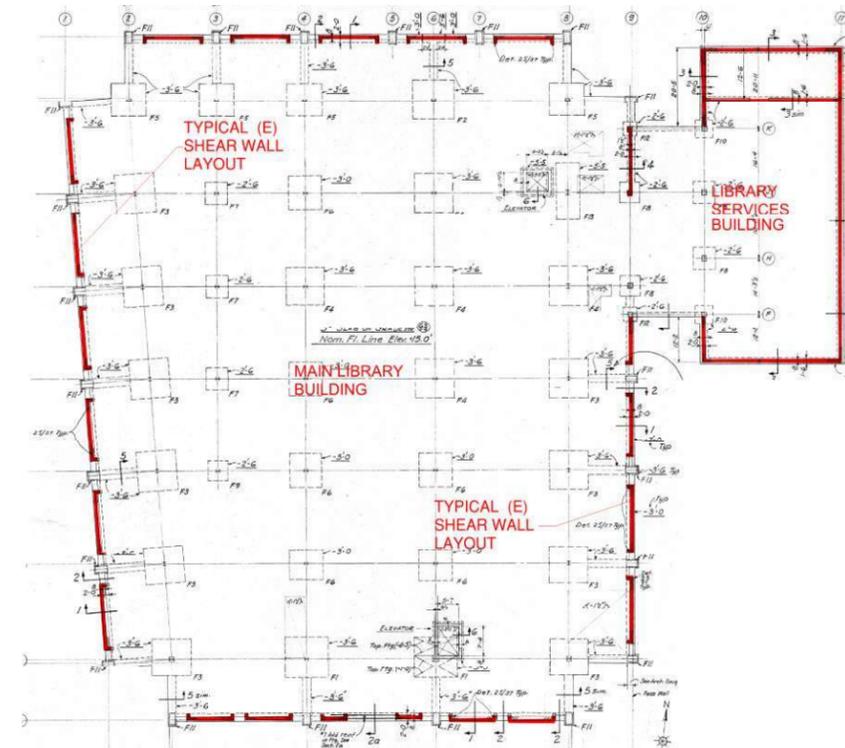
## STRUCTURE / SEISMIC CHARACTERISTICS

According to the original construction documents, the Main Library Building was reportedly constructed in 1966. The building is a two-story, steel and concrete hybrid structure, approximately trapezoidal in plan. A one-story library services building, 36'-0" x 81'-0" rectangular in plan, located on the north-east end of the main library building. The library services building is connected to the Main Library Building. (Figure 1)

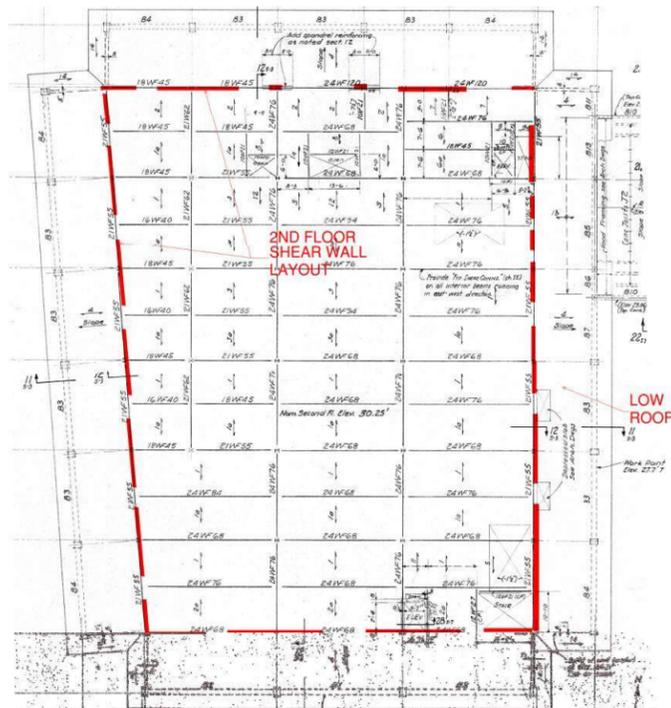
The roof framing consists of 3" x 18ga metal deck with 2 1/2" vermiculite concrete over, spanning between 18" deep steel wide flange beams. The steel beams are supported by steel wide flange columns. The outside perimeter beams and columns are encased in reinforced concrete. (Figure 2)

The second-floor framing consists of 5 1/2" reinforced concrete one-way slab supported by steel wide flange beams. The surrounding low roof area consists of 5 1/2" reinforced concrete slab supported by concrete encased steel beams and reinforced concrete beams at the perimeter. The steel beams are supported by steel columns on the building interior. The perimeter concrete beams are supported by reinforced concrete columns.

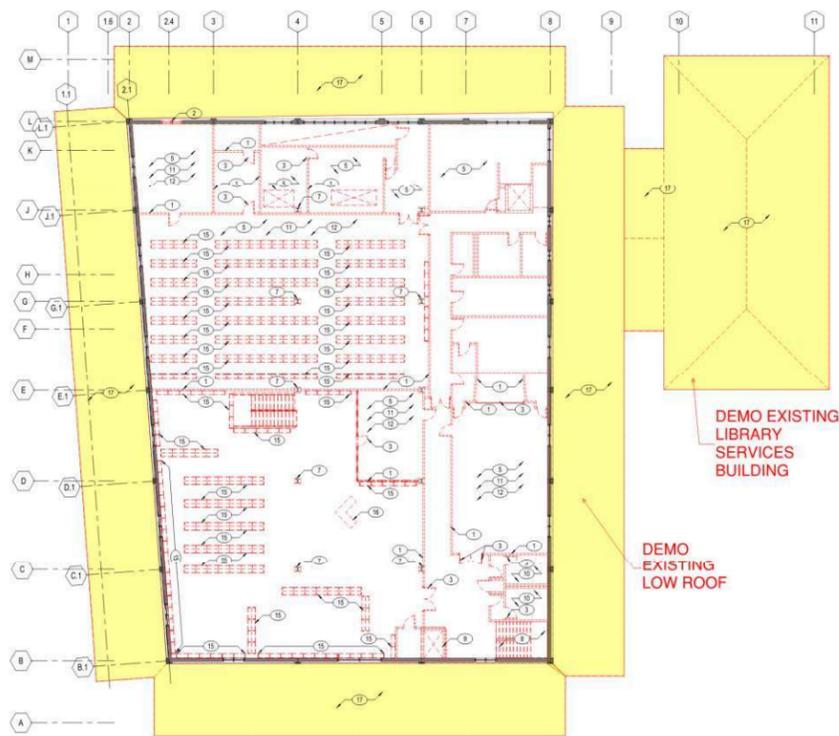
The foundation system is composed of typical 2'-0" wide "strip" footings at the concrete masonry walls and spread footings at the columns. Lateral forces would be resisted by concrete shear walls at the second floor and concrete masonry walls at the ground level.



Structural Figure 2: Ground Floor Shear Wall Layout



Structural Figure 3: Second Floor Shear Wall Layout



Structural Figure 4: Proposed Renovation- Demo Layout

The library services building roof consists of reinforced concrete pan joist ceiling slab with a wood framed roof above. The pan joist ceiling extends to the main library building. There is no seismic separation between the main library and library services building.

An ASCE31 Tier 1 screening and Tier 2 deficiency only seismic evaluation was conducted in 2014 by Fratessa Forbes Wong Structural Engineers. The building, overall, was found to be in good condition except for a few perimeter concrete beams at the low roof areas. These beams were found to be seismically deficient and were recommended to be strengthened.

## SITE VISIT

BASE Design visited the site on September 4, 2019. The main purpose of the site visit was to evaluate the physical condition of the structure and to compare as built conditions with the original construction drawings. With the exception of a new interior stair, there are no significant differences identified in the main gravity and lateral system of the building. There is no documentation available for this interior stair. In general, the building was found to be in good condition.

## PROPOSED RENOVATIONS

Proposed renovations will include demolition of the low roof extension around the main library building and demolition of the library services building. This will require reconfiguration of the main seismic resisting system at the ground floor. The existing low roof structure serves as the horizontal force transfer element of the seismic force resisting system of the building, delivering second floor lateral forces to the outside perimeter concrete masonry shear walls. By demolishing the low roof extension and perimeter shear walls, ground floor lateral force resisting system will be eliminated. A new lateral system will be required at the ground floor.

The second-floor level lateral forces are resisted by concrete shear walls. Several combinations of structural steel systems were investigated. These include: braced frames, buckling-restrained braced frames and concrete shear walls. Based upon prior experience and consensus of the design team, concrete shear wall system is preferred for both reasons of cost and system compatibility.

Based up on our preliminary analysis, 16" thick reinforced concrete shear wall will be required for the first-floor lateral system. The foundations for the new shear walls will be reinforced concrete grade beams. The foundation system will be re-evaluated after the conclusion of geotechnical studies at the site. The existing stair openings will be infilled with metal deck and concrete fill slab and new openings will be added for the relocated stair locations. New openings will be framed for the new elevator shaft opening and new HSS guiderail support posts will be installed. The elevator will require a new reinforced concrete pit.

There will be new roof top mechanical units. The existing roof framing will be strengthened to accommodate the new roof top units. There will be new roof top popup structure to accommodate the proposed clerestory windows. the proposed structure will be framed with steel HSS beams/columns and metal deck.

## SUPPORT FOR FUTURE PHOTOVOLTAIC SYSTEM

The new seismic system can accommodate the additional weight of solar panels as designed. The roof framing can accommodate future solar panels without additional strengthening, provided that the solar panel and the rack assembly do not exceed 5psf. 5psf is a typical load for solar panels.

## DESIGN CRITERIA

Governing Code: California Building Code (CBC), 2016 Edition.

### Gravity Loads

#### Dead Loads

The following loads are estimates only:

#### Roof:

Weight of Structure	30 psf
MEP	10 psf
Architectural + Misc.	10 psf

#### Typical Floor:

Weight of Structure	70 psf
MEP	10 psf
Architectural + Misc.	10 psf

### Applied Loads

#### Roof:

Live Load	20 psf
Mech. Equip. Allowance (Actual equip. wt. + Live Load)	

#### Typical Floor:

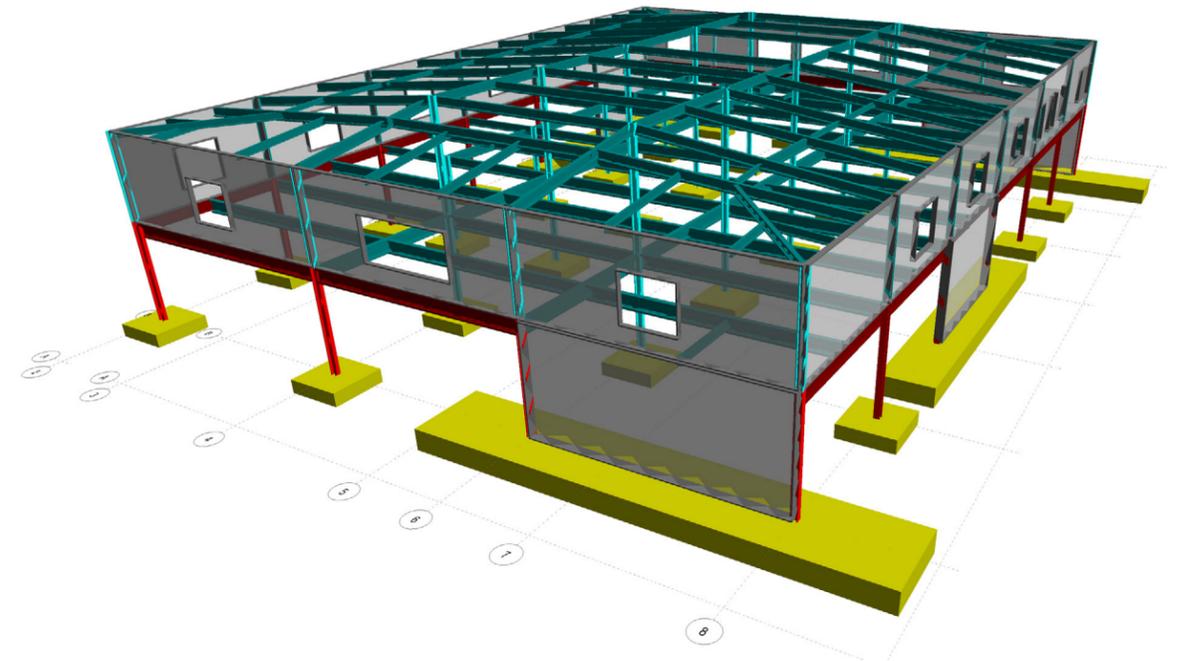
Live Load Corridors Above 1st Floor	80 psf
Live Load Reading Rooms	60 psf

### Lateral Loads

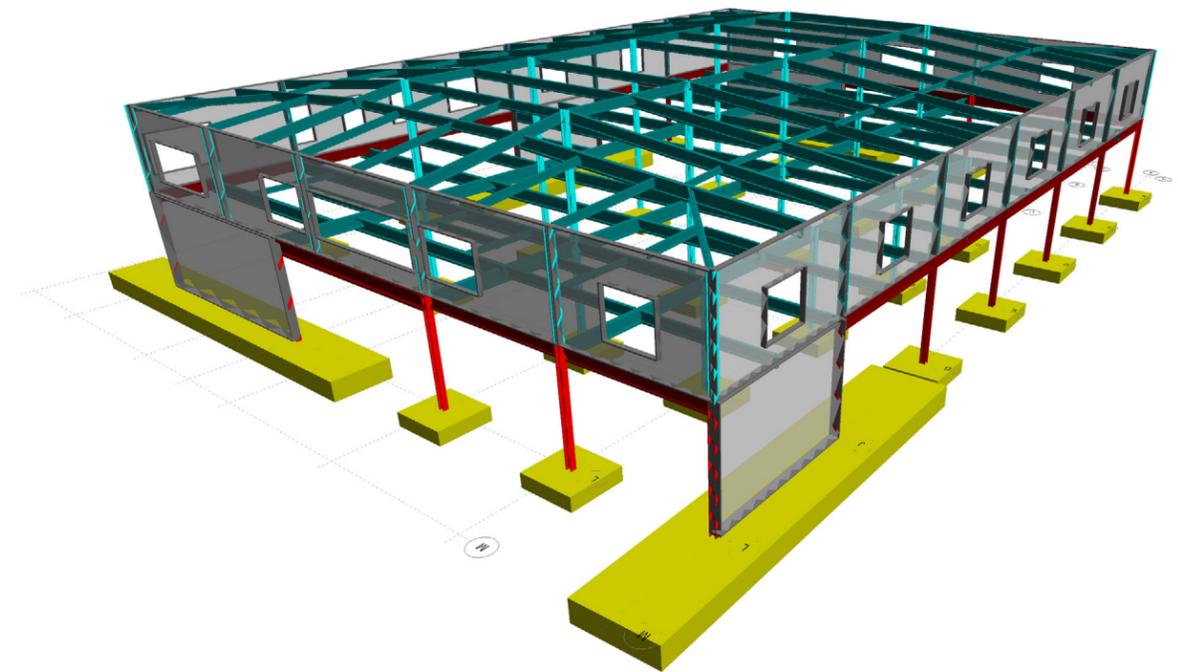
Seismic design criteria will be established per CBC, 2016 Edition. Lateral force procedure will be either the static or dynamic procedure as required by soil conditions.

### Wind loads Per CBC, 2016 Edition

Basic Wind Speed = 115mph  
Exposure C



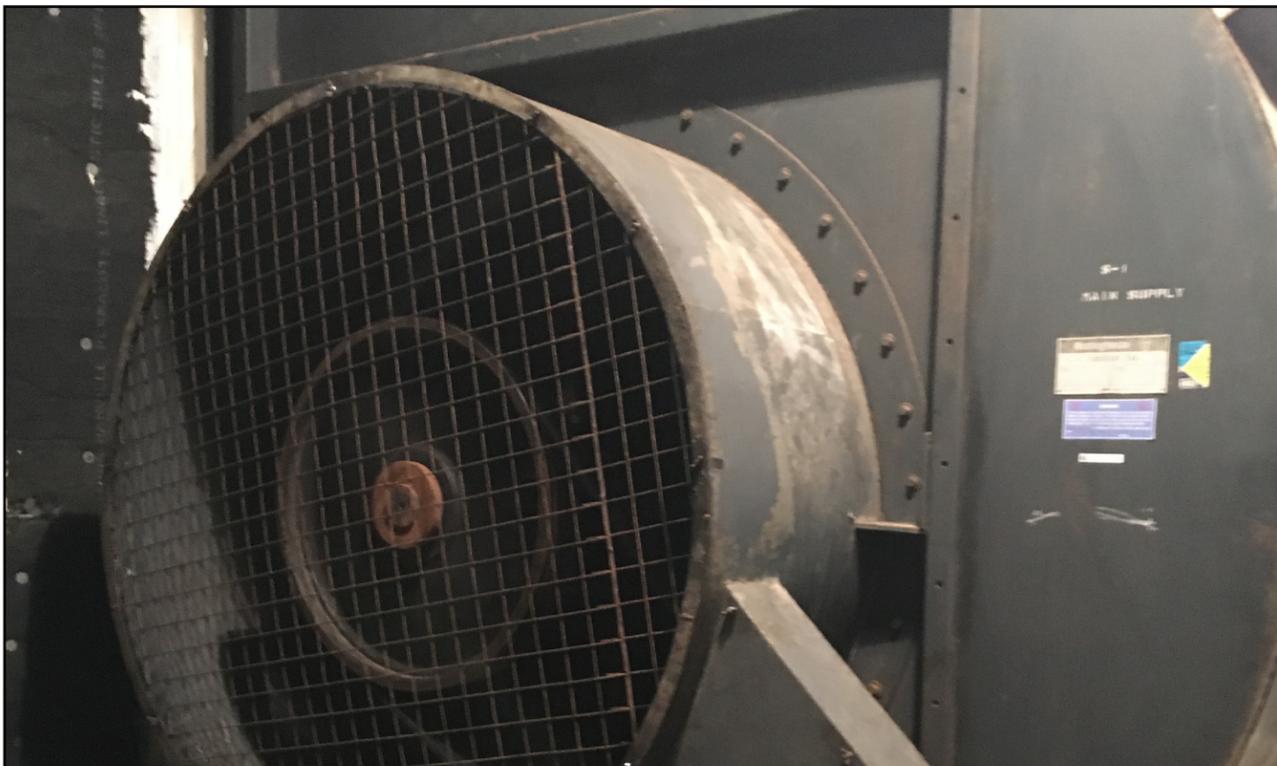
Structural Figure 5: 3D View Computer Model of Proposed Renovations



Structural Figure 6: 3D View Computer Model of Proposed Renovations



Mechanical Figure 1: AHU Modulating Mixing Dampers



Mechanical Figure 2: AHU Plenum Supply Fan

# MECHANICAL/PLUMBING ASSESSMENT

## SUMMARY

Alter Consulting Engineers completed a site walk and field survey for the renovation or replacement of the HVAC and plumbing systems serving the Santa Cruz Downtown Library.

The current HVAC system has a mix of original equipment from the 1960s construction date, as well as some replacement parts of varying age. Specifically, equipment such as the central fans, ductwork, piping, and pneumatic controls systems are operating far past their intended use. Nearly all other HVAC equipment is near or past its expected useful life, meaning a replacement is recommended. AlterCE recommends a full replacement and modernization of the HVAC components and distribution system. The new recommended HVAC system is a variable air volume with reheat system, with digital controls. The existing HVAC system conditioning the server room, however, is a more recent install and should be reused if the building is to be renovated.

The plumbing systems, like the HVAC system, are operating past their expected useful service life, and are recommended to be replaced. Major items for replacement include water heaters, fire sprinkler system, and fixtures. It is recommended to reconfigure the system to use electric point of use water heating. If any existing hot water piping is used, it should be insulated.

## PURPOSE

The following report has been prepared to summarize the field condition noted during AlterCE's site walk and to outline the general recommendation for the renovation or replacement of the HVAC system serving the downtown Santa Cruz library.

## GENERAL ASSESSMENT

The building is a nearly 43,000 square feet existing library located in Santa Cruz California. The existing library was originally constructed in the 1960s.

The HVAC and plumbing systems appear to be regularly maintained. Motors, belts, pumps, and similar components have been periodically refurbished or replaced throughout the 50+ year of operation of the building. Components which are harder to replace, such as mixing valve dampers and fan bodies are original equipment. Heating is provided by a central air handling unit.

Note that most of the building has no active cooling. Building occupants have complained about lack of air movement and overheating of spaces. Occupants actively try to address these issues by opening perimeter windows. It was noted on the site walk that every perimeter window was opened.

In general, the existing HVAC system has far exceeded its anticipated useful life. Equipment has been well maintained or replaced, but most of the distribution system (supply fan, piping system, ducting systems) are original and will soon require replacement.

## EXISTING HVAC AND PLUMBING SYSTEM OVERVIEW

Air is supplied into the building by a custom built-up air handling unit. This air handling unit is constructed of several field fabricated sections including modulating mixing damper section, pre and final filter section, and large capacity plenum supply/return fan section. Exhaust air is drawn from the building through a high capacity plenum exhaust fan, located in the room adjacent to the supply fan. There are no heating or cooling coils at the central air handling unit. Heating is provided at the zone level.

Air is ducted to each regularly occupied space. The ductwork distribution system has been designed to create independent temperature control zones. Unconditioned supply air is introduced to temperature control zones at a constant flowrate, there are no variable volume boxes. Each control zone has been provided with a dedicate duct mounted hydronic heat coils and associated wall mounted thermostat. The wall mounted thermostat is wired to a modulating hydronic control valve. The control valve varies the rate of heating hot water supplied to the duct mounted hydronic heating coils. The entire system is controlled with a pneumatic control system.

Heating hot water is generated by a central heating hot water system consisting of a primary-secondary distribution system and central boiler. The central boiler and primary/secondary distribution pumps are collocated in the libraries second floor mechanical room. The second-floor mechanical room also includes the building central gas-fired domestic water heater. The domestic water heater has been provided with a domestic hot water return pump and associated uninsulated piping system.

### Central Air Handling Unit

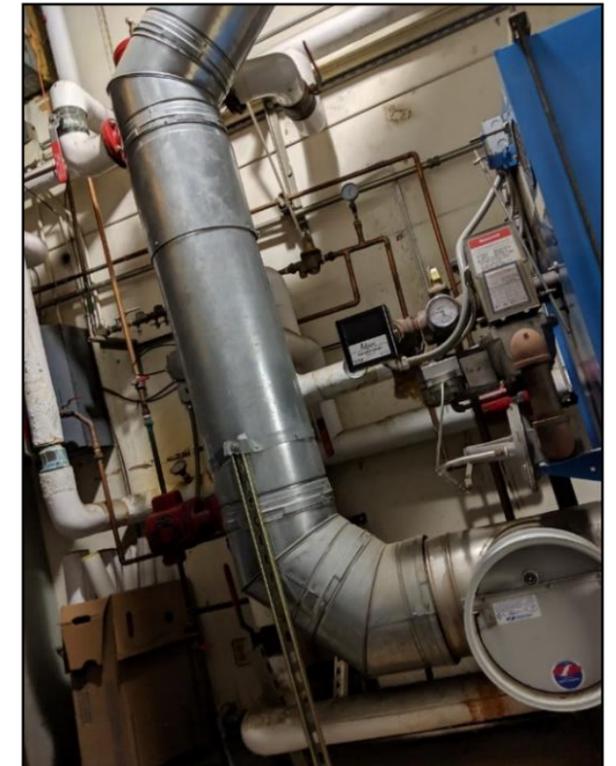
The custom air handling unit (AHU) is field fabricated. The AHU occupies a dedicated custom air handling unit room. Many of the components of the room are original parts. This equipment has far exceeded the anticipated useful life of a custom air handling unit. Replacement is recommended.

The modulating dampers associated with outdoor air and return air mixing are constructed of original parts. The components of these dampers have far exceeded their anticipated useful life. Prolonged exposure to corrosive coastal air has eroded much of the metallic material used to construct the dampers and actuators.

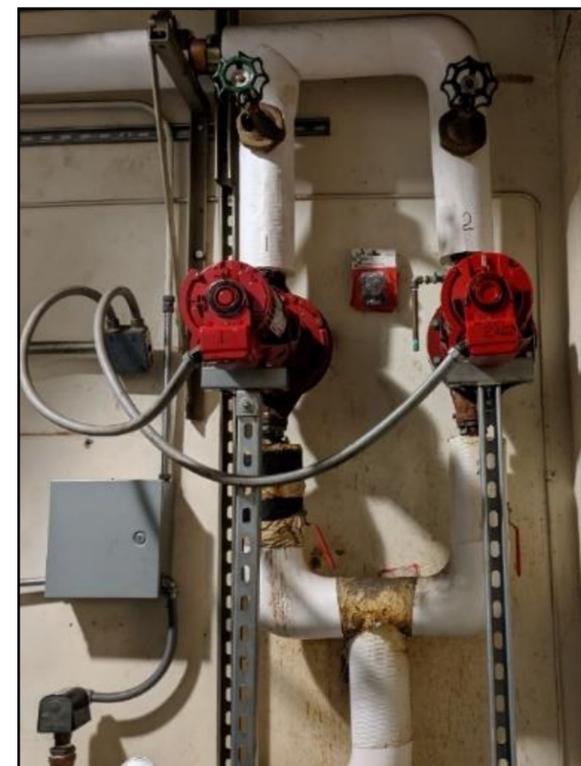
The AHU's high-volume plenum fans, used to supply and return air throughout the building, are original to when the building was first constructed. The supply and return fans are sized for 50,000 CFM. The motors associated with these plenum fans have been replaced at least once during the lifetime of the building. Due to the age of this equipment, some components can likely never be replaced if damaged or worn out. The supply and return fans associated with the AHU have far exceeded their anticipated useful life.



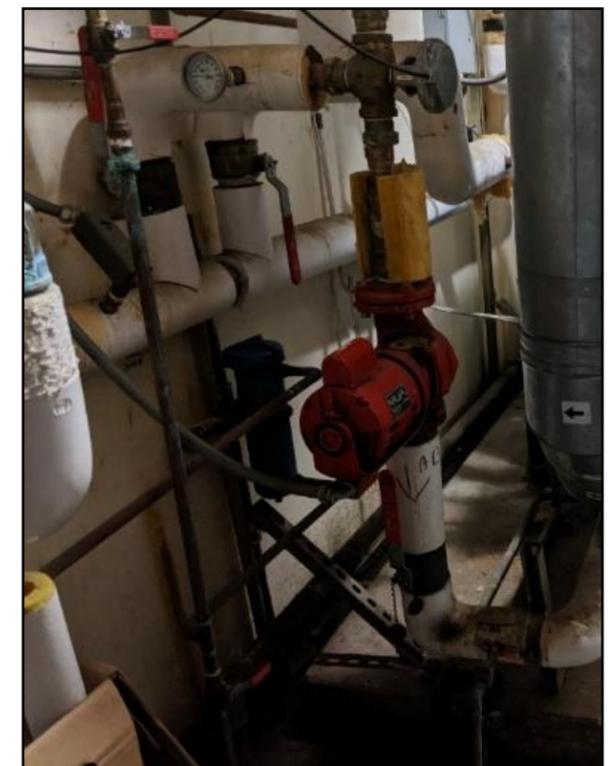
Mechanical Figure 3: Gas Fired Heating Hot Water Boiler



Mechanical Figure 5: Boiler Exhaust Flue



Mechanical Figure 4: Heating Hot Water Secondary Loop Pumps



Mechanical Figure 6: Heating Hot Water Primary Loop Pump



Mechanical Figure 7: Various HVAC Roof Equipment Types

### Heating Hot Water System

The buildings heating hot water system consists of a primary/secondary piping distribution system and a central gas fired water heater. The hydronic distribution system was originally installed in the 1960s when the building was first constructed. Pumps associated with the primary/secondary system have been maintained and periodically replaced. The gas fired boiler, which provides heat to the loops was most recently replaced in 1998. The gas fired boiler is a standard efficiency of 80%, includes a dedicated flue exhaust system, and outputs 1,614 kBTUs of heat.

### Rooftop Equipment

The roof of the building has various HVAC equipment installed intermittently throughout the life of the building. Each piece of equipment is dedicated to a space in the building. In the event of a major interior renovation, all the existing roof equipment can likely be demolished because of their dedicated nature.

General exhaust fans have been provided on the roof to serve restrooms and exhaust driven spaces. Please note, not all of these fans are operating, some have been abandoned in place.

Relief hoods have been installed in numerous locations on the roof. These hoods provide an intentional path for make-up air required when exhaust fans run.

An air-cooled condensing unit has been installed on the roof and provides cold refrigerant to the building. This condensing unit serves a server room on the second floor of the library.

The building includes a large private conference room space. This conference room is served by a dedicated packaged unit located on the roof which supplies and returns air from the space. This packaged unit is located on the roof and includes a reversible heat pump. With the heat pump, the package unit can provide heating or cooling to the conference room. The package unit provides 41 kBTU of cooling, and 40 kBTU of heating.

The boiler flue terminates at the roof with a large weather cap.



Mechanical Figure 8: Building General Exhaust Fans

### Gas Meter

The building is served by a high capacity rotary gas meter rated for 3000 CFH. This gas meter is located above grade and outdoors.

### Building Controls

The building has been automated by a pneumatic controls system. This system utilizes an air compressor and vacuum piping system to start and stop equipment. This style of control system was popular before the invention of digital controls. Pneumatic control systems have been phased out of buildings due to typical issues of reliability, noise, and functionality. Any major renovation of the building's HVAC system should include replacement of the pneumatic controls system with a digital controls system.

### Recommendations

The existing HVAC system has far exceeded its anticipated useful life. Renovation or replacement of the HVAC system should be part of the owner's evaluation criteria for whether to renovate or replace the downtown library.

## HVAC RENOVATION - RECOMMENDATIONS

If the owner elects to pursue a major renovation of the library the following HVAC system modifications are recommended:

- Demo existing HVAC
- Provide new rooftop air handling unit
- Provide new rooftop boiler
- Provide zone level VAV boxes with reheat coils
- Provide digital controls system
- Reuse existing server equipment
- Demo and replace ductwork
- Demo and replace piping

### Demo Existing Equipment

The existing HVAC equipment serving the building has far exceeded its useful life. Key components within the existing air handler, including the supply fans and mixing dampers will require full replacement within the next 5 years. Demo the existing supply and return air handling units, demo all components within built up air handling unit rooms, including supply/exhaust fans, pre/final filters, mixing dampers, air handling unit walls and equipment pads. Demo existing boiler, boiler flue, heating hot water primary, and heating hot water secondary pumps.

### Provide New Rooftop Air Handling Unit

A common complaint by the building's users is that spaces are overheating. To address overheating, it is recommended that cooling be integrated into the buildings HVAC design during the next major renovation.



Mechanical Figure 9: Building Relief Hood



Mechanical Figure 11: Conference Room Package Unit



Mechanical Figure 10: Server Room Condensing Unit



Mechanical Figure 12: Boiler Flue and Intake



Mechanical Figure 13: Building Gas Meter



Mechanical Figure 14: Pneumatic Controls Air Compressor



Mechanical Figure 15: Pneumatic Thermostat

AlterCE recommends installing a new rooftop air handling unit. This air handling unit should be centrally located to reduce distribution ductwork with the building. The air handling unit should include a motorized mixing box, supply and return fans, DX cooling coil, AC unit, modulating gas furnace, and pre and final filters.

Size mixing box to allow for full air side economizer with enthalpy control.

Size supply and return fans to provide 42,000 CFM to the building. Provide minimum of qty.2 supply and minimum qty.2 return fans. Size each fan for 60% design peak flow rate.

Size DX and AC cooling to provide 150 tons of cooling capacity at the air handling unit. Provide an AC unit with the ability to stage down to 10% cooling capacity, with a minimum of 10 stages of cooling.

Size modulating gas furnace to provide 1,800 kBtus of heating capacity at the air handling unit. Provide a furnace with the ability to stage down to 5% heating capacity, with a minimum of 10 stages of heating.

Size the pre/final filters for a maximum of 400 ft per minute velocity. Provide 4" deep V-Cell MERV 8 pre-filter and 12" deep V-Cell MERV 14 final filters. Provide ASHRAE Guideline 36 sequences to control operation of VAV packaged unit.

#### Provide New Rooftop Boiler

The existing gas fired boiler was installed in 1998 and is near the end of its anticipated useful life. During the next major renovation, the central boiler should be replaced. Replace the existing boiler with a 2,000 kBtu condensing gas boiler. Install the new boiler on the roof. Provide outdoor rated equipment, including hot water recirculating pump and hot water storage tank. Provide insulated aluminum weather jacketing around outdoor hot water equipment and piping.

#### Provide New Zone Level VAV Boxes with Reheat Coil

To condition the building, provide new zone level variable air volume (VAV) boxes with reheat coils. Provide a minimum of 8 VAV zones.

Each VAV box shall be sized to not exceed 40 dBA, and shall have the ability to turn down to 15% design flow rates.

Provide VAV boxes with integrated reheat coil. Reheat coils shall be sized to heat air from 55 degrees to 80 degrees. The air pressure drop across the reheat coil shall not exceed 0.3 inWC, the water pressure drop shall not exceed 15 psi.

Each VAV box shall be controlled to space temperature and measured CO<sub>2</sub> concentration. Provide ASHRAE Guideline 36 sequences to control operation of VAV boxes.

### Install Digital Controls System

The buildings existing pneumatic controls system is a major roadblock to implementing further energy efficiency measures. Energy efficiency measures that can be accessed with updated controls include:

- variable speed heating hot water pumps
- supply/exhaust fan variable speed operation,
- air side economizer
- heating hot water temp reset
- space temperature setback
- automatic fault detection
- remote monitoring
- global temperature setpoints

A new digital controls system should be installed during the next major renovation. This control system should monitor and control all HVAC equipment, communicating by BACnet.

### Reuse Existing Server Room Equipment

The rooftop unit serving the existing server room appears to be in good working condition. It is recommended the existing server room rooftop and zone level equipment be reused to the extent possible. Provide new roof curb, and new distribution ductwork.

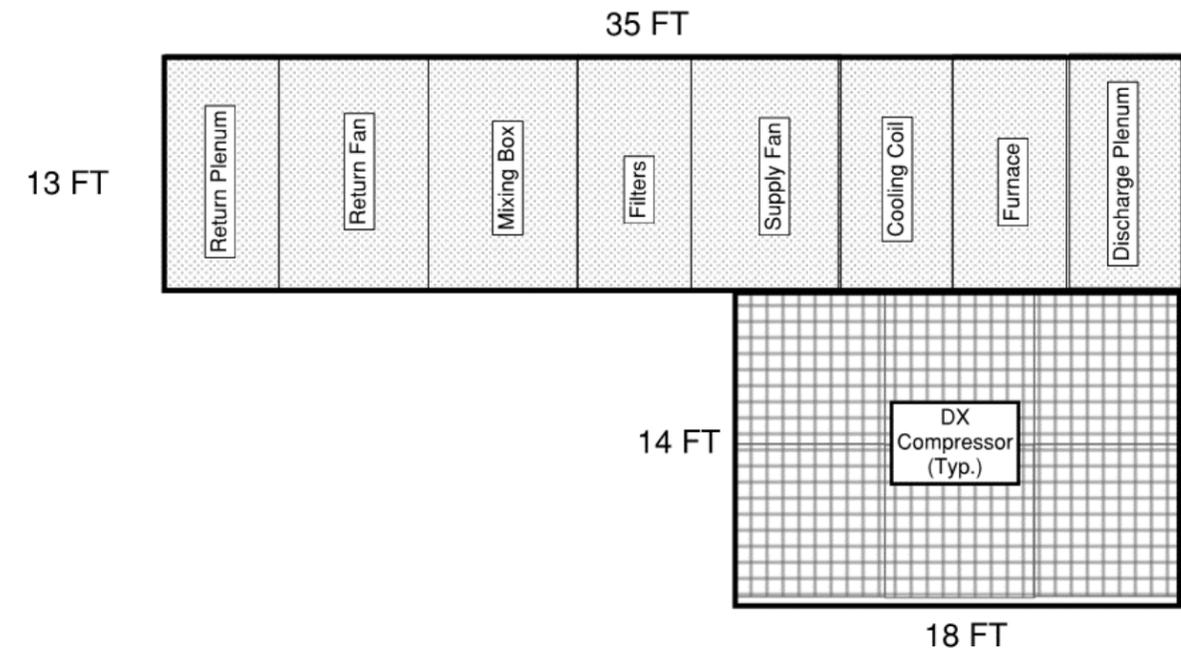
### Demo and Replace Ductwork

The existing ductwork network has far exceeded its useful life. The ductwork network is likely experiencing leaks throughout the system. As part of a 15-year renovation it is recommended that the duct network be demoed and replaced.

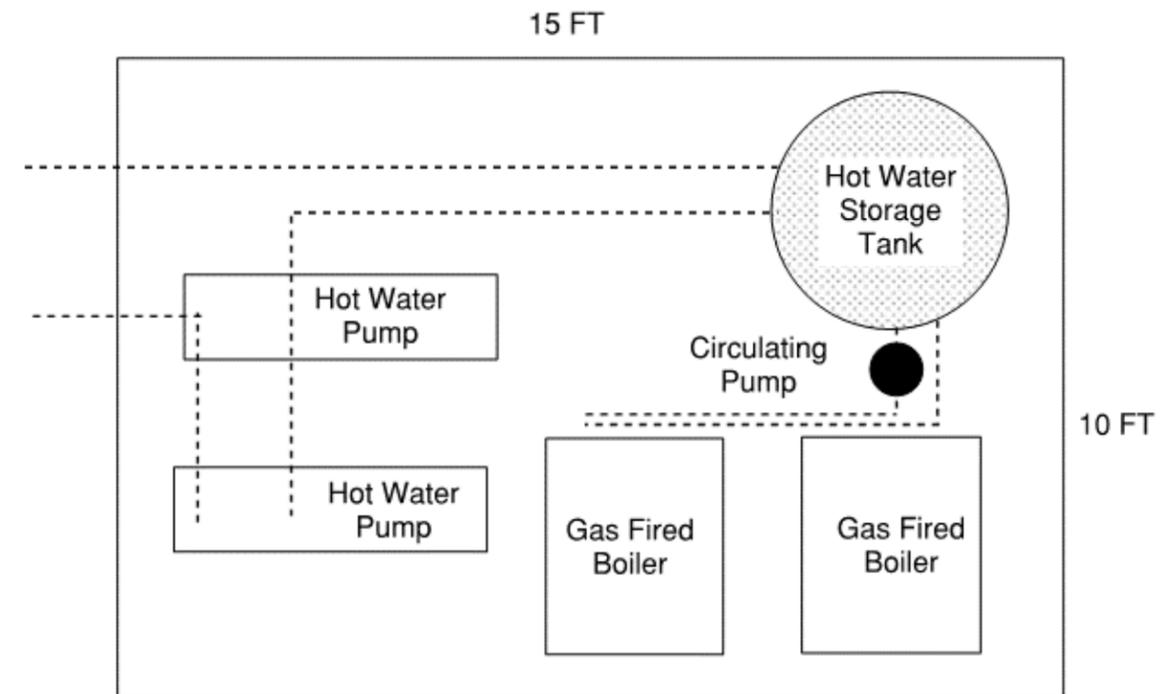
Provide new insulated ridged sheet metal distribution ductwork from the AHU discharge to new diffuser locations. Provide new VAV boxes with hydronic reheat coils to serve individual thermal control zones. For Ductwork installed in spaces without ceilings where ductwork is required to be insulated per the requirements of Title 24 (outdoors, in ceiling plenums, in zones not served by specific duct), provide internally insulated rectangular ductwork. Route ductwork in a straight and clean fashion. Where ductwork is not required to be insulated per the requirements of Title 24 (in zones served by specific duct), provide round ductwork. Route ductwork in a straight and clean fashion. For Ductwork installed in spaces with ceilings Where ductwork is required to be insulated, external insulation is acceptable. Where ductwork is not required to be insulated, rectangular ductwork is acceptable.

### Demo and Replace Piping

The existing piping network has far exceeded its useful life. The piping network is likely experiencing pipe fouling resulting in excessive pump energy use. As part of a 15-year renovation it is recommended that the pipe network be demoed and replaced. Provide a new insulated copper piping network from the water heater to the new VAV hydronic reheat coils.



Mechanical Figure 16: Proposed Air-Handling Unit schematic



Mechanical Figure 17: Proposed hot water plant schematic

## PLUMBING RENOVATION - RECOMMENDATIONS

If the owner elects to pursue a major renovation of the library, the following Plumbing system modifications are recommended:

- Demo existing plumbing equipment
- Provide new tank type domestic water heater
- Provide new tank-less electric resistance water heaters
- Demo and replace existing fire sprinkler system
- Provide new plumbing fixtures
- Provide plumbing utilizes to new fixtures
- Insulate domestic hot water piping

### Demo Existing Equipment

The existing Plumbing equipment serving the building is not appropriate for reuse.

- Demo the existing domestic water heater and associated piping.
- Demo the existing exhaust flue.

### Provide New Tank Type Domestic Water Heater

- Provide a new domestic water heater to serve core plumbing fixtures, including janitors mop sink, staff restroom, and break room sink. Provide a gas tank type water heater.
- Provide a 50-gal water heater, with 36 kBTU recovery rate. Locate the new tank type water heater in the janitor's closet.

### Provide New Tank-less Electric Resistance Water Heater

- Provide a tank-less electric resistance water heater to serve plumbing fixtures more than 50 ft from the janitor's closet.
- Provide a 2kW tank-less water heater.
- Serve all domestic hot water fixtures within 10ft of the tank-less water heater with a single water heater.

### Demo and Replace Existing Fire Sprinkler System

Due to the extent of the renovation, a new fire sprinkler system will be required.

### Provide New Plumbing Fixtures

- Provide new low flow plumbing fixtures through out the building. Refer to the architect for finish specification.
- Provide 1.28 GPF water closets, 0.128 GPF Urinals, 0.5 GPM metered Lavatories, 1.5 GPM aerated sinks.
- Provide new floor drains as required in multi occupant restrooms and at fire sprinkler riser rooms.

### Provide Plumbing Utilities to New Fixtures

- Locate existing sanitary sewer lines below slab.
- Route sanitary waste to existing sanitary sewer line, minimize chipping of concrete slab to extent possible.
- Provide new domestic hot water and domestic cold water to new plumbing fixtures.

### Insulate Domestic Hot Water Piping

Domestic hot water supply and return piping shall be insulated per the requirements of Title 24 Part 6.

# ELECTRICAL ASSESSMENT

## SUMMARY

A site visit was performed September 4, 2019 during open hours to survey and evaluate the existing electrical systems for adequacy and feasibility of re-use and/or needs for system upgrades for the planned renovation to the building.

The existing service size is 800Amp, 208/120V, 3phase, 4wire. Given the planned renovation program area of 30,000 gsf, this existing service size is good for 9.6 watts/sqft. With this power density, an all-electric project will not be feasible. The manufacturer for the electrical distribution equipment is by Westinghouse. They are no longer in business, and finding replacement parts can be difficult. The electrical distribution equipment appears to be from the original construction. While equipment appears to be maintained, the equipment is beyond manufacturers recommended life. For the building renovation, we recommend complete replacement of the distribution system. The facility utilizes a variety of lamp types, we recommend standardizing lamp types or utilize LED lighting to limit stock of various lamp types.

## EXISTING CONDITIONS

### Utility Service

Existing electrical service is 800Amps, 208/120V, 3phase, 4wire served from an exterior pad mount transformer located within the property lines. Utility transformer asset tag number is T-78. Based on visual observation, we were not able to determine kVA rating of transformer.

### Building Distribution

The 800Amp switchboard is located indoors, and is fed from the utility transformer via underground conduits. Based on as-built documentation, it appears there are two sets of 3 1/2" C with 4#500 kcmil. Based on conductor size, two sets of 500kcmil is adequate for 760Amps at 75degree C, or 860Amps at 90degree C. The condition of the conductor and it's insulation was not observed. The main switchboard serves various branch panels located throughout the building. Feeder breakers are as follows:

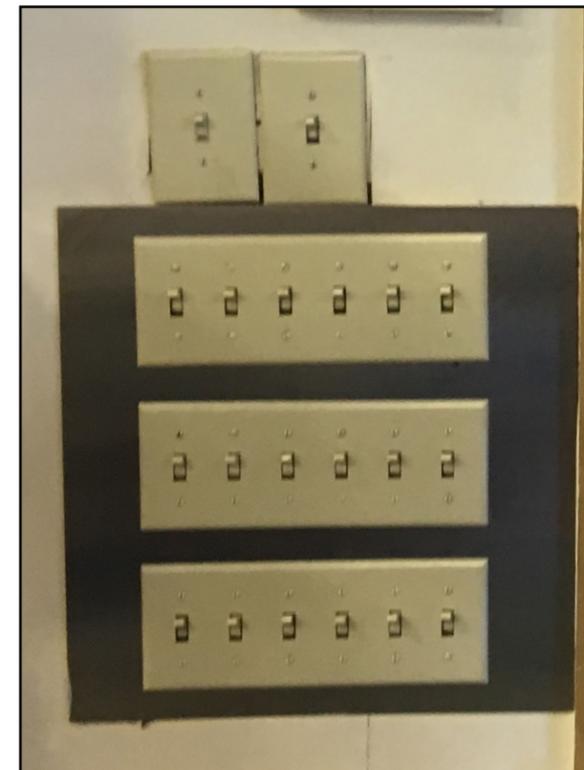
- Panel 1A-C – 40A/3P
- FA Panel – 15A/2P
- Range – XXA/XP
- Coffee Room Sub Panel – 100A/3P
- Elevator #1 – 100A/3P
- Elevator #2 – 80A/3P
- MCC – 175A/3P
- Panel 1A – 175A/3P
- Panel 1B – 175A/3P
- Panel 1C – 150A/3P
- Panel 2A – 175A/3P
- Panel 2B – 125A/3P
- Computer – 100A/3P
- TR1 – 100A/3P



Electrical Figure 1: Utility Transformer



Electrical Figure 2: Electrical Gear Manufacturer



Electrical Figure 3: Library Stack Lighting Controls

- Branch panels do not have physical space for additional circuit breakers to be added.
- Mechanical equipment located on the second floor are served from a motor control center. Based on discussion with facility operations personnel, it is difficult to source replacement parts for the motor control center.
- All building distribution equipment appears to be from original construction, and manufactured by Westinghouse, which is no longer in business.
- A newer Panel was added to the distribution system to serve the telecommunications room, complete with rack mounted UPS, servers, switches, etc.

### Lighting and Lighting Control System

- Enclosed rooms such as offices and conference rooms are controlled via on-off toggle switches. A few rooms were retrofitted with occupancy sensors.
- Library stacks are manually controlled on-off via toggle switches. Library stacks are controlled via zones.
- Emergency lighting via bug eyes and combo exit sign bug eye fixtures.
- Lighting throughout is accomplished via fluorescent type fixtures. There is a mix of lamp types, F32T8, F28T5, FT55 biax, and F24T8

### Fire Alarm System

- The existing fire alarm control panel is Silent Knight 5207, an area detection system with voice evacuation.
- System consists of manual pull stations, smoke detectors, heat detectors, flow switch, tamper switch and beam detectors at the second level. Notification devices consist of strobes and speaker/strobes.

### Low Voltage Systems

- There is an existing intercom and PA system that is not used, and no longer functioning
- A new telecommunication room was added, with dedicated panel and HVAC system. All connectivity originates from this room
- Connectivity is via hard wire data drops and wifi

## RECOMMENDATIONS

### Utility Service

Due to budget constraints, the project will design for re-use of the existing service. The existing pad mount transformer shall remain, and all systems downstream shall be replaced complete. The underground service into the building shall be intercepted and extended to the new switchboard location. A concrete pull box shall be used to intercept and splice the existing underground feeder.

### Building Distribution

A new 800Amp switchboard shall be provided indoor in a dedicated electrical room. The maximum size PV system that can be interconnected to an 800Amp switchboard on the load side is 45kW. The switchboard shall have feeder breakers as follows:

- Elevator
- Two 225Amp 1st Floor triple-split-bus panels to serve plug and lighting loads. The split-bus panels are used to comply with T24 disaggregation requirements
- Two 225Amp 2nd Floor triple-split-bus panels to serve plug and lighting loads. The split-bus panels are used to comply with T24 disaggregation requirements
- Dedicated panel, assume 100Amp for server room
- Dedicated 400Amp panel for HVAC

Branch circuits shall originate from respective panels at each floor. Circuit design will not exceed a maximum of 1,600 volt amperes per 20 ampere, 120 volt circuit for general areas. Branch circuit design for computer rooms, offices, and administration will not exceed a maximum of 720 volt amperes per 20 ampere, 120 volt circuit. Motors of 1/2 horsepower and larger will be served at 208 volt service, 3 phase, 3 wire + ground. Motors less than 1/2 horsepower will be served at 120 volt service, 1 phase, 2 wire + ground. Surge Protective Devices and Power Conditioners will be specified and installed on all electrical service equipment feeding computer, server, and sensitive electronic equipment loads. All multi-wire branch circuits will be installed with dedicated neutrals. Highly loaded, 20-amp, continuous electrical loads, such as circulation lighting and servers, will have increased wire sizes (i.e.: from #12 to #10) in order to reduce power loss in the wiring.

Separate wires in conduit will be provided for each of the following loads:

#### Elevators

- 208V, 3 phase, 3 wire + ground, 60 hertz.

#### Mechanical and Plumbing Systems

- 208V, 1 phase, 2 wire + ground, 60 hertz.
- 120V, 1 phase, 2 wire + ground, 60 hertz.

#### Lighting

- 120V, 1 phase, 2 wire + ground, 60 hertz. General Purpose Receptacles
- 120V, 1 phase, 2 wire + ground, 60 hertz. Computer Equipment Areas
- 120V, 1 phase, 2 wire + ground, 60 hertz. Head-ends for Signal Systems (i.e.: BMS, Security, Fire Alarm, Lighting Controls, etc.)
- 120V, 1 phase, 2 wire + ground, 60 hertz.

Combination power/data floor boxes, similar to Legrand Evolution 4-gang boxes shall be provided at the middle of each column grid. On-grade floor boxes at the first floor and poke through floor boxes at the second floor.

### Lighting and Lighting Control System

An addressable lighting control system will have the ability for granular control and monitoring of each luminaire and associated lighting control device, load monitoring, and automatic demand response (ADR) capability. Addressable lighting controls will be Wattstopper DLM or similar.

The addressable lighting control system will be controlled via software based controls, residing on a dedicated head-end server, which allows integration with the building energy management system via BACnet protocol. The lighting control head-end will have capability of control and monitoring of any space excluding electrical and mechanical rooms in a cluster by area or zone and set schedules/presets. Each luminaire or group of luminaires will be controlled and monitored by individually addressable drivers and/or interface devices. Time schedules shall be defined in the BMS and shared with the lighting control system. The primary method of controlling interior luminaires while conserving energy in the building will be achieved through the use of occupancy sensors and manual override switches. These devices will be provided in offices, library stacks, support spaces, and storage rooms. Occupancy sensors will be set to “manual on/auto off” in offices and conference rooms; “auto on/auto off” for restrooms and support areas, “auto on/dim/auto off” for library stacks and public areas. Enclosed stairs will also include occupancy sensor controls to reduce the lighting within the stair (by a minimum of 50%) when it is not occupied. There will be no 24/7 emergency lighting. Emergency lighting will be controlled with other lights. Occupancy sensors that control stairs and emergency egress lighting will be bypassed to provide 100% illumination in the event of normal power failure. Additional photosensors will dim luminaires based on available daylighting.

Astronomical time clock controls, occupancy sensors, and/or photosensors will be provided for exterior, site, and landscape lighting applications via the lighting control system. Lighting will automatically turn on or off as appropriate throughout the course of the day. Photosensors will allow dimming based on scheduled times, occupancy sensor control overrides at night, and adjustment based on available daylight levels. Daylight harvesting will be designed and specified to reduce energy where natural daylight occurs in sufficient levels. Spaces, receiving sufficient, natural sunlight from glazing, will be equipped with a dimmable lighting system to automatically adjust the amount of electric light against available and constantly fluctuating daylight. This continuously dimming system consists of photocells, daylight dimming control modules, and dimmable 0-10VDC electronic drivers for each space.

### Fire Alarm System

Provide a new, code compliant addressable Fire Alarm system with voice evacuation

### Low Voltage Systems

One telecommunication room shall be required for the project. Horizontal backbone shall include cable tray within the telecommunication room and exposed locations. J-hooks shall be used above drop ceilings and accessible/concealed locations.

## ELECTRICAL EQUIPMENT

### Switchboard

Switchboards will be completely assembled, indoor, free standing, with copper bus bars, full neutral bus, and separate copper ground bus. All bus work will be braced to withstand 36KAIC amperes RMS symmetrical. Short circuit values shall be revisited in future design phase to determine actual ratings for all equipment. Protective devices will be provided with approved barrier between sections and extended load terminals. Protective devices will consist of circuit breakers. Circuit

breaker selection will utilize molded case type; be rated for application in their intended enclosure; include solid state tripping with adjustable long time, instantaneous, short time, and ground fault. Additional spare branch feeder breakers will be provided for future and spare capacity. Switchboard will be Eaton Cutler Hammer, Square D, GE, Siemens, or approved equal

### Panelboards

Panelboards shall have door-in-door construction with 42-poles, and copper bussing. Transient Voltage Surge Suppressors shall be used on all panelboards feeding all IT rooms (IDF, MDF, Site Cores, etc). For pricing purposes, 208/120V panelboard bus work will be braced to withstand 22kAIC amperes RMS symmetrical.

Proposed: Square D, Eaton Cutler Hammer, or approved

### Conduit and Wiring

Conductors will be copper, THHN or THWN-2, with PVC insulation; galvanized rigid steel (GRS) conduit in exterior or exposed interior work up to eight feet above finished floor, and for work embedded in concrete; rigid nonmetallic conduit (PVC) for all underground exterior work; electrical metallic tubing (EMT) for interior concealed work or above eight feet exposed; flexible metal conduit (Greenfield) for interior work in short lengths or liquid tight flexible metal conduit (Sealtight) wherever moisture may be present for the connection of recessed luminaires, motors, separate building structures and any vibrating equipment. MC Cable shall be used in accessible, concealed locations such as above drop ceilings. Where exposed and/or visible, rigid metallic conduits shall be used.

### Photovoltaic System

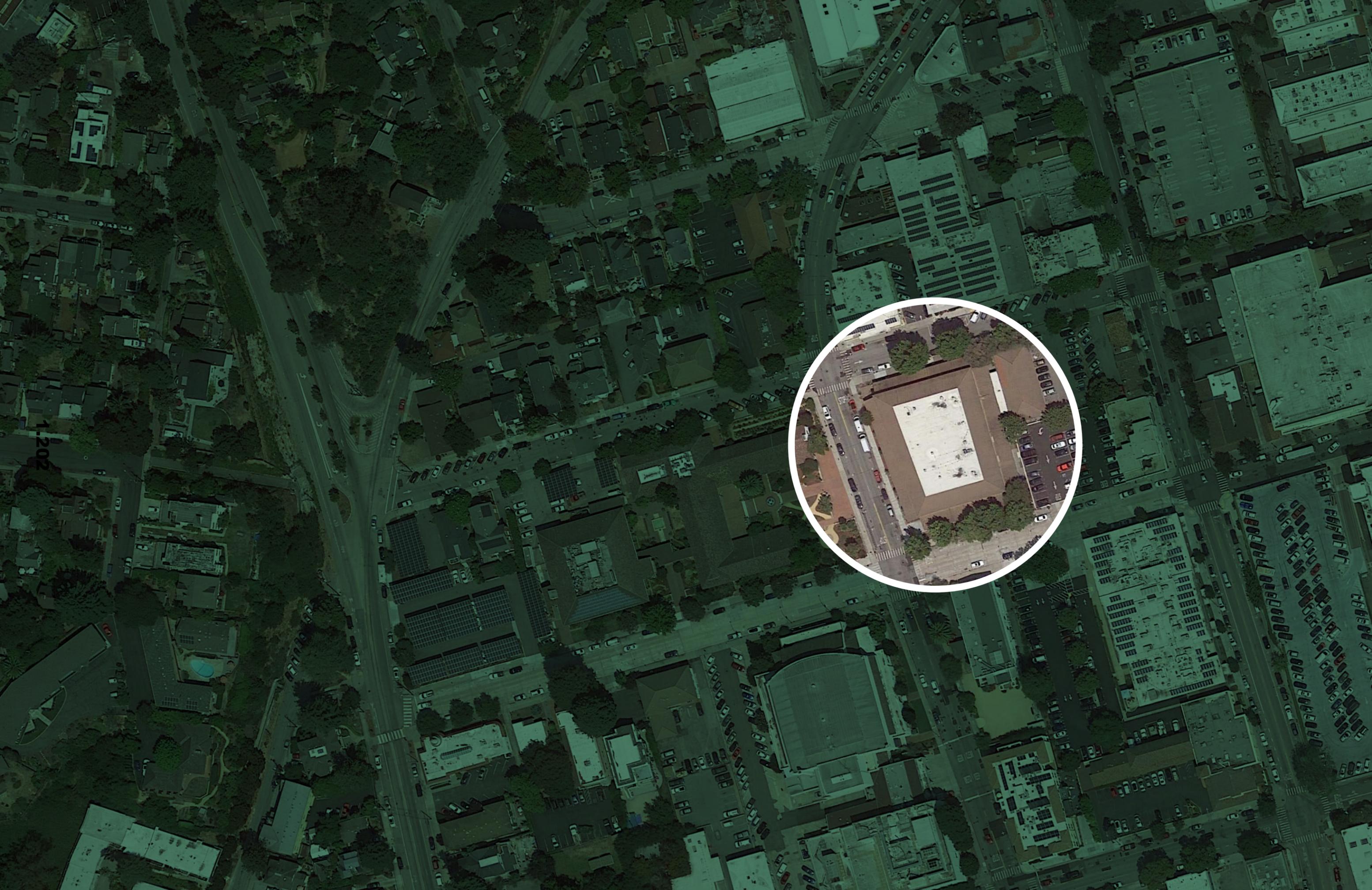
There are a few options for interconnecting a future photovoltaic system to the existing electrical service.

A Load Side Tap includes interconnecting the PV system after, or downstream of the main circuit breaker/meter. In doing so, the PV system size is limited to the existing electrical service which is 800Amp, 208/120 Volts, 3-phase, 4-wire. The maximum size interconnection breaker is 150Amps, which equates to a 43.2kW maximum PV array size. As a rough order of magnitude, we estimate this would offset approximately 10% to 20% of the Library's annual energy use.

The other option would be a Line Side Tap, where the interconnection is done ahead, or upstream of the main circuit breaker/meter. Based on experience, this type of connection is subject to AHJ and PG&E approval, but allows for a larger PV array interconnection. This configuration is typically done when the size of the PV array exceeds the maximum breaker size allowable on a Load Side Tap. In the event that AHJ and or PG&E does not allow a Line Side Tap, and the Library wishes to install a PV Array size that exceeds the limitations of a Load Side Tap, then a new electrical service, complete with new service entrance switchboard would be required.

Under the proposed renovation design we plan to re-use the existing PG&E electrical service transformer, and replace the existing switchboard with new. The new switchboard has physical space to add a maximum 150Amp PV interconnection breaker. Other than that, there is not any other electrical infrastructure planned to support a future PV array.





1-202



## COST ESTIMATE DOCUMENTS

To effectively evaluate the feasibility of the \$27 million project budget, and subsequent \$18 million construction cost target, the design team developed a set of conceptual design drawings. These drawings establish the scope, quantity, and level of quality of the construction required to achieve the renovation design. The extent of demolition and removal is clearly identified through a combination of graphic illustration and annotation. New work is identified by keynotes, which call out each item related to the scope of the project in detail. These drawings, in correlation with the engineering narrative, the original as-built drawings, and the Hazmat report, were provide to Mack5 for a comprehensive construction cost estimate, which is provided in Budget Section 5 of this report.

**GENERAL NOTES**

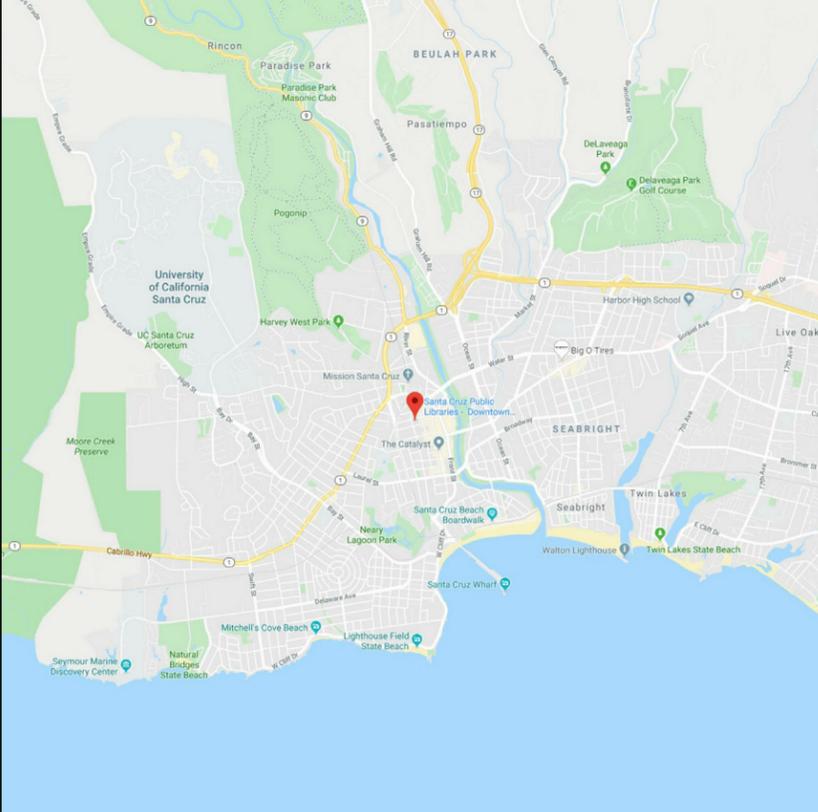
- ALL CONSTRUCTION MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE PROJECT SPECIFICATIONS.
- ALL WORK SHALL MEET OR EXCEED THE MINIMUM STANDARDS OF THE 2016 CALIFORNIA BUILDING CODE AND ALL APPLICABLE CODES AND ORDINANCES.
- INFORMATION CONTAINED WITHIN THESE DOCUMENTS SHALL NOT BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE APPLICABLE CODES.
- CONTRACTOR SHALL EXAMINE THE DOCUMENTS AND SHALL NOTIFY THE ARCHITECT OF ANY DISCREPENCIES WHICH MAY BE FOUND PRIOR TO THE START OF WORK.
- CONTRACTOR SHALL REVIEW ALL DOCUMENTS TO COORDINATE w/ THE (E) BLDG CONDITIONS. ANY VARIATIONS AND DISCREPENCIES THAT ARISE IN THIS REVIEW ARE TO BE BROUGHT IMMEDIATELY TO THE ARCHITECT'S ATTENTION.
- THE CONTRACTOR AND ALL SUBCONTRACTORS ARE REQUIRED TO VISIT AND INSPECT THE SITE PRIOR TO CONSTRUCTION OR ORDERING ANY MATERIALS.
- ALL DETAILS, SCHEDULES, ADDENDA AND SPECIFICATIONS BOUND SEPARATELY ARE A PART OF THE CONTRACT DOCUMENTS.
- ITEMS MARKED "NIC" ARE NOT IN CONTRACT. SUCH ITEMS ARE INCLUDED IN THE DOCUMENTS WHEN CONTRACTOR'S COORDINATION IS REQUIRED OR FOR CLARIFICATION OF PROJECT LIMITS.
- DIMENSIONS:
  - IN NO CASE SHALL WORKING DIMENSIONS BE SCALED FROM THE DRAWINGS.
  - ALL DIMENSIONS ARE TO THE ROUGH OPENING, UON.
  - ALL DIMENSIONS TO STUD WALLS ARE TO THE FACE OF STUD, UON.
  - CEILING HEIGHT DIMENSIONS ARE FROM FINISHED FLOOR TO FINISHED FACE OF CEILING, UON.
  - ALL DIMENSIONS SHALL BE VERIFIED IN THE FIELD BY GENERAL CONTRACTOR AND ALL SUBCONTRACTORS PRIOR TO PROCEEDING WITH CONSTRUCTION.
  - COORDINATE WITH EQUIPMENT CONTRACTORS FOR ROUGH-IN DIMENSIONS AND TEMPLATES.
  - ALL DIMENSIONS NOTED "CLEAR" OR "CLR" MUST BE STRICTLY MAINTAINED. "CLEAR" MEANS DIMENSION FROM FACE OF FINISH TO FACE OF FINISH OR OBJECT.
  - ALL DIMENSIONS NOTED "VERIFY" OR "VIF" ARE TO BE CHECKED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. ANY VARIANCE FROM THE REQUIRED DIMENSIONS MUST BE BROUGHT IMMEDIATELY TO THE ARCHITECT'S ATTENTION.
- DETAILS MARKED "TYPICAL" SHALL APPLY IN ALL CASES, UON.
- WHERE NO SPECIFIC DETAIL IS SHOWN, THE FRAMING OR CONSTRUCTION SHALL BE IDENTICAL OR SIMILAR TO THAT INDICATED FOR LIKE CASES OF CONSTRUCTION ON THE PROJECT.
- ALL WORK IS UNDERSTOOD TO BE (N) UNLESS NOTED AS (E).
- THE CONTRACTOR SHALL MEET w/ THE ARCHITECT PRIOR TO THE START OF DEMOLITION TO NOTE WHAT ITEMS, IF ANY, ARE TO BE SALVAGED OR REUSED.
- THE DRAWINGS INDICATE THE GENERAL EXTENT OF (N) CONSTRUCTION NECESSARY FOR THE WORK, BUT ARE NOT INTENDED TO BE ALL-INCLUSIVE. ALL DEMO AND (N) WORK NECESSARY FOR A FINISHED JOB, IN ACCORDANCE w/ THE INTENTIONS OF THE CONTRACT DOCUMENTS, IS INCLUDED REGARDLESS OF WHETHER SHOWN IN THE CONTRACT DOCUMENTS.
- (E) BUILDING DOCUMENTATION IS BASED ON "AS-BUILT" DRAWINGS AND OBSERVATIONAL SITE INVESTIGATIONS. ACTUAL BUILT CONDITIONS MAY VARY. CONTRACTOR IS TO USE CAUTION IN DEMOLITION, AND IS TO NOTIFY ARCHITECT IMMEDIATELY IF ANY VARIATIONS OR DISCREPENCIES ARE UNCOVERED.
- PROTECT ALL (E) BUILDING AND SITE CONDITIONS TO REMAIN, INCLUDING BUT NOT LIMITED TO WALLS, PAVING AND LANDSCAPING.

**DESIGN-BUILD DEFERRED SUBMITTALS**

THE DESIGN INTENT AND PERFORMANCE CRITERIA FOR THE FOLLOWING ITEMS IS SHOWN AND NOTED ON THE DRAWINGS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE ADEQUATE DESIGN DOCUMENTATION, IF REQUIRED, FOR CITY APPROVAL PRIOR TO CONSTRUCTION. BIDS SHALL INCLUDE REQUIRED DESIGN, DOCUMENTATION AND INSTALLATION OF A COMPLETE OPERATING SYSTEM THAT SATISFIES THE SPECIFIED PERFORMANCE CRITERIA AND MEETS ALL APPLICABLE CODES.

- FIRE ALARM SYSTEM
- MINIMUM STOREFRONT SYSTEMS

**VICINITY MAP**



**PROJECT DESCRIPTION**

- PARTIAL DEMOLITION AND RENOVATION OF EXISTING LIBRARY
- NO CHANGE IN USE

**PROJECT DATA**

**BUILDING & PLANNING CODE DATA**

- PLANNING CODE EDITION: 2017 SANTA CRUZ COUNTY CODE
- BUILDING CODE EDITION: 2016 CALIFORNIA BUILDING CODE
- 2016 CALIFORNIA MECHANICAL CODE
- 2016 CALIFORNIA ELECTRICAL CODE
- 2016 CALIFORNIA PLUMBING CODE

- OCCUPANCY CLASS: A3
- BUILDING TYPE: TYPE III-B
- SQUARE FOOTAGE: 30,250 SF
- NUMBER OF STORIES: 2
- FULLY SPRINKLERED
- FULL FIRE ALARM SYSTEM

**ALTERNATES**

**HIGH PRIORITY IMPROVEMENTS**

- BASE: SINGLE HYDRAULIC ELEVATOR
  - ALTERNATE: TWO ELECTRIC REMOTE MACHINE ROOM ELEVATORS, AS SHOWN ON A2.11 & A2.12
- BASE: ONE SINGLE OCCUPANCY RESTROOM AT STAFF, ONE SINGLE OCCUPANCY RESTROOM AT KIDS, AND TWO SINGLE OCCUPANCY RESTROOMS AT LEVEL 1 LOBBY
  - ALTERNATE:
    - ONE SINGLE OCCUPANCY RESTROOM AT STAFF, AS SHOWN ON A2.11
    - TWO SINGLE OCCUPANCY RESTROOMS AT KIDS, AS SHOWN ON A2.11
    - MENS & WOMEN'S MULTI-OCCUPANCY RESTROOMS AT LEVEL 1 LOBBY, AS SHOWN ON A2.11
- BASE: PAINT (E) STRUCTURE, TYP, WITH LINEAR PENDANT LIGHTS
  - ALTERNATE: T&G WESTERN RED CEDAR CEILING, PAINTED GYPSUM WALL BOARD AND 2X4 ACOUSTIC CEILING TILE AS INDICATED ON A2.41 AND A2.42, W/ RECESSED FIXTURES AS SHOWN
- BASE: (E) CEMENT TILE ROOF AT SLOPED PERIMETER TO REMAIN
  - ALTERNATE: PRE-FINISHED GALVANIZED STANDING SEAM ROOF WITH PRE-FINISHED GALVANIZED SHEET METAL FASCIA
  - T&G WESTERN RED CEDAR ROOF SOFFIT
  - NEW INTERNAL GUTTERS AND RAINWATER LEADERS
- BASE: LEVEL GRADE SITE AND MULCH BETWEEN BUILDING AND PROPERTY LINE
  - ALTERNATE:
    - PLANTING, BOULDERS, TREES, AND COR-TEN RETAINING WALLS AND TERRACED GRADING
    - EXTERIOR SITE LIGHTING
- BASE: LEVEL GRADED MULCH AT STAFF PATIO, COMMUNITY ROOM PATIO, AND KIDS PATIO
  - ALTERNATE:
    - PERMEABLE PAVERS, LANDSCAPE & PLANTING
    - WOOD SLAT FENCE AT PATIO PERIMETERS
- BASE: (E) LEVEL 2 WINDOWS TO REMAIN, PAINT (E) CONCRETE EXTERIOR AT LEVEL 2
  - ALTERNATE:
    - NEW WINDOWS, WITH AWNING OPERATION: KAWNEER 451T OR SIM
    - 8" LIGHTWEIGHT CONCRETE INFILL BETWEEN WINDOW OPENINGS AND COLUMNS AT LEVEL 2, SSD
    - INCREASE FOOTING SIZE, SSD
    - PAINTED CEMENT PLASTER OVER EXTERIOR CONCRETE AT LEVEL 2 WALLS
- BASE: (E) ROOF TO REMAIN
  - ALTERNATE: (N) CLERESTORY

**BUILDING ALTERNATES**

- BASE: PAINTED GYPSUM WALL BOARD AT NORTH WALL OF LEVEL 1 LOBBY AND STAIR
  - ALTERNATE: T&G WESTERN RED CEDAR WALL FINISH
- BASE: PAINTED GYPSUM WALL BOARD AT 2ND FLOOR LOBBY
  - ALTERNATE: VINYL WALL GRAPHIC
- BASE: FIXED EXTERIOR STOREFRONT AT COMMUNITY ROOM & KIDS' STORYTIME
  - ALTERNATE: OPERABLE STOREFRONT, NANAWALL OR SIM
- BASE: NEW MANUAL WINDOW SHADES
  - ALTERNATE: NEW MOTORIZED WINDOW SHADES

**SITE ALTERNATES**

- BASE: (E) SIDEWALK, CURB, GUTTER AND STREET PARKING TO REMAIN
  - ALTERNATE: (N) SIDEWALK, CURB, GUTTER AND STREET PARKING AS SHOWN ON A2.10
- BASE: (E) PARKING LOTS TO REMAIN, LEVEL GRADE AND MULCH AT FOOTPBASE: SINGLE HYDRAULIC ELEVATOR
  - ALTERNATE: TWO ELECTRIC REMOTE MACHINE ROOM ELEVATORS, AS SHOWN ON A2.11 & A2.12

**CONTACT INFORMATION**

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**BKF ENGINEERS**

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**RJJA**

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raya@rjainc.com  
415-492-0420 x112

**SHEET INDEX**

**INDEX - GENERAL**

G0.00	SHEET INDEX & GENERAL NOTES
G0.01	SYMBOLS & ABBREVIATIONS

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A1.22	DEMO PLAN - LEVEL 2
A2.10	SITE PLAN
A2.11	FLOOR PLAN - LEVEL 1
A2.12	FLOOR PLAN - LEVEL 2
A2.31	REFLECTED CEILING PLAN - LEVEL 1
A2.32	REFLECTED CEILING PLAN - LEVEL 2
A2.41	REFLECTED CEILING PLAN - LEVEL 1 - ALTERNATE
A2.42	REFLECTED CEILING PLAN - LEVEL 2 - ALTERNATE
A3.10	BUILDING SECTIONS
A9.00	ROOM FINISH SCHEDULE

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\*SEE ATTACHED CIVIL NARRATIVE

**INDEX - STRUCTURAL**

S2.01	FOUNDATION PLAN
S2.02	FOUNDATION PLAN - ALTERNATE
S2.03	LEVEL 02 FRAMING PLAN
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S2.05	ROOF FRAMING PLAN
S3.01	DETAILS

\*SEE ATTACHED STRUCTURAL NARRATIVE

**INDEX - PLUMBING**

P2.11	PLUMBING - LEVEL 1
P2.12	PLUMBING - LEVEL 2

\*SEE ATTACHED MECHANICAL NARRATIVE

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M2.10	MECHANICAL SITE PLAN
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M2.12	MECHANICAL - LEVEL 2

\*SEE ATTACHED MECHANICAL NARRATIVE

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E0.01	COVER SHEET
E1.01	SITE PLAN
E2.01	LIGHTING 1
E2.02	LIGHTING 2
E3.01	POWER 1
E3.02	POWER 2

\*SEE ATTACHED ELECTRICAL NARRATIVE

**JAYSON ARCHITECTURE**

50 29th Street  
San Francisco CA 94110  
jaysonarch.com  
415.317.0529

**OWNER**

**CITY OF SANTA CRUZ**

**PROJECT**

**SANTA CRUZ DOWNTOWN LIBRARY**

224 CHURCH ST  
SANTA CRUZ, CA 95060

**OWNER**

**CITY OF SANTA CRUZ**

**PROJECT**

**SANTA CRUZ DOWNTOWN LIBRARY**

224 CHURCH ST  
SANTA CRUZ, CA 95060

DRAFT!  
NOT FOR  
CONSTRUCTION

**CONCEPT DESIGN - COSTING SET**

SHEET TITLE  
**SHEET INDEX & GENERAL NOTES**

△ REVISIONS

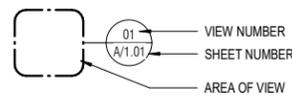
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JOB NO.	

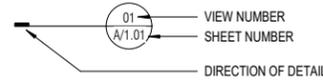
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**G0.00**

**SYMBOLS**

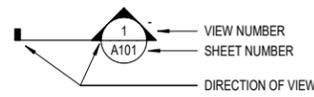
**CALLOUT**



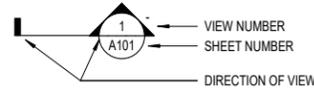
**DETAIL SECTION**



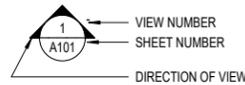
**WALL SECTION**



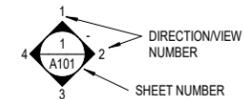
**BUILDING SECTION**



**EXTERIOR ELEVATION**



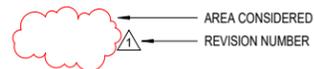
**INTERIOR ELEVATION**



**PROPERTY LINE**



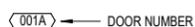
**REVISION MARK**



**NORTH ARROW**



**DOOR MARK**



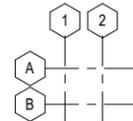
**WORK POINT (PLAN)**



**DATUM LEVEL**



**GRID LINES**



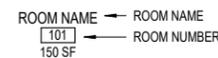
**EQUIPMENT MARK**



**KEY NOTE MARK**



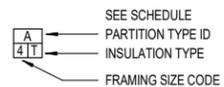
**ROOM IDENTIFICATION**



**WALL TYPE (EXTERIOR)**



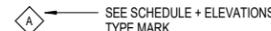
**PARTITION TYPE**



**GENERIC TAG**



**WINDOW MARK**



**ABBREVIATIONS**

ABBREVIATION	MEANING
&	AND
(E)	EXISTING
(N)	NEW
@	AT
AB	ANCHOR BOLT
AC	ASPHALTIC CONCRETE
ACC	ACCESS
ACOUS	ACOUSTICAL
ACT	ACOUSTIC CEILING TILE
AD	AREA DRAIN
ADDL	ADDITIONAL
ADJ	ADJACENT/ADJUSTABLE
AESS	ARCHITECTURAL EXPOSED STRUCTURAL STEEL
AFF	ABOVE FINISHED FLOOR
AGG	AGGREGATE
ALT	ALTERNATE
ALUM	ALUMINUM
ANOD	ANODIZED
APPROX	APPROXIMATE
AV	AUDIO VISUAL
BD	BOARD
BLDG	BUILDING
BLK	BLOCK
BLKG	BLOCKING
BM	BEAM
BO	BOTTOM OF
BOT	BOTTOM
BUR	BUILT UP ROOF
CAB	CABINET
CB	CARRIAGE BOLT
CE	CIVIL ENGINEER
CEM	CEMENT/CEMENTITIOUS
CER	CERAMIC
CFMF	COLD FORMED METAL FRAMING
CI	CAST IRON
CJ	CONTROL JOINT
CLG	CEILING
CLKG	CAULKING
CLO	CLOSET
CLR	CLEAR
CMU	CONCRETE MASONRY UNIT
CNTR	COUNTER
CO	CLEAN OUT
COL	COLUMN
CONC	CONCRETE
CONN	CONNECTION
CONT	CONTINUOUS
CONTR	CONTRACTOR
CORR	CORRIDOR
CPT	CARPET
CSMT	CASEMENT
CTR	CENTER
CTSK	COUNTERSINK
D	DEPTH
DBL	DOUBLE
DEMO	DEMOLITION
DEPT	DEPARTMENT
DF	DOUGLAS FIR/DRINKING FOUNTAIN
DH	DOUBLE HUNG
DIA	DIAMETER
DIM	DIMENSION
DISP	DISPOSAL
DN	DOWN
DR	DOOR
DS	DOWNSPOUT
DTL	DETAIL
DWG	DRAWING
DWR	DRAWER
E	EAST
EA	EACH
EJ	EXPANSION JOINT
ELEC	ELECTRICAL
ELEV	ELEVATION/ELEVATOR
ENLG	ENLARGED
EOS	EDGE OF SLAB
EP	ELECTRICAL PANEL
EQ	EQUAL
EQUIP	EQUIPMENT
EWC	ELECTRIC WATER COOLER
EXH	EXHAUST
EXP	EXPANSION
EXT	EXTERIOR
FA	FIRE ALARM
FD	FLOOR DRAIN
FDN	FOUNDATION
FE	FIRE EXTINGUISHER
FEC	FIRE EXTINGUISHER CABINET
FHC	FIRE HOSE CABINET

ABBREVIATION	MEANING
FIN	FINISH
FIN FLR	FINISH FLOOR
FIXT	FIXTURE
FLOUR	FLOURESCENT
FLR	FLOOR
FLRG	FLOORING
FOC	FACE OF CONCRETE
FOF	FACE OF FINISH
FOS	FACE OF STUD
FR	FIRE RESISTENT/FIRE RETARDENT
FRP	FIBERGLASS REINFORCED PANEL
FRT	FIRE RETARDENT TREATED
FSP	FIBERGLASS SANDWICH PANEL
FT	FOOT/FEET
FTG	FOOTING
FURN	FURNITURE
FX	FIXED
GA	GAUGE
GALV	GALVANIZED
GB	GRAB BAR
GC	GENERAL CONTRACTOR
GFI	GROUND FAULT INTERRUPT
GI	GALVANIZED IRON
GL	GLASS/GLAZING
GLAM	GLUE LAMINATED
GR	GRADE
GSM	GALVANIZED SHEET METAL
GWB	GYPSPUM WALL BOARD
GYP	GYPSPUM
H	HIGH
HB	HOSE BIB
HC	HOLLOW CORE
HD	HEAD
HDR	HEADER
HDW	HARDWARE
HDWD	HARDWOOD
HM	HOLLOW METAL
HORIZ	HORIZONTAL
HR	HOUR
HT	HEIGHT
HVAC	HEATING VENTILATION& AIR CONDITIONING
ID	INSIDE DIAMETER
IF	INSIDE FACE
INC	INCANDESCENT
INSUL	INSULATION
INT	INTERIOR
JAN	JANITOR
JBOX	JUNCTION BOX
JST	JOIST
JT	JOINT
LAM	LAMINATE
LAV	LAVATORY
LB	LAG BOLT
LF	LINEAR FEET
LKR	LOCKER
LT	LIGHT
MAS	MASONRY
MATL	MATERIAL
MAX	MAXIMUM
MB	MACHINE BOLT
MECH	MECHANICAL
MFR	MANUFACTURER
MH	MANHOLE
MIN	MINIMUM
MISC	MISCELLANEOUS
MTD	MOUNTED
MTL	METAL
MUL	MULLION
N	NORTH
NA	NOT APPLICABLE
NIC	NOT IN CONTRACT
NO	NUMBER
NOM	NOMINAL
NTS	NOT TO SCALE
OA	OVERALL
OC	ON CENTER
OCC	OCCUPANT
OD	OUTSIDE DIAMETER/OVERFLOW DRAIN
OF	OUTSIDE FACE
OFCI	OWNER FURNISHED CONTRACTOR INSTALLED
OFD	OVERFLOW DRAIN
OFF	OFFICE
OP	OPERABLE
OPNG	OPENING
OPP	OPPOSITE
OPP HD	OPPOSITE HAND

ABBREVIATION	MEANING
PA	PUBLIC ADDRESS
PARTN	PARTITION
PCP	PORTLAND CEMENT PLASTER
PL	PLATE
PLAM	PLASTIC LAMINATE
PLAS	PLASTIC
PLY	PLYWOOD
PR	PAIR
PROJ	PROJECT/PROJECTOR
PT	POINT/PRESSURE TREATED
PTD	PAINTED
PVC	POLYVINYLCHLORIDE
QTY	QUANTITY
R	RISEER
RAD	RADIUS
RD	ROOF DRAIN
REF	REFERENCE
REFR	REFRIDGERATOR
REG	REGISTER
REINF	REINFORCE/REINFORCING
REQD	REQUIRED
REQMS	REQUIREMENTS
RES	RESILIENT
REV	REVISION
RM	ROOM
RO	ROUGH OPENING
RWL	RAIN WATER LEADER
S	SOUTH
SASF	SELF ADHERING SURFACE FLASHING
SASM	SELF ADHERING SURFACE MEMBRANE
SC	SOLID CORE
SCHED	SCHEDULE
SE	STRUCTURAL ENGINEER
SEC	SECTION
SED	SEE ELECTRICAL DRAWINGS
SF	SUPPLY FAN
SH	SINGLE HUNG
SHT	SHEET
SHTG	SHEATHING
SIM	SIMILAR
SLD	SEE LANDSCAPE DRAWINGS
SMD	SEE MECHANICAL DRAWINGS
SOG	SLAB ON GRADE
SP	SPACE
SPA	SANDWICH PANEL ASSEMBLY
SPD	SEE PLUMBING DRAWINGS
SPEC	SPECIFICATION
SQ	SQUARE
SS	SOLID SURFACE
SSD	SEE STRUCTURAL DRAWINGS
SSGD	SEE SIGNAGE DRAWINGS
SSK	SERVICE SINK
SSTL	STAINLESS STEEL
STD	STANDARD
STL	STEEL
STOR	STORAGE
STRL	STRUCTURAL
STRUC	STRUCTURAL
SUSP	SUSPENDED
SYS	SYSTEM
T	TREAD
T&G	TOUNGE & GROOVE
TBD	TO BE DETERMINED
TEL	TELEPHONE
TEMP	TEMPERED
THK	THICK/THICKNESS
THRESH	THRESHOLD
TJI	TRUSS JOIST
TO	TOP OF
TOC	TOP OFF CONCRETE/CURB
TOP	TOP OFF PAVING
TOS	TOP OF STEEL
TOW	TOP OF WALL
TS	TUBE STEEL
TYP	TYPICAL
UON	UNLESS OTHERWISE NOTED
UR	URINAL
VCT	VINYL COMPOSITION TILE
VENT	VENTILATION
VERT	VERTICAL
VEST	VESTIBULE
VIF	VERIFY IN FIELD
W	WEST/WIDTH
W/	WITH
W/O	WITHOUT
WC	WATER CLOSET
WD	WOOD

ABBREVIATION	MEANING
WDO	WINDOW
WH	WATER HEATER
WIN	WINDOW
WO	WHERE OCCURS
WP	WORK POINT
WR	WATER RESISTENT
WT	WEIGHT

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415.317.0529

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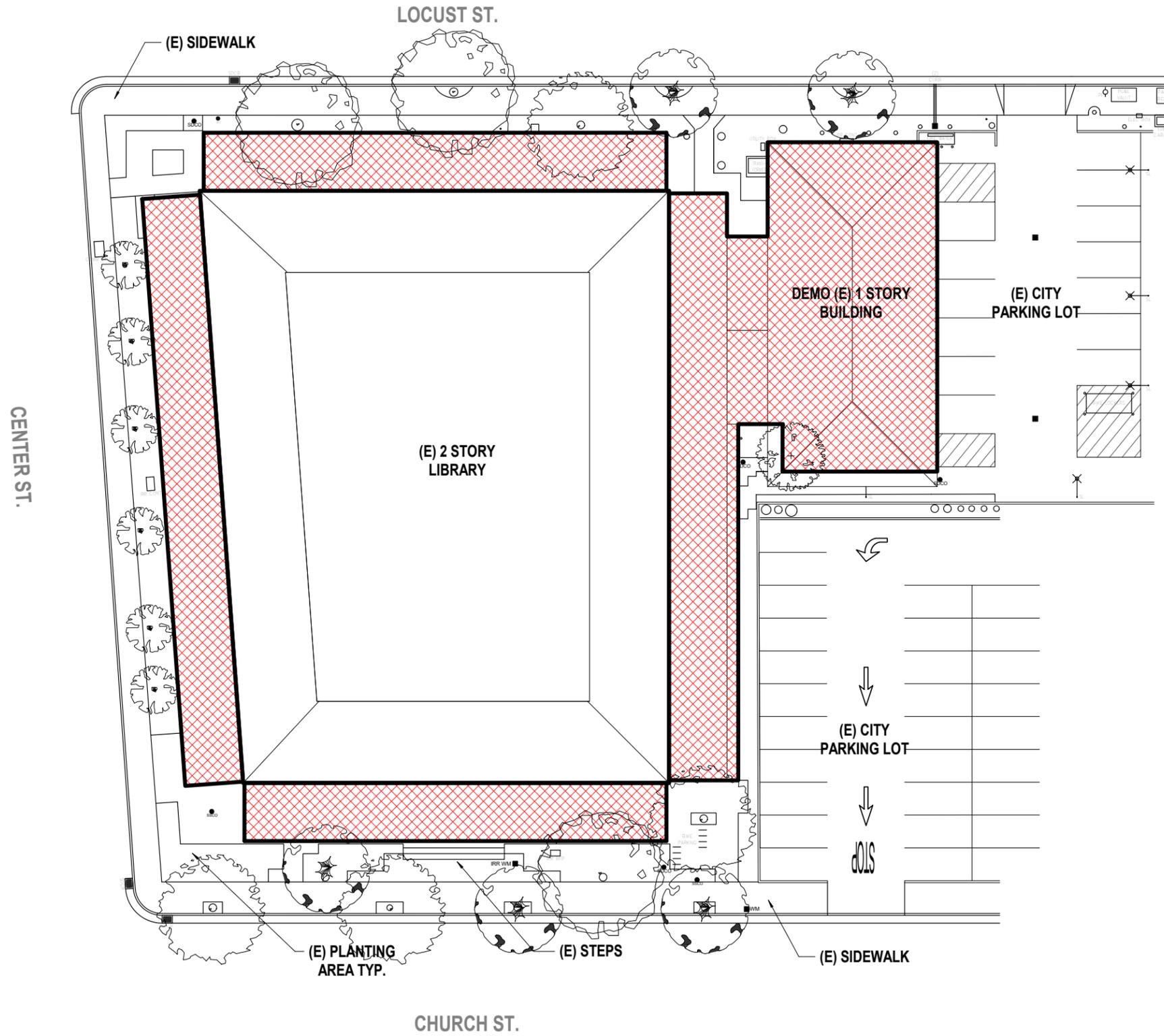
SHEET TITLE  
**SYMBOLS & ABBREVIATIONS**

NO.	DATE	DESCRIPTION

DATE 10/21/2019  
SCALE 1/2" = 1'-0"  
JOB NO.

SHEET NUMBER  
**G0.01**

1.205



1.206

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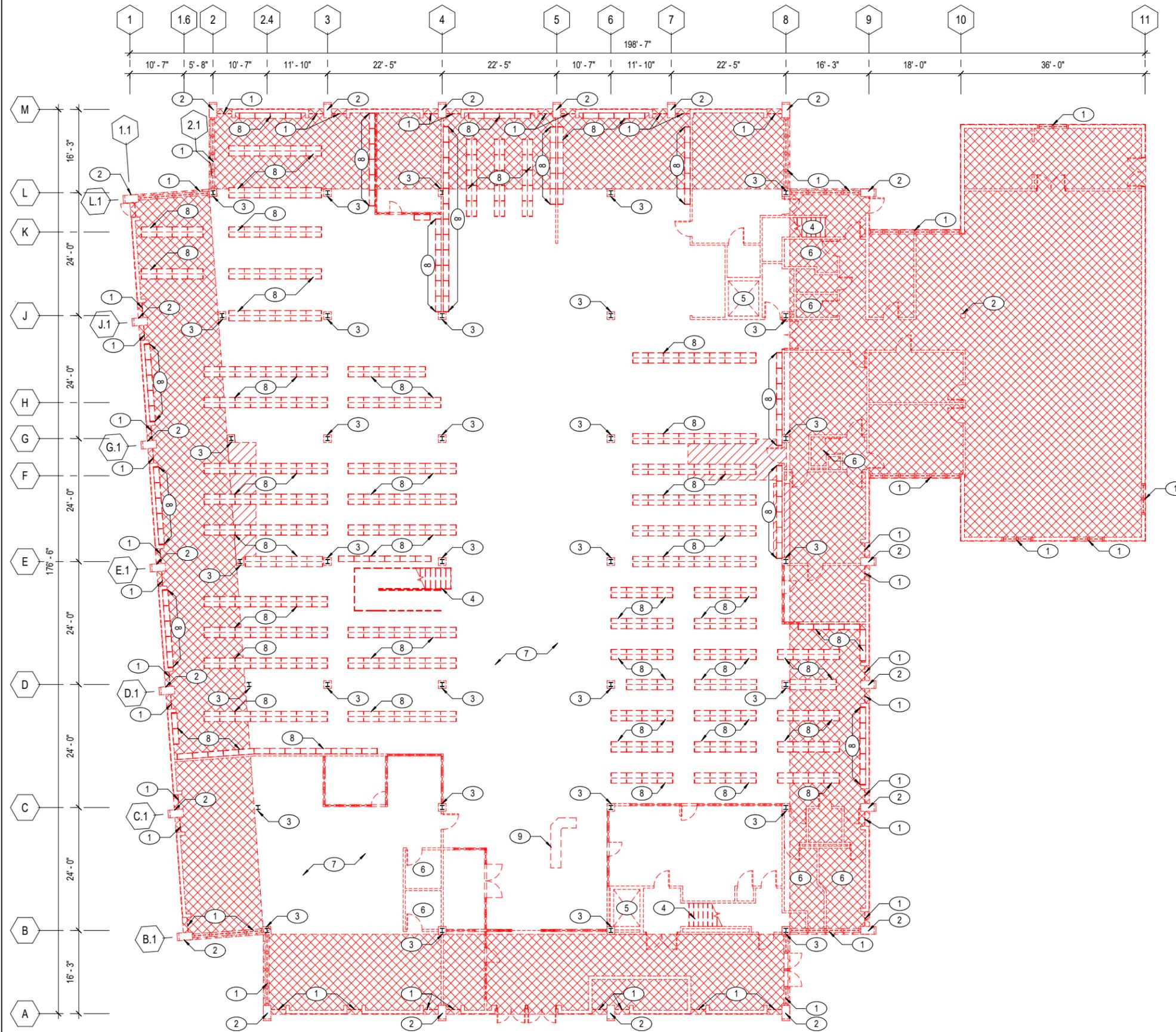
SHEET TITLE  
EXISTING SITE PLAN

REVISIONS		
NO.	DATE	DESCRIPTION

DATE	10/21/2019
SCALE	1/16" = 1'-0"
JOB NO.	

SHEET NUMBER  
**A1.00**

1.207



### GENERAL NOTES

1. REFER TO HAZMAT REPORT FOR AREAS OF DEMOLITION CONTAINING ASBESTOS.
2. REMOVE ALL SPRAY-ON FIREPROOFING ON STEEL BEAMS & STRUCTURAL DECKING.
3. DEMO ALL DOORS & FRAMES.
4. REMOVE ALL (E) DUCTWORK, SMD
5. DEMO ALL FLOOR, CEILING, & WALL FINISHES.
6. DEMO ALL (E) LIGHT FIXTURES, WIRING, & ELECTRICAL EQUIPMENT, SED

### KEY NOTES

- 1 DEMO (E) WINDOW
- 2 DEMO (E) CONC COLUMN
- 3 DEMO (E) COLUMN WRAP, STEEL COLUMN TO REMAIN
- 4 DEMO (E) STAIR
- 5 DEMO (E) ELEVATOR & SHAFT
- 6 DEMO (E) RESTROOM FIXTURES, FINISHES, & ACCESSORIES
- 7 DEMO (E) MECHANICAL EQUIPMENT, SMD
- 8 DEMO (E) STACKS
- 9 DEMO (E) CASEWORK
- 10 BASE: (E) WINDOW TO REMAIN; ALTERNATE: DEMO (E) WINDOW
- 11 ALTERNATE: DEMO (E) WOOD SIDING & FURRING
- 12 DEMO (E) ROOF STRUCTURE ABOVE
- 13 DEMO (E) INTERIOR FURRING & GWB OF EXTERIOR CONC WALL
- 14 DEMO (E) REDWOOD SIDING & FURRING
- 15 (E) COLUMN TO REMAIN

### LEGEND

- (E) WALL TO BE DEMOLISHED
- (E) WALL TO REMAIN
- DEMO (E) SINGLE-STORY SECTION OF BUILDING, INCLUDING ALL STRUCTURE, SYSTEMS, FIXTURES, & FINISHES.
- DEMO (E) CONCRETE SLAB & FLOOR FINISHES

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SHEET TITLE  
**DEMO PLAN - LEVEL 1**

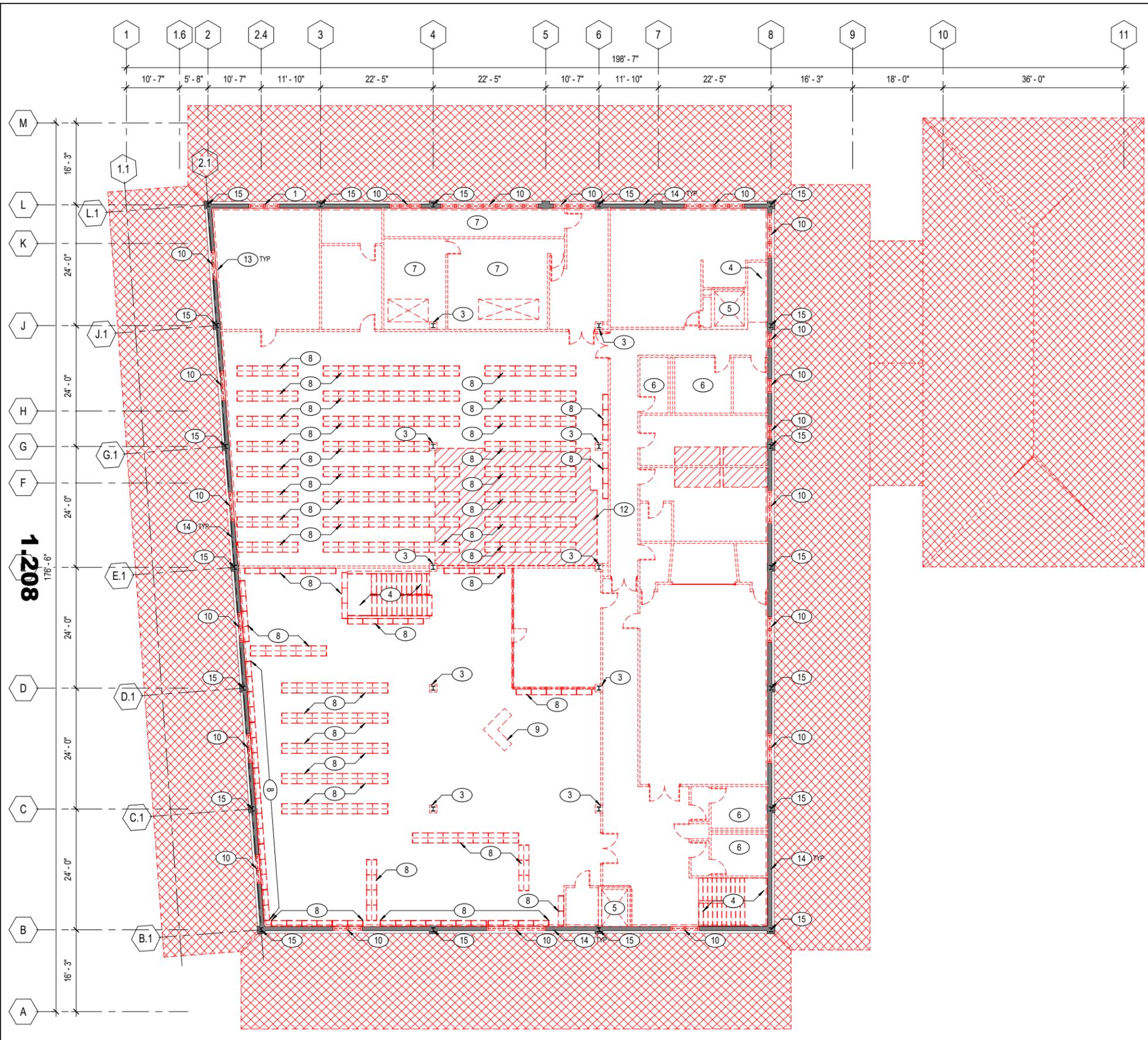
REVISIONS		
NO.	DATE	DESCRIPTION

DATE	10/21/2019
SCALE	As indicated
JOB NO.	

SHEET NUMBER	
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# A1.21

1 01 - DEMOLITION PLAN - FIRST FLOOR  
 A1.21 3/32" = 1'-0"



**GENERAL NOTES**

1. REFER TO HAZMAT REPORT FOR AREAS OF DEMOLITION CONTAINING ASBESTOS.
2. REMOVE ALL SPRAY-ON FIREPROOFING ON STEEL BEAMS & STRUCTURAL DECKING.
3. DEMO ALL DOORS & FRAMES.
4. REMOVE ALL (E) DUCTWORK, SMD
5. DEMO ALL FLOOR, CEILING, & WALL FINISHES.
6. DEMO ALL (E) LIGHT FIXTURES, WIRING, & ELECTRICAL EQUIPMENT, SED

**KEY NOTES**

- 1 DEMO (E) WINDOW
- 2 DEMO (E) CONC COLUMN
- 3 DEMO (E) COLUMN WRAP, STEEL COLUMN TO REMAIN
- 4 DEMO (E) STAIR
- 5 DEMO (E) ELEVATOR & SHAFT
- 6 DEMO (E) RESTROOM FIXTURES, FINISHES, & ACCESSORIES
- 7 DEMO (E) MECHANICAL EQUIPMENT, SMD
- 8 DEMO (E) STACKS
- 9 DEMO (E) CASEWORK
- 10 BASE: (E) WINDOW TO REMAIN; ALTERNATE: DEMO (E) WINDOW
- 11 ALTERNATE: DEMO (E) WOOD SIDING & FURRING
- 12 DEMO (E) ROOF STRUCTURE ABOVE
- 13 DEMO (E) INTERIOR FURRING & GWB OF EXTERIOR CONC WALL
- 14 DEMO (E) REDWOOD SIDING & FURRING
- 15 (E) COLUMN TO REMAIN

**LEGEND**

- (E) WALL TO BE DEMOLISHED
- (E) WALL TO REMAIN
- DEMO (E) SINGLE-STORY SECTION OF BUILDING, INCLUDING ALL STRUCTURE, SYSTEMS, FIXTURES, & FINISHES.
- DEMO (E) CONCRETE SLAB & FLOOR FINISHES

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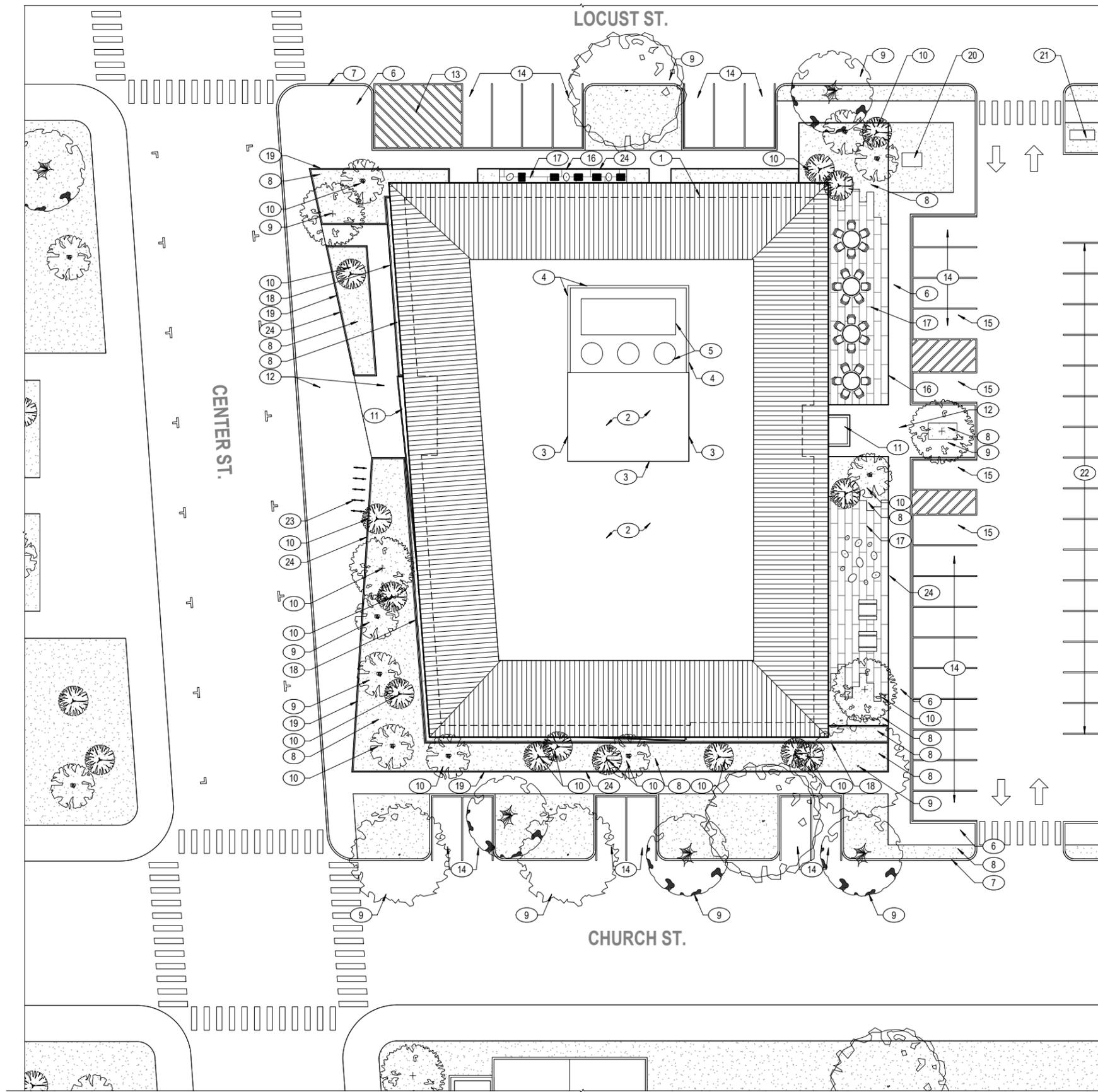
SHEET TITLE  
**DEMO PLAN - LEVEL 2**

REVISIONS		
NO.	DATE	DESCRIPTION

DATE	10/21/2019
SCALE	As indicated
JOB NO.	

SHEET NUMBER  
**A1.22**

**02 - DEMOLITION PLAN - SECOND FLOOR**  
3/32" = 1'-0"



**KEY NOTES**

- 1 BASE: (E) CLAY TILE ROOF TO REMAIN; ALTERNATE: (N) PRE-FINISHED GALV STANDING SEAM ROOF
- 2 (N) PVC ROOF OVER 1/2" MIN, 2" AVG RIGID INSULATION, SLOPE 1/4" PER FT
- 3 KAWNEER 451T ALUM STOREFRONT CLERESTORY WDW, 6'-0" TALL
- 4 MECHANICAL ENCLOSURE; 8'-0" TALL PRE-FINISHED GALV STANDING SEAM MTL PANELS
- 5 MECHANICAL EQUIPMENT, SMD
- 6 ALTERNATE: (N) CONC SIDEWALK, SCD
- 7 ALTERNATE: (N) CONC CURB, SCD
- 8 BASE: MULCH FILL; ALTERNATE: PLANTING AREA
- 9 (E) TREE
- 10 (N) TREE
- 11 ENTRY CANOPY
- 12 CONC PLAZA
- 13 LOADING / DELIVERIES
- 14 ALTERNATE: (N) PARKING
- 15 ACCESSIBLE PARKING
- 16 ALTERNATE: WOOD SLAT FENCE
- 17 ALTERNATE: PERMEABLE PAVERS
- 18 ALTERNATE: COR-TEN STEEL RETAINING WALL, 6" ABOVE GRADE
- 19 ALTERNATE: COR-TEN STEEL RETAINING WALL, 12"-18" ABOVE GRADE
- 20 (E) TRANSFORMER TO REMAIN, SED, SCD
- 21 (E) GAS METER TO REMAIN, SMD, SCD
- 22 RE-STRIPE (E) PARKING LOT
- 23 BIKE RACKS
- 24 WALL-MOUNTED RECESSED SITE LIGHTING @ 8'-0" O.C.

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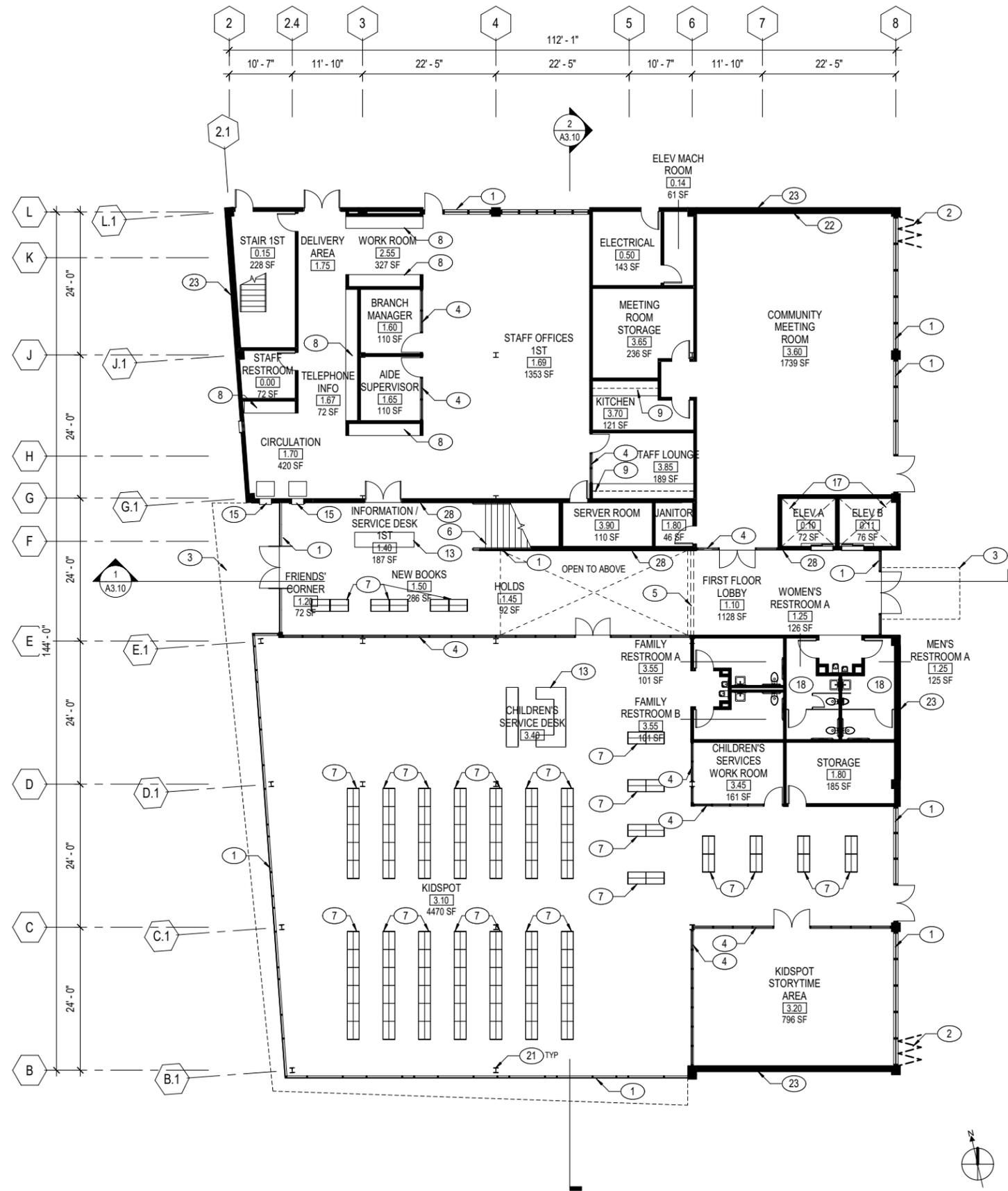
SHEET TITLE  
**SITE PLAN**

REVISIONS		
NO.	DATE	DESCRIPTION

DATE	10/21/2019
SCALE	As indicated
JOB NO.	

SHEET NUMBER  
**A2.10**

1 01 - SCOPE SITE PLAN  
A2.10 1/16" = 1'-0"



1 SCOPE PLAN - LEVEL 01  
A2.11 3/32" = 1'-0"

**GENERAL NOTES**

1. ALL (E) EXTERIOR CONC WALLS TO REMAIN, PROVIDE MTL STUD FURRING W/ PTD GWB @ INTERIOR FACE
2. ALL WALLS & PARTITIONS TO BE PTD GWB ON MTL STUDS, UON

**KEY NOTES**

- 1 KAWNEER 451T ALUM STOREFRONT, 11'-6" TALL
- 2 BASE: KAWNEER 451T STOREFRONT; ALTERNATE: FLOOR-TO-CEILING NANAWALL OPERABLE EXTERIOR STOREFRONT
- 3 EXTERIOR CANOPY ABOVE
- 4 FLOOR-TO-CEILING INTERIOR ALUM FRAMED GLASS PARTITION
- 5 ROLL-DOWN GATE
- 6 MAIN STAIR, PRECAST CONC TREADS & RISERS
- 7 COLLECTION STACKS, 66" TALL CANTILEVER MTL W/ PTD WD END PANELS & CANOPIES
- 8 PLASTIC LAMINATE LOWER CABINETS W/ QUARTZ VENEER
- 9 PLASTIC LAMINATE UPPER & LOWER CABINETS W/ QUARTZ VENEER
- 10 WOOD VENEER UPPER & LOWER CABINETS W/ QUARTZ COUNTERTOP
- 11 BUILT-IN STORAGE CABINET
- 12 QUARTZ COUNTER ON STEEL SUPPORTS
- 13 CIRCULATION DESK W/ QUARTZ COUNTERTOP & WD VENEER LOWER CABINETS
- 14 STAFF LOCKERS / STORAGE
- 15 RETURNS BOOK DROP
- 16 GLASS GUARDRAIL W/ STAINLESS STL HANDRAIL
- 17 BASE: SINGLE HYDRAULIC ELEVATOR; ALTERNATE: TWO ELECTRIC REMOTE MACHINE ROOM ELEVATORS
- 18 BASE: SINGLE OCCUPANCY RESTROOMS; ALTERNATE: MULTI-OCCUPANCY RESTROOMS, AS SHOWN
- 19 KAWNEER 451T WDW W/ AWNING OPERATION, 6'-0" TALL
- 20 ALTERNATE: KAWNEER 451T WDW W/ AWNING OPERATION
- 21 PAINT (E) STL COLUMN
- 22 SCREEN, PROJECTOR, AV, SPEAKERS
- 23 (N) CONC WALL W/ PTD CEMENT PLASTER FINISH, SSD
- 24 (N) MTL STUD WALL W/ PTD CEMENT PLASTER FINISH
- 25 BASE: PAINT (E) CONC WALL; ALTERNATE: PTD CEMENT PLASTER OVER CONC
- 26 ALTERNATE: 8" SHOTCRETE BETWEEN WDW OPENING & COLUMN, 5'-6" TALL
- 27 ALTERNATE: VINYL WALL GRAPHIC
- 28 ALTERNATE: T&G WESTERN RED CEDAR SOFFIT WALL FINISH

**WALL LEGEND**

- EXISTING WALL
- NEW WALL

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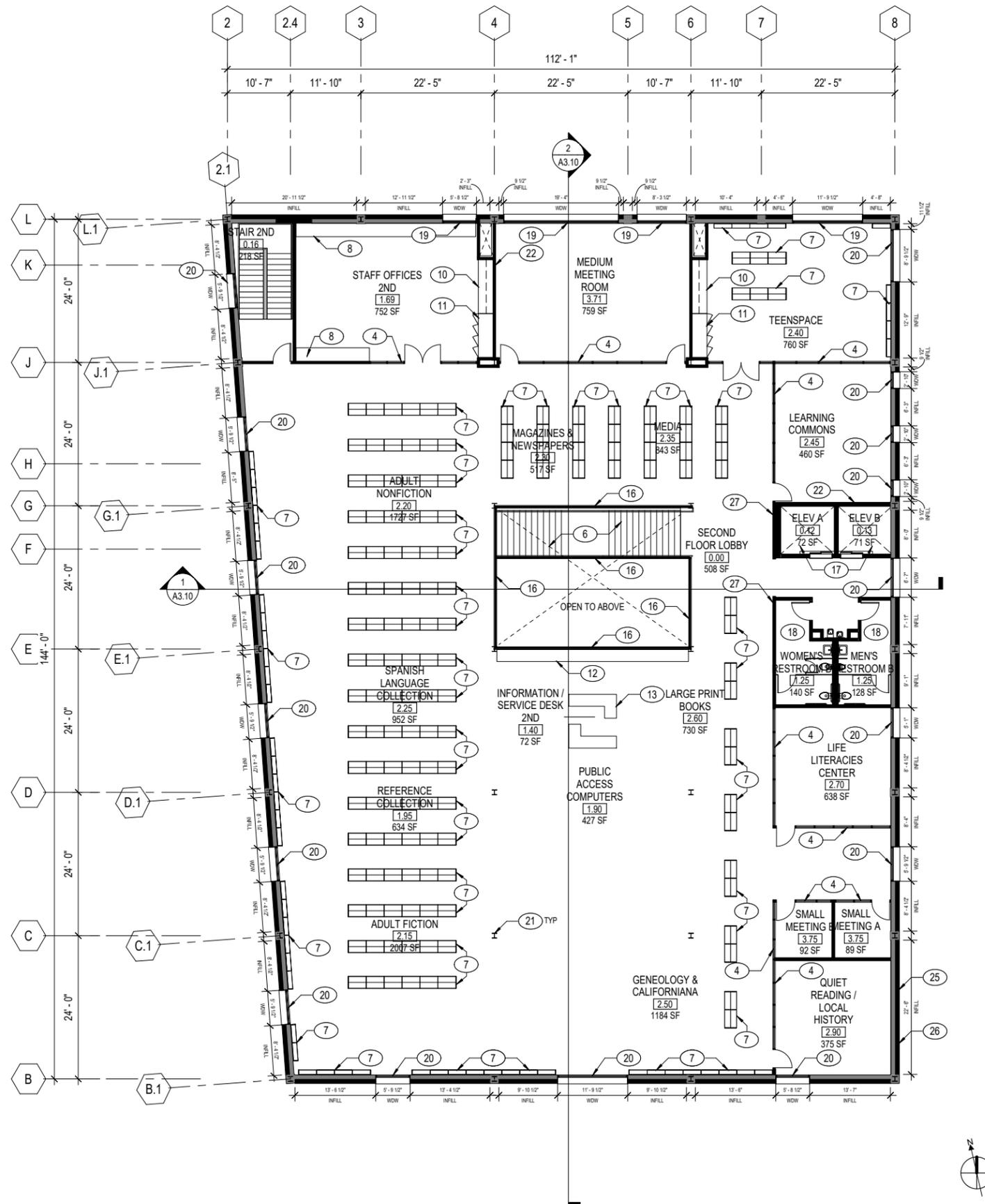
CONCEPT DESIGN -  
COSTING SET

SHEET TITLE  
FLOOR PLAN - LEVEL 1

REVISIONS		
NO.	DATE	DESCRIPTION

DATE	10/21/2019
SCALE	As indicated
JOB NO.	

SHEET NUMBER  
**A2.11**



1 SCOPE PLAN - LEVEL 02  
A2.12 3/32" = 1'-0"

**GENERAL NOTES**

- ALL (E) EXTERIOR CONC WALLS TO REMAIN, PROVIDE MTL STUD FURRING W/ PTD GWB @ INTERIOR FACE
- ALL WALLS & PARTITIONS TO BE PTD GWB ON MTL STUDS, UON

**KEY NOTES**

- KAWNEER 451T ALUM STOREFRONT, 11'-6" TALL
- BASE: KAWNEER 451T STOREFRONT; ALTERNATE: FLOOR-TO-CEILING NANAWALL OPERABLE EXTERIOR STOREFRONT
- EXTERIOR CANOPY ABOVE
- FLOOR-TO-CEILING INTERIOR ALUM FRAMED GLASS PARTITION
- ROLL-DOWN GATE
- MAIN STAIR, PRECAST CONC TREADS & RISERS
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- PLASTIC LAMINATE UPPER & LOWER CABINETS W/ QUARTZ VENEER
- WOOD VENEER UPPER & LOWER CABINETS W/ QUARTZ COUNTERTOP
- BUILT-IN STORAGE CABINET
- QUARTZ COUNTER ON STEEL SUPPORTS
- CIRCULATION DESK W/ QUARTZ COUNTERTOP & WD VENEER LOWER CABINETS
- STAFF LOCKERS / STORAGE
- RETURNS BOOK DROP
- GLASS GUARDRAIL W/ STAINLESS STL HANDRAIL
- BASE: SINGLE HYDRAULIC ELEVATOR; ALTERNATE: TWO ELECTRIC REMOTE MACHINE ROOM ELEVATORS
- BASE: SINGLE OCCUPANCY RESTROOMS; ALTERNATE: MULTI-OCCUPANCY RESTROOMS, AS SHOWN
- KAWNEER 451T WDW W/ AWNING OPERATION, 6'-0" TALL
- ALTERNATE: KAWNEER 451T WDW W/ AWNING OPERATION
- PAINT (E) STL COLUMN
- SCREEN, PROJECTOR, AV, SPEAKERS
- (N) CONC WALL W/ PTD CEMENT PLASTER FINISH, SSD
- (N) MTL STUD WALL W/ PTD CEMENT PLASTER FINISH
- BASE: PAINT (E) CONC WALL; ALTERNATE: PTD CEMENT PLASTER OVER CONC
- ALTERNATE: 8" SHOTCRETE BETWEEN WDW OPENING & COLUMN, 5'-6" TALL
- ALTERNATE: VINYL WALL GRAPHIC
- ALTERNATE: T&G WESTERN RED CEDAR SOFFIT WALL FINISH

**WALL LEGEND**

- EXISTING WALL
- NEW WALL

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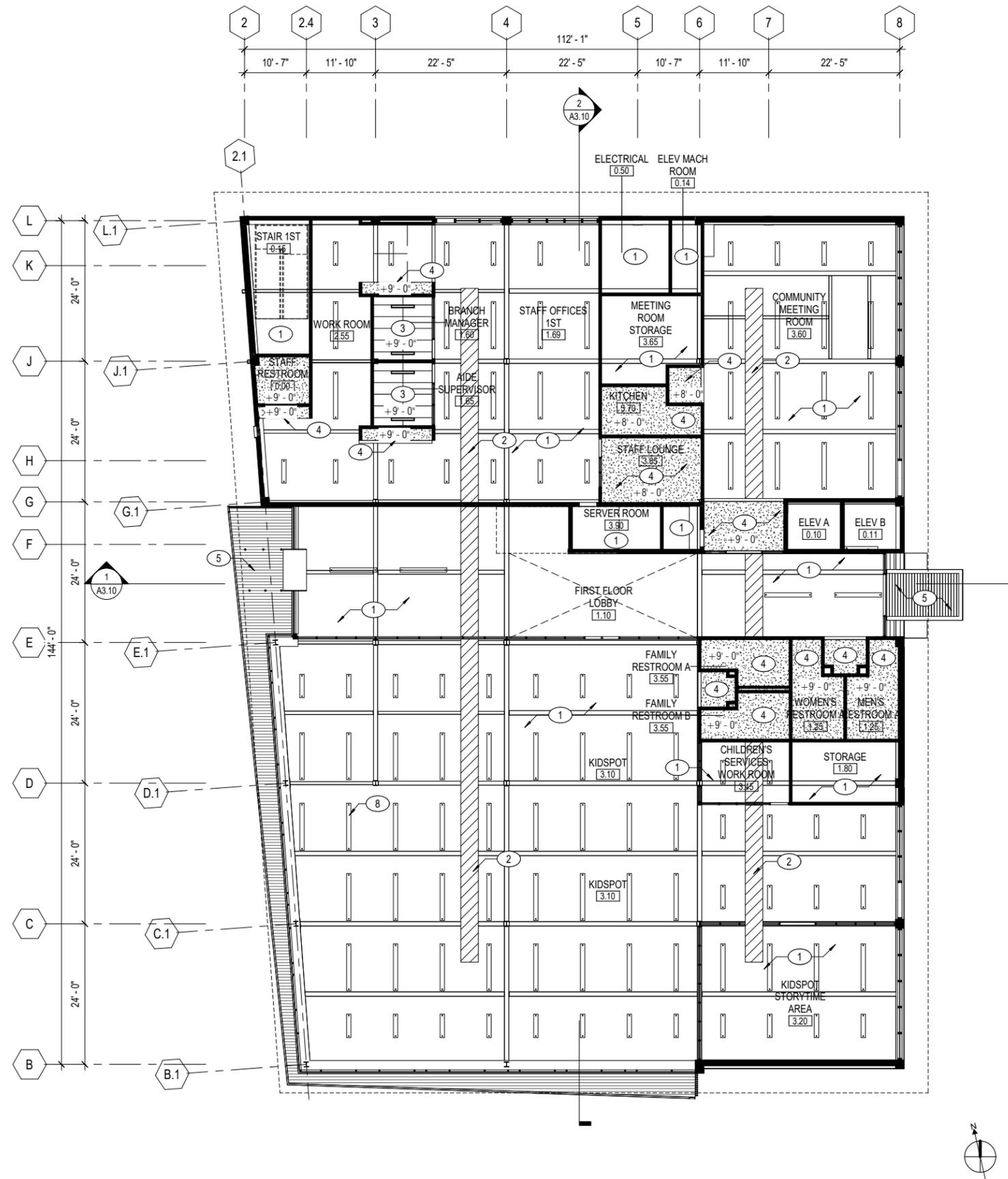
SHEET TITLE  
FLOOR PLAN - LEVEL 2

REVISIONS		
NO.	DATE	DESCRIPTION

DATE	10/21/2019
SCALE	As indicated
JOB NO.	

SHEET NUMBER  
**A2.12**

1.212



1 01 - LEVEL 1 - CEILING PLAN  
A2.31 3/32" = 1'-0"

**GENERAL NOTES**

- 1. ASSUME 4" X 48" RECESSED LINEAR LIGHTING FIXTURES @ 8'-0" O.C. IN ALL ACOUSTIC CEILING TILE
- 2. ASSUME RECESSED CAN LIGHTING @ 4'-0" O.C. IN ALL GWB CEILINGS & T&G WOOD CEILINGS

**KEY NOTES**

- 1 OPEN TO STRUCTURE; PAINT EXPOSED BEAMS, CONC DECK, MTL DECK, CONDUIT, & DUCTWORK
- 2 PTD DUCTWORK, SMD
- 3 2X4 ACOUSTIC CEILING TILE, ARMSTRONG OPTIMA
- 4 PTD GWB CEILING
- 5 T&G WESTERN RED CEDAR ENTRY CANOPY W/ STL STRUCTURE & PVC ROOF
- 6 ALTERNATE: T&G WESTERN RED CEDAR SOFFIT OVER (E) EAVE, (N) SHEET MTL GUTTER & FASCIA
- 7 LARGE DECORATIVE PENDANT FIXTURES
- 8 LINEAR PENDANT LIGHT, TYP
- 9 RECESSED LINEAR LIGHT, TYP

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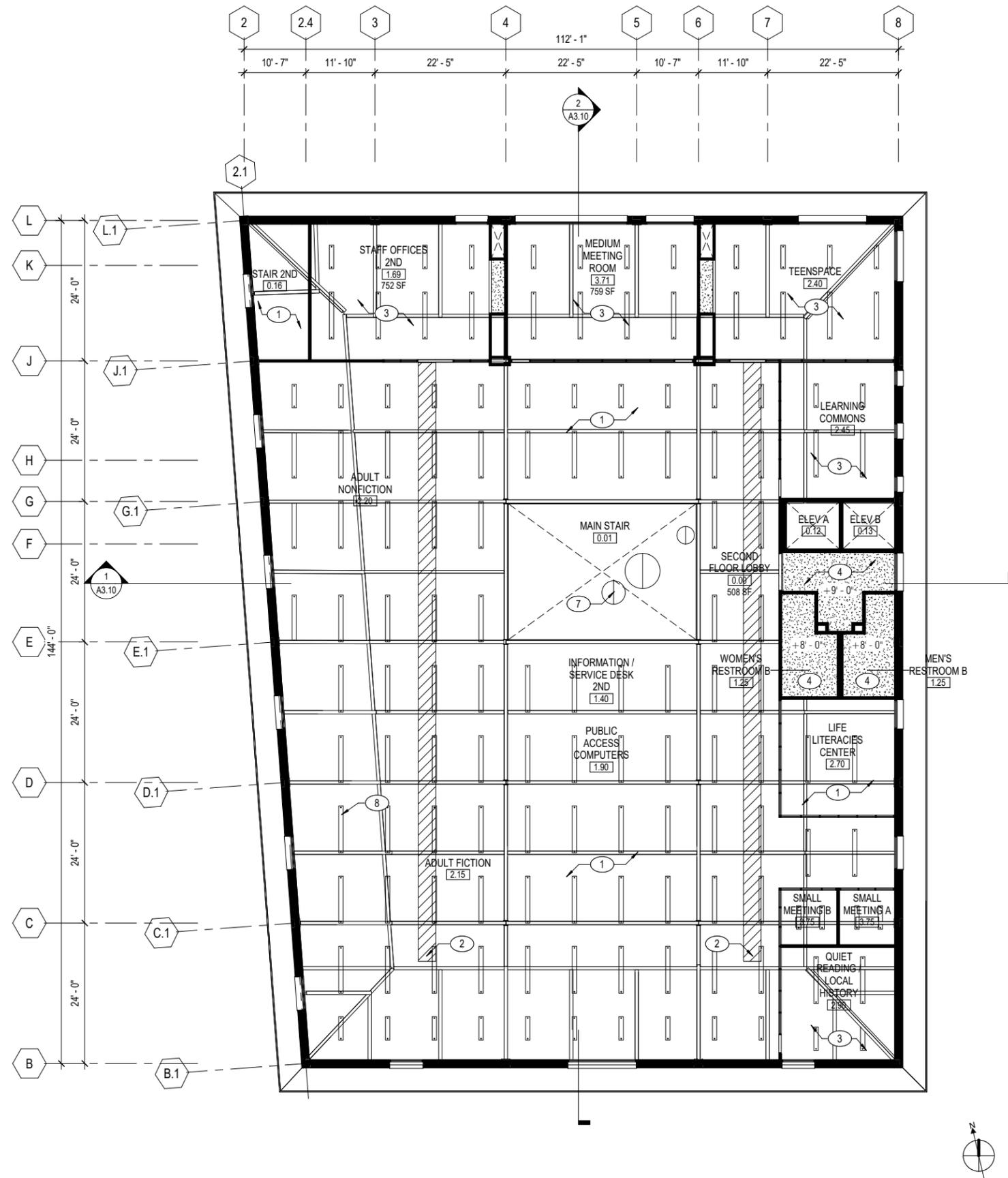
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COSTING SET**

SHEET TITLE  
**REFLECTED CEILING  
PLAN - LEVEL 1**

REVISIONS		
NO.	DATE	DESCRIPTION

DATE 10/21/2019  
SCALE As indicated  
JOB NO.

SHEET NUMBER  
**A2.31**



1 02 - LEVEL 2 - CEILING PLAN  
A2.32 3/32" = 1'-0"

**GENERAL NOTES**

- 1. ASSUME 4" X 48" RECESSED LINEAR LIGHTING FIXTURES @ 8'-0" O.C. IN ALL ACOUSTIC CEILING TILE
- 2. ASSUME RECESSED CAN LIGHTING @ 4'-0" O.C. IN ALL GWB CEILINGS & T&G WOOD CEILINGS

**KEY NOTES**

- 1 OPEN TO STRUCTURE; PAINT EXPOSED BEAMS, CONC DECK, MTL DECK, CONDUIT, & DUCTWORK
- 2 PTD DUCTWORK, SMD
- 3 2X4 ACOUSTIC CEILING TILE, ARMSTRONG OPTIMA
- 4 PTD GWB CEILING
- 5 T&G WESTERN RED CEDAR ENTRY CANOPY W/ STL STRUCTURE & PVC ROOF
- 6 ALTERNATE: T&G WESTERN RED CEDAR SOFFIT OVER (E) EAVE, (N) SHEET MTL GUTTER & FASCIA
- 7 LARGE DECORATIVE PENDANT FIXTURES
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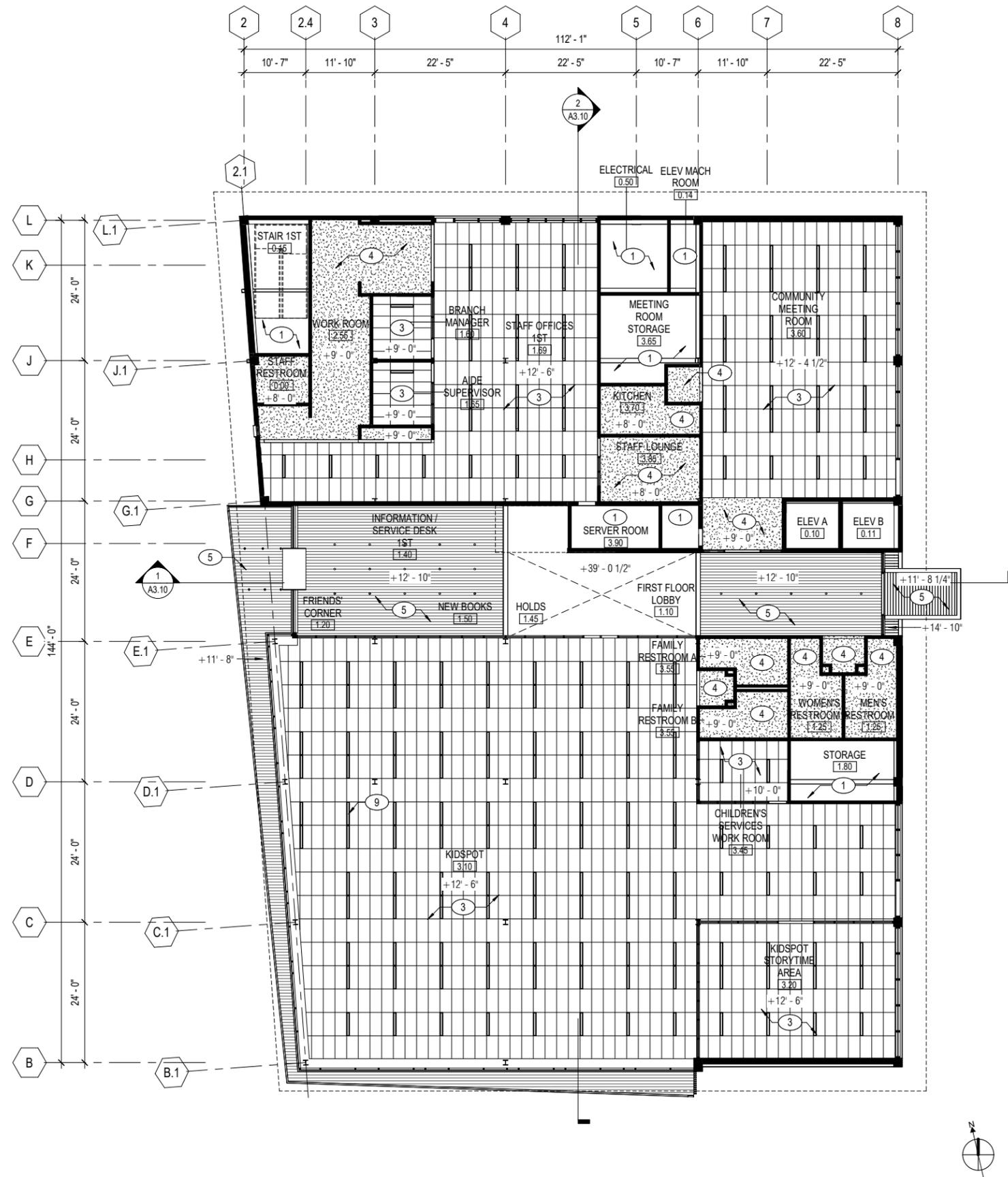
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REFLECTED CEILING  
PLAN - LEVEL 2

REVISIONS		
NO.	DATE	DESCRIPTION

DATE	10/21/2019
SCALE	As indicated
JOB NO.	

SHEET NUMBER  
**A2.32**

1.214



**GENERAL NOTES**

- 1. ASSUME 4" X 48" RECESSED LINEAR LIGHTING FIXTURES @ 8'-0" O.C. IN ALL ACOUSTIC CEILING TILE
- 2. ASSUME RECESSED CAN LIGHTING @ 4'-0" O.C. IN ALL GWB CEILINGS & T&G WOOD CEILINGS

**KEY NOTES**

- ① OPEN TO STRUCTURE; PAINT EXPOSED BEAMS, CONC DECK, MTL DECK, CONDUIT, & DUCTWORK
- ② PTD DUCTWORK, SMD
- ③ 2X4 ACOUSTIC CEILING TILE, ARMSTRONG OPTIMA
- ④ PTD GWB CEILING
- ⑤ T&G WESTERN RED CEDAR ENTRY CANOPY W/ STL STRUCTURE & PVC ROOF
- ⑥ ALTERNATE: T&G WESTERN RED CEDAR SOFFIT OVER (E) EAVE, (N) SHEET MTL GUTTER & FASCIA
- ⑦ LARGE DECORATIVE PENDANT FIXTURES
- ⑧ LINEAR PENDANT LIGHT, TYP
- ⑨ RECESSED LINEAR LIGHT, TYP

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SHEET TITLE  
REFLECTED CEILING  
PLAN - LEVEL 1 -  
ALTERNATE

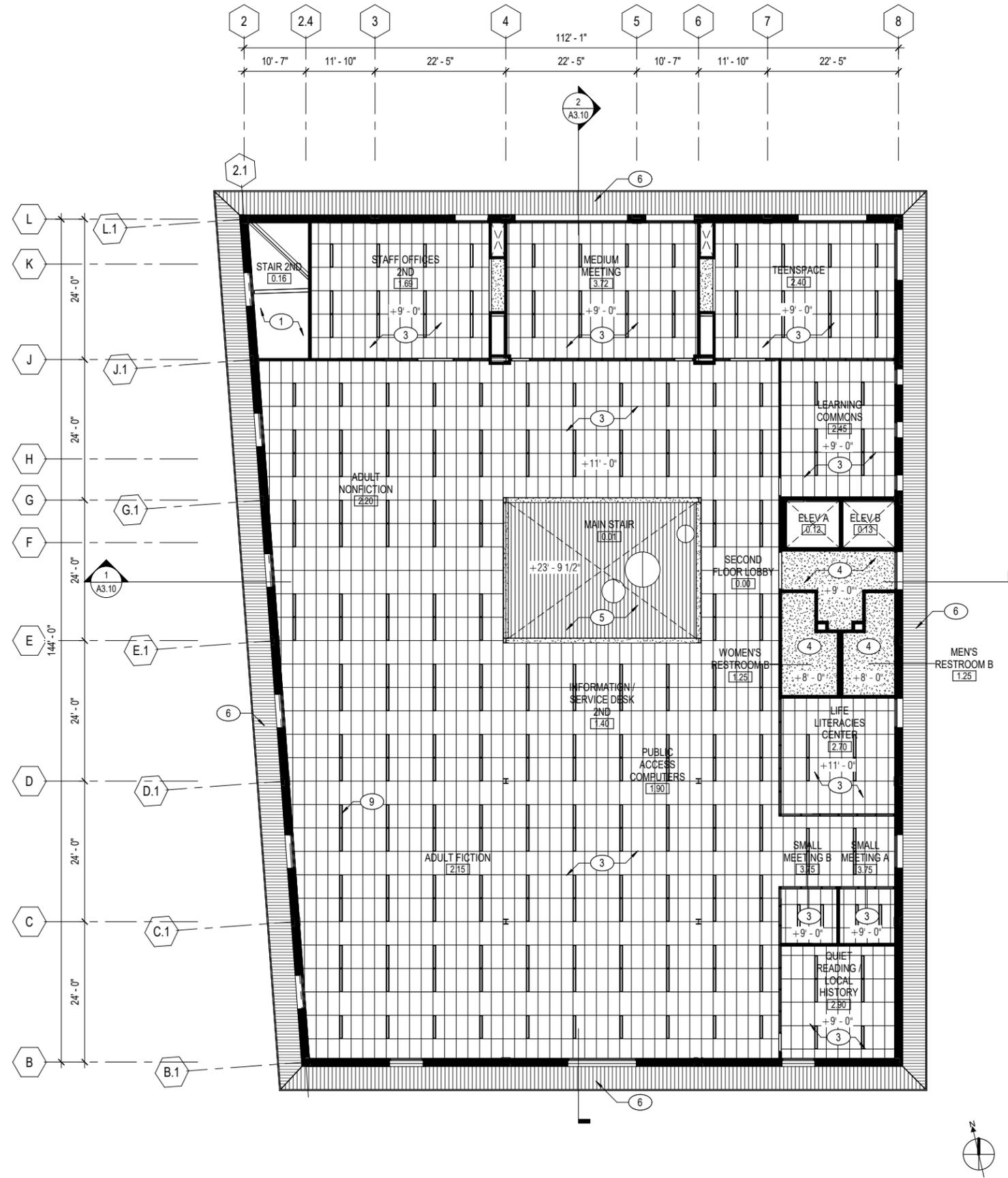
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SCALE	As indicated
JOB NO.	

SHEET NUMBER

**A2.41**

1 01 - LEVEL 1 - CEILING PLAN - ALTERNATE  
A2.41 3/32" = 1'-0"



1 02 - LEVEL 2 - CEILING PLAN - ALTERNATE  
A2.42 3/32" = 1'-0"

**GENERAL NOTES**

1. ASSUME 4" X 48" RECESSED LINEAR LIGHTING FIXTURES @ 8'-0" O.C. IN ALL ACOUSTIC CEILING TILE
2. ASSUME RECESSED CAN LIGHTING @ 4'-0" O.C. IN ALL GWB CEILINGS & T&G WOOD CEILINGS

**KEY NOTES**

- 1 OPEN TO STRUCTURE; PAINT EXPOSED BEAMS, CONC DECK, MTL DECK, CONDUIT, & DUCTWORK
- 2 PTD DUCTWORK, SMD
- 3 2X4 ACOUSTIC CEILING TILE, ARMSTRONG OPTIMA
- 4 PTD GWB CEILING
- 5 T&G WESTERN RED CEDAR ENTRY CANOPY W/ STL STRUCTURE & PVC ROOF
- 6 ALTERNATE: T&G WESTERN RED CEDAR SOFFIT OVER (E) EAVE, (N) SHEET MTL GUTTER & FASCIA
- 7 LARGE DECORATIVE PENDANT FIXTURES
- 8 LINEAR PENDANT LIGHT, TYP
- 9 RECESSED LINEAR LIGHT, TYP

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REFLECTED CEILING  
PLAN - LEVEL 2 -  
ALTERNATE

REVISIONS		
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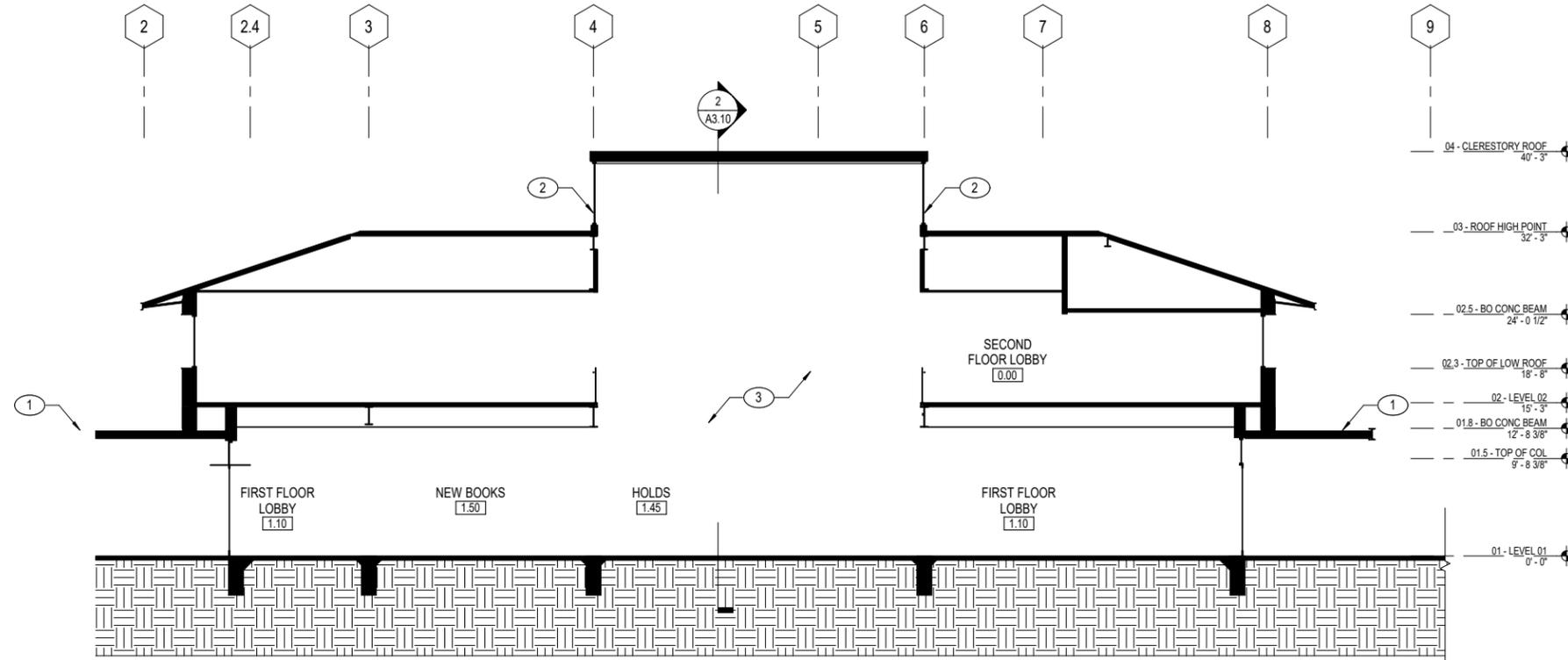
DATE	10/21/2019
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JOB NO.	

SHEET NUMBER

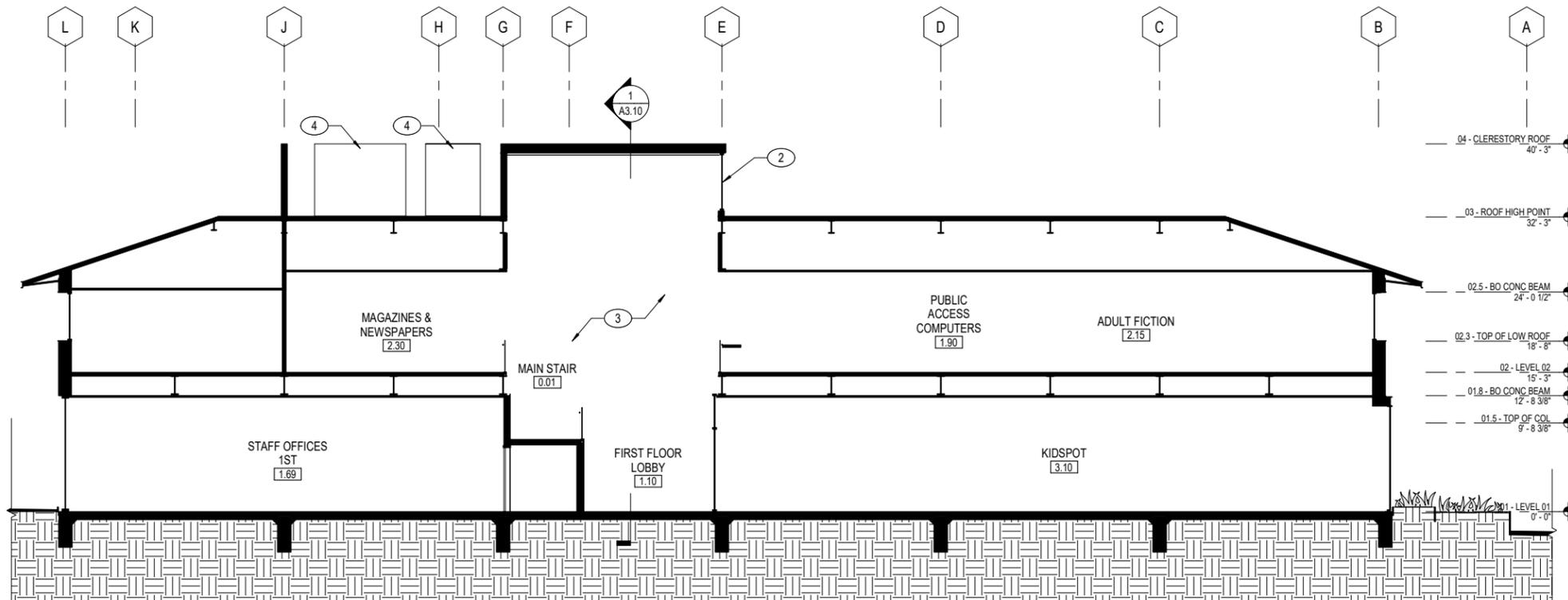
**A2.42**

**KEY NOTES**

- ① ENTRY CANOPY
- ② CLERESTORY GLAZING
- ③ TWO STORY OPENING
- ④ MECHANICAL ROOF TOP UNITS



**1**  
A3.10  
BUILDING SECTION - ALTERNATE - EAST / WEST  
1/8" = 1'-0"



**2**  
A3.10  
BUILDING SECTION - ALTERNATE - NORTH / SOUTH  
1/8" = 1'-0"

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SHEET TITLE  
BUILDING SECTIONS

REVISIONS		
NO.	DATE	DESCRIPTION

DATE	10/21/2019
SCALE	1/8" = 1'-0"
JOB NO.	

SHEET NUMBER

**A3.10**

ROOM FINISH SCHEDULE

#	Name	Floor Finish	Base Finish	Wall Finish	Ceiling Finish	Comments	Area
0.00	SECOND FLOOR LOBBY	CARPET TILE	PTD 1X4 WOOD	LVL 5 PTD GWB	LVL 5 PTD GWB		508 SF
0.00	STAFF RESTROOM	TILE	TILE	48" TILE, LVL 4 GWB ABOVE	LVL 4 PTD GWB		72 SF
0.01	MAIN STAIR	PRECAST CONC	CLEAR 1X4 CEDAR	BASE: LVL 5 PTD GWB, ALT: T&G WESTERN RED CEDAR	BASE: OPEN TO STRUCTURE, ALT: T&G WESTERN RED CEDAR		242 SF
0.10	ELEV A	CARPET TILE	N/A	PLASTIC LAMINATE	STAINLESS STEEL		72 SF
0.11	ELEV B	CARPET TILE	N/A	PLASTIC LAMINATE	STAINLESS STEEL		76 SF
0.12	ELEV A	CARPET TILE	N/A	PLASTIC LAMINATE	STAINLESS STEEL		72 SF
0.13	ELEV B	CARPET TILE	N/A	PLASTIC LAMINATE	STAINLESS STEEL		71 SF
0.14	ELEV MACH ROOM	(E) CONC SLAB	RUBBER	LVL 3 PTD GWB	OPEN TO STRUCTURE		61 SF
0.15	STAIR 1ST	PRECAST CONC	RUBBER	LVL 3 PTD GWB	OPEN TO STRUCTURE		228 SF
0.16	STAIR 2ND	PRECAST CONC	RUBBER	LVL 3 PTD GWB	OPEN TO STRUCTURE		218 SF
0.50	ELECTRICAL	(E) CONC SLAB	RUBBER	LVL 3 PTD GWB	OPEN TO STRUCTURE		143 SF
1.10	FIRST FLOOR LOBBY	POLISH (E) CONC SLAB	CLEAR 1X4 CEDAR	BASE: LVL 5 PTD GWB, ALT: T&G WESTERN RED CEDAR	BASE: OPEN TO STRUCTURE, ALT: T&G WESTERN RED CEDAR		1126 SF
1.20	FRIENDS' CORNER	POLISH (E) CONC SLAB	CLEAR 1X4 CEDAR	BASE: LVL 5 PTD GWB, ALT: T&G WESTERN RED CEDAR	BASE: OPEN TO STRUCTURE, ALT: T&G WESTERN RED CEDAR		72 SF
1.25	MEN'S RESTROOM A	TILE	TILE	48" TILE, LVL 4 GWB ABOVE	LVL 4 PTD GWB		125 SF
1.25	MEN'S RESTROOM B	TILE	TILE	48" TILE, LVL 4 GWB ABOVE	LVL 4 PTD GWB		128 SF
1.25	WOMEN'S RESTROOM A	TILE	TILE	48" TILE, LVL 4 GWB ABOVE	LVL 4 PTD GWB		126 SF
1.25	WOMEN'S RESTROOM B	TILE	TILE	48" TILE, LVL 4 GWB ABOVE	LVL 4 PTD GWB		140 SF
1.40	INFORMATION / SERVICE DESK 1ST	CARPET TILE	PTD 1X4 WOOD	BASE: LVL 5 PTD GWB, ALT: T&G WESTERN RED CEDAR	BASE: OPEN TO STRUCTURE, ALT: T&G WESTERN RED CEDAR		187 SF
1.40	INFORMATION / SERVICE DESK 2ND	POLISH (E) CONC SLAB	CLEAR 1X4 CEDAR	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		72 SF
1.45	HOLDS	POLISH (E) CONC SLAB	CLEAR 1X4 CEDAR	BASE: LVL 5 PTD GWB, ALT: T&G WESTERN RED CEDAR	BASE: OPEN TO STRUCTURE, ALT: T&G WESTERN RED CEDAR		92 SF
1.50	NEW BOOKS	POLISH (E) CONC SLAB	CLEAR 1X4 CEDAR	BASE: LVL 5 PTD GWB, ALT: T&G WESTERN RED CEDAR	BASE: OPEN TO STRUCTURE, ALT: T&G WESTERN RED CEDAR		286 SF
1.60	BRANCH MANAGER	CARPET TILE	RUBBER	LVL 4 PTD GWB	ACOUSTIC CLG TILE		110 SF
1.65	AIDE SUPERVISOR	CARPET TILE	RUBBER	LVL 4 PTD GWB	ACOUSTIC CLG TILE		110 SF
1.67	TELEPHONE INFO	POLISH (E) CONC SLAB	RUBBER	LVL 4 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: LVL 4 PTD GWB		72 SF
1.69	STAFF OFFICES 1ST	CARPET TILE	RUBBER	LVL 4 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		1353 SF
1.69	STAFF OFFICES 2ND	CARPET TILE	RUBBER	LVL 4 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		752 SF
1.70	CIRCULATION	CARPET TILE	RUBBER	LVL 4 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		420 SF
1.75	DELIVERY AREA	POLISH (E) CONC SLAB	RUBBER	LVL 4 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: LVL 4 PTD GWB		64 SF
1.80	JANITOR	(E) CONC SLAB	RUBBER	LVL 3 PTD GWB	OPEN TO STRUCTURE		46 SF
1.80	STORAGE	(E) CONC SLAB	RUBBER	LVL 3 PTD GWB	OPEN TO STRUCTURE		185 SF
1.90	PUBLIC ACCESS COMPUTERS	CARPET TILE	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		427 SF
1.95	REFERENCE COLLECTION	CARPET TILE	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		634 SF
2.15	ADULT FICTION	CARPET TILE	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		2007 SF
2.20	ADULT NONFICTION	CARPET TILE	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		1727 SF
2.25	SPANISH LANGUAGE COLLECTION	CARPET TILE	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		952 SF
2.30	MAGAZINES & NEWSPAPERS	CARPET TILE	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		517 SF
2.35	MEDIA	CARPET TILE	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		843 SF
2.40	TEENSPACE	CARPET TILE	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		760 SF
2.45	LEARNING COMMONS	POLISH (E) CONC SLAB	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		460 SF
2.50	GENEALOGY & CALIFORNIANA	CARPET TILE	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		1184 SF
2.55	WORK ROOM	POLISH (E) CONC SLAB	RUBBER	LVL 4 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: LVL 4 PTD GWB		327 SF
2.60	LARGE PRINT BOOKS	CARPET TILE	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		730 SF
2.70	LIFE LITERACIES CENTER	CARPET TILE	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		638 SF
2.90	QUIET READING / LOCAL HISTORY	CARPET TILE	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		375 SF
3.00	FAMILY SPACE	CARPET TILE	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		1396 SF
3.10	KIDSPOT	CARPET TILE	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		4470 SF
3.20	KIDSPOT STORYTIME AREA	CARPET TILE	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		796 SF
3.40	CHILDREN'S SERVICE DESK	CARPET TILE	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		110 SF
3.45	CHILDREN'S SERVICES WORK ROOM	CARPET TILE	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		161 SF
3.55	FAMILY RESTROOM A	TILE	TILE	48" TILE, LVL 4 GWB ABOVE	LVL 4 PTD GWB		101 SF
3.55	FAMILY RESTROOM B	TILE	TILE	48" TILE, LVL 4 GWB ABOVE	LVL 4 PTD GWB		101 SF
3.60	COMMUNITY MEETING ROOM	POLISH (E) CONC SLAB	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		1739 SF
3.65	MEETING ROOM STORAGE	(E) CONC SLAB	RUBBER	LVL 3 PTD GWB	OPEN TO STRUCTURE		236 SF
3.70	KITCHEN	(E) CONC SLAB	RUBBER	LVL 4 PTD GWB	LVL 4 PTD GWB		121 SF
3.71	MEDIUM MEETING ROOM	CARPET TILE	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		759 SF
3.75	SMALL MEETING A	CARPET TILE	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		89 SF
3.75	SMALL MEETING B	CARPET TILE	PTD 1X4 WOOD	LVL 5 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		92 SF
3.85	STAFF LOUNGE	POLISH (E) CONC SLAB	RUBBER	LVL 4 PTD GWB	BASE: OPEN TO STRUCTURE, ALT: ACOUSTIC CLG TILE		189 SF
3.90	SERVER ROOM	(E) CONC SLAB	RUBBER	LVL 3 PTD GWB	OPEN TO STRUCTURE		110 SF
Grand total: 59							29282 SF

1.217

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ROOM FINISH  
SCHEDULE

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SHEET NUMBER

A9.00

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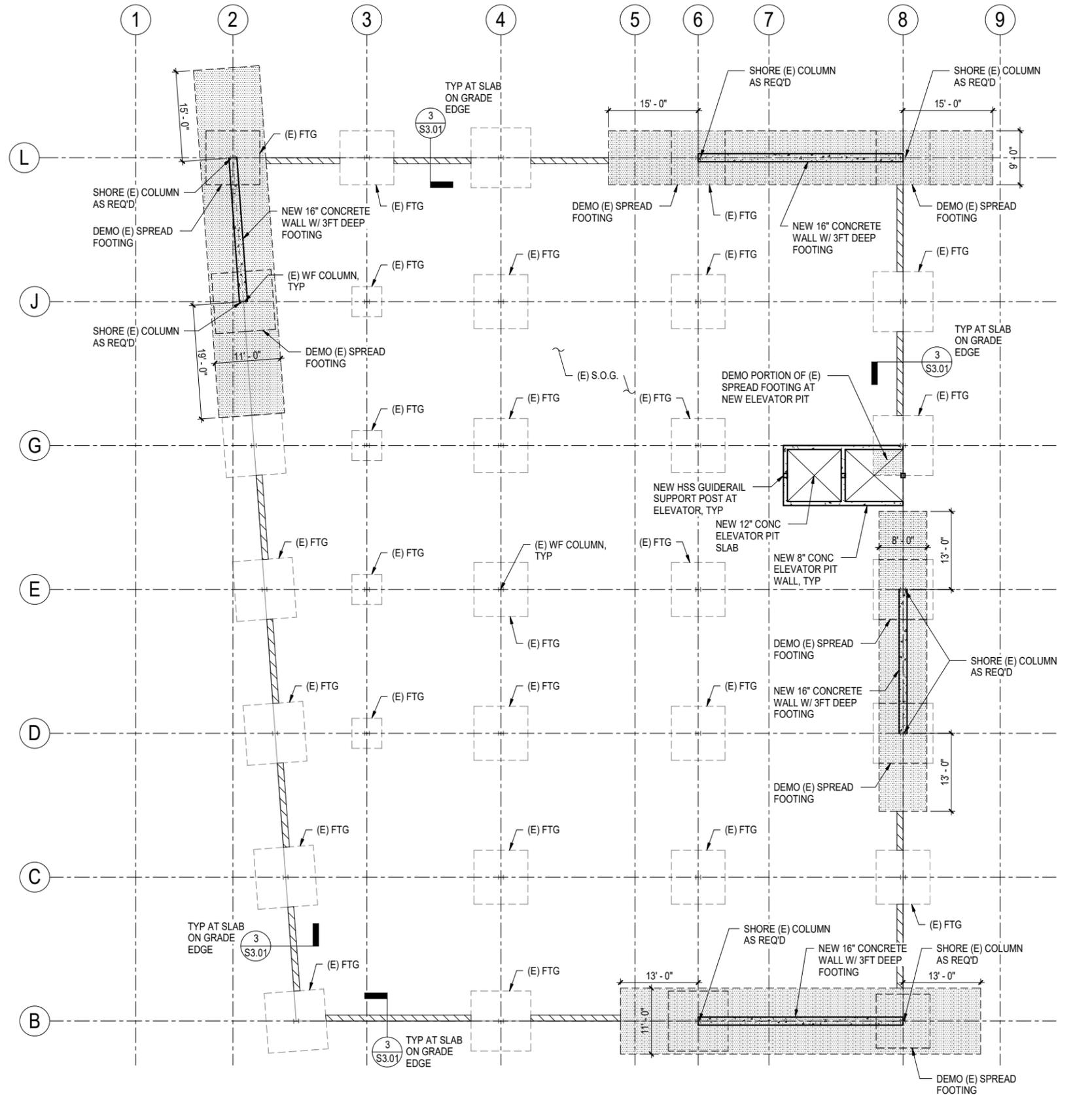


SHEET TITLE  
**FOUNDATION PLAN**

REVISIONS		
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DATE 10/21/2019  
SCALE 1" = 10'-0"  
JOB NO.

SHEET NUMBER  
**S2.01**

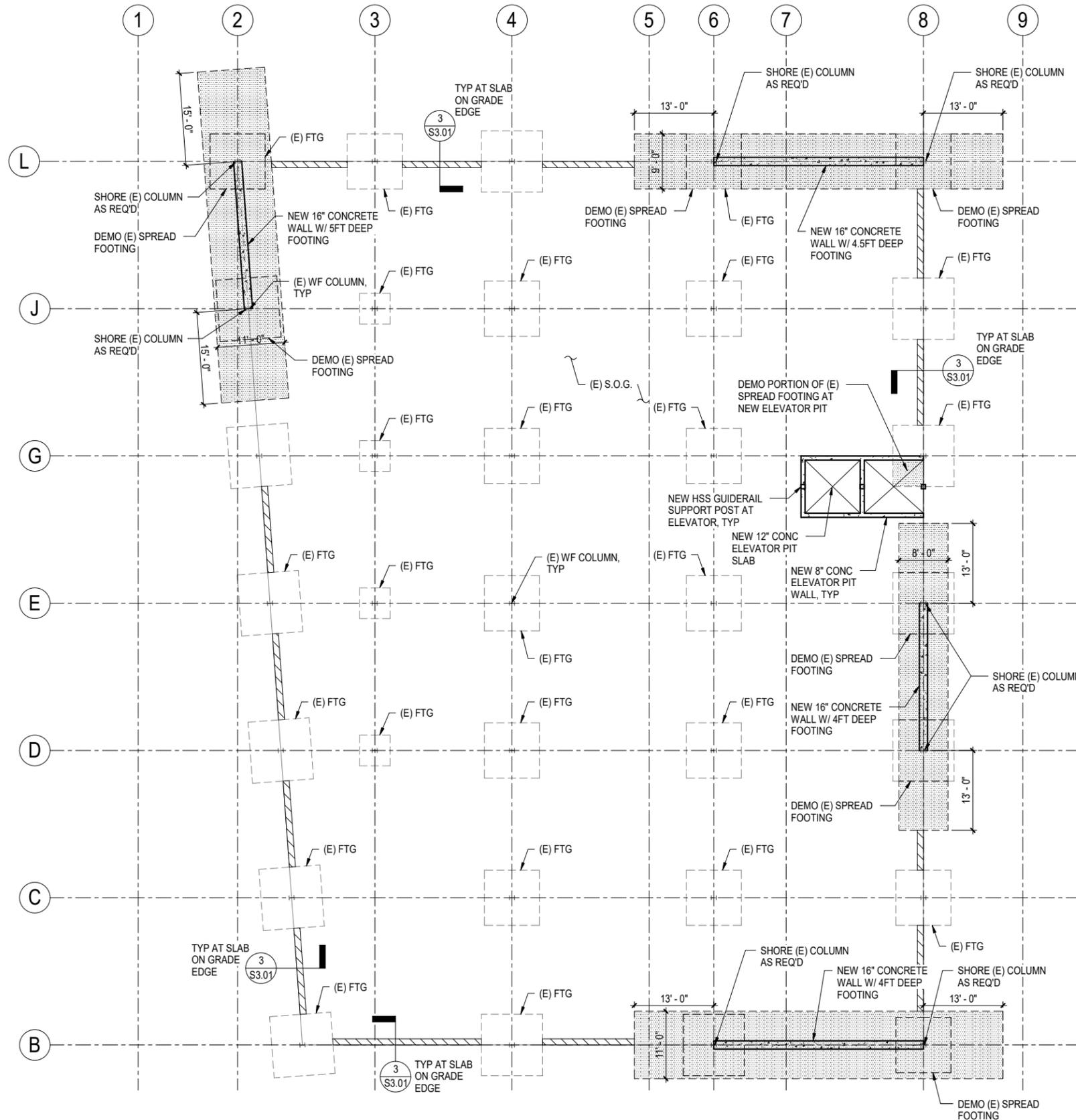


**1 FOUNDATION PLAN**

1" = 10'-0"

1.218

1.219



**1 FOUNDATION PLAN**

1" = 10'-0"

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SHEET TITLE

**FOUNDATION PLAN - ALTERNATE**

REVISIONS		
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DATE 10/21/2019  
SCALE 1" = 10'-0"  
JOB NO.

SHEET NUMBER

**S2.02**

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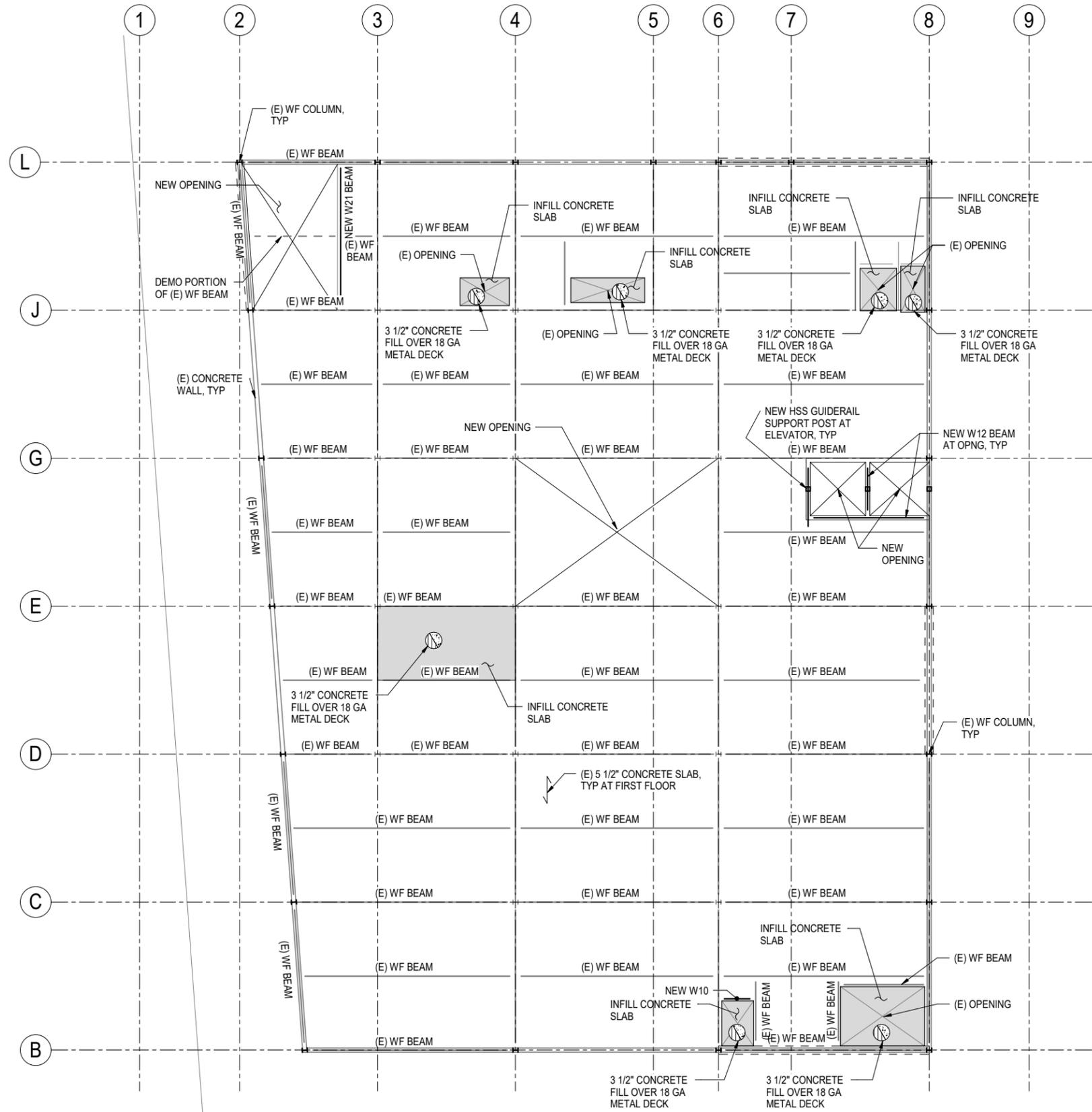


SHEET TITLE  
**LEVEL 02 FRAMING**  
**PLAN**

REVISIONS		
NO.	DATE	DESCRIPTION

DATE 10/21/2019  
SCALE 1" = 10'-0"  
JOB NO.

SHEET NUMBER  
**S2.03**



**1 LEVEL 02 FRAMING PLAN**

1" = 10'-0"

1.220

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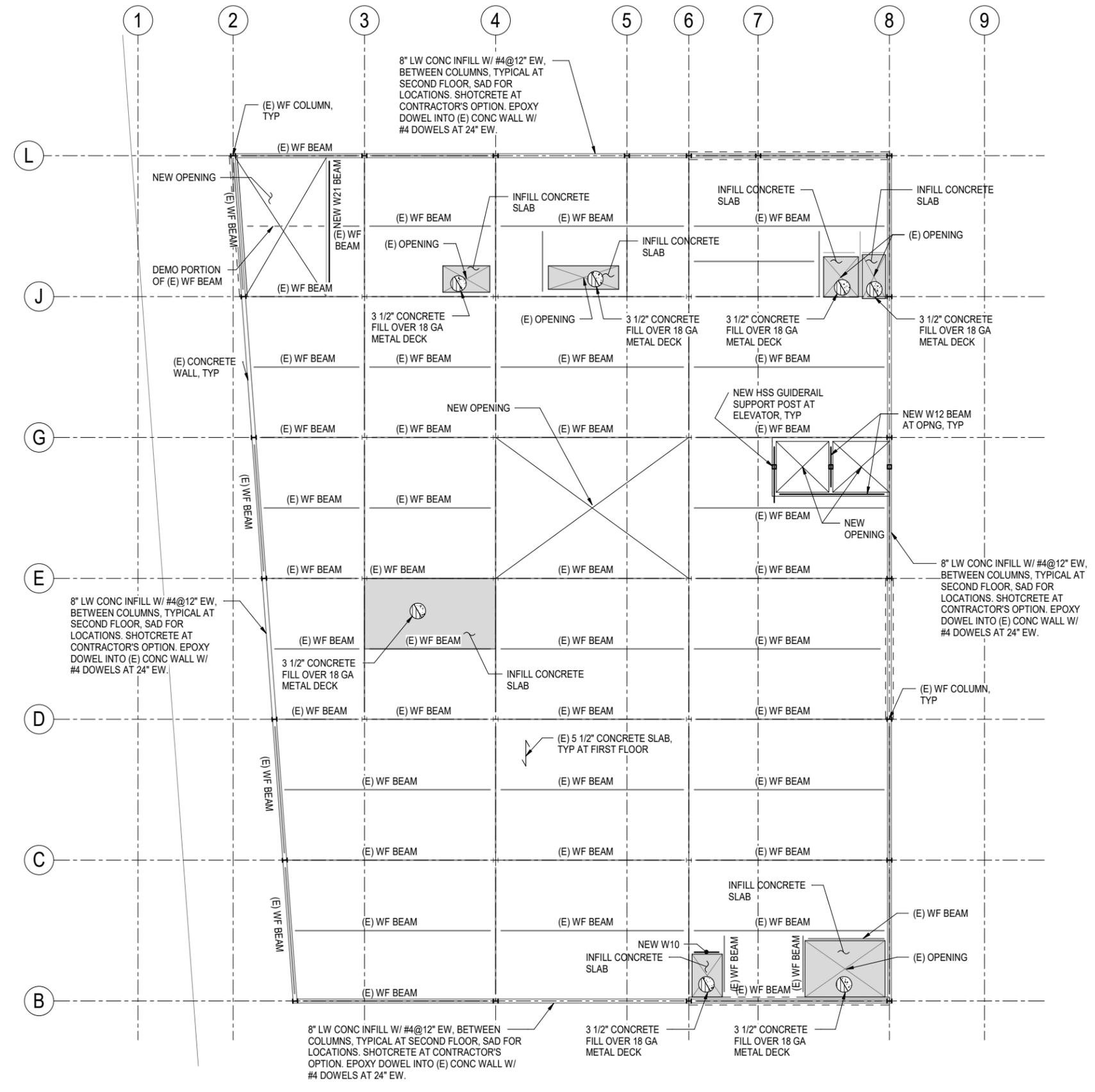


SHEET TITLE  
**LEVEL 02 FRAMING**  
**PLAN - ALTERNATE**

REVISIONS		
NO.	DATE	DESCRIPTION

DATE 10/21/2019  
SCALE 1" = 10'-0"  
JOB NO.

SHEET NUMBER  
**S2.04**



1.221

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**1 LEVEL 02 FRAMING PLAN**

1" = 10'-0"



SHEET TITLE

**ROOF FRAMING PLAN**

REVISIONS

NO.	DATE	DESCRIPTION

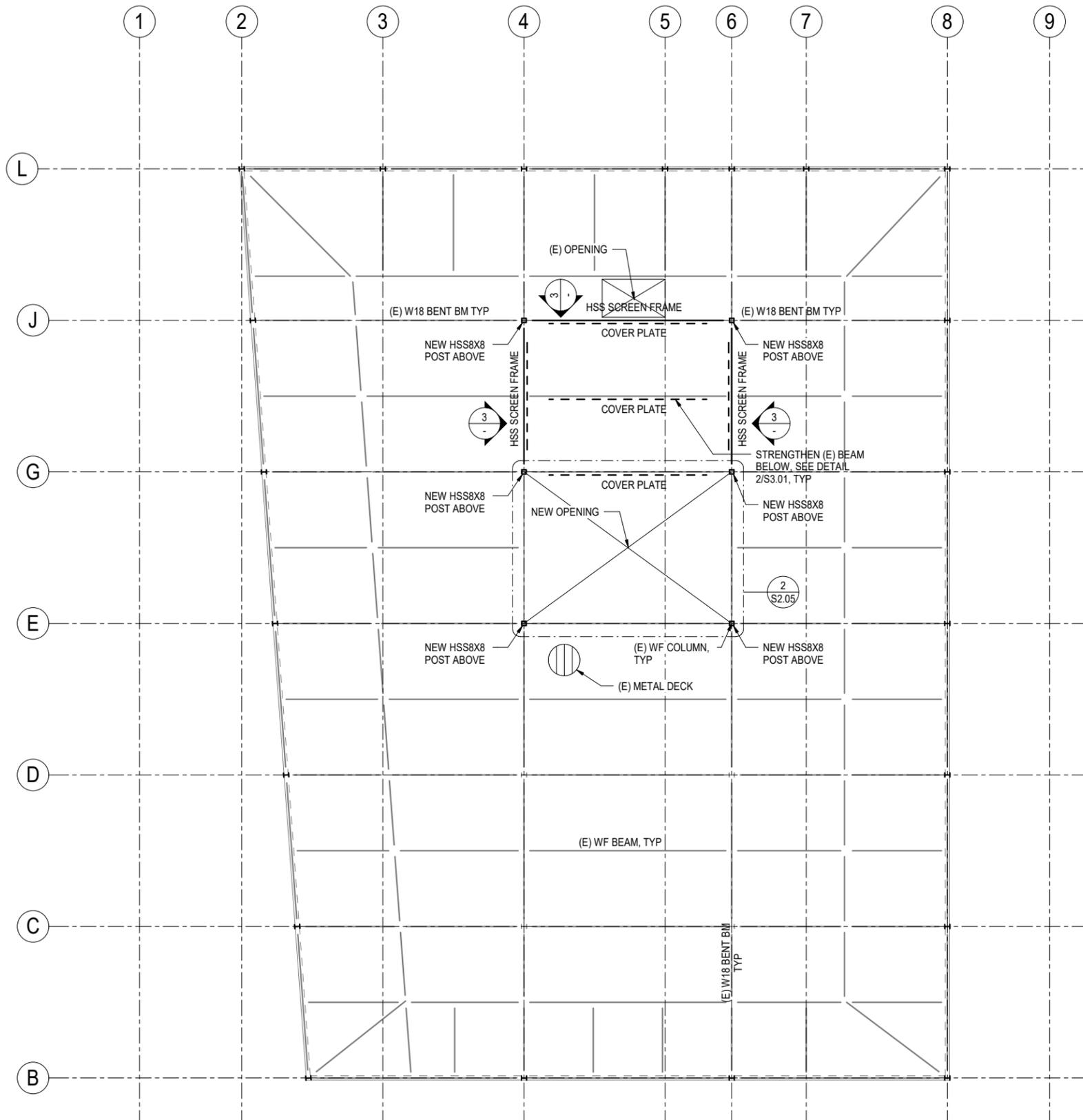
DATE 10/21/2019

SCALE As indicated

JOB NO.

SHEET NUMBER

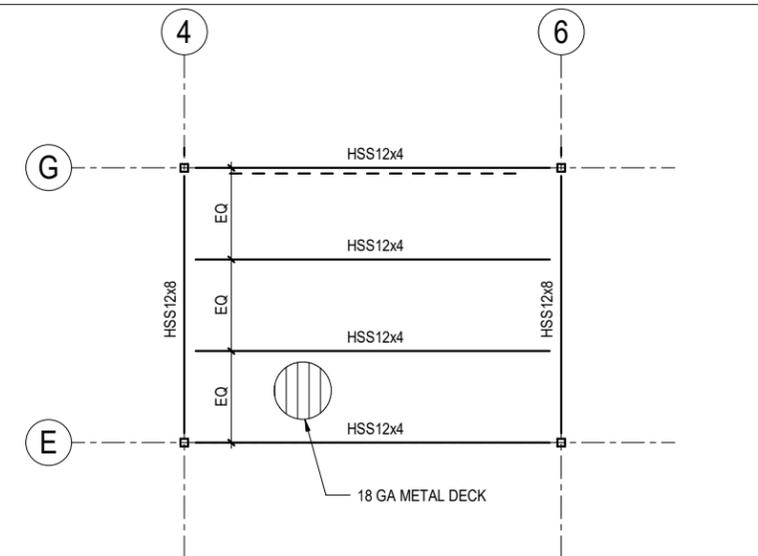
**S2.05**



1.222

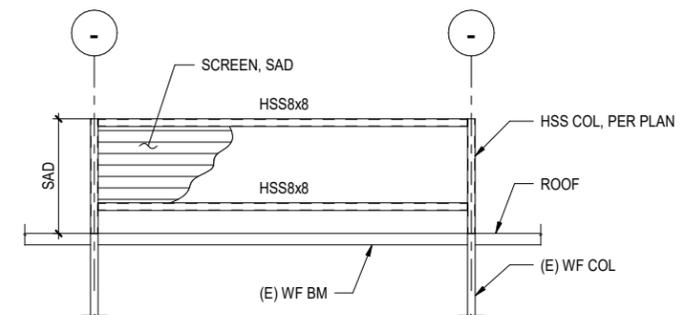
**1 ROOF FRAMING PLAN**

1" = 10'-0"



**2 CLERESTORY FRAMING**

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**3 MECHANICAL SCREEN SUPPORT FRAMING**

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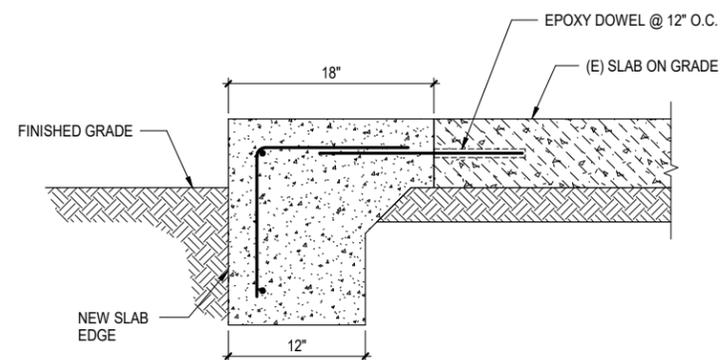


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NO.	DATE	DESCRIPTION



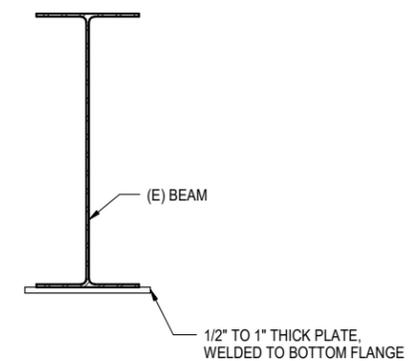
**1 TYPICAL CONCRETE SHEAR WALL ELEVATION**

1/2" = 1'-0"



**3 NEW SLAB ON GRADE EDGE**

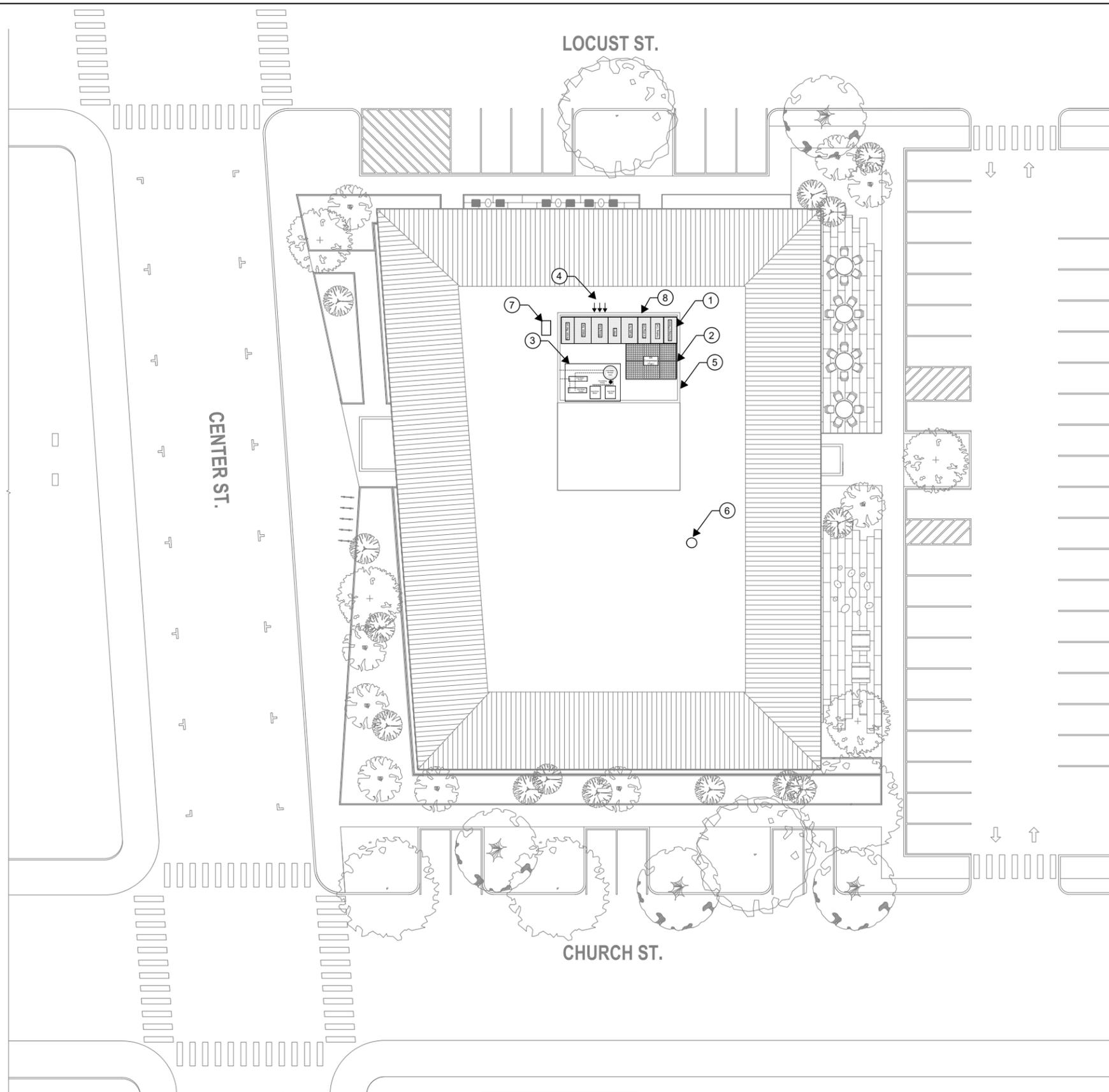
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**2 TYPICAL BEAM STRENGTHENING**

NTS

1.223



**KEY NOTES**

- ① PACKAGED AIR HANDLING UNIT. REFER TO NARRATIVE TO COMPONENT DESCRIPTION.
- ② AIR HANDLING UNIT DX COOLING COMPRESSORS. REFER TO NARRATIVE FOR SIZE.
- ③ HEATING HOT WATER PLANT. ROUTE HOT WATER TO AHU HEATING COIL, AND BUILDING RETURN AIR RISER.
- ④ OUTDOOR AIR INTAKE
- ⑤ LOUVERED PARAPET SCREEN
- ⑥ GENERAL EXHAUST FAN (RESTROOMS AND KITCHEN)
- ⑦ REUSE EXISTING SERVER ROOM ROOFTOP CONDENSING UNIT
- ⑧ REMOVABLE PARAPET WALL, FOR EQUIPMENT ACCESS

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**CITY OF SANTA CRUZ**

**PROJECT**

**SANTA CRUZ MAIN LIBRARY**  
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NOT FOR  
CONSTRUCTION**

**CONCEPT DESIGN -  
COSTING SET**

SHEET TITLE  
**MECHANICAL SITE PLAN**

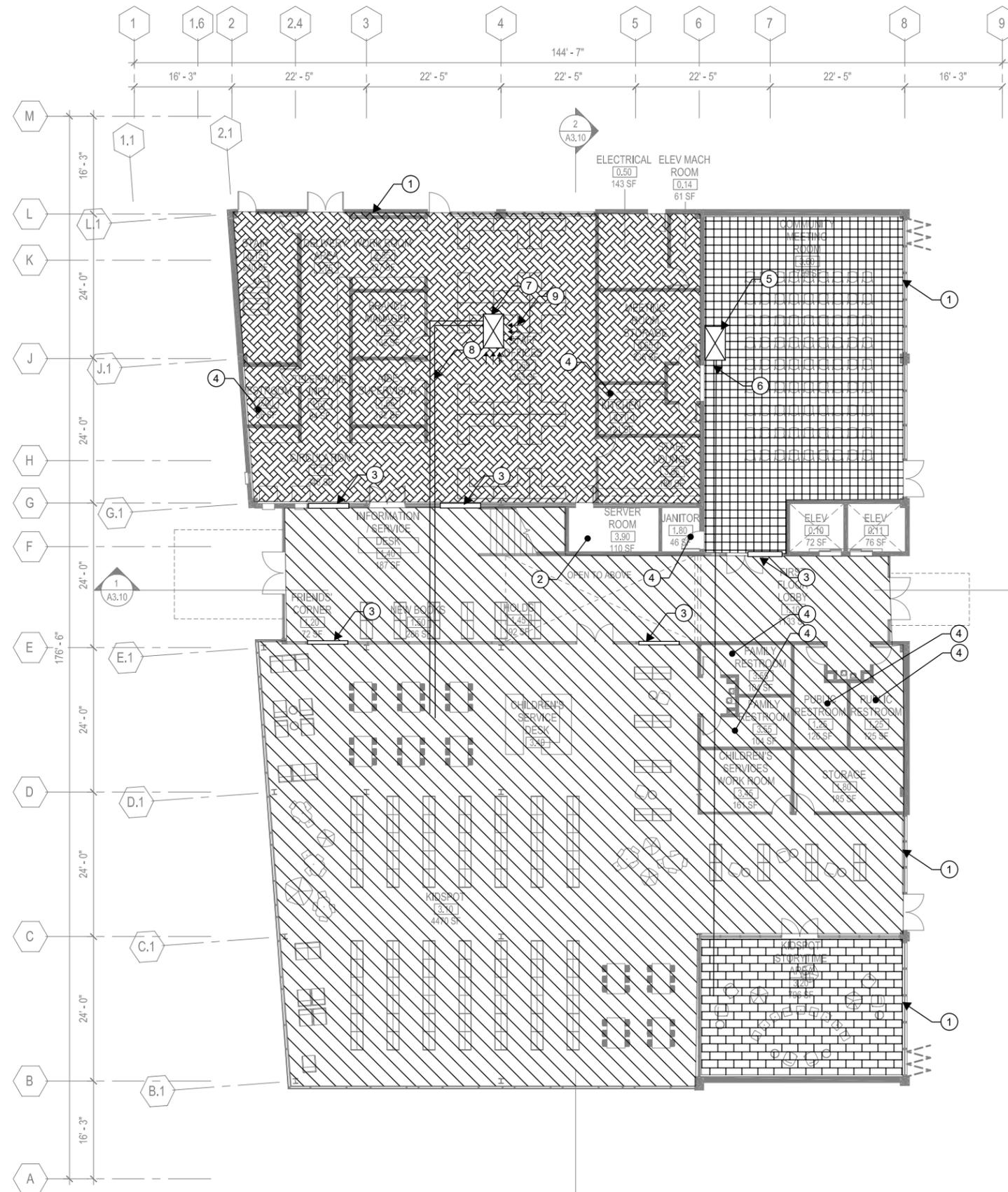
REVISIONS		
NO.	DATE	DESCRIPTION

DATE	10/21/2019
SCALE	As Indicated
JOB NO.	

SHEET NUMBER  
**M2.10**

① 01 - MECHANICAL SITE PLAN  
M2.10 1/16" = 1'-0"

**1.224**



1 SCOPE PLAN - LEVEL 01  
3/32" = 1'-0"

**KEY NOTES**

- ① HVAC CONTROL ZONE. PROVIDE VAV BOX WITH HYDRONIC REHEAT COIL. SIZE ZONE FOR 1.2 CFM PER SQUARE FEET. PROVIDE 2x2 DIFFUSERS AND GRILLES (MAX 500 CFM PER DIFFUSER)
- ② SERVER ROOM. RE-USE EXISTING SERVER ROOM EQUIPMENT. ROUTE REFRIGERANT FROM EXISTING ROOFTOP SERVER AC TO SERVER EQUIPMENT
- ③ RETURN AIR TRANSFER OPENING, ABOVE CEILING
- ④ DUCTED EXHAUST ZONE. ROUTE DUCTED EXHAUST FROM ZONE TO COMMON ROOF EXHAUST FAN
- ⑤ 124"x36" SUPPLY AIR DUCT TO ROOF
- ⑥ 56"x36" SUPPLY AIR FLOOR MAIN. TO VAV BOXES.
- ⑦ 124"x36" RETURN AIR SHAFT WITH 2" HEATING HOT WATER SUPPLY AND RETURN PIPING
- ⑧ 2" HEATING HOT WATER SUPPLY AND RETURN FLOOR MAINS. TO VAV HYDRONIC REHEAT COILS
- ⑨ CENTRAL PLENUM RETURN. SIZE INLETS TO RETURN PLENUM NOT TO EXCEED 500 FEET PER MINUTE



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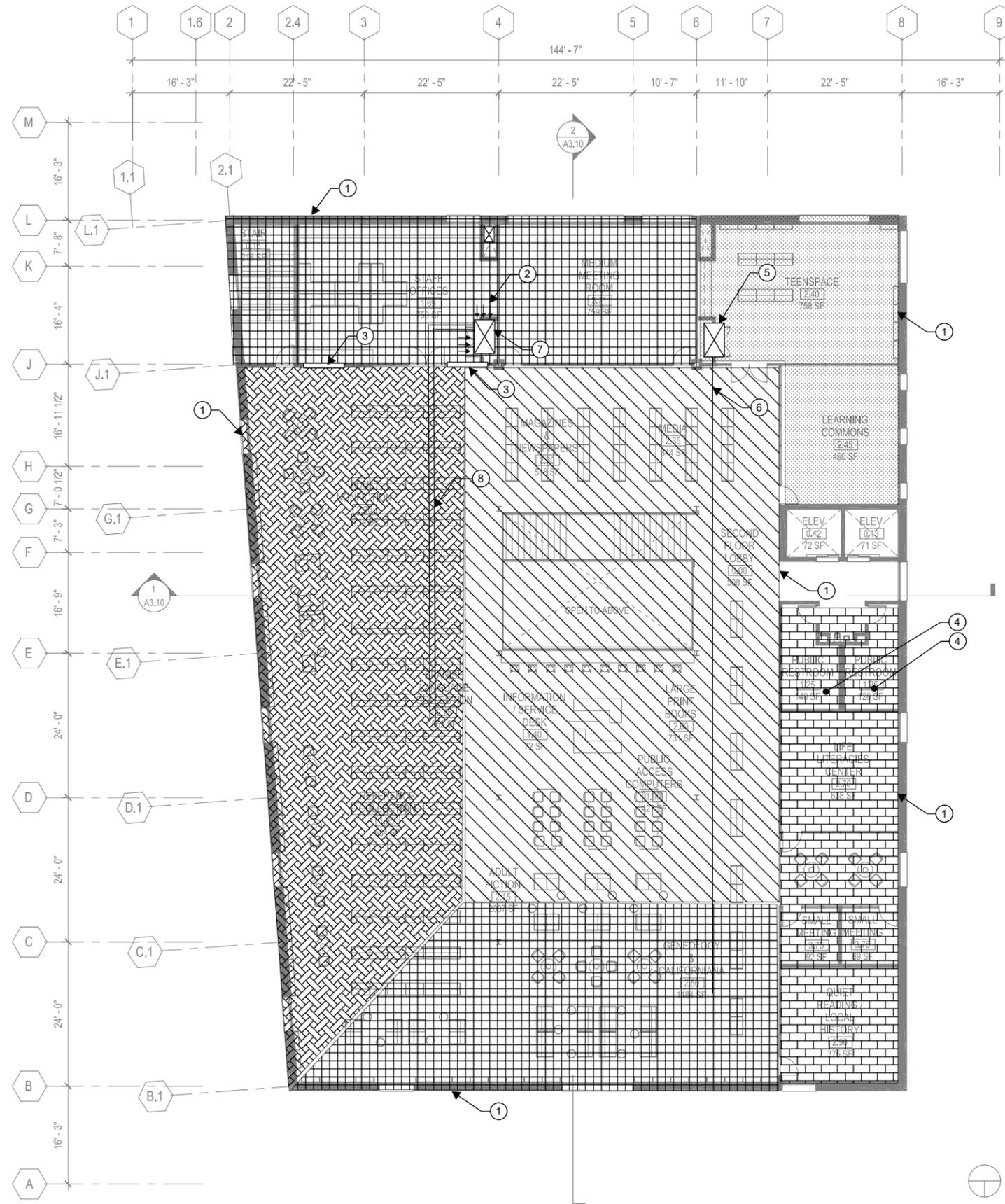
CONCEPT DESIGN -  
COSTING SET

SHEET TITLE  
**MECHANICAL - LEVEL 1**

REVISIONS		
NO.	DATE	DESCRIPTION

DATE	10/21/2019
SCALE	As indicated
JOB NO.	

SHEET NUMBER  
**M2.11**



1 SCOPE PLAN - LEVEL 02  
M2.12 3/32" = 1'-0"

**KEY NOTES**

- ① HVAC CONTROL ZONE. PROVIDE VAV BOX WITH HYDRONIC REHEAT COIL. SIZE ZONE FOR 1.2 CFM PER SQUARE FEET. PROVIDE 2x2 DIFFUSERS AND GRILLES (MAX 500 CFM PER DIFFUSER).
- ② CENTRAL PLENUM RETURN. SIZE INLETS TO RETURN PLENUM NOT TO EXCEED 500 FEET PER MINUTE.
- ③ RETURN AIR TRANSFER OPENING, ABOVE CEILING.
- ④ DUCTED EXHAUST ZONE. ROUTE DUCTED EXHAUST FROM ZONE TO COMMON ROOF EXHAUST FAN.
- ⑤ 124"x36" SUPPLY AIR DUCT TO ROOF.
- ⑥ 56"x36" SUPPLY AIR FLOOR MAIN. TO VAV BOXES.
- ⑦ 124"x36" RETURN AIR SHAFT WITH 3" HEATING HOT WATER SUPPLY AND RETURN PIPING.
- ⑧ 2" HEATING HOT WATER SUPPLY AND RETURN FLOOR MAINS. TO VAV HYDRONIC REHEAT COILS.

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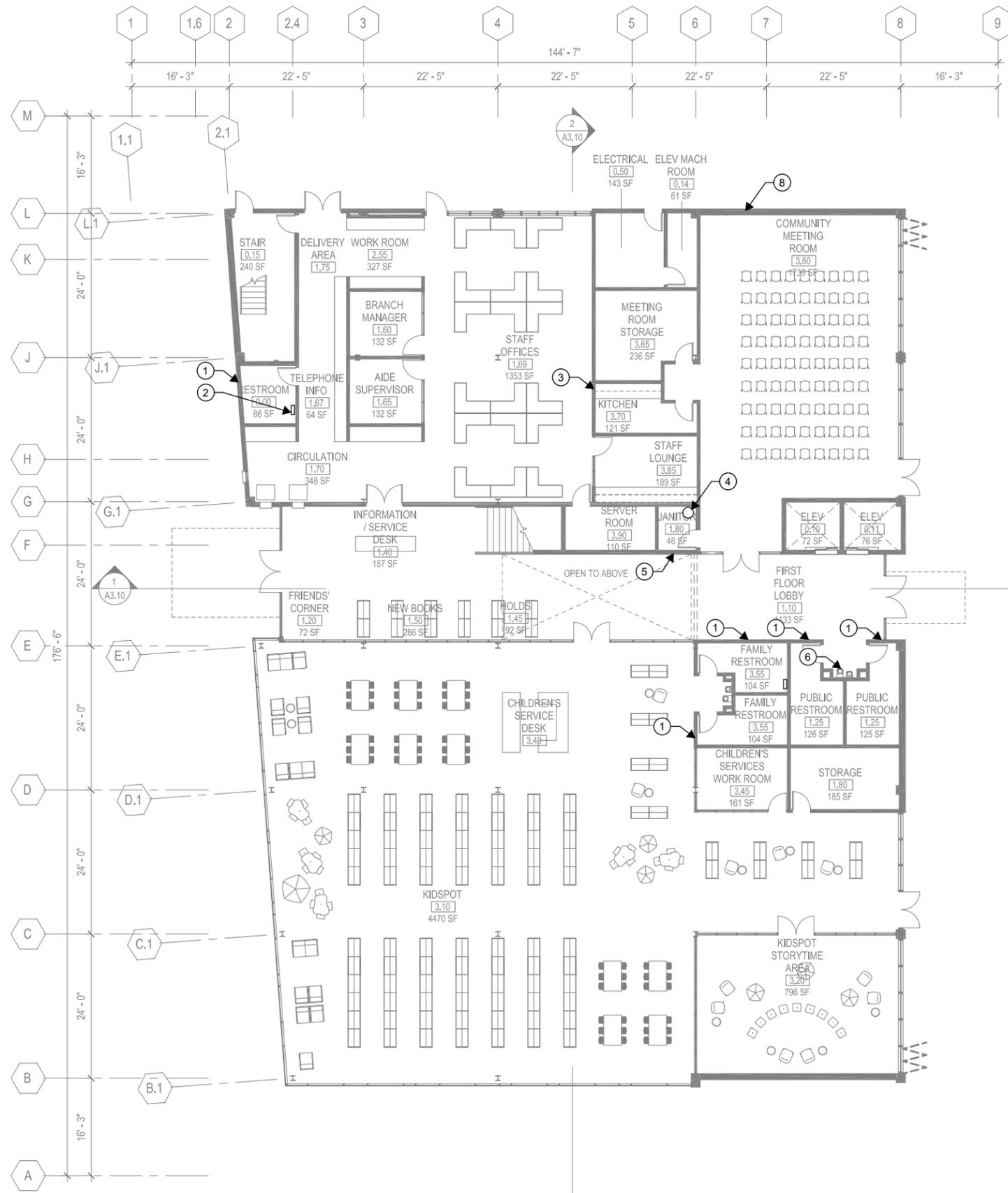
**CONCEPT DESIGN - COSTING SET**

SHEET TITLE  
**MECHANICAL - LEVEL 2**

REVISIONS		
NO.	DATE	DESCRIPTION

DATE	10/21/2019
SCALE	As indicated
JOB NO.	

SHEET NUMBER  
**M2.12**



1 SCOPE PLAN - LEVEL 01  
P2.11 3/32" = 1'-0"

**KEY NOTES**

- ① ROUTE COLD WATER AND SANITARY SEWER PIPING TO NEW RESTROOM FIXTURES
- ② PROVIDE POINT OF USE ELECTRIC RESISTANCE WATER HEATER
- ③ ROUTE COLD WATER AND SANITARY SEWER PIPING TO NEW KITCHEN FIXTURES
- ④ PROVIDE SUSPENDED 20 GALLON TANK TYPE ELECTRIC RESISTANCE WATER HEATER TO SERVE JANITOR CLOSET AND KITCHEN HOT WATER FIXTURES. ROUTE HOT WATER PIPING FROM TANK TO EACH FIXTURE.
- ⑤ ROUTE COLD WATER AND SANITARY SEWER PIPING TO NEW JANITOR CLOSET FIXTURES
- ⑥ ROUTE COLD WATER AND SANITARY SEWER PIPING TO NEW DRINKING FOUNTAIN
- ⑧ PROVIDE NEW FIRE SPRINKLER PROTECTION SYSTEM THROUGH OUT THE ENTIRE BUILDING.



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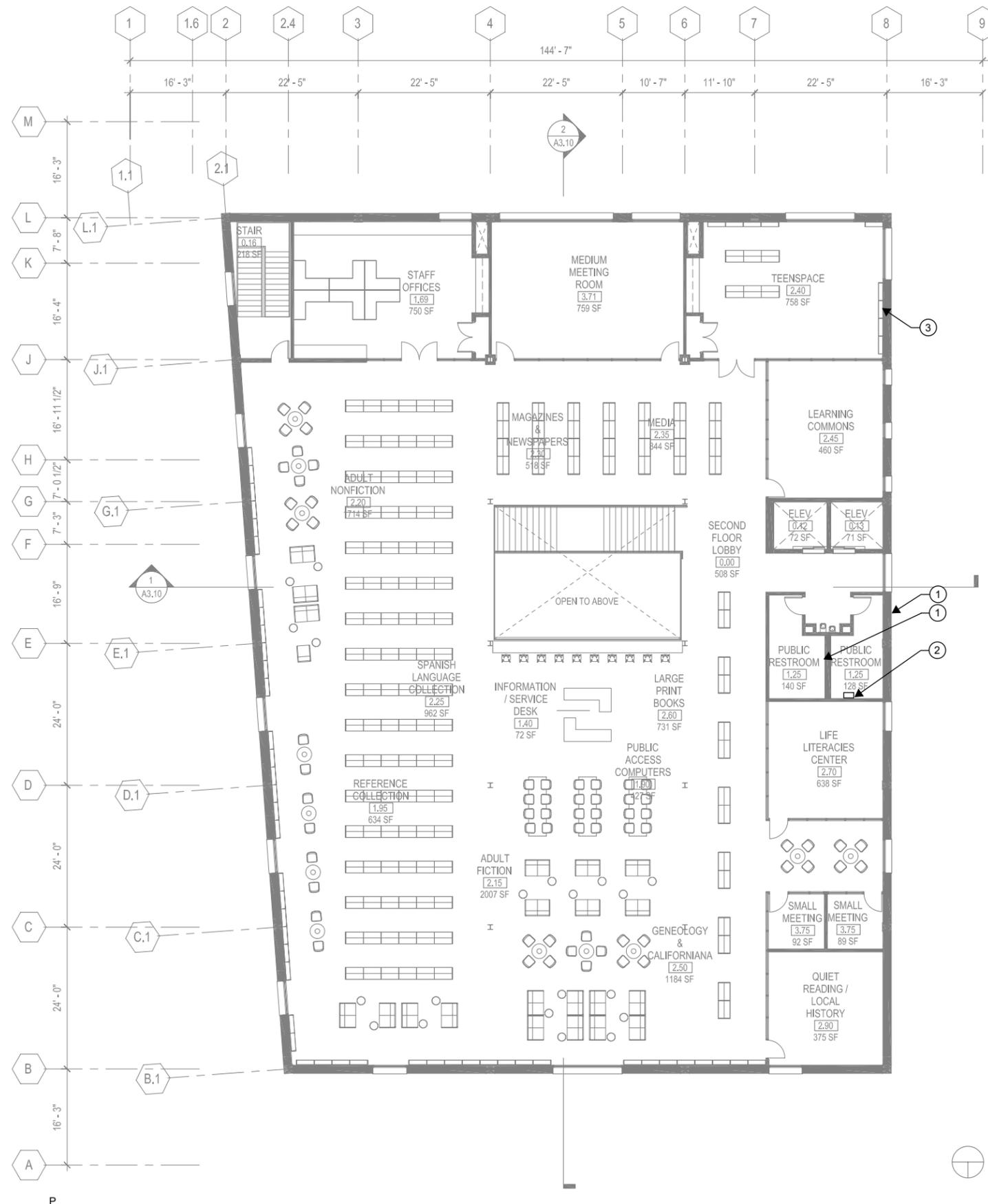
**CONCEPT DESIGN - COSTING SET**

SHEET TITLE  
**PLUMBING - LEVEL 1**

REVISIONS		
NO.	DATE	DESCRIPTION

DATE	10/21/2019
SCALE	As indicated
JOB NO.	

SHEET NUMBER  
**P2.11**



1 SCOPE PLAN - LEVEL 02  
2.12 3/32" = 1'-0"

**KEY NOTES**

- ① ROUTE COLD WATER AND SANITARY SEWER PIPING TO NEW RESTROOM FIXTURES
- ② PROVIDE POINT OF USE ELECTRIC RESISTANCE WATER HEATER
- ③ PROVIDE NEW FIRE SPRINKLER SYSTEM THROUGH OUT THE ENTIRE BUILDING.

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SHEET TITLE  
**PLUMBING - LEVEL 2**

REVISIONS		
NO.	DATE	DESCRIPTION

DATE	10/21/2019
SCALE	As indicated
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SHEET NUMBER  
**P2.12**

SYMBOL LIST (NOT ALL SYMBOLS USED)

<b>LINE TYPES</b>	EXISTING EQUIPMENT/ RACEWAYS TO REMAIN, (E)
	EXISTING EQUIPMENT/ RACEWAYS TO BE REMOVED, (D)
	NEW EQUIPMENT / RACEWAYS
<b>SINGLE LINE DIAGRAM</b>	
	TRANSFORMER
	CIRCUIT BREAKER
	DRAW OUT CIRCUIT BREAKER
	MEDIUM VOLTAGE VACUUM CIRCUIT BREAKER
	MOTOR STARTER WITH OVERCURRENT PROTECTION 3 POLE UNLESS OTHERWISE NOTED
	NON-FUSED DISCONNECT SWITCH, 30 AMP, 3P UNLESS NOTED OTHERWISE.
	FUSED DISCONNECT SWITCH, 3 POLE UNLESS NOTED OTHERWISE.
	CIRCUIT BREAKER ACCESSORY, 'S' INDICATES SHUNT TRIP, 'G' INDICATES GROUND FAULT RELAY
	UTILITY METER WITH CT/PT
	KWH SUB METER WITH CT/PT
	MULTIPOINT KWH SUB METER IN SEPARATE ENCLOSURE, CT/PTS AS SHOWN
<b>LIGHTING CONTROLS</b>	
	CEILING MOUNTED OCCUPANCY SENSOR P = PASSIVE INFRARED D = DUAL TECHNOLOGY U = ULTRASONIC, 360 DEG RANGE H = ULTRASONIC, HALLWAY PATTERN
	PHOTO ELECTRIC SWITCH D = CONTINUOUS DIMMING PHOTOCELL S = SWITCHED PHOTOCELL
	SWITCH 2 = DOUBLE POLE SWITCH 3 = THREE-WAY SWITCH 4 = FOUR-WAY SWITCH o THRU x (LOWERCASE) = LUMINAIRE CONTROL DESIGNATION M = MANUAL MOTOR STARTER WITH THERMAL OVERLOAD K = KEY OPERATED SWITCH T = INTERVAL TIMER W = WEATHER PROOF SWITCH WL = WET LOCATION V = LOW VOLTAGE SWITCH D = DIMMING SWITCH
	WALL MOUNTED OCCUPANCY SENSOR P = PASSIVE INFRARED D = DUAL TECHNOLOGY WALL MOUNTED
	OCCUPANCY SENSOR/SWITCH (AUTO ON - AUTO OFF) S = PASSIVE INFRARED WITH INTEGRAL "OFF" SWITCH T = DUAL RELAY PASSIVE INFRARED WITH TWO INTEGRAL "OFF" SWITCHES D = PASSIVE INFRARED WITH INTEGRAL DIMMER TO OFF.
	RESIDENTIAL VACANCY SENSOR (MANUAL ON - AUTO OFF)
<b>LUMINAIRES</b>	
	RECESSED LUMINAIRE. SEE PLANS FOR DIMENSIONS.
	RECESSED DOWNLIGHT LUMINAIRE.
	SURFACE MOUNTED 2'x4' LUMINAIRE
	SURFACE OR PENDANT MOUNTED 1'x4' LUMINAIRE
	SURFACE OR PENDANT 1'x8' LUMINAIRE
	SURFACE OR PENDANT 6'x8' LUMINAIRE
	SURFACE OR PENDANT STRIP LUMINAIRE
	LINEAR WALL MOUNT LUMINAIRE
	WALL SCONCE
	AREA LUMINAIRE MOUNTED WITH POLE AND CONCRETE BASE
	BOLLARD OR POST TOP LUMINAIRE, SEE LUMINAIRE SCHEDULE
	FLOOD LIGHT
	FLUSH IN GRADE EXTERIOR LUMINAIRE
	SURFACE OR PENDANT DOWNLIGHT
	EMERGENCY LIGHTING, SEE DESCRIPTIONS ABOVE
	EMERGENCY LIGHTING WALL PACK
	LUMINAIRE NOMENCLATURE 'A' = LUMINAIRE TYPE, SEE LUMINAIRE SCHEDULE 1 = CIRCUIT NUMBER o = LOWERCASE LETTER INDICATES MANUAL OR OCCUPANCY SWITCH LEG zA = INDICATES AUTOMATED DAYLIGHT CONTROL ZONE

<b>DEVICES</b>	
FLOOR* WALL CEILING	
	DUPLEX RECEPTACLE, 5-20R U.O.N.
	DOUBLE DUPLEX (QUAD) RECEPTACLE, 5-20R U.O.N.
	CONTROLLED DUPLEX RECEPTACLE, 5-20R U.O.N.
	CONTROLLED DOUBLE DUPLEX (QUAD) RECEPTACLE, 5-20R U.O.N.
	*PROVIDE COMBINED POWER/DATA FLOOR BOXES IF SHOWN ON PLANS PT = POKE THRU, FB = FLOOR BOX, PD = PEDESTAL
	LTR
	A
	G
	WP
	U
	S
	Z
	A-1.
FLOOR* WALL CEILING	
	4-IN SQUARE JUNCTION BOX
	PULL BOX, SIZED PER CODE
	POWER AND DATA JUNCTION BOXES WITH WHIPS FOR FURNITURE CONNECTION. *PROVIDE POWER POLE WITH CEILING JUNCTION BOX
FLOOR* WALL** CEILING	
	COMBINATION TELEPHONE / DATA OUTLET. PROVIDE 1-1/4" C STUBBED TO ACCESSIBLE CEILING SPACE. CABLING, TERMINATIONS AND JACKS BY OTHERS
	*PROVIDE COMBINED POWER/DATA FLOOR BOXES IF SHOWN ON PLANS PT = POKE THRU, FB = FLOOR BOX, PD = PEDESTAL ** A = ABOVE COUNTER OR AT DEFINED HEIGHT, REFER TO ARCHITECT
	AV OUTLET
	UL 924 EMERGENCY LIGHTING RELAY
<b>EQUIPMENT</b>	
RECESSED SURFACE	
	DISCONNECT SWITCH, 30 AMP MINIMUM UNLESS NOTED OTHERWISE.
	FUSED DISCONNECT SWITCH, 30 AMP MINIMUM UNLESS NOTED OTHERWISE.
	COMBINATION DISCONNECT SWITCH MOTOR STARTER
	MOTOR, 5 HP INDICATED.
	TRANSFORMER
	RELAY OR EQUIPMENT CABINET AS INDICATED ON PLANS.
	LIGHTING OR POWER PANEL BOARD.
	FREE STANDING SWITCHBOARD, MOTOR CONTROL CENTER OR DISTRIBUTION BOARD.
	FIRE TREATED PLYWOOD BACKBOARD 3/4"x96" HIGH X LENGTH AS INDICATED.
<b>TAGS</b>	
	EEE
	ELECTRICAL EQUIPMENT DESIGNATION DESIGNATED "EQ01"
	SHEET NOTE ON SAME SHEET.
	AC
	A-1,3,5. F40-3
	MECHANICAL EQUIPMENT DESIGNATION "AC-1" INDICATED. A-1,3,5. INDICATES CIRCUIT NUMBER, F40-3 INDICATES FEEDER CODE IF NONE SHOWN REFER TO SINGLE LINE DIAGRAM FOR ELECTRICAL REQUIREMENTS
	XX
	EQUIPMENT NAME OR NUMBER
	1
	E-6
	DETAIL REFERENCE
	XX
	LIGHTING CONTROL SEQUENCE OF OPERATION TAG

ABBREVIATIONS

(E)	EXISTING
(D)	DEMOLISH
(R)	RELOCATE
(RL)	NEW LOCATION OF RELOCATED DEVICE
A	AMPERES, AMBER
AHJ	AUTHORITY HAVING JURISDICTION
C	AVAILABLE INTERRUPTING CAPACITY
CA	CONDUIT, CLOSE, CONTROL
CA	CABLE
CAT	CATEGORY
CU	COPPER
DIA	DIAMETER
DIM	DIMENSION
DIV	DIVISION
DN	DOWN
DWG	DRAWING
EA	EACH
FF	FINISH FLOOR
FT	FOOT, FEET G,
GND	GROUND
GFCI	GROUND FAULT CIRCUIT INTERRUPTER
GFI	GROUND FAULT INTERRUPTER
IG	ISOLATED GROUND
KV	KILOVOLT
KVA	KILOVOLT AMPERES
KW	KILOWATT
LV	LOW VOLTAGE
MCA	MINIMUM CIRCUIT AMPS
MISC	MISCELLANEOUS
MOPP	MAXIMUM OVERCURRENT PROTECTION
NEC	NATIONAL ELECTRIC CODE
NTS	NOT TO SCALE
PH	PHASE
QTY	QUANTITY
RM	ROOM
STD	STANDARD
TBD	TO BE DETERMINED
TGB	TELECOMMUNICATIONS GROUNDING BUS BAR
TYP	TYPICAL
UL	UNDERWRITERS LABORATORIES
V	VOLTS, VOLTAGE
WP	WEATHERPROOF

GENERAL ELECTRICAL NOTES

- A. SCHEDULE WORK IN EXISTING BUILDINGS WITH THE OWNER. MINIMIZE DISRUPTION OF NORMAL OPERATIONS.
- B. VISIT THE SITE BEFORE SUBMITTING A BID TO OBSERVE EXISTING CONDITIONS.
- C. DO NOT INSTALL ELECTRICAL BOXES IN RATED WALLS CLOSER THAN 2'-0" TO EACH OTHER. PROVIDE "PADDY" PADS OR EQUIVALENT ON EACH BOX INSTALLED.
- D. PLANS DO NOT GENERALLY INDICATE WIRE COUNTS. FOR EACH 20 AMP, 120 VOLT OR 277 VOLT CIRCUIT, PROVIDE (1) #12 PHASE CONDUCTOR, (1) #12 NEUTRAL CONDUCTOR AND (1) #12 GROUNDING CONDUCTOR. WHERE MULTIPLE CIRCUITS ARE SHOWN, UP TO THREE SEPARATE AND DIFFERENTLY PHASED CIRCUITS (A, B AND C) PROVIDE DEDICATED NEUTRALS UNLESS OTHERWISE NOTED AND A SINGLE GROUNDING CONDUCTOR. WHERE DRAWINGS INDICATE WIRE SIZES/COUNTS, PROVIDE SUCH CIRCUIT, NEUTRAL AND GROUNDING CONDUCTORS FOR THE PORTION OF THE CIRCUIT WHERE SUCH CONDUCTORS SHARE A COMMON CONDUIT. GROUND WIRE INSULATION: GREEN. ALL WORK COMPLY WITH CEC 300.17.
- E. IN ALL CASES AND FOR ALL SYSTEMS AND COMPONENTS, USE ONLY EQUIPMENT IN ACCORDANCE WITH ITS LISTING OR LABELING. [CEC 110.3(B)]
- F. USE ONLY EQUIPMENT MARKED (LISTED/LABELLED) AS SUITABLE FOR INSTALLATION AND WITH HIGHER TEMPERATURE RATED CONDUCTORS AT THE AMPACITY OF THE HIGHER RATED CONDUCTORS. REFER TO THE UL ELECTRICAL CONSTRUCTION MATERIAL DIRECTORY FOR CIRCUIT BREAKERS, SWITCHES, PANELBOARDS, SWITCHBOARDS, ETC. [CEC 110.14(C)]
- G. PROVIDE SUFFICIENT ACCESS AND WORKING CLEARANCE ABOUT THE ELECTRICAL EQUIPMENT IN ACCORDANCE WITH CEC 110.26(A).
- H. PROVIDE ACCESS AND ENTRANCES TO AND EGRESS FROM WORKING SPACE ABOUT ELECTRICAL EQUIPMENT IN ACCORDANCE WITH CEC 110.26(C).
- I. INSTALL ONLY RECEPTACLE OUTLETS WITH GROUND-FAULT CIRCUIT INTERRUPTER PROTECTION IN LOCATIONS SPECIFIED AS BATHROOMS, COMMERCIAL AND INSTITUTIONAL KITCHENS, ROOFTOPS AND OUTDOOR PUBLIC SPACES. SEE EXCEPTIONS. [CEC 210.8(e)]
- J. PROVIDE OUTLET DEVICE(S) INSTALLED ON A BRANCH CIRCUIT WITH A RATING IN ACCORDANCE WITH CEC 210.21(B) (SEE EXCEPTIONS, AND REFER TO 210.21(B) TABLE(S)).
- K. DO NOT INSTALL CONDUCTORS OTHER THAN SERVICE CONDUCTORS IN THE SAME SERVICE RACEWAY OR SERVICE CABLE WITH OTHER CONDUCTORS. SEE EXCEPTIONS. [CEC 230.7]
- L. PROVIDE GROUND FAULT PROTECTION OF EQUIPMENT IN ACCORDANCE WITH CEC 230.95 AND 240.13 (SEE EXCEPTIONS).
- M. FOR PVC CONDUIT, PROVIDE AN EQUIPMENT GROUNDING CONDUCTOR RUN WITH THE FEEDER CONDUCTORS AND SIZE PER CEC TABLE 250.122.
- N. FOR PERMANENTLY CONNECTED APPLIANCES RATED NOT OVER 300 VOLTAMPERES OR 1/8 HORSEPOWER, THE BRANCH-CIRCUIT SWITCH OR CIRCUIT BREAKER SHALL BE PERMITTED TO SERVE AS THE DISCONNECTING MEANS. [CEC 422.31]
- O. KEEP LIFE SAFETY BRANCH WIRING ENTIRELY INDEPENDENT OF ALL OTHER WIRING AND SHALL NOT ENTER THE SAME RACEWAYS, BOXES, OR CABINETS WITH EACH OTHER OR OTHER WIRING. [CEC 517.41(D) (SEE EXCEPTIONS)]
- CC. PROVIDE DESIGN BUILD FOR NEW FIRE ALARM SYSTEM. SUBMIT COMPLETE DRAWINGS TO THE FIRE MARSHALL FOR APPROVAL AND ASSUME FULL RESPONSIBILITY OF THE SYSTEM, DEVICE QUANTITY AND LOCATION, WIRING, PROGRAMMING AND CONTROL PANELS. COORDINATE FINAL DEVICE LOCATIONS WITH THE ARCHITECT PRIOR TO ROUGH-IN.

CODES & STANDARDS

1. 2019 CALIFORNIA BUILDING CODE
2. 2019 CALIFORNIA ELECTRICAL CODE
3. 2019 CALIFORNIA MECHANICAL CODE
4. 2019 CALIFORNIA PLUMBING CODE
5. 2019 CALIFORNIA ENERGY CODE (TITLE 24)
6. 2019 CALIFORNIA FIRE CODE
7. 2019 CALIFORNIA GREEN CODE

DRAWING INDEX

E0.01	ELECTRICAL COVER SHEET
E1.01	SITE PLAN - ELECTRICAL
E2.01	FIRST FLOOR PLAN - LIGHTING
E2.02	SECOND FLOOR PLAN - LIGHTING
E3.01	FIRST FLOOR PLAN - POWER & SIGNAL
E3.02	SECOND FLOOR PLAN - POWER & SIGNAL

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CONCEPT DESIGN - COSTING SET

SHEET TITLE  
**ELECTRICAL COVER SHEET**

REVISIONS		
NO.	DATE	DESCRIPTION

10/18/19	FOR COST ESTIMATOR
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DATE	10/21/2019
SCALE	AS NOTED
JOB NO.	

SHEET NUMBER  
**E0.01**

1.229

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SHEET TITLE  
**SITE PLAN -  
ELECTRICAL**

REVISIONS		
NO.	DATE	DESCRIPTION
1	10/18/19	FOR COST ESTIMATOR

DATE	10/21/2019
SCALE	AS NOTED
JOB NO.	

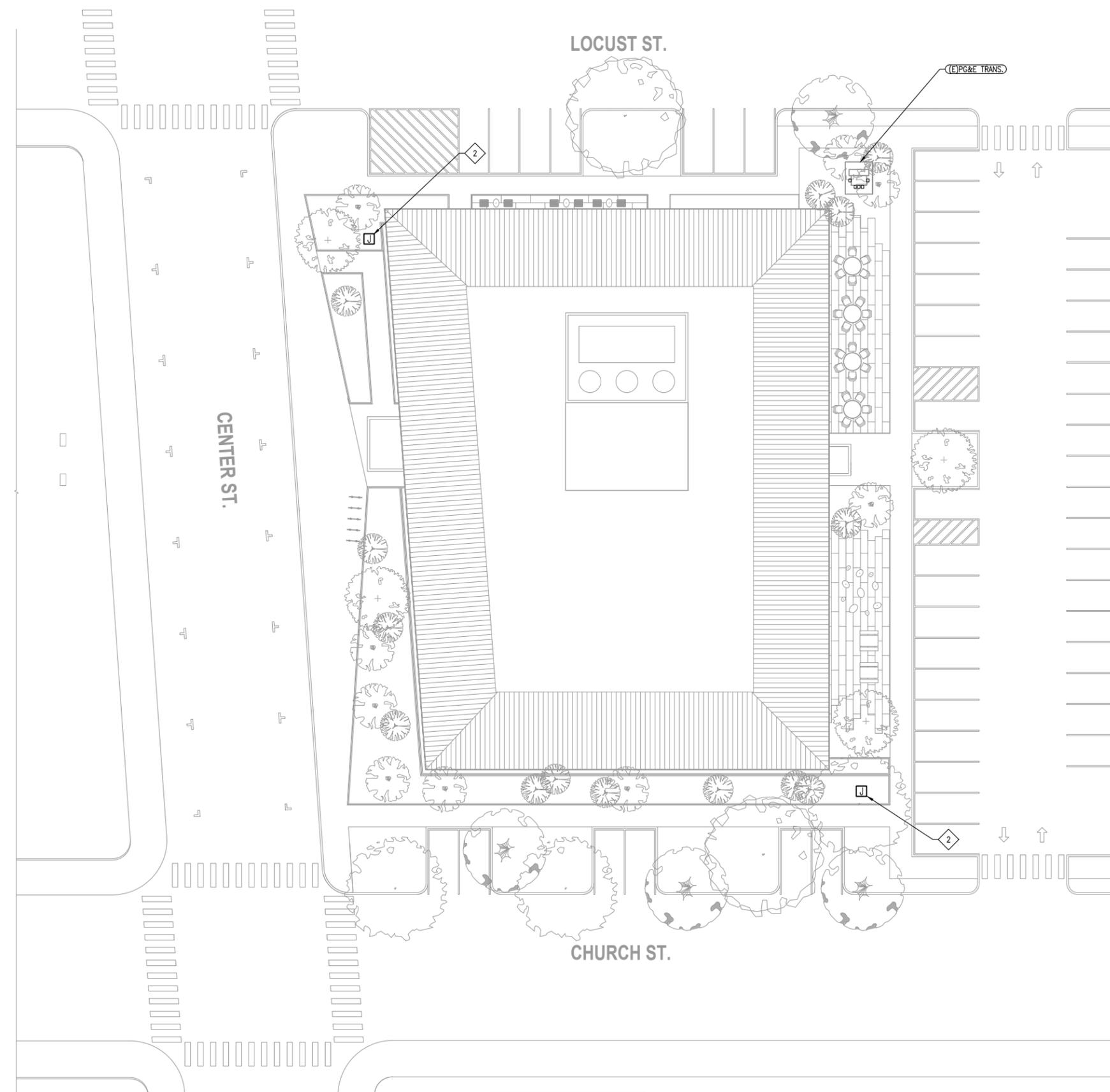
SHEET NUMBER  
**E1.01**

GENERAL SHEET NOTES

- INSTALLATION OF PG&E SERVICE CONDUITS, GROUNDING, ETC. SHALL BE VERIFIED AND COORDINATED WITH PG&E RULES, REGULATIONS, AND STANDARDS. THE PROPOSED PG&E SERVICE FEEDER ROUTING AND SIZE ARE SUBJECT TO PG&E ENGINEERING REVIEW AND APPROVAL AT THE TIME OF ISSUANCE OF THESE DOCUMENTS. PG&E ENGINEERING HAS NOT BEEN COMPLETED. CONTRACTOR SHALL COORDINATE AND VERIFY REQUIREMENTS FOR THIS PROJECT WITH PG&E PRIOR TO COMMENCEMENT OF WORK.
- EXISTING UNDERGROUND UTILITIES AND STRUCTURES ARE KNOWN TO EXIST ON THE PROJECT SITE. CONTRACTOR TO MAKE USE OF ALL CONSTRUCTION DOCUMENTS TO ASSIST IN LOCATING THE UNDERGROUND UTILITIES AND STRUCTURES. NO REPRESENTATION AS TO ACCURACY OR COMPLETENESS OF THE LOCATION OF THE UNDERGROUND UTILITIES OR STRUCTURE EXISTS.
- CONTRACTOR TO EXERCISE PRECAUTIONARY MEANS INCLUDING HAND DIGGING OR VACUUM EXCAVATION TO PROTECT THE EXISTING UTILITIES AND STRUCTURES. WHERE EXACT LOCATIONS OF UTILITIES AND STRUCTURE CAN NOT BE DETERMINED, HAND OR VACUUM EXCAVATION MAY BE REQUIRED.
- COORDINATE CONDUIT TRENCHING WITH OTHER DISCIPLINES TO AVOID CONFLICT. LOCATE PULL BOXES IN PLANTERS WHEREVER POSSIBLE. COORDINATE EXACT PULL BOX LOCATIONS WITH LANDSCAPING. REFER TO CIVIL DRAWINGS FOR ADDITIONAL INFORMATION.
- PROVIDE TRAFFIC LID WHERE REQUIRED FOR PULL BOXES (CHRISTY BOXES). PULL BOX SIZES SHOWN FOR STRAIGHT PULL APPLICATION ONLY. SIZE PER CEC ARTICLE 314.
- COORDINATE EXACT ROUTING OF UNDERGROUND INFRASTRUCTURE WITH CIVIL DRAWINGS. PROVIDE ADDITIONAL SPLICE/PULL BOXES AS REQUIRED IF CONDUIT BENDS EXCEED THREE 90 DEGREE BENDS (OR 270 DEGREES TOTAL).

SHEET NOTES 

- EXISTING PG&E TRANSFORMER TO REMAIN. SECONDARY SERVICE CONDUITS TO BE INTERCEPTED AND EXTENDED TO NEW SWITCHBOARD 'MSB'. COORDINATE SCOPE OF WORK WITH PG&E.
- 120V POWER FOR IRRIGATION CONTROLLER
- 

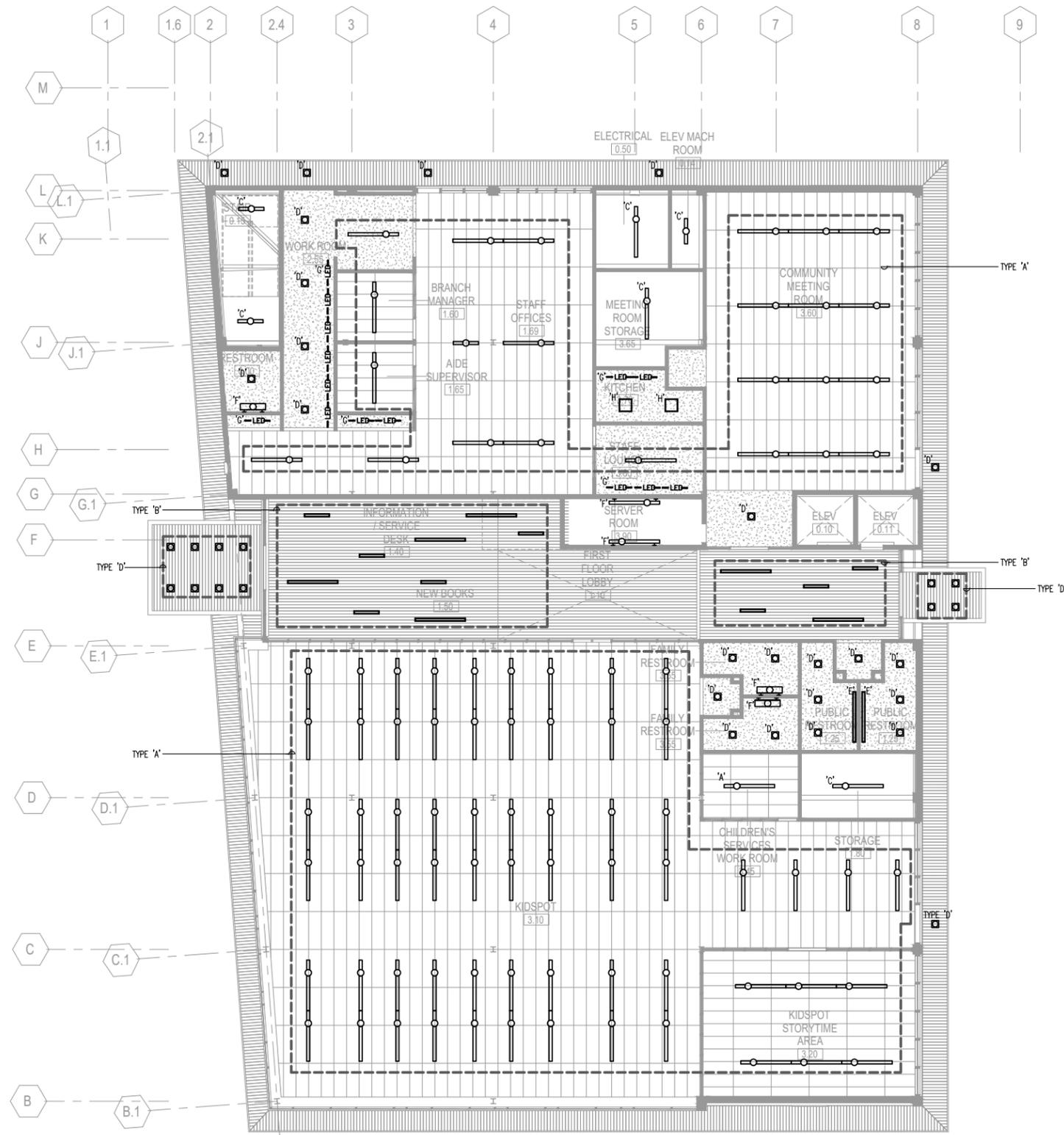


1.230



**1** | **SITE PLAN - ELECTRICAL**

SCALE: 1/16" = 1'-0"



GENERAL SHEET NOTES

- A. LIGHTING CONTROL BASIS OF DESIGN SHALL BE WATSTOPPER DLM. PROVIDE A COMPLETE SYSTEM, INCLUDING RELAY DEVICES, CONTROLLERS, WIRING, SENSORS, WALLSTATIONS, LABOR TO INSTALL, AND APPURTENANCES TO MEET LIGHTING CONTROL SEQUENCE OF OPERATION.
- B. CONCEAL CONDUITS AND RACEWAYS, COORDINATE WITH ARCHITECT PRIOR TO ROUGH-IN.
- C. PROVIDE 3.0KW INVERTER, MEYERS ILLUMINATOR OR APPROVED, FOR STANDBY POWER TO EGRESS LIGHTING AND EXIT SIGNS FOR FIRST FLOOR.
- D. LIGHTING BRANCH CIRCUIT CRITERIA SHALL BE 120V MAXIMUM 1000VA PER 20A CIRCUIT.
- E. NEW AND EXISTING EXTERIOR LIGHTING SHALL BE CONTROLLED BY NEW WATSTOPPER LP8 LIGHTING CONTROL PANEL WITH PHOTOCELL AND ASTRONOMICAL TIME CLOCK FUNCTION.

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CONCEPT DESIGN -  
COSTING SET

SHEET TITLE  
FIRST FLOOR PLAN -  
LIGHTING

REVISIONS		
NO.	DATE	DESCRIPTION
1	10/18/19	FOR COST ESTIMATOR

DATE	10/21/2019
SCALE	AS NOTED
JOB NO.	

SHEET NUMBER  
**E2.01**

**1** FIRST FLOOR PLAN - LIGHTING  
SCALE: 3/32" = 1'-0"

**GENERAL SHEET NOTES**

- A. LIGHTING CONTROL BASIS OF DESIGN SHALL BE WATSTOPPER DLM. PROVIDE A COMPLETE SYSTEM, INCLUDING RELAY DEVICES, CONTROLLERS, WIRING, SENSORS, WALLSTATIONS, LABOR TO INSTALL, AND APPURTENANCES TO MEET LIGHTING CONTROL SEQUENCE OF OPERATION.
- B. CONCEAL CONDUITS AND RACEWAYS, COORDINATE WITH ARCHITECT PRIOR TO ROUGH-IN.
- C. PROVIDE 3.0KW INVERTER, MEYERS ILLUMINATOR OR APPROVED, FOR STANDBY POWER TO EGRESS LIGHTING AND EXIT SIGNS FOR SECOND FLOOR.
- D. LIGHTING BRANCH CIRCUIT CRITERIA SHALL BE 120V MAXIMUM 1000VA PER 20A CIRCUIT.
- E. NEW AND EXISTING EXTERIOR LIGHTING SHALL BE CONTROLLED BY NEW WATSTOPPER LP8 LIGHTING CONTROL PANEL WITH PHOTOCELL AND ASTRONOMICAL TIME CLOCK FUNCTION.

OWNER

CITY OF SANTA CRUZ

PROJECT

**SANTA CRUZ MAIN LIBRARY**  
224 CHURCH ST  
SANTA CRUZ, CA 95060

**DRAFT!**  
**NOT FOR**  
**CONSTRUCTION**

CONCEPT DESIGN -  
COSTING SET

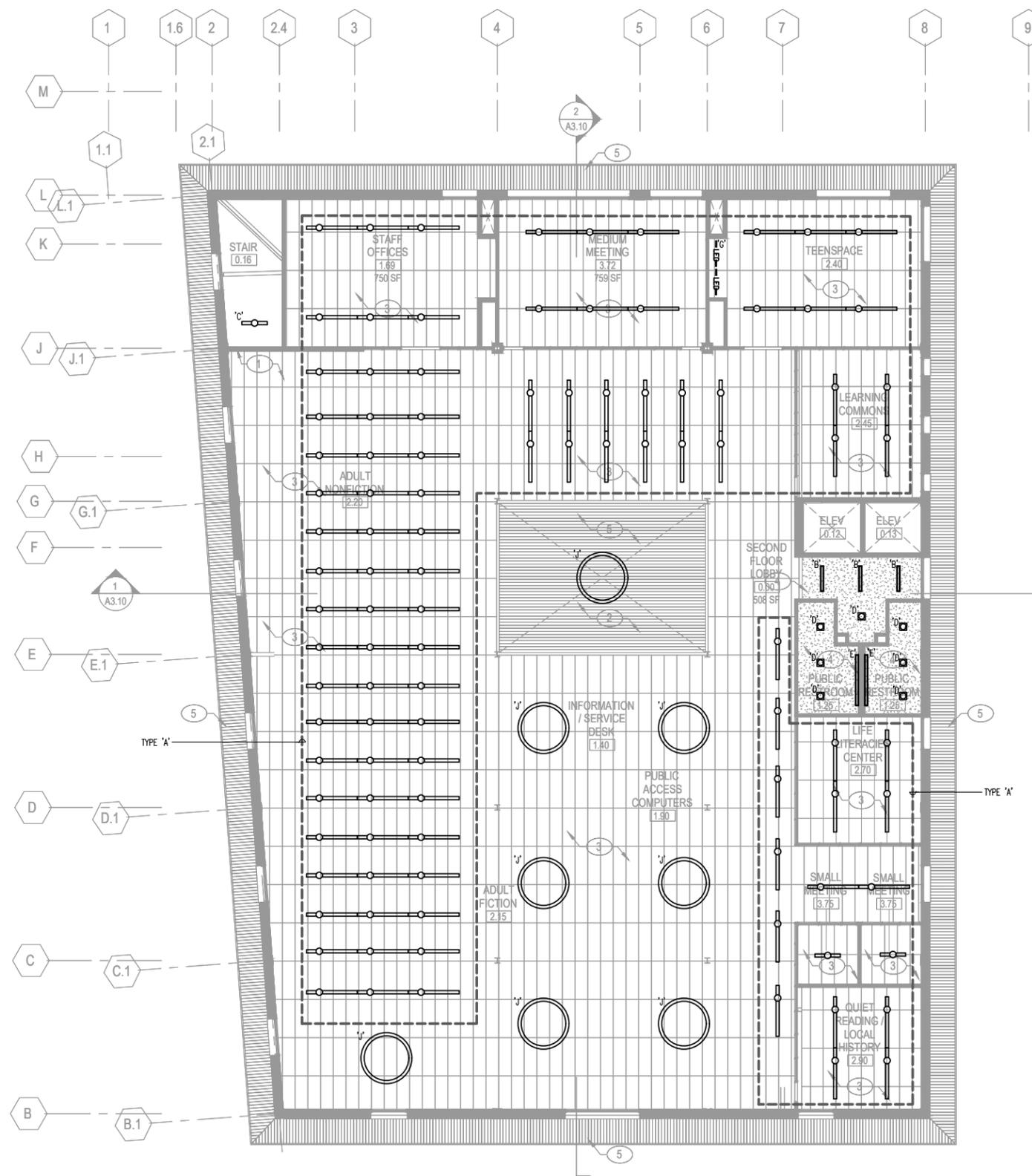
SHEET TITLE  
**SECOND FLOOR PLAN - LIGHTING**

REVISIONS		
NO.	DATE	DESCRIPTION
1	10/18/19	FOR COST ESTIMATOR

DATE 10/21/2019  
SCALE AS NOTED  
JOB NO.

SHEET NUMBER

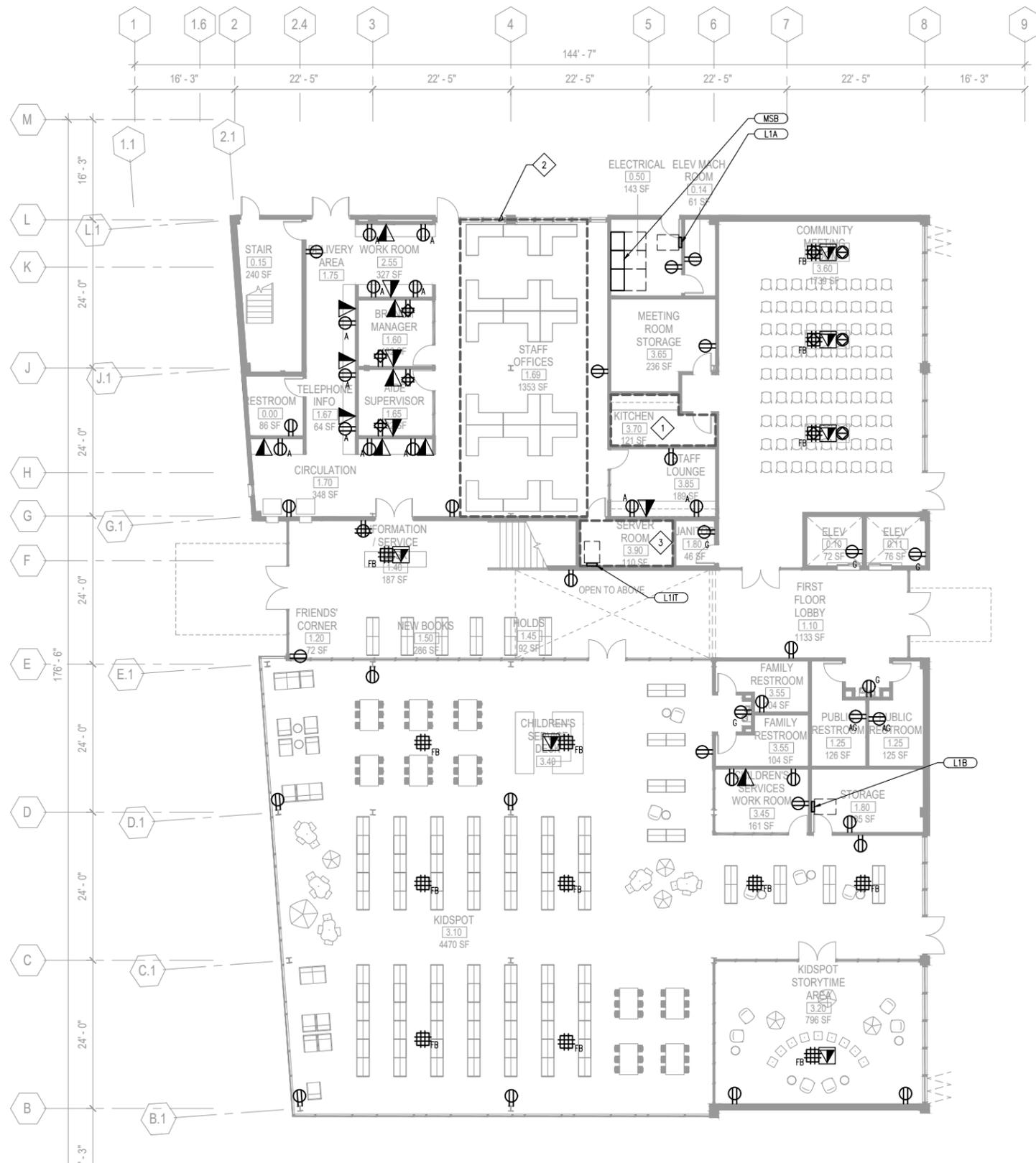
**E2.02**



**1 SECOND FLOOR PLAN - LIGHTING**

SCALE: 3/32" = 1'-0"

**1.232**



**1** FIRST FLOOR PLAN - POWER & SIGNAL

SCALE: 3/32" = 1'-0"

**GENERAL SHEET NOTES**

- A. IN FINISHED AND PUBLIC AREAS RUN ALL CONDUITS CONCEALED U.O.N. PAINT ALL EXPOSED CONDUITS AND ELECTRICAL EQUIPMENT, REFER TO ARCHITECT SPECIFICATIONS FOR PAINTING REQUIREMENTS.
- B. REFER TO SINGLE LINE DIAGRAMS, EQUIPMENT SCHEDULES, AND DETAILS FOR ADDITIONAL INFORMATION.
- C. PROVIDE 120V-24V TRANSFORMERS AS REQUIRED TO POWER VAV POWER SUPPLIES, BMS CONTROL PANELS, RESTROOM PLUMBING CONTROLS, ACCESS CONTROL SYSTEMS, AND FIRE SMOKE DAMPERS. PROVIDE CIRCUIT FROM NEAREST PANEL, U.O.N. REFER TO PANEL SCHEDULES FOR ADDITIONAL INFORMATION.
- D. SIZE FUSES FOR ALL MECHANICAL EQUIPMENT PER APPROVED MANUFACTURERS SHOP DRAWINGS.
- E. MAXIMUM 5 DUPLEX OUTLETS PER 20A BRANCH CIRCUIT, UNLESS OTHERWISE NOTED AS DEDICATED

**SHEET NOTES**

- 1. (3) DEDICATED CIRCUITS AND OUTLETS FOR REFRIGERATOR AND COUNTER TOP RECEPTACLES
- 2. (12) 20A CIRCUITS FOR ELECTRIFIED FURNITURE SYSTEM AND 1 DATA DROP PER WORKSTATION
- 3. 30 POLE PANEL, PROVIDE CONNECTIONS TO UPS SYSTEM AND (20) 20A CIRCUITS FOR IT EQUIPMENT

OWNER

CITY OF SANTA CRUZ

PROJECT

SANTA CRUZ MAIN LIBRARY  
224 CHURCH ST  
SANTA CRUZ, CA 95060

DRAFT!  
NOT FOR  
CONSTRUCTION

CONCEPT DESIGN -  
COSTING SET

SHEET TITLE

FIRST FLOOR PLAN -  
POWER & SIGNAL

REVISIONS

NO.	DATE	DESCRIPTION
1	10/18/19	FOR COST ESTIMATOR

DATE 10/21/2019

SCALE AS NOTED

JOB NO.

SHEET NUMBER

**E3.01**

1.234



**1 SECOND FLOOR PLAN - LIGHTING**

SCALE: 3/32" = 1'-0"

**GENERAL SHEET NOTES**

- A. IN FINISHED AND PUBLIC AREAS RUN ALL CONDUITS CONCEALED U.O.N. PAINT ALL EXPOSED CONDUITS AND ELECTRICAL EQUIPMENT, REFER TO ARCHITECT SPECIFICATIONS FOR PAINTING REQUIREMENTS.
- B. REFER TO SINGLE LINE DIAGRAMS, EQUIPMENT SCHEDULES, AND DETAILS FOR ADDITIONAL INFORMATION.
- C. PROVIDE 120V-24V TRANSFORMERS AS REQUIRED TO POWER VAV POWER SUPPLIES, BMS CONTROL PANELS, RESTROOM PLUMBING CONTROLS, ACCESS CONTROL SYSTEMS, AND FIRE SMOKE DAMPERS. PROVIDE CIRCUIT FROM NEAREST PANEL, U.O.N. REFER TO PANEL SCHEDULES FOR ADDITIONAL INFORMATION.
- D. SIZE FUSES FOR ALL MECHANICAL EQUIPMENT PER APPROVED MANUFACTURERS SHOP DRAWINGS.
- E. MAXIMUM 5 DUPLEX OUTLETS PER 20A BRANCH CIRCUIT, UNLESS OTHERWISE NOTED AS DEDICATED

**SHEET NOTES**

- 1. (3) 20A CIRCUITS FOR ELECTRIFIED FURNITURE SYSTEM AND 1 DATA DROP PER WORKSTATION

**JAYSON ARCHITECTURE**

50 29th Street  
San Francisco CA 94110  
jaysonarch.com  
415.317.0529



1620 MONTGOMERY ST. #250  
SAN FRANCISCO, CA 94111  
www.rjainc.com  
RIJA Project #: 2019041

OWNER

CITY OF SANTA CRUZ

PROJECT

**SANTA CRUZ MAIN LIBRARY**  
224 CHURCH ST  
SANTA CRUZ, CA 95060

**DRAFT!  
NOT FOR  
CONSTRUCTION**

CONCEPT DESIGN -  
COSTING SET

SHEET TITLE

**SECOND FLOOR  
PLAN - POWER &  
SIGNAL**

REVISIONS

NO.	DATE	DESCRIPTION
1	10/18/19	FOR COST ESTIMATOR

DATE 10/21/2019

SCALE AS NOTED

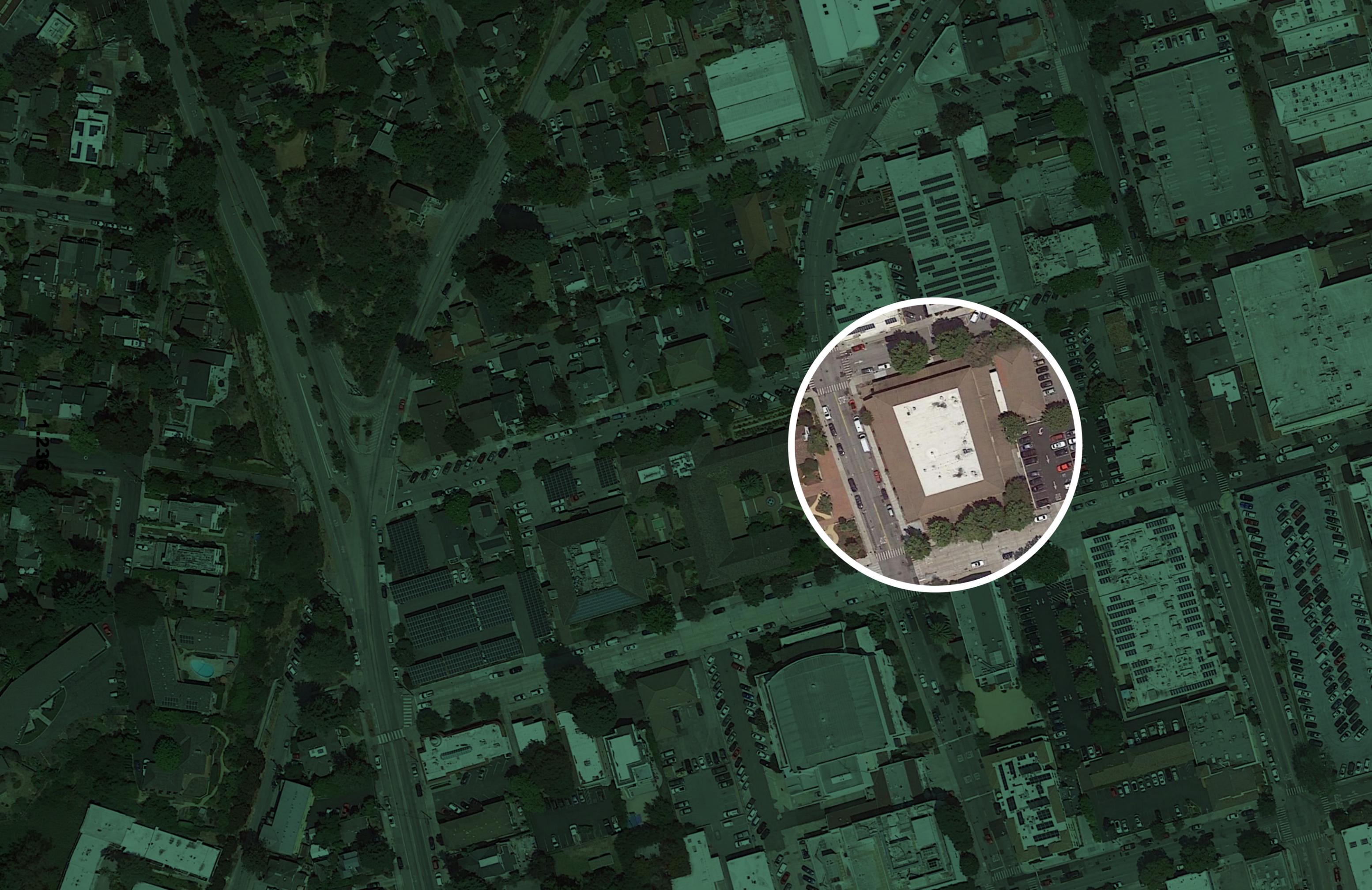
JOB NO.

SHEET NUMBER

**E3.02**

1.235

BUDGET **V.**



1236

# BUDGET SUMMARY

Jayson Architecture worked in direct coordination with the City's cost estimator, Mack5, who prepared a project cost model and a construction cost estimate. The project cost model, working backwards from a \$27 million project budget, established an \$18 million target for construction costs once soft costs such as design, engineering, management, permit fees, furniture, contingencies, and other costs were taken into consideration.

The design team prepared a series of narratives and drawings establishing the scope and quality of the proposed renovation design (Sections III and IV of this report). Scope and quality were calibrated to the available budget, requiring a very restrained design approach. The design is divided into a base project, defined by bare minimum code compliance and functionality and an overall low level of quality, and alternates which each add layers of functionality, quality, and correspondingly, cost. The base project is estimated at \$18,153,000, which is slightly over the target of \$18,000,000 for construction cost, but within a reasonable range given the early stage of design development.

There are fourteen alternates, divided into three categories. While all the alternates are preferred by the City and Library, they are organized by priority. The inclusion of these alternates increases the quality and functionality of the proposed renovation, however still only to a low to medium level when compared to similar recently constructed main libraries in the Bay Area.

The first category of alternates (#1-8) are deemed as "High Priority" by both the City and Library. The construction cost of this group of alternates is \$3,896,000. Alternate #1 will provide a 2nd elevator, useful for day to day operations and important as a backup in the event of repair or maintenance. Alternate #2 replaces single occupancy restrooms in the 1st and 2nd floor lobbies with multi-occupancy restrooms. The single occupancy restrooms, while adequate for code compliance, are problematic from a security and capacity standpoint. Alternate #3 replaces exposed structure with acoustic ceilings throughout the building. The acoustic challenges created by exposed ceilings are significant, and ceilings are considered standard for a contemporary library. Alternate #4 replaces the perimeter concrete tile roof with a new standing seam roof, gutters, and rainwater leaders. While the perimeter roof appears to be in minimally acceptable condition, this would be a prudent improvement from a long-term maintenance standpoint. Alternate #5 replaces mulch around the perimeter of the building with landscaping and planting. Alternate #6 provides a patio for the Staff, a public patio for the Community Room, and garden for the Children's Area, each expanding programmatic capacity. Alternate #7 replaces the aging 2nd floor windows with new operable code compliant windows, and also provides a cement plaster finish at the 2nd floor exterior walls. Alternate #8, the last item in the "High Priority" category, will create a raised clerestory at the center of the building above the main stair, bringing light into what would otherwise be a dark 2nd floor due to the small existing window openings at the perimeter.

The second category of alternates (#9-12) are improvements to the building that would be considered typical for a new library facility. The construction cost of this group of alternates is \$388,000. Alternate #9 provides a natural wood finish at the lobby walls, adding warmth and quality from the bare minimum gypsum wall board provided in the base design. Alternate #10 provides a large wall graphic, adding color to the interiors. Alternate #11 provides large sliding glass walls at the Community Room patio and Children's Area garden. These would be a valuable amenity on mild days and

evenings and would allow for expandable program space. Alternate #12 provides motorized window shades in lieu of manual, which in a library of this size is a much more functional approach to daylight & glare management.

The last category of alternates (#13-14) are improvements to the site that address access compliance, pedestrian and automobile circulation, and parking. The construction cost of this group of alternates is \$656,000. Alternate #13 replaces the existing curbs, gutters, sidewalks, and street parking. This alternate will correct access compliance issues at sidewalks that are a result of deterioration, and also will provide additional street parking. Alternate #14 combines the two city parking lots located to the east of the library, increasing the number of parking spaces and providing better traffic flow between Church and Locust Streets.

The total combined construction cost of the list of fourteen alternates is \$4,941,000. Mack5 prepared an additional Cost Model including the alternates in the construction cost of the project. With soft costs factored in, the total project budget increases to \$34,295,260 in this scenario.

# COST MODEL BASE PROJECT



November 13, 2019	Santa Cruz Library Renovation
-------------------	----------------------------------

## Cost Model Manager - Project Cost Report

SUMMARY	Estimated Budget 16-Sep-19	Anticipated Cost (AC) \$/ GSF	Comments
Land Acquisition	\$0	\$0	Not Applicable
Entitlements	\$50,000	\$2	Allowance for Neg Dec.
Design, Planning and Management	\$4,047,375	\$135	Architect, Engineer, PM/CM, Owner direct consultants
Construction and Related Costs	\$20,223,500	\$674	Construction, Permit, Utilities, Inspections, Change Order Contingency
Telephone and Data Systems	\$184,000	\$6	
Furnishings, Fixtures and Equipment	\$1,177,000	\$39	
Audio Visual and Security	\$335,500	\$11	
Project Contingency	\$1,000,000	\$33	Lumpsum allowance
<b>TOTAL PROJECTED PROJECT BUDGET</b>	<b>\$27,017,375</b>	<b>\$901</b>	

1.238

\* Scope not included:  
Owner costs such as legal, financing, internal staff costs etc  
Temporary facilities & build out  
Desk tops, lap tops, phones etc



November 13, 2019	Santa Cruz Library Renovation
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## Cost Model Manager - Project Cost Report

DESIGN, PLANNING & MANAGEMENT	Estimated Budget 16-Sep-19	Anticipated Cost (AC) \$/ GSF	Comments
Design Professionals			
Architect & Engineers	2,700,000	90.00	Allowance @ 15% of building & site development cost
Structural engineer	-	-	
Mechanical, Electrical, Plumbing	-	-	
Fire Life Safety	-	-	
Lighting Designer	-	-	
Hardware	-	-	
AV Design	-	-	
Civil Engineer	-	-	
Landscape	-	-	
Acoustical Engineer	-	-	
Elevator	-	-	
Security / Data/IT	-	-	
Food Service	-	-	
Waterproofing	-	-	
Spec writer	-	-	
FF&E	-	-	
Signage/Way Finding	-	-	
Cost Estimator	-	-	
Reimbursables Design Team	135,000	4.50	5% of A&E fees
Project / Construction Management	900,000	30.00	Allowance @ 5% of building and site development cost
Owner Direct Consultants			
Geotech	20,000	0.67	
Topo and Alta surveys	10,000	0.33	
Allow for Additional Services	282,375	9.41	Allowance @ 7.5% of above costs
<b>Total - Design, Planning &amp; Management</b>	<b>4,047,375</b>	<b>\$ 135</b>	



Cost Model Manager - Project Cost Report

CONSTRUCTION COSTS and RELATED COSTS	Estimated Budget 16-Sep-19	Anticipated Cost (AC) \$/ GSF	Comments
Building & Site Development	18,000,000	600.00	Including demolition and abatement
Related Costs of Construction			
Hazmat abatement	0	-	Included in building and site development cost
Contractor Labor & Performance Bond	0	-	Included in building and site development cost
SWPPP	0	-	Not required
Fees and Permits			
City fees and permits	450,000	15.00	Allowance @ 2.5% of building and site development cost
Planning			Included above
Engineering			Included above
Building			Included above
Fire			Included above
Encroachment Permit		-	Included above
Sanitary Sewer	35,000	1.17	
Env. Health Plan Review / Approval	3,500	0.12	Allowance if needed
Utility Fees	250,000	8.33	Allowance for upgrades
Fire Service Upgrade	0	-	
Water Meter Upgrade	0	-	
Electrical Service Upgrade	0	-	
Cable/Telecommunications	0	-	
Insurance - Builder's Risk	0	-	Not included
Testing & Inspections	135,000	4.50	Allowance @ 0.75% of cost building and site development cost
Change Order Contingency	1,350,000	45.00	Allowance @ 7.5% of cost building and site development cost
<b>Total - Construction Costs</b>	<b>20,223,500</b>	<b>674</b>	

1.239



Cost Model Manager - Project Cost Report

TELEPHONE and DATA SYSTEMS	Estimated Budget 16-Sep-19	Anticipated Cost (AC) \$/ GSF	Comments
Cabling	0	-	Included in building and site development cost
Networks	50,000	1.67	Allowance
Desktop/laptop computers	0	-	Not included
Server	75,000	2.50	Allowance
Telecom, primary & ancillary systems	35,000	1.17	Allowance
Allow for Additional Scope	24,000	0.80	15% of above costs
<b>Total - Telephone and Data Systems</b>	<b>184,000</b>	<b>6</b>	
FURNISHINGS, FIXTURES & EQUIPMENT	Estimated Budget 16-Sep-19	Anticipated Cost (AC) \$/ GSF	Comments
Furnishings	1,050,000	35.00	Allowance @ \$35/sf
Owner Supplied Breakroom Equipment	20,000	0.67	Lumpsum allowance
Allow for Additional Scope	107,000	3.57	10% of above costs
<b>Total - Furnishings, Fixtures and Equipment</b>	<b>1,177,000</b>	<b>39</b>	
AUDIO VISUAL and SECURITY	Estimated Budget 16-Sep-19	Anticipated Cost (AC) \$/ GSF	Comments
Public announcement system	30,000	1.00	
Audio Visual Systems	200,000	6.67	
Sound Equipment	0	-	
Assisted Listening Devices	0	-	
Security System - CCTV, Card Keys etc.	75,000	2.50	
Allow for Additional Scope	30,500	1.02	10% of above costs
<b>Total - Audio Visual and Security</b>	<b>335,500</b>	<b>11</b>	

# COST MODEL BASE + ALTERNATES



November 18, 2019	Santa Cruz Library Renovation
-------------------	----------------------------------

Cost Model Manager - Project Cost Report (with alternates)

SUMMARY	Estimated Budget 18-Nov-19	Anticipated Cost (AC) \$/ GSF	Comments
Land Acquisition	\$0	\$0	Not Applicable
Entitlements	\$50,000	\$2	Allowance for Neg Dec.
Design, Planning and Management	\$5,183,655	\$173	Architect, Engineer, PM/CM, Owner direct consultants
Construction and Related Costs	\$25,865,105	\$862	Construction, Permit, Utilities, Inspections, Change Order Contingency
Telephone and Data Systems	\$184,000	\$6	
Furnishings, Fixtures and Equipment	\$1,177,000	\$39	
Audio Visual and Security	\$335,500	\$11	
Project Contingency	\$1,500,000	\$50	Lumpsum allowance
<b>TOTAL PROJECTED PROJECT BUDGET</b>	<b>\$34,295,260</b>	<b>\$1,143</b>	

1.240

\* Scope not included:  
Owner costs such as legal, financing, internal staff costs etc  
Temporary facilities & build out  
Desk tops, lap tops, phones etc



November 18, 2019	Santa Cruz Library Renovation
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Cost Model Manager - Project Cost Report (with alternates)

DESIGN, PLANNING & MANAGEMENT	Estimated Budget 18-Nov-19	Anticipated Cost (AC) \$/ GSF	Comments
Design Professionals			
Architect & Engineers	3,464,100	115.47	Allowance @ 15% of Total Construction Cost
Structural engineer		-	
Mechanical, Electrical, Plumbing		-	
Fire Life Safety		-	
Lighting Designer		-	
Hardware		-	
AV Design		-	
Civil Engineer		-	
Landscape		-	
Acoustical Engineer		-	
Elevator		-	
Security / Data/IT		-	
Food Service		-	
Waterproofing		-	
Spec writer		-	
FF&E		-	
Signage/Way Finding		-	
Cost Estimator		-	
Reimbursables Design Team	173,205	5.77	5% of A&E fees
Project / Construction Management	1,154,700	38.49	Allowance @ 5% of Total Construction Cost
Owner Direct Consultants			
Geotech	20,000	0.67	
Topo and Alta surveys	10,000	0.33	
Allow for Additional Services	361,650	12.06	Allowance @ 7.5% of above costs
<b>Total - Design, Planning &amp; Management</b>	<b>5,183,655</b>	<b>\$ 173</b>	



Cost Model Manager - Project Cost Report (with alternates)

CONSTRUCTION COSTS and RELATED COSTS	Estimated Budget 18-Nov-19	Anticipated Cost (AC) \$/ GSF	Comments
Building & Site Development	18,153,000	605.10	Including demolition and abatement, per mack5 estimate dated 11/13/19
Total cost of all alternates	4,941,000	164.70	per mack5 estimate dated 11/13/19
Total Construction Cost	23,094,000	769.80	
Related Costs of Construction			
Hazmat abatement	0	-	Included in building and site development cost
Contractor Labor & Performance Bond	0	-	Included in building and site development cost
SWPPP	0	-	Not required
Fees and Permits			
City fees and permits	577,350	19.25	Allowance @ 2.5% of building and site development cost
Planning			Included above
Engineering			Included above
Building			Included above
Fire			Included above
Encroachment Permit		-	Included above
Sanitary Sewer	35,000	1.17	
Env. Health Plan Review / Approval	3,500	0.12	Allowance if needed
Utility Fees	250,000	8.33	Allowance for upgrades
Fire Service Upgrade	0	-	
Water Meter Upgrade	0	-	
Electrical Service Upgrade	0	-	
Cable/Telecommunications	0	-	
Insurance - Builder's Risk	0	-	Not included
Testing & Inspections	173,205	5.77	Allowance @ 0.75% of cost building and site development cost
Change Order Contingency	1,732,050	57.74	Allowance @ 7.5% of cost building and site development cost
<b>Total - Construction Costs</b>	<b>25,865,105</b>	<b>1,632</b>	

1.241



Cost Model Manager - Project Cost Report (with alternates)

TELEPHONE and DATA SYSTEMS	Estimated Budget 18-Nov-19	Anticipated Cost (AC) \$/ GSF	Comments
Cabling	0	-	Included in building and site development cost
Networks	50,000	1.67	Allowance
Desktop/laptop computers	0	-	Not included
Server	75,000	2.50	Allowance
Telecom, primary & ancillary systems	35,000	1.17	Allowance
Allow for Additional Scope	24,000	0.80	15% of above costs
<b>Total - Telephone and Data Systems</b>	<b>184,000</b>	<b>6</b>	
FURNISHINGS, FIXTURES & EQUIPMENT	Estimated Budget 18-Nov-19	Anticipated Cost (AC) \$/ GSF	Comments
Furnishings	1,050,000	35.00	Allowance @ \$35/sf
Owner Supplied Breakroom Equipment	20,000	0.67	Lumpsum allowance
Allow for Additional Scope	107,000	3.57	10% of above costs
<b>Total - Furnishings, Fixtures and Equipment</b>	<b>1,177,000</b>	<b>39</b>	
AUDIO VISUAL and SECURITY	Estimated Budget 18-Nov-19	Anticipated Cost (AC) \$/ GSF	Comments
Public announcement system	30,000	1.00	
Audio Visual Systems	200,000	6.67	
Sound Equipment	0	-	
Assisted Listening Devices	0	-	
Security System - CCTV, Card Keys etc.	75,000	2.50	
Allow for Additional Scope	30,500	1.02	10% of above costs
<b>Total - Audio Visual and Security</b>	<b>335,500</b>	<b>11</b>	

# COST ESTIMATE



## Conceptual Cost Estimate for Santa Cruz Downtown Library

November 13, 2019

**mack<sup>5</sup>**  
 1900 Powell Street, Suite 470  
 Emeryville, CA 94608  
 ph: 510.595.3020  
 www.mack5.com

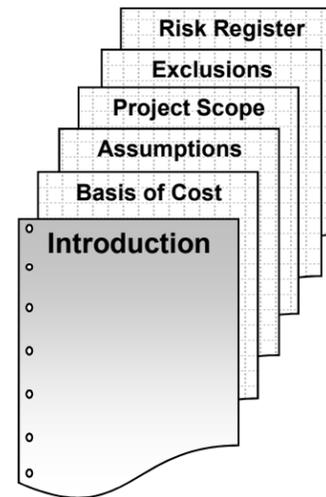
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Overall Summary.....	5 - 7
Renovation Of Existing Library.....	8 - 23
Site Improvement.....	24 - 28
Alternates.....	29 - 37

# Conceptual Cost Estimate Commentary Santa Cruz Downtown Library

Introduction  
Basis of Cost  
Assumptions  
Exclusions

November 13, 2019

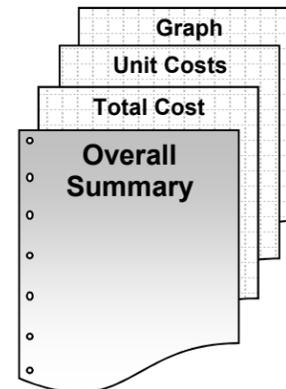
## introduction



mack5 was requested to carry out a Conceptual Design Cost Estimate for the proposed renovation or existing Santa Cruz Downtown Library, located at 224 Church St., Santa Cruz, CA 95060.

The first part of the Report contains the basis of the report, the assumptions made, description of the project scope, and the exclusions to the costs which contain items that have potential to impact cost at some point in the future.

The Overall Summary section contains a Summary of Gross Floor Areas, an Overall Project Summary, and Component and Trade Cost Summaries with Graphs.



Each section contains Control Quantities, a Cost Summary and Graph, and a Detailed Breakdown of Costs.

**project introduction**

The main library building is a two-story, steel frame and concrete floor hybrid structure which as reportedly built in 1966. The roof framing consists of metal deck supported by steel WF beams and columns. The second floor consists of reinforced concrete one-way slab supported by steel WF beam/columns and reinforced concrete walls.

The proposed renovations will include demolition of the low roof extension around the main library building and demolition of the library services building. This will require reconfiguration of the main seismic resisting system at the ground floor

**items used for cost estimate**

- architectural Architectural drawings prepared by Jayson Architecture, dated 10/21/2019  
G0.00, G0.01  
A1.00, A1.21, A1.22, A2.10, A2.11, A2.12, A2.31, A2.32, A2.41, A2.42, A3.10, A9.00, A10.00, A10.01, A10.02
- structural Structural drawings prepared by BASE Design, dated 10/21/2019  
S2.01, S2.03, S2.05, S3.01  
Alternate S2.02, S2.04
- mechanical HVAC/Plumbing drawings prepared by Alter Consulting Engineers, dated 10/21/2019  
M2.10, M2.11, M2.12  
P2.11, P2.12
- electrical Electrical drawings prepared by RIJA, dated 10/21/2019  
E0.01, E1.01, E2.01, E2.02, E3.01, E3.02
- narrative Narrative/Cost Assessment Study, dated 10/21/2019  
Civil Engineer Narrative  
Structural Engineer Narrative  
Mechanical Engineer Narrative  
Electrical Engineer Narrative  
Luminaire Cut Sheets  
Hazmat report  
As-built drawings of original structure dated 07/20/1966

**assumptions**

- (a) Construction will start in June, 2022
- (b) A construction period of 24 months
- (c) The general contract will be competitively bid by a minimum of five (5) qualified contractors
- (d) The general contractor will have full access to the site during normal business hours
- (e) There are no phasing requirements
- (f) The contractor will be required to pay prevailing wages

**exclusions**

- (a) Cost escalation beyond the midpoint of June, 2023
- (b) Loose furniture and equipment except as specifically
- (c) Compression of schedule, premium or shift work, and restrictions on the contractor's working hours
- (d) Soft Cost such as testing and inspection fees, architectural design and construction management fees, assessments, taxes, finance, legal and development charges
- (e) Scope change and post contract contingencies
- (f) Temporary housing for displaced management and staff
- (g) Moving and relocation cost

Conceptual Cost Estimate

**Overall Summary**  
**Santa Cruz Downtown Library**

Gross Floor Areas  
Overall Summary  
Component Summary

November 13, 2019

1.245

<b>Santa Cruz Downtown Library</b>	<b>GFA</b>	<b>%</b>	<b>\$/SF</b>	<b>,\$,000</b>
Renovation Of Existing Library	31,783	96%	\$551.12	\$17,516
Site Improvement	25,982	4%	\$24.51	\$637
<b>TOTAL CONSTRUCTION &amp; SITEWORK:</b>	<b>31,783</b>	<b>100%</b>	<b>\$571.16</b>	<b>\$18,153</b>

**ADD Alternates - High Priority Improvements: \$,000**

1. Two-Electric Remote Machine Roomless Elevators (In Lieu of 1-Hydraulic Elevator) \$373  
Base: Single Hydraulic Elevator  
Alternate: Two-Electric Remote Machine Room Elevators
2. Add Restrooms \$72  
Base: All restrooms are single occupancy.  
Alternate: Men's and women's restrooms on level 1 and 2 will become multi-occupancy, all others remain single occupancy.
3. Add T&G Western Red Cedar Ceiling, painted gypsum board and 2x4 ACT \$245  
Base: Paint (E) structure, typical with linear pendant lights  
Alternate: Acoustic ceiling tile and Western Cedar ceiling finishes w/ recessed fixture
4. Add Pre-Finished Galvanised Standing Seam roof w/ Pre-Finished Galv Sheet Metal Fascia, Add T&G Western Cedar Roof Soffit & (N) Internal Gutters & Rainwater \$858  
Base: (E) Cement Tile Roof at sloped perimeter to remain  
Alternate: Pre-finished galv. standing seam roof with pre-finished galv. sheet metal fascia, with new gutters and rainwater leaders, and new T&G red cedar roof soffit
5. Add Planting, Boulders, Trees & Cor-Ten Retaining Walls and Terraced Grading \$446  
Base: Level grade site and mulch between  
Alternate: Planting boulders, trees, and corten retaining walls and terraced grading + exterior lights
6. Add Permeable Pavers, Landscape & Planting \$596  
Base: Graded mulch at staff patio, community room patio and kids patio  
Alternate: Permeable pavers, landscape and planting + Wood slat fence at patio perimeters
7. Add New Windows w/ Awning Operation At Level2 Window \$1,015  
Base: (E) Level 2 windows to remain, paint (E) concrete exterior at level2  
Alternate: (N) Windows with awning operation + 8" lightweight concrete infill between window openings and columns + increase footing size + painted cement plaster over exterior concrete
8. Add New Clerestory \$291  
Base: (E) Roof To Remain  
Alternate: (N) Clerestory

**Subtotal For Add Alternates - High Priority Improvements: \$3,896**

<b>Building ADD Alternates:</b>	<b>\$,000</b>
9. Add T&G Western Red Cedar Wall Finish Base: Painted gypboard at the north wall of Level 1 Lobby and Stair Alternate: T&G Western Cedar at this location	\$92
10. Add Vinyl Wall graphic at 2nd Floor Lobby Base: Painted gypsum wall board at 2nd floor lobby Alternate: Vinyl wall graphic will cover the wall at the second floor lobby.	\$8
11. Add Operable Storefront 'Nana' Wall Base: Kawneer 451T storefront Alternate: Floor to ceiling 'Nanawall' Operable exterior storefront	\$221
12. Motorized Shades In Lieu Of Manual Base: New manual window shades Alternate: New motorized window shades	\$67
<b>Subtotal For Building Add Alternates:</b>	<b>\$388</b>

<b>Site ADD Alternates:</b>	<b>\$,000</b>
13. Add New Sidewalk, Curb, Gutter and Street Parking (ref. A2.10) Base: (E) Sidewalk, curb, gutter and street parking to remain Alternate: (N) Sidewalk, curb, gutter and street parking	\$435
14. Add New Combined Parking Lot (ref. A2.10) Base: (E) Parking Lots to remain Alternate: (N) Combined parking lot as shown on A2.10	\$222
<b>Subtotal For Site Add Alternates:</b>	<b>\$656</b>
<b>TOTAL ADD ALTERNATES:</b>	<b>\$4,941</b>

## Conceptual Cost Estimate

## Santa Cruz Downtown Library

Control Quantities  
Renovation Of Existing Library Summary  
Detailed Cost Breakdown

November 13, 2019

1.246

		Height
Enclosed Areas		
Level 1	15,660	15.25
Level 2	14,700	17.00
<b>Subtotal of Enclosed Area</b>	<b>30,360</b>	
Covered Area		
Entry Canopy	760	
Roof Overhang	2,086	
<b>Subtotal of Covered Area at half value</b>	<b>1,423</b>	
<b>Total of Gross Floor Area</b>	<b>31,783</b>	

**CONTROL QUANTITIES**

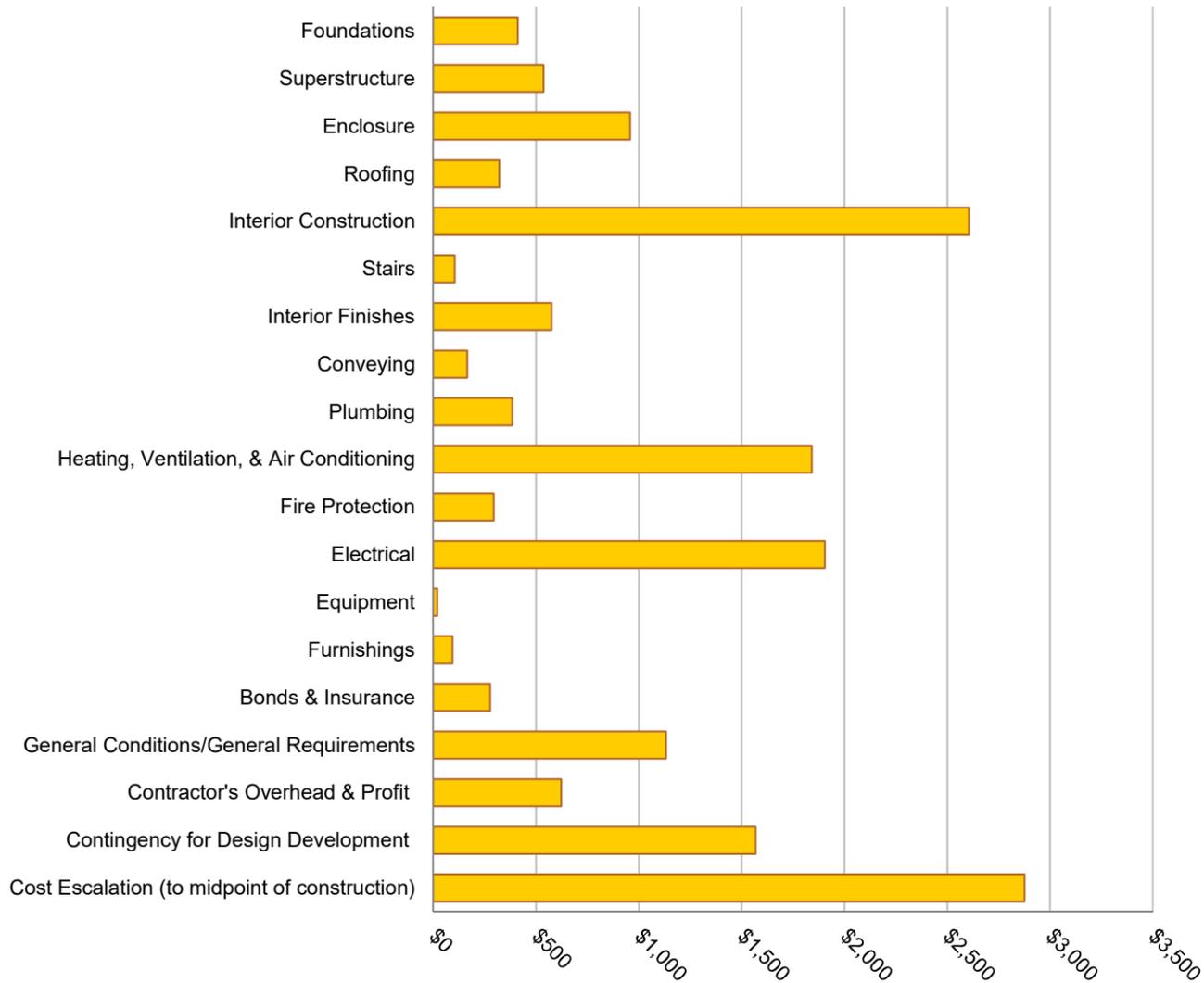
			Ratio to Gross Area
Number of stories (x1,000)	2	EA	0.063
Gross Area	31,783	SF	1.000
Enclosed Area	30,360	SF	0.955
Covered Area	2,846	SF	0.090
Footprint Area	15,660	SF	0.493
Volume	488,715	CF	15.377
Gross Wall Area	18,308	SF	0.576
Finished Wall Area	82%	14,998	SF 0.472
Windows or Glazing Area	18%	3,310	SF 0.104
Roof Area - Flat	45%	8,262	SF 0.260
Roof Area - Sloping	55%	10,072	SF 0.317
Roof Area - Total		18,334	SF 0.577
Roof Glazing Area		0	SF 0.000
Elevators (x10,000)	1	EA	0.315
Plumbing Fixtures (x1,000)	30	EA	0.944

<b>CSI UniFormat Summary</b>	<b>31,783 SF</b>	<b>%</b>	<b>\$/SF</b>	<b>,\$000</b>
Foundations		2%	\$12.92	\$411
Superstructure		3%	\$16.86	\$536
Enclosure		5%	\$30.13	\$957
Roofing		2%	\$10.09	\$321
Interior Construction		15%	\$81.98	\$2,606
Stairs		1%	\$3.30	\$105
Interior Finishes		3%	\$18.12	\$576
Conveying		1%	\$5.19	\$165
Plumbing		2%	\$12.09	\$384
Heating, Ventilation, & Air Conditioning		11%	\$57.93	\$1,841
Fire Protection		2%	\$9.25	\$294
Electrical		11%	\$59.92	\$1,904
Equipment		0%	\$0.63	\$20
Furnishings		1%	\$2.94	\$94
Selective Building Demolition		5%	\$26.06	\$828
<b>Subtotal - Building Construction</b>		<b>63%</b>	<b>\$347.41</b>	<b>\$11,042</b>
Bonds & Insurance	2.50%	2%	\$8.69	\$276
General Conditions/General Requirements	10.00%	6%	\$35.61	\$1,132
Contractor's Overhead & Profit	5.00%	4%	\$19.59	\$622
<b>Subtotal</b>		<b>75%</b>	<b>\$411.29</b>	<b>\$13,072</b>
Contingency for Design Development	12.00%	9%	\$49.35	\$1,569
Cost Escalation (to midpoint of construction)	19.64%	16%	\$90.48	\$2,876
<b>TOTAL CONSTRUCTION BUDGET</b>		<b>100%</b>	<b>\$551.12</b>	<b>\$17,516</b>

NOTE: Inclusions and Exclusions listed in the Commentary Section.

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**CSI UniFormat Summary**



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FOUNDATIONS	Quantity	Unit	Rate	Total (\$)
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<b>Standard Foundations</b>				
Reinforced concrete wall footing				
Excavation and disposal	307	CY	\$150.00	\$46,050
Formwork, sides	1,630	SF	\$20.00	\$32,600
Reinforcement, allow 100pcy	26,700	LB	\$3.00	\$80,100
Concrete, 3000psi	267	CY	\$500.00	\$133,500
<b>Slab On Grade</b>				
Reinforced concrete slab edge 12"/18" wide x				
Excavation and disposal	32	CY	\$150.00	\$4,800
Formwork, sides	900	SF	\$20.00	\$18,000
Reinforcement, allow 100pcy	3,000	LB	\$3.00	\$9,000
Epoxy dowel at 12"o.c.	300	EA	\$100.00	\$30,000
Concrete, 3000psi	30	CY	\$500.00	\$15,000
<b>Elevator Pit</b>				
Reinforced concrete elevator pit slab, 12" thick	206	SF	\$65.00	\$13,390
Reinforced concrete elevator pit wall, 8" thick x 5'deep	295	SF	\$70.00	\$20,650
Waterproofing membrane	501	SF	\$15.00	\$7,515
<b>Subtotal For Foundations:</b>				<b>\$410,605</b>

SUPERSTRUCTURE	Quantity	Unit	Rate	Total (\$)
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<b>Reinforced Concrete Shearwall, 16" thick</b>				
Formwork, sides	3,860	SF	\$25.00	\$96,500
Reinforcement, #6@ 8" o.c. each face vertical & #6 at 18" o.c. each face horizontal	14,720	LB	\$3.00	\$44,160
Concrete, 5000psi	92	CY	\$400.00	\$36,800
<b>Elevator Wall (1-elevator only)</b>				
Metal stud wall	1,770	SF	\$35.00	\$61,950
HSS guiderail support post	75	LF	\$250.00	\$18,625
<b>Floor Construction</b>				
Infill concrete slab; 3 1/2" thick concrete fill over 18ga metal deck	600	SF	\$30.00	\$18,000
W12 beam at elevator opening	40	LF	\$300.00	\$12,000
W10 at infill slab	6	LF	\$300.00	\$1,800

SUPERSTRUCTURE	Quantity	Unit	Rate	Total (\$)
<b>Clerestory Framing</b>				
Structural framing, HSS12 x 4			<i>NIC, See Add Alternate</i>	
Structural framing, HSS12 x 8			<i>NIC, See Add Alternate</i>	
HSS Post			<i>NIC, See Add Alternate</i>	
18ga metal deck			<i>NIC, See Add Alternate</i>	
<b>Roof Screen, 8' high</b>				
HSS frame, HSS 8x8	230	LF	\$300.00	\$69,000
HSS Post	48	LF	\$400.00	\$19,200
Roof framing and plywood sheathing	840	SF	\$50.00	\$42,000
<b>Miscellaneous</b>				
Shore existing column	8	EA	\$3,000.00	\$24,000
Strengthen (E) WF beam; 1/2" to 1" thick plate welded to bottom flange	142	LF	\$200.00	\$28,400
Miscellaneous metal and support framing	31,783	GSF	\$1.00	\$31,783
Rough carpentry	31,783	GSF	\$1.00	\$31,783
<b>Subtotal For Superstructure:</b>				<b>\$536,001</b>

ENCLOSURE	Quantity	Unit	Rate	Total (\$)
<b>Wall Framing, Furring &amp; Insulation</b>				
Metal stud framing with water vapor membrane, plywood sheathing and rigid insulation	1,160	SF	\$30.00	\$34,800
<b>Applied Exterior Finishes</b>				
Cement plaster finish over concrete wall (concrete wall measured at structural section), painted	1,930	SF	\$35.00	\$67,550
Cement plaster finish, painted	1,160	SF	\$35.00	\$40,600
Paint to (E) concrete wall, level 2	9,029	SF	\$3.50	\$31,602
<b>Interior Finish To Exterior Walls</b>				
Gypsum board walls, painted	1,160	SF	\$10.00	\$11,600
<b>Window, Glazing and Louvers</b>				
Aluminum storefront system, 11'-6" tall	3,310	SF	\$175.00	\$579,250
Glazed window with awning operation	270	SF	\$150.00	\$40,500
Clerestory glazing			<i>NIC, See Add Alternate</i>	

ENCLOSURE	Quantity	Unit	Rate	Total (\$)
<b>Exterior doors, frames, and hardware</b>				
Main entry door, double leaf	4	PR	\$10,000.00	\$40,000
Double leaf at delivery area	1	PR	\$5,000.00	\$5,000
Single leaf door	3	EA	\$3,000.00	\$9,000
<b>Fascias, bands, screens and trim</b>				
Architectural bands, moldings and trim	18,308	GWA	\$3.00	\$54,924
<b>Canopy/Soffits</b>				
T&G western red cedar soffit over (E) eave			<i>NIC, See Add Alternate</i>	
<b>Balustrades, parapets and roof screens</b>				
Mechanical enclosure, including pre-finished galvanized standing seam metal panels	656	SF	\$65.00	\$42,640
<b>Subtotal For Enclosure:</b>				<b>\$957,466</b>

ROOFING	Quantity	Unit	Rate	Total (\$)
<b>Roofing</b>				
Flat roof, (N) PVC roofing system over 2" avg rigid insulation	8,262	SF	\$25.00	\$206,550
Slope roof, (E) clay roof to remain			<i>NIC, See Add Alternate</i>	
<b>Entry Canopy/Soffits</b>				
Exterior canopy; including PVC roofing over plywood sheathing/structural framing, rigid insulation, water vapor membrane and T&G western red cedar soffit	760	SF	\$150.00	\$114,000
<b>Subtotal For Roofing:</b>				<b>\$320,550</b>

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INTERIOR CONSTRUCTION	Quantity	Unit	Rate	Total (\$)
<b>Interior Partition</b>				
Standard non-rated partition; metal stud framing, insulation, gypboard on both sides	7,836	SF	\$26.00	\$203,745
Standard non-rated partition; metal stud framing, insulation, gypboard on one side	1,325	SF	\$20.00	\$26,502
<b>Balustrades and Rails</b>				
Glass guardrail with stainless steel handrail at second floor opening, assume 42" H	360	SF	\$200.00	\$72,000
<b>Window Walls &amp; Borrowed Lights</b>				
Floor to ceiling aluminum framed glass partition, 12' 6" high	1,570	SF	\$125.00	\$196,250
Floor to ceiling aluminum framed glass partition, 11' high	2,090	SF	\$125.00	\$261,250
Floor to ceiling aluminum framed glass partition, 9' high	590	SF	\$125.00	\$73,750
<b>Interior Doors, Frames &amp; Door Hardware</b>				
Single doors	15	EA	\$2,800.00	\$42,000
Single doors, with glass	12	EA	\$3,000.00	\$36,000
Double doors	1	PR	\$5,000.00	\$5,000
Double doors, with glass	5	PR	\$6,000.00	\$30,000
Roll down gate, 14' 6" W x 12' 6" H	1	EA	\$30,000.00	\$30,000
Allowance for specialty hardware	1	LS	\$15,900.00	\$15,900
<b>Fittings</b>				
Allowance for protective guards, barriers and bumpers	31,783	GSF	\$0.50	\$15,892
<b>Prefabricated Compartments &amp; Accessories</b>				
Toilet accessories, single room	4	RM	\$1,500.00	\$6,000
Toilet accessories, single family room	2	RM	\$1,750.00	\$3,500
Toilet accessories, single staff room	1	RM	\$1,500.00	\$1,500
<b>Shelving &amp; Millwork</b>				
Janitor shelf and mop rack	1	EA	\$500.00	\$500
Allowance for storage shelving, rooms 1.80 and 3.65	421	SF	\$20.00	\$8,420

INTERIOR CONSTRUCTION	Quantity	Unit	Rate	Total (\$)
<b>Collection stacks, 66" tall with painted wood end panels and canopies</b>				
5' 6" H x 3' L	558	EA	\$2,400.00	\$1,339,200
<b>Cabinets &amp; Countertops</b>				
P-Lam lower cabinets with quartz veneer countertops, at telephone info and work room	112	LF	\$500.00	\$55,850
P-Lam upper and lower cabinets with quartz veneer countertops, at staff lounge and kitchen	28	LF	\$800.00	\$22,640
Wood veneer upper and lower cabinets with quartz countertops, at staff offices 2nd and teenspace	18	LF	\$800.00	\$14,400
Full height storage cabinet, at staff offices 2nd and teenspace	15	LF	\$800.00	\$12,000
Quartz countertop on steel supports, and 2nd floor railing	32	LF	\$350.00	\$11,200
Service and circulation desks; wood veneer lower cabinets with quartz countertops	64	LF	\$500.00	\$31,800
<b>Chalkboards, insignia and graphics</b>				
Shelving end panel ID - allow	106	EA	\$300.00	\$31,800
Door signage	33	EA	\$200.00	\$6,600
Directional and wayfinding signage	31,260	GSF	\$1.50	\$46,890
Chalkboards/tackboards allowance	1	LS	\$5,000.00	\$5,000
<b>Subtotal For Interior Construction:</b>				<b>\$2,605,589</b>

STAIRS	Quantity	Unit	Rate	Total (\$)
<b>Stair Construction</b>				
Main stair, precast concrete treads and risers, complete with finishes, handrail and glass guardrail	1	LS	\$75,000.00	\$75,000
Exit/egress stair	1	LS	\$30,000.00	\$30,000
<b>Subtotal For Stairs:</b>				<b>\$105,000</b>

INTERIOR FINISHES	Quantity	Unit	Rate	Total (\$)
<b>Floor Finishes</b>				
Tile	790	SF	\$30.00	\$23,700
Polish (E) concrete floors	4,500	SF	\$15.00	\$67,500
Carpet tile	22,400	SF	\$9.00	\$201,600
Existing concrete to remain				NIC
Testing for water vapor emission - allowance	1	LS	\$5,000.00	\$5,000
<b>Bases</b>				
Tile	334	SF	\$30.00	\$10,023
Rubber	2,615	LF	\$5.00	\$13,076
Wood, 1x4, painted				NIC, changed to rubber base
Cedar, 1x4, clear				NIC, See Add Alternate
<b>Wall Finishes</b>				
Tile, 48" high	1,336	SF	\$30.00	\$40,091
Paint	16,987	SF	\$3.00	\$50,961
<b>Column Furring &amp; Finish</b>				
Clean and paint (E) exposed beams	3,001	SF	\$5.00	\$15,005
<b>Ceiling Finishes</b>				
Paint exposed ceiling	28,000	SF	\$3.00	\$84,000
Paint exposed ductwork	3,558	SF	\$3.00	\$10,674
Acoustic ceiling tile, 2' x 4', Armstrong Optima	210	SF	\$10.00	\$2,100
Painted gypboard	1,610	SF	\$30.00	\$48,300
Framed soffit with painted gypboard finish	109	SF	\$35.00	\$3,812
<b>Subtotal For Interior Finishes:</b>				<b>\$575,841</b>

CONVEYING	Quantity	Unit	Rate	Total (\$)
<b>Elevators</b>				
Hydraulic elevator, 2-stops	1	EA	\$165,000.00	\$165,000
<b>Subtotal For Conveying:</b>				<b>\$165,000</b>

PLUMBING	Quantity	Unit	Rate	Total (\$)
Trade Demolition	31,783	GSF	\$1.50	\$47,675
<b>Plumbing Fixtures</b>				
Watercloset, wall, manual flush	7	EA	\$2,400.00	\$16,800
Urinal, wall, manual flush				NIC, See Add Alternate
Lavatory	7	EA	\$2,000.00	\$14,000
Janitor sink	1	EA	\$2,500.00	\$2,500
Drinking fountain, hi-lo type	3	EA	\$4,500.00	\$13,500
Sink	2	EA	\$1,800.00	\$3,600
Drains (allowance)	10	EA	\$1,000.00	\$10,000
<b>Service Water, Sanitary / Vent Distribution Systems:</b>				
Service water with rough-in for fixture	30	EA	\$3,000.00	\$90,000
Waste & vent with rough-in for fixture	30	EA	\$2,500.00	\$75,000
<b>General Piping:</b>				
Natural Gas (rework existing)	31,783	GSF	\$0.50	\$15,892
Equipment	31,783	GSF	\$1.50	\$47,675
Plumbing Related Items	31,783	GSF	\$1.50	\$47,675
<b>Subtotal For Plumbing:</b>				<b>\$384,315</b>

HEATING, VENTILATION, & AIR-CONDITIONING	Quantity	Unit	Rate	Total (\$)
Trade Demolition	31,783	GSF	\$2.50	\$79,458
<b>New Work:</b>				
Boiler, Gas fired rooftop, 2000 mbh with associated equipment	1	LS	\$85,000.00	\$85,000
Rework existing Server Room HVAC	1	LS	\$5,000.00	\$5,000
Air Handling Unit, supply and return fans, DX cooling coil, AC unit, modulating gas furnace, Zone Level VAV Boxes with Reheat Coil	32,000	CFM	\$15.00	\$480,000
Distribution Systems;	31,783	GSF	\$2.00	\$63,566
Hydronic piping	31,783	GSF	\$4.00	\$127,132
Sheet Metal Ductwork / Insulation	31,783	GSF	\$15.50	\$492,637
Associated terminal, dampers	31,783	GSF	\$2.00	\$63,566
Accessories & specialties	31,783	GSF	\$1.00	\$31,783
General exhaust	31,783	GSF	\$2.00	\$63,566

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HEATING, VENTILATION, & AIR-CONDITIONING	Quantity	Unit	Rate	Total (\$)
Balance & Test	31,783	GSF	\$1.50	\$47,675
Control	31,783	GSF	\$6.50	\$206,590
HVAC Related Items	31,783	GSF	\$3.00	\$95,349
<b>Subtotal For Heating, Ventilation, &amp; Air-Conditioning:</b>				<b>\$1,841,320</b>

FIRE PROTECTION	Quantity	Unit	Rate	Total (\$)
Trade Demolition	31,783	GSF	\$0.75	\$23,837
Automatic Wet Sprinkler Systems	31,783	GSF	\$8.50	\$270,156
Standpipes			<i>NIC, Not Required</i>	
Fire Pumps			<i>NIC, Not Required</i>	
<b>Subtotal For Fire Protection:</b>				<b>\$293,993</b>

ELECTRICAL	Quantity	Unit	Rate	Total (\$)
Lighting & Power				
Service & Distribution				
Main Switchboard MSB 800A MCB 208/120V	1	EA	\$24,500.00	24,500.00
Housekeeping Pad	1	LS	\$2,500.00	2,500.00
400A MCB 208/120V - HVAC Panel	1	EA	\$8,000.00	8,000.00
225A MCB 208/120V Triple Split Bus Panel	4	EA	\$4,520.00	18,080.00
100A MCB 208/120V Triple Split Bus Panel - IT Panel	1	EA	\$3,700.00	3,700.00
Feeder, 400A - 4#600+1#3G in 4" EMT - allow	130	LF	\$170.00	22,100.00
Feeder, 225A - 4#4/0+1#4G in 3" EMT - allow	305	LF	\$100.00	30,500.00
Feeder, 100A - 4#1/0+1#6G in 2" EMT - allow	68	LF	\$62.00	4,216.00
225A MCB 208/120V	4	EA	\$4,200.00	16,800.00
100A MCB 208/120V	1	EA	\$3,355.00	3,355.00
Feeder, 225A - 4#4/0+1#4G in 3" EMT	305	LF	\$100.00	30,500.00
Feeder, 100A - 4#1/0+1#6G in 2" EMT	68	LF	\$65.00	4,420.00
Grounding/Firesealing	1	LS	\$4,500.00	4,500.00
Testing and Commissioning	1	LS	\$10,000.00	10,000.00
Machine and Equipment Connections	31,783	GSF	\$4.00	127,132.00

ELECTRICAL	Quantity	Unit	Rate	Total (\$)
Lighting & Branch Wiring				
A - 2"Wx2ft Linear D/I LED	1	EA	\$2,520.00	\$2,520
A - 2"Wx6ft Linear D/I LED	189	EA	\$2,100.00	\$396,900
B - 1.75"Wx3ft Continuous LED	8	EA	\$885.00	\$7,080
B - 1.75"W4ft Continuous LED	3	EA	\$1,200.00	\$3,600
B - 1.75"Wx6ft Linear LED	6	EA	\$1,770.00	\$10,620
C - 3ft Strip LED ceiling mtd	1	EA	\$252.00	\$252
C - 4ft Strip LED ceiling mtd	5	EA	\$280.00	\$1,400
C - 6ft Strip LED ceiling mtd	3	EA	\$416.00	\$1,248
D - 6" Rec LED Downlight 40deg beam angle	42	EA	\$650.00	\$27,300
E - 6ft linear Pendant Direct LED - Restroom	4	EA	\$995.00	\$3,980
F - 4ft linear Diffused LED wall mtd	3	EA	\$610.00	\$1,830
F - 6ft linear Diffused LED wall mtd	2	EA	\$914.00	\$1,828
G - U/C LED 3ft - LINEAR	6	EA	\$563.00	\$3,378
G - U/C LED 4ft - LINEAR	6	EA	\$665.00	\$3,990
H - 2x2 Low Gloss White LED - Kitchen	2	EA	\$650.00	\$1,300
J - 72" dia Direct or D/I Round Decorative	8	EA	\$9,500.00	\$76,000
Lighting Rough In Box	87	EA	\$160.00	\$13,920
Branch Circuit Wiring EMT - 3/4"	1,705	LF	\$18.00	\$30,690

Addressable Lighting Control including Daylight Harvesting, Occupancy Sensors, Manual Override Switches, Time Clock with Load Monitoring and Demand Response Capability	31,783	GSF	\$5.50	174,806.50
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Receptacle Outlets with Branch Wiring				
Duplex Receptacle with Plate, Box and Conn.	64	EA	\$160.00	\$10,240
Controlled Duplex Receptacle with Plate, Box and Conn.	4	EA	\$185.00	\$740
Duplex/USB Receptacle with Plate, Box and Conn. - U	5	EA	\$200.00	\$1,000
GFI Receptacle with Plate, Box and Conn.	10	EA	\$175.00	\$1,750
Quadplex Rec. with Plate, Box and Conn.	5	EA	\$210.00	\$1,050
FM Box Quadplex Receptacle Flush - FB	7	EA	\$750.00	\$5,250
FM Box Combo Quadplex/Data Flush - FB	3	EA	\$860.00	\$2,580
FM Box Combo Quadplex/Data/AV Flush - FB	3	EA	\$860.00	\$2,580
FM Box Quadplex Receptacle Poke Thru - PT	12	EA	\$1,270.00	\$15,240

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ELECTRICAL	Quantity	Unit	Rate	Total (\$)
<b>Receptacle Outlets with Branch Wiring</b>				
FM Box Quadplex Receptacle/Data Poke Thru - PT	4	EA	\$1,400.00	\$5,600
FM Box Quadplex Receptacle/Data/AV Poke Thru - PT	1	EA	\$1,400.00	\$1,400
FM Box Power/Data Poke Thru- Furniture Connection with Whips	3	EA	\$1,600.00	\$4,800
Branch Circuit Wiring EMT - 3/4"	2,700	LF	\$18.00	\$48,600
Branch Circuit Wiring GRC - 1"	1,650	LF	\$31.00	\$51,150
<b>Communications</b>				
Server Room build-out including equipment rack, wire manager, cable ladder, patch panels/patch cables, backbone cabling, conduit riser/stubs	1	LS	\$36,675.00	\$36,675
Server Room grounding	1	LS	\$1,500.00	\$1,500
(2) Voice/Data outlet, wall	27	EA	\$100.00	\$2,700
(2) Voice/Data outlet, floor	10	EA	\$140.00	\$1,400
AV outlet, floor	3	EA	\$212.00	\$636
Voice/Data Rough-Ins - 2 Gang with Box, Ring & Conn	29	EA	\$100.00	\$2,900
<b>Communications</b>				
1" EMT with Pull String	350	LF	\$14.00	\$4,900
1" GRC with Pull String	500	LF	\$18.00	\$9,000
Voice/Data Rough-Ins - 2 Gang with Box, Ring & Conn	29	EA	\$100.00	\$2,900
J-Hooks Allowance	50	EA	\$95.00	\$4,750
Category 6, PVC Jacketed Cable - 4 Pair	13,720	LF	\$1.75	\$24,010
Intercom/Paging System	31,783	GSF	\$1.50	47,674.50
AV System - Conduit Rough-ins/Power	31,783	GSF	\$1.75	55,620.25
Book Detection System - Conduit Rough-Ins - allowance	31,783	GSF	\$0.25	7,945.75
<b>Alarm and Security</b>				
Fire Alarm System - Addressable (Design-Build)	31,783	GSF	\$6.00	190,698.00
Security - Card Access System - allowance	31,783	GSF	\$2.50	79,457.50
CCTV System - allowance	31,783	GSF	\$4.50	143,023.50

1.253

ELECTRICAL	Quantity	Unit	Rate	Total (\$)
<b>Other Electrical Systems</b>				
Fees and Permits/Temp Power	31,783	GSF	\$1.00	\$31,783
Selective Trade Demolition - Electrical	31,783	GSF	\$1.00	\$31,783
<b>Subtotal For Electrical:</b>				<b>\$1,904,282</b>

EQUIPMENT	Quantity	Unit	Rate	Total (\$)
<b>Library Equipment</b>				
Book returns drop	2	EA	\$10,000.00	\$20,000
<b>Special Use Equipments</b>				
Staff lounge equipments; including microwave, refrigerator, coffee maker, garbage disposal				NIC, Included in FF&E
Kitchen equipments; including microwave, refrigerator, coffee maker, garbage disposal				NIC, Included in FF&E
Screen, projector, AV, speakers (at community meeting room, medium meeting room and learning commons)				NIC, Included in FF&E
<b>Subtotal For Equipment:</b>				<b>\$20,000</b>

FURNISHINGS	Quantity	Unit	Rate	Total (\$)
<b>Light Control &amp; Vision Equipment</b>				
Window shades to exterior windows, manual	4,236	SF	\$15.00	\$63,540
<b>Amenities &amp; Convenience Items</b>				
Fire extinguisher cabinets, allowance	1	LS	\$5,000.00	\$5,000
Entrance mats and frames, allowance	2	LS	\$5,000.00	\$10,000
Allowance for bike racks/storage	1	LS	\$5,000.00	\$5,000
Staff lockers	1	LS	\$10,000.00	\$10,000
<b>Moveable Furnishings</b>				
Conference/meeting tables and chairs				NIC, OFOI
Office tables and chairs				NIC, OFOI
Lounge chairs				NIC, OFOI
<b>Subtotal For Furnishings:</b>				<b>\$93,540</b>

SELECTIVE BUILDING DEMOLITION	Quantity	Unit	Rate	Total (\$)
<b>Structural Demolition</b>				
Demo & remove (E) spread footing	8	EA	\$2,000.00	\$16,000
Demo portion of (E) spread footing at new elevator pit	1	EA	\$3,000.00	\$3,000
Cut slab opening, level 2	1,350	SF	\$10.00	\$13,500
Demo portion of (E) WF beam	1	LS	\$1,500.00	\$1,500
<b>Roof &amp; Enclosure Demolition</b>				
Demo and remove (E) library service building	4,800	SF	\$15.00	\$72,000
Demo and remove (E) low roof, exterior windows/enclosure, concrete columns, column wrap and slab - around the main library	6,880	SF	\$15.00	\$103,200
Demo and remove (E) flat roofing system	8,262	SF	\$2.00	\$16,524
<b>Interior Demolition</b>				
Demo (E) interior column, 1 ea	13	LF	\$100.00	\$1,250
Remove (E) column wrap; steel column to remain	3,001	SF	\$10.00	\$30,012
Demo (E) two-story stairs; including treads, risers, landings, and railings	3	EA	\$2,000.00	\$6,000
Demo (E) two-story elevator	2	EA	\$5,000.00	\$10,000
Demo (E) elevator shaft	1,707	SF	\$3.00	\$5,121
Demo (E) restroom fittings and accessories	11	RM	\$200.00	\$2,200
Demo (E) restroom fixtures			<i>Included In Plumbing Section</i>	
Demo (E) mechanical equipment			<i>Included In HVAC Section</i>	
Demo (E) library stacks	3,611	LF	\$25.00	\$90,273
Demo (E) casework/desks	25	LF	\$25.00	\$633
Demo (E) interior gypboard and furring of exterior wall			<i>Included in Roofing &amp; Enclosure Demo</i>	
Demo (E) exterior redwood siding and furring			<i>Included in Roofing &amp; Enclosure Demo</i>	
Demo (E) partitions and finishes	21,338	SF	\$3.00	\$64,015
Demo (E) interior window walls	2,196	SF	\$20.00	\$43,920
Demo (E) interior doors, single	63	EA	\$150.00	\$9,450
Demo (E) interior doors, double	9	PR	\$250.00	\$2,250
Demo (E) exterior doors, single			<i>Included in Exterior Demo</i>	
Demo (E) exterior doors, double			<i>Included in Exterior Demo</i>	
Demo (E) exterior concrete shear walls			<i>Included in Exterior Demo</i>	
Demo (E) floor finishes and bases	31,260	SF	\$3.00	\$93,780
Demo (E) ceiling finishes	16,646	SF	\$2.00	\$33,293
<b>Hazmat Removal</b>				
Allowance	42,040	GSF	\$5.00	\$210,200
<b>Subtotal For Selective Building Demolition:</b>				<b>\$828,120</b>

1.254

Conceptual Cost Estimate

Site Improvement  
Santa Cruz Downtown Library

Control Quantities  
Site Improvement Summary  
Detailed Cost Breakdown

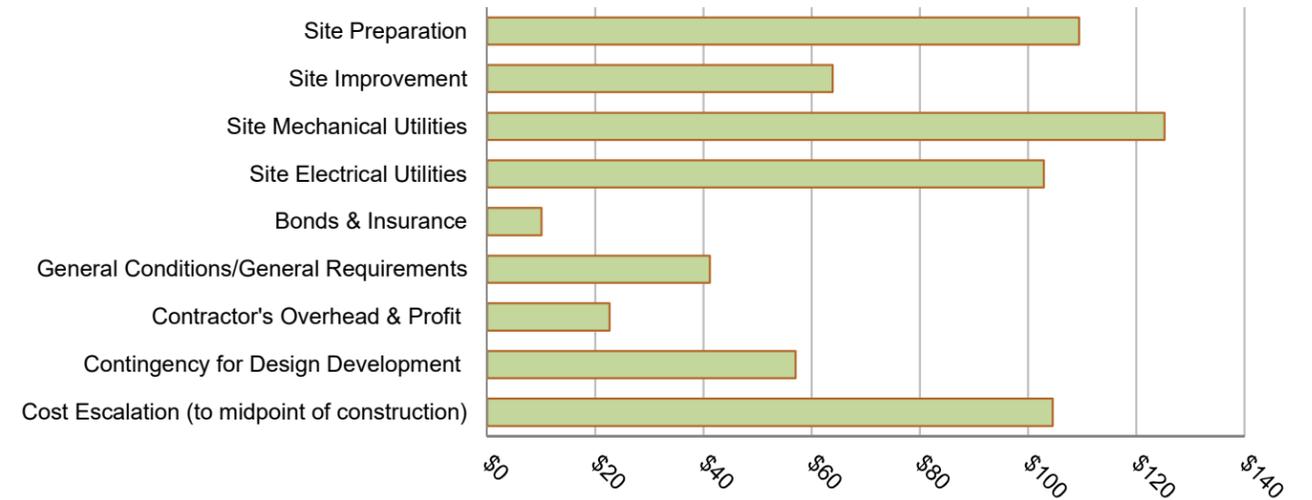
November 13, 2019

Enclosed Areas	
Vehicular Paving	6,690
Pedestrian Paving	10,327
Landscape Area	8,965
<b>Subtotal of Enclosed Area</b>	<b>25,982</b>

<b>CSI UniFormat Summary</b>	<b>25,982 SF</b>	<b>%</b>	<b>\$/SF</b>	<b>\$,000</b>
Site Preparation		17%	\$4.21	\$109
Site Improvement		10%	\$2.46	\$64
Site Mechanical Utilities		20%	\$4.82	\$125
Site Electrical Utilities		16%	\$3.96	\$103
<b>Subtotal - Sitework</b>		<b>63%</b>	<b>\$15.45</b>	<b>\$401</b>
Bonds & Insurance	2.50%	2%	\$0.39	\$10
General Conditions/General Requirements	10.00%	6%	\$1.58	\$41
Contractor's Overhead & Profit	5.00%	4%	\$0.87	\$23
<b>Subtotal</b>		<b>75%</b>	<b>\$18.29</b>	<b>\$475</b>
Contingency for Design Development	12.00%	9%	\$2.19	\$57
Cost Escalation (to midpoint of construction)	19.64%	16%	\$4.02	\$105
<b>TOTAL CONSTRUCTION BUDGET</b>		<b>100%</b>	<b>\$24.51</b>	<b>\$637</b>

NOTE: Inclusions and Exclusions listed in the Commentary Section.

**CSI UniFormat Summary**



1.255

SITE PREPARATION	Quantity	Unit	Rate	Total (\$)
<b>Site Protective Construction</b>				
Erosion control	25,982	SF	\$0.75	\$19,487
Protect (E) trees	9	EA	\$750.00	\$6,750
<b>Site Clearing &amp; Grading</b>				
Grading to areas where sections of the existing building are to be removed	25,982	SF	\$2.00	\$51,964
Imported backfill where the existing building slab and foundation are to be removed	250	CY	\$125.00	\$31,250
<b>Subtotal For Site Preparation:</b>				<b>\$109,451</b>

SITE IMPROVEMENT	Quantity	Unit	Rate	Total (\$)
<b>Vehicular Paving</b>				
Asphalt paving for loading/deliveries	460	SF	\$10.00	\$4,600
Asphalt paving for new parking			<i>NIC, See Add Alternate</i>	
Re-stripe existing parking lot	1,552	SF	\$1.00	\$1,552
<b>Pedestrian Paving</b>				
Concrete plaza	1,750	SF	\$25.00	\$43,750
Permeable pavers			<i>NIC, See Add Alternate</i>	
Reinforced concrete sidewalk			<i>NIC, See Add Alternate</i>	
Reinforced concrete curb			<i>NIC, See Add Alternate</i>	
<b>Site Development</b>				
Wood slat fence			<i>NIC, See Add Alternate</i>	
Bike rack	5	EA	\$1,000.00	\$5,000
<b>Landscaping</b>				
Mulch fill	8,965	SF	\$1.00	\$8,965
Trees, allow 24"~ 36" box			<i>NIC, See Add Alternate</i>	
Planting area			<i>NIC, See Add Alternate</i>	
Cor-ten steel retaining wall, 6" above grade			<i>NIC, See Add Alternate</i>	
Cor-ten steel retaining wall, 12-18" above grade			<i>NIC, See Add Alternate</i>	
<b>Subtotal For Site Improvement:</b>				<b>\$63,867</b>

SITE MECHANICAL UTILITIES	Quantity	Unit	Rate	Total (\$)
<b>Water Mains - Domestic Service</b>				
A new domestic water reduced pressure backflow preventer to be installed on the existing water service lateral serving the existing building.	1	LS	\$15,000.00	\$15,000
<b>Water Mains - Fire Service</b>				
Fire main - PVC, 8"	80	LF	\$90.00	\$7,200
Fire main - PVC, 6"	40	LF	\$75.00	\$3,000
Connection to (E) water main w/ SOV	1	EA	\$3,500.00	\$3,500
Fire hydrant assembly	1	EA	\$5,000.00	\$5,000
Double detector check assembly	1	EA	\$10,000.00	\$10,000
Fire dept connection	1	EA	\$1,500.00	\$1,500
<b>Sanitary Sewer</b> <span style="float: right;"><i>NIC, Not Required</i></span>				
<b>Storm Drainage</b>				
Rainwater leaders from the building roof to be reconnected to the existing site underground storm drain system	1	LS	\$60,000.00	\$60,000
Stormwater treatment	1	LS	\$20,000.00	\$20,000
<b>Subtotal For Site Mechanical Utilities:</b>				<b>\$125,200</b>

SITE ELECTRICAL UTILITIES	Quantity	Unit	Rate	Total (\$)
<b>Site Utilities - Power</b>				
Site U/G Feeder, 800A - (2) 4#500+1#1/0 G in 4" PVC Concrete Encased	75	LF	\$320.00	\$24,000
Intercept Existing Secondary Feeder with a Splice Concrete Pull Box	1	LS	\$8,100.00	\$8,100
Site Irrigation Controller Connection	2	EA	\$3,500.00	\$7,000
<b>Site Communications and Security</b>				
Telecom (empty) conduit concrete encased ductbank,(2)-4"C - allowance	100	LF	\$150.00	\$15,000
<b>Site Lighting (50% In The Base, 50% Add Alternate)</b>				
Wall mounted recessed site lighting at 8' o.c.	40	EA	\$820.00	\$32,800
Lighting Rough In Box	40	EA	\$160.00	\$6,400
PVC in trench	320	LF	\$30.00	\$9,600
<b>Subtotal For Site Electrical Utilities:</b>				<b>\$102,900</b>

1.256

Alternates	Job #19646
	November 13, 2019

Conceptual Cost Estimate

**Alternates**

**Santa Cruz Downtown Library**

Alternates Cost Breakdown

November 13, 2019

1.257

Two-Electric Remote Machine Roomless Elevators (In Lieu of 1-Hydraulic Elevator)	Quantity	Unit	Rate	Total (\$)
Alternate Description: Base: Single Hydraulic Elevator Alternate: Two-Electric Remote Machine Room Elevators				
<b>DELETE:</b>				
Hydraulic elevator, 2-stops	(1)	EA	\$165,000.00	(\$165,000)
<b>ADD:</b>				
Electric remote MRL elevators	2	EA	\$200,000.00	\$400,000
Mark-up's per Overall Summary	58.64%			\$137,802
<b>Subtotal For Two-Electric Remote Machine Roomless Elevators (In Lieu Of 1-Hydraulic Elevator):</b>				<b>\$372,802</b>

Add Restrooms	Quantity	Unit	Rate	Total (\$)
Alternate Description: Base: All restrooms are single occupancy. Alternate: Men's and women's restrooms on level 1 and 2 will become multi-occupancy, all others remain single occupancy.				
<b>ADD:</b>				
Prefabricated Compartments & Accessories				
Phenolic toilet partitions	2	EA	\$1,350.00	\$2,700
Phenolic toilet partitions, ADA	4	EA	\$1,500.00	\$6,000
Urinal partitions	2	EA	\$500.00	\$1,000
Toilet accessories, multi-room premium	4	RM	\$1,000.00	\$4,000
Plumbing Fixtures	4	Fx		
Watercloset, wall, manual flush	2	EA	\$2,400.00	\$4,800
Urinal, wall, manual flush	2	EA	\$2,400.00	\$4,800
Service Water, Sanitary / Vent Distribution Systems:				
Service water with rough-in for fixture	4	EA	\$3,000.00	\$12,000
Waste & vent with rough-in for fixture	4	EA	\$2,500.00	\$10,000
Mark-up's per Overall Summary	58.64%			\$26,564
<b>Subtotal For Add Restrooms:</b>				<b>\$71,864</b>

Alternates

Job #19646  
November 13, 2019



Alternates

Job #19646  
November 13, 2019



**Add T&G Western Red Cedar Ceiling, painted**      Quantity      Unit      Rate      Total (\$)

Alternate Description:

Base: Paint (E) structure, typical with linear pendant lights  
Alternate: Acoustic ceiling tile and Western Cedar ceiling finishes w/ recessed fixture

**DELETE:**

Ceiling Finishes				
Paint exposed ceiling	(28,000)	SF	\$3.00	(\$84,000)
Paint exposed ductwork	(3,558)	SF	\$3.00	(\$10,674)
Lighting				
Pendant light fixtures 'type A'	(14,500)	SF	\$27.55	(\$399,475)

**ADD:**

Ceiling Finishes				
Acoustic ceiling tile, 2' x 4', Armstrong Optima	22,400	SF	\$10.00	\$224,000
Painted gypboard	509	SF	\$30.00	\$15,270
T&G western cedar	1,230	SF	\$50.00	\$61,500
Lighting				
Recessed light fixture	14,500	SF	\$24.00	\$348,000
<b>Mark-up's per Overall Summary</b>	58.64%			\$90,669

**Subtotal For Add T&G Western Red Cedar Ceiling, Painted Gypsum Board And 2X4 Act : \$245,290**

**Add Pre-Finished Galvanised Standing Seam roof w/ Pre-Finished Galv Sheet Metal Fascia, Add T&G Western Cedar Roof Soffit & (N) Internal Gutters & Rainwater Leaders**      Quantity      Unit      Rate      Total (\$)

Alternate Description:

Base: (E) Cement Tile Roof at sloped perimeter to remain  
Alternate: Pre-finished galvanized standing seam roof with pre-finished galvanized sheet metal fascia, with new gutters and rainwater leaders, and new T&G red cedar roof soffit

**ADD:**

Selective Demolition				
Demo and remove (E) clay tile roofing system	10,072	SF	\$4.00	\$40,288
Roofing				
Pre-finished galvanized standing seam roof	10,072	SF	\$30.00	\$302,160
Roofing Upstands & Sheetmetal				
Pre-finished galvanized sheet metal fascia	540	LF	\$75.00	\$40,500
Internal gutters	540	LF	\$50.00	\$27,000
Rainwater leaders - allow	260	LF	\$50.00	\$13,000
Miscellaneous flashing, caulking and sealants	10,072	SF	\$1.50	\$15,108
Canopy/Soffits				
T&G western red cedar soffit over (E) eave	2,050	SF	\$50.00	\$102,500
<b>Mark-up's per Overall Summary</b>	58.64%			\$316,978

**Subtotal For Add Pre-Finished Galvanised Standing Seam Roof W/ Pre-Finished Galv Sheet Metal Fascia, Add T&G Western Cedar Roof Soffit & (N) Internal \$857,534**

1.258

**Alternates**

Job #19646  
November 13, 2019



**Alternates**

Job #19646  
November 13, 2019



Add Planting, Boulders, Trees & Cor-Ten Retaining Walls and Terraced Grading	Quantity	Unit	Rate	Total (\$)
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**Alternate Description:**

Base: Level grade site and mulch between building and property line  
Alternate: Planting boulders, trees, and corten retaining walls and terraced grading + exterior lights

**ADD:**

Landscaping				
Boulders - allow	1	LS	\$10,000.00	\$10,000
Landscape planting and irrigation	4,965	SF	\$20.00	\$99,300
Trees, allow 24"~ 36" box	23	EA	\$1,000.00	\$23,000
Cor-ten steel retaining wall, 6" above grade	260	LF	\$50.00	\$13,000
Cor-ten steel retaining wall, 12-18" above grade	744	LF	\$150.00	\$111,600
Site Lighting				
Wall mounted recessed site lighting at 8' o.c., including wiring and PVC trench	20	EA	\$1,220.00	\$24,400
<b>Mark-up's per Overall Summary</b>			58.64%	\$164,952

**Subtotal For Add Planting, Boulders, Trees & Cor-Ten Retaining Walls And Terraced Grading: \$446,252**

Add Permeable Pavers, Landscape & Planting	Quantity	Unit	Rate	Total (\$)
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**Alternate Description:**

Base: Graded mulch at staff patio, community room patio and kids patio  
Alternate: Permeable pavers, landscape and planting + Wood slat fence at patio perimeters

**ADD:**

Site Development				
Wood slat fence	312	LF	\$750.00	\$234,000
Landscaping				
Permeable pavers	2,500	SF	\$35.00	\$87,500
Landscape planting and irrigation	1,500	SF	\$20.00	\$30,000
Site Lighting				
Wall mounted recessed site lighting at 8' o.c., including wiring and PVC trench	20	EA	\$1,220.00	\$24,400
<b>Mark-up's per Overall Summary</b>			58.64%	\$220,425

**Subtotal For Add Permeable Pavers, Landscape & Planting: \$596,325**

Add New Windows w/ Awning Operation At Level2 Window	Quantity	Unit	Rate	Total (\$)
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**Alternate Description:**

Base: (E) Level 2 windows to remain, paint (E) concrete exterior at level2  
Alternate: (N) Windows with awning operation + 8" lightweight concrete infill between window openings and columns + increase footing size + painted cement plaster over exterior concrete

**DELETE:**

Paint to (E) concrete wall, level 2 (9,029) SF \$3.50 (\$31,602)

**ADD:**

Structural Foundation				
Premium for 4' deep wall footing (in lieu of 3') Window, Glazing and Louvers	2,210	SF	\$45.00	\$99,450
Demo and remove (E) window	470	SF	\$30.00	\$14,100
Glazed window with awning operation	470	SF	\$120.00	\$56,400
Lightweight concrete infill; 8" LW concrete infill w/ #4 @12".o.c.,e.w., painted	5,300	SF	\$35.00	\$185,500
Cement plaster over exterior concrete, painted	9,029	SF	\$35.00	\$316,015

**Mark-up's per Overall Summary** 58.64% \$375,211

**Subtotal For Add New Windows W/ Awning Operation At Level2 Window: \$1,015,075**

Add New Clerestory	Quantity	Unit	Rate	Total (\$)
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**Alternate Description:**

Base: (E) Roof To Remain  
Alternate: (N) Clerestory

**ADD:**

Clerestory Framing				
Structural framing, HSS12 x 4	136	LF	\$300.00	\$40,800
Structural framing, HSS12 x 8	48	LF	\$400.00	\$19,200
HSS Post	24	LF	\$400.00	\$9,600
18ga metal deck	768	SF	\$10.00	\$7,680
Window, Glazing and Louvers				
Clerestory glazing	656	SF	\$150.00	\$98,400
Structural Demolition				
Cut roof opening	792	SF	\$10.00	\$7,920

**Mark-up's per Overall Summary** 58.64% \$107,662

**Subtotal For Add New Clerestory: \$291,262**

1.259

Add T&G Western Red Cedar Wall Finish	Quantity	Unit	Rate	Total (\$)
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Alternate Description:

Base: Painted gypboard at the north wall of Level 1 Lobby and Stair  
Alternate: T&G Western Cedar at this location

**DELETE:**

Wall Finishes				
Paint	(1,092)	SF	\$3.00	(\$3,276)

**ADD:**

Wall Finishes				
T&G western cedar	1,092	SF	\$50.00	\$54,600
Cedar, 1x4, clear	258	LF	\$25.00	\$6,442

Mark-up's per Overall Summary 58.64% \$33,873

**Subtotal For Add T&G Western Red Cedar Wall Finish: \$91,639**

Add Vinyl Wall graphic at 2nd Floor Lobby	Quantity	Unit	Rate	Total (\$)
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Alternate Description:

Base: Painted gypsum wall board at 2nd floor lobby  
Alternate: Vinyl wall graphic will cover the wall at the second floor lobby.

**DELETE:**

Wall Finishes				
Paint	(315)	SF	\$3.00	(\$944)

**ADD:**

Wall Finishes				
Vinyl wall graphic	315	SF	\$20.00	\$6,292

Mark-up's per Overall Summary 58.64% \$3,136

**Subtotal For Add Vinyl Wall Graphic At 2Nd Floor Lobby: \$8,484**

Add Operable Storefront 'Nana' Wall	Quantity	Unit	Rate	Total (\$)
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Alternate Description:

Base: Kawneer 451T storefront  
Alternate: Floor to ceiling 'Nanawall' Operable exterior storefront

**DELETE:**

Window, Glazing and Louvers				
Aluminum storefront system, 11'-6" tall	(506)	SF	\$175.00	(\$88,550)

**ADD:**

Window, Glazing and Louvers				
Nanawall' Operable exterior storefront	506	SF	\$450.00	\$227,700

Mark-up's per Overall Summary 58.64% \$81,597

**Subtotal For Add Operable Storefront 'Nana' Wall: \$220,747**

Motorized Shades In Lieu Of Manual	Quantity	Unit	Rate	Total (\$)
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Alternate Description:

Base: New manual window shades  
Alternate: New motorized window shades

**DELETE:**

Light Control & Vision Equipment				
Window shades to exterior windows, manual	(4,236)	SF	\$15.00	(\$63,540)

**ADD:**

Light Control & Vision Equipment				
Window shades to exterior windows, motorized	4,236	SF	\$25.00	\$105,900

Mark-up's per Overall Summary 58.64% \$24,840

**Subtotal For Motorized Shades In Lieu Of Manual: \$67,200**

1.260

**Alternates**

Job #19646  
November 13, 2019



**Add New Sidewalk, Curb, Gutter and Street Parking (ref. A2.10)**

Quantity Unit Rate Total (\$)

Alternate Description:

Base: (E) Sidewalk, curb, gutter and street parking to remain  
Alternate: (N) Sidewalk, curb, gutter and street parking

Vehicular Paving At Street Parking				
Asphalt paving for street parking	2,458	SF	\$10.00	\$24,580
Striping and pavement parking	2,458	SF	\$1.00	\$2,458
(N) Reinforced concrete curb	400	LF	\$30.00	\$12,000
Pedestrian Paving				
Permeable pavers	2,474	SF	\$35.00	\$86,590
Reinforced concrete sidewalk	6,463	SF	\$20.00	\$129,260
Reinforced concrete curb	635	LF	\$30.00	\$19,050
<b>Mark-up's per Overall Summary</b>	<b>58.64%</b>			<b>\$160,635</b>

**Subtotal For Add New Sidewalk, Curb, Gutter And Street Parking (Ref. A2.10): \$434,573**

**Add New Combined Parking Lot (ref. A2.10)**

Quantity Unit Rate Total (\$)

Alternate Description:

Base: (E) Parking Lots to remain  
Alternate: (N) Combined parking lot as shown on A2.10

**ADD:**

Site Demolition				
Demo and remove (E) CMU dividing wall	315	SF	\$10.00	\$3,150
Site Clearing & Grading				
Cut/fill to balance the site area, +/- 18" (no Off-haul)	9,984	SF	\$2.00	\$19,968
Vehicular Paving				
Asphalt paving for new parking	9,984	SF	\$10.00	\$99,840
Striping and pavement parking	9,984	SF	\$1.00	\$9,984
(N) Reinforced concrete curb	230	LF	\$30.00	\$6,900
<b>Mark-up's per Overall Summary</b>	<b>58.64%</b>			<b>\$82,002</b>

**Subtotal For Add New Combined Parking Lot (Ref. A2.10): \$221,844**

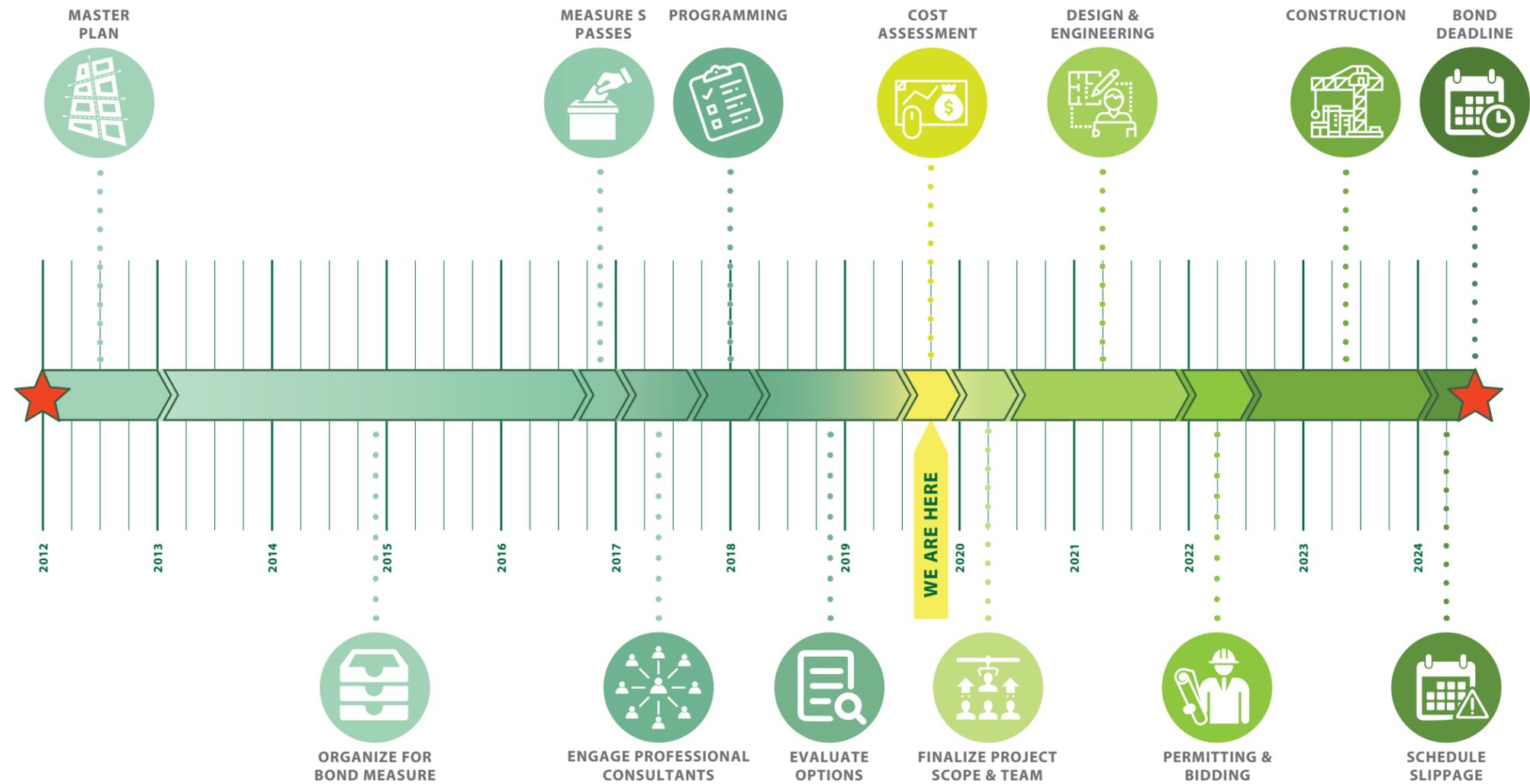
1.261

# SCHEDULE

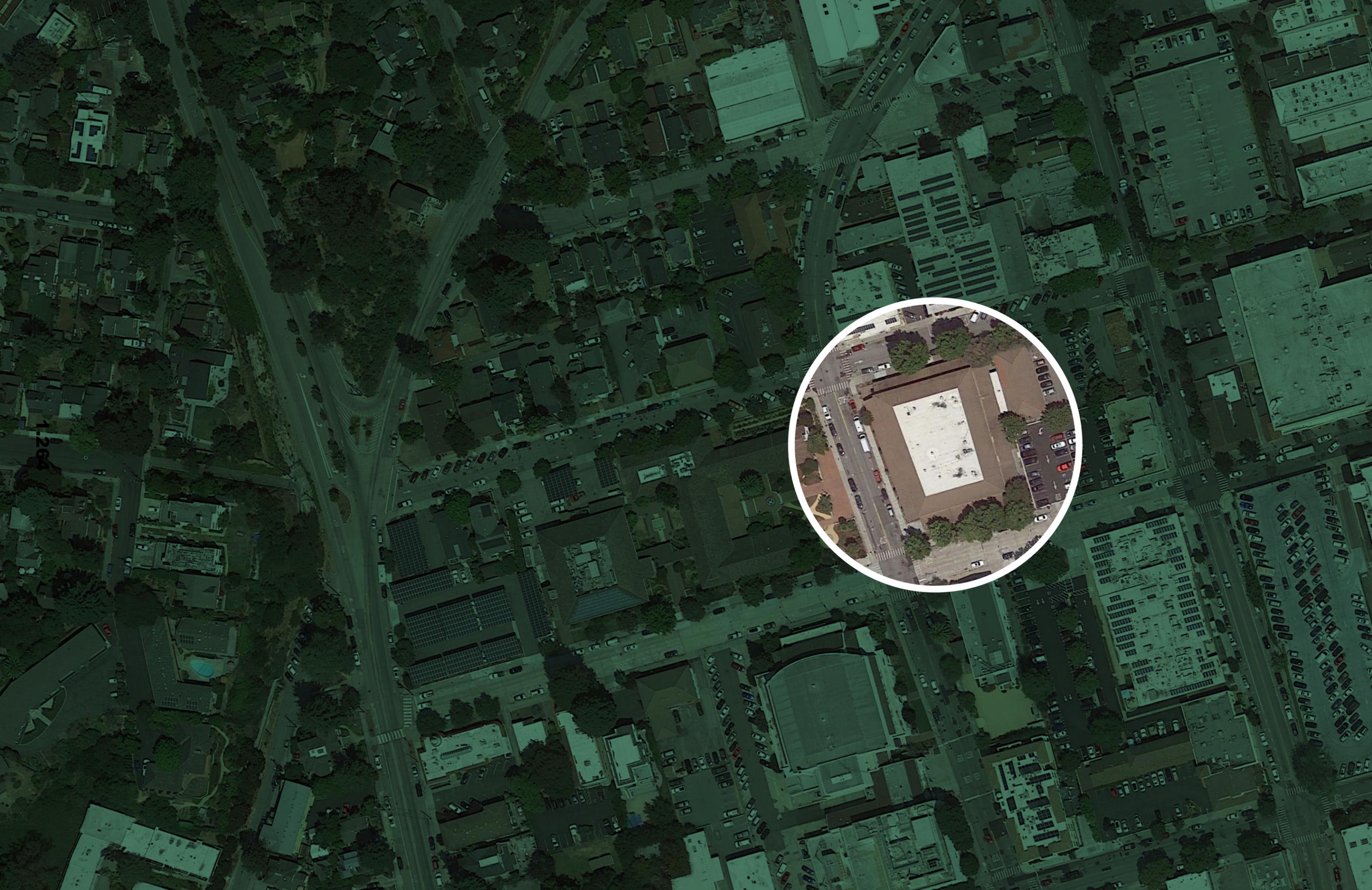
As a part of the assessment of the feasibility of a \$27 million renovation of the existing library, Jayson Architecture evaluated the overall schedule for the project. Working backwards from the Measure S bond deadline in summer 2024, we established the key phases required to complete the project. We determined that the timeline is adequate for a project of this scale, however, does not allow for much flexibility or schedule delay.

In addition, establishing this schedule is critical to define the construction cost of the project, because the rate of cost escalation is established by the midpoint of construction. Mack5 has projected an annual escalation rate of approximately 5% per year, which means a nearly 20% rate of escalation is factored into the cost estimate based on the current schedule outlining a 3 year duration to reach the midpoint of construction. The cost of the escalation currently included in the construction estimate is approximately \$3 million. Any further delay to the schedule would result in increased escalation of construction costs on the order of \$1 million per year, increased projects soft costs of approximately \$500,000 per year, and further cuts to the library and community’s programmatic goals. The cost of delay is further compounded with each additional year added to the schedule.

We have provided the schedule in two formats, a simplified graphic timeline including work completed by the City to date, as well as a detailed Gantt chart format schedule showing the relationship of each phase of the project to the overall schedule between the date of this report and the bond deadline.



ID	Task Name	Duration	Start	Finish	2020												2021												2022												2023												2024																							
					A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O																					
1	<b>Concept, Budget, &amp; Scope: 10 Months</b>				←												→																																																											
2	Cost Assessment Study	15 wks	Mon 8/19/19	Fri 11/29/19	←																																																																							
3	City Council Review	9 wks	Mon 12/2/19	Fri 1/31/20													←																																																											
4	RFP Preparation	6 wks	Mon 2/3/20	Fri 3/13/20																									←																																															
5	RFP Posting	4 wks	Mon 3/16/20	Fri 4/10/20																																					←																																			
6	Interviews and Proposal Evaluation	6 wks	Mon 4/13/20	Fri 5/22/20																																					←																																			
7	City Council Award of Contract	4 wks	Mon 5/25/20	Fri 6/19/20																																					←																																			
8	<b>Design &amp; Engineering: 18 Months</b>																←												→																																															
9	Schematic Design	14 wks	Mon 6/22/20	Fri 9/25/20																									←																																															
10	Schematic Design Cost Estimate	4 wks	Mon 9/28/20	Fri 10/23/20																																					←																																			
11	City Review	2 wks	Mon 10/26/20	Fri 11/6/20																																					←																																			
12	Design Development	20 wks	Mon 11/9/20	Fri 3/26/21																									←																																															
13	Design Development Cost Estimate	4 wks	Mon 3/29/21	Fri 4/23/21																																					←																																			
14	City Review	2 wks	Mon 4/26/21	Fri 5/7/21																																					←																																			
15	Construction Documents	26 wks	Mon 5/10/21	Fri 11/5/21																									←																																															
16	Construction Documents Cost Estimate	4 wks	Mon 11/8/21	Fri 12/3/21																																					←																																			
17	City Review	2 wks	Mon 12/6/21	Fri 12/17/21																																					←																																			
18	<b>Pre-Construction: 6 Months</b>																												←												→																																			
19	Permitting	12 wks	Mon 12/20/21	Fri 3/11/22																																					←																																			
20	Bidding & Award of Contract	12 wks	Mon 3/14/22	Fri 6/3/22																																					←																																			
21	<b>Construction: 24 Months</b>																																								←												→																							
22	Construction	100 wks	Mon 6/6/22	Fri 5/3/24																																					←												→																							
23	Commissioning & Move In	4 wks	Mon 5/6/24	Fri 5/31/24																																																	←																							
24	<b>Bond Deadline</b>	0 days	Mon 7/1/24	Mon 7/1/24																																																													◆ 7/1											



1264



1285

**JAYSON**  
ARCHITECTURE

50 29<sup>th</sup> Street  
San Francisco CA 94110  
jaysonarch.com  
415.317.0529

## LIBRARY PROJECT EVALUATION MATRIX

<i>LIBRARY (Including needs identified by DLAC process)</i>	<i>Renovation</i>	<i>Option C (housing &amp; parking above)</i>	<i>Option D (housing above)</i>	<i>Notes</i>
Improves site lines	-	+	□	
outside area	+	-	-	
Unmanaged exterior spaces	-	□	□	
Expandability	+	-	□	Renovation: Additional building could be built on parking lot. Mixed Use: could expand into commercial space
Computer Wifi & printing Areas - increase tech access & training	+	+	+	
Quiet Space	-	+	+	Renovation: See Jayson Report
Dedicated Children's space	+	+	+	
Study, tutoring, small group space	-	+	+	Renovation: See Jayson Report
Dedicated Library parking	+	+	+	
Flexible community rooms	+	+	+	
Dedicated teen space	+	+	+	
Dedicated California & Local History Collections	-	+	+	Renovation: See Jayson Report
Art & Exhibit Space	+	+	+	
Print Collections	-	+	+	Renovation: See Jayson Report
Outdoor Patio/reading space	-	-	-	Renovation: Outdoor space would require additional funding
Used Book Store	+	+	+	
Creation/makerspace	+	+	+	
cafe	-	-	-	
Adult services - genealogy	-	+	+	Renovation: See Jayson Report
Adult Service - life literacy & resources referral	-	+	+	Renovation: See Jayson Report
Library feel (infrastructure maximizes sound proofing; minimizes exposed wires and plumbing, natural light, etc.)	-	□	+	Renovation doesn't have sound proofing & has exposed ceiling. Mixed Use Option D has a skylight and no parking above
Library functionality (ability to separate user groups, separate entrances, improved space layout)	□	+	+	Mixed Use: separate entrances for kids wing
Sufficient bathroom facilities (bathrooms on every floor, sufficient stalls per floor, & 2 children's bathrooms)	-	+	+	Renovation: extra funds are needed for multi-use bathroom stalls
Creation of outdoor community space	+	-	-	
Total square feet	-	□	□	
Physical Accessibility (ADA)	□	+	+	renovation: two stories & requires elevator access
<i>ENVIRONMENT (including Climate Action Goals)</i>	<i>Renovation</i>	<i>Option C (housing &amp; parking above)</i>	<i>Option D (housing above)</i>	<i>Notes</i>
Improve building efficiency (reduce energy/water demand)	□	+	+	renovation: extra costs for high efficiency windows on 2nd floor
Complies with green building standards	□	□	□	
Surface parking lots converted for housing uses (Housing Blueprint Recommendations)	-	+	+	
Reduce Energy Use in Municipal Buildings	+	+	+	
Provides opportunity for solar	-	+	+	Renovation: roof can't support solar (See Jayson Architecture Report)

## LIBRARY PROJECT EVALUATION MATRIX

Generation of Construction Waste	□	-	-	Renovation: re-using some of the building, will need to demo annex building, and gut library interior. Mixed-Use: Demo of Toadal Fitness & parking lot
Traffic Impacts	unknown	unknown	unknown	To be determined with future analysis with CEQA and measure of Vehicle Miles Traveled
Minimize glazing area that can contribute to bird collisions	+	+	+	City Code Requirement
Bike parking & safe bike access	□	+	+	City Code Requirement. Mixed Use: Code provide additional bike parking within parking structure
<b>RISK &amp; COST</b>	<b>Renovation</b>	<b>Option C</b> <small>(housing &amp; parking above)</small>	<b>Option D</b> <small>(housing above)</small>	<b>Notes</b>
Impact of inflation, Cost Escalation, and ability to complete project w/in bond timeline	+	□	□	Renovation is simpler so could move faster. Mixed use: Working with partners could slow timeline. May see a reduction in construction costs for both projects with a recession.
Impact on the general fund	□	+	+	Less alternative funding sources for renovation
Cost per square foot	□	□	□	
Avoids temporary relocation expenses	-	+	+	
Avoids disruption of library operations	-	+	+	
Reduced yearly maintenance costs	-	□	□	Renovation: no energy savings from solar. Mixed Use: no parking lot or landscaping maintenance expenses
Add ons	-	□	□	Renovation: See Jayson Architecture Report. Mixed Use: See Group 4 Report. All project options will require Add ons.
<b>OTHER COMMUNITY BENEFITS</b>	<b>Renovation</b>	<b>Option C</b> <small>(housing &amp; parking above)</small>	<b>Option D</b> <small>(housing above)</small>	<b>Notes</b>
Increases # of affordable housing units downtown	□	+	+	
provides additional shared parking to parking District	□	+	+	
Supports visitors to downtown (tourists & non-city residents)	+	+	+	
Meets intention(s) of the Downtown plan, Genera Plan, & Housing Blueprint Subcommittee Recommendations	-	+	+	
Durability/lifespan	-	+	+	
Farmer's Market / Antique Faire Impacts	□	-	-	There is a planned alternate site if Lot 4 is developed.
Supports Public Art	+	+	+	
Proximity to Civic Center	+	-	-	
Proximity to Businesses & pacific Ave Foot traffic	-	+	+	

## **Rosemary Balsley**

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**From:** Elizabeth del Sol <eliz.delsol@gmail.com>  
**Sent:** Thursday, June 11, 2020 6:25 PM  
**To:** City Council; Justin Cummings; Donna Meyers; Sandy Brown  
**Subject:** No parking garage

Dear City Council Members,  
Professor Adam Millard Ball and the Downtown Parking Strategic Plan are very clear: the City should address future parking demand through better management of existing parking.

There are numerous benefits to not building a parking garage, including reduced fiscal risk in a time of economic recession; parking revenue available for affordable housing; enhanced walkability Downtown.

Please vote against a new parking structure.

Thank you,

Elizabeth

## Rosemary Balsley

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**From:** Diane Klein <dianeklein0417@gmail.com>  
**Sent:** Thursday, June 11, 2020 7:09 PM  
**To:** City Council  
**Subject:** Library

We live at Walnut Commons Cohousing close to the library & Farmers Market site. Members here support upgrading the library at its current site and keeping the Farmers Market space available for both the market and other community activities.

Sincerely, Richard and Diane Klein

## Rosemary Balsley

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**From:** Linda Kerner <lindakerner@sbcglobal.net>  
**Sent:** Thursday, June 11, 2020 8:01 PM  
**To:** Justin Cummings; Sandy Brown; Donna Meyers; City Council  
**Subject:** Library Mixed Use Project

Dear City Council and Subcommittee Members:

I am sending this email to indicate my strong support for the NEW LIBRARY MIXED USE OPTION. Santa Cruz residents deserve a new state of the art library and the city's low wage workers and low income individuals, families and seniors are in dire need of housing that is affordable. The mixed use option offers many community benefits that renovating the existing library cannot provide. This project has been under discussion for years and it's now time to move forward! Let's build a new library to serve children, teens, and adults and provide housing to address the city's critical affordable housing crisis. The mixed use option will provide facilities that the entire community can be proud of. It's a WIN WIN for everyone!

Linda Kerner

## Rosemary Balsley

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**From:** paul stephens <paulbstephens@hotmail.com>  
**Sent:** Thursday, June 11, 2020 8:07 PM  
**To:** City Council  
**Subject:** Downtown jCommons

Dear City Council Members,

NO, that is my vote on what to do regarding the Downtown Library. A NO vote to building a multimillion dollar mixed-use concrete parking garage. There is so much wrong with building this type of building.

We need to find a permanent space for the Farmers Market. We need a beautiful public space for our community. We need to renovate the downtown library.

As well as the above, I also think we should remove cars from the middle of our mall. It would be a much more friendly downtown.

Please vote for a downtown Commons and renovating the library.  
Suzanne Stephens

Sent from [Mail](#) for Windows 10

## Rosemary Balsley

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**From:** Connie <conniemm@pacbell.net>  
**Sent:** Thursday, June 11, 2020 8:43 PM  
**To:** Justin Cummings; Donna Meyers; Sandy Brown; City Council  
**Subject:** I support mixed-use library

I am writing to urge you to support the mixed-use option for the downtown library. It makes sense to me to take advantage of consolidated funding to allow for a modern library as well as provide housing and parking. Remodeling our existing library that would result in a smaller space with fewer resources seems irresponsible and backward.

As much as I think we should all drive less, it just isn't always feasible for people especially those who don't live nearby.

Thank you,

Connie Maschan

## Rosemary Balsley

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**From:** Phoebe Hall <phoebehall@gmail.com>  
**Sent:** Thursday, June 11, 2020 9:15 PM  
**To:** City Council  
**Subject:** Downtown Commons

Hello,

My name is Phoebe Hall. I am a young Santa Cruz voter, class of 2018 from Santa Cruz High. I care deeply about the Santa Cruz community as it has been my home for more than half my life. I write to urge you to vote to keep the library where it is, and create a Downtown Commons on parking lot 4. I moved to Santa Cruz from Davis, CA in 2010 so I spent my childhood in Davis. The Davis Farmer's Market has won numerous "Best Farmer's Market in America" awards and mentions. It exists in a permanent green space in downtown Davis, which contributes a great deal to the lovely atmosphere of the market there. When I moved to Santa Cruz, I was shocked that the Farmer's market was in a parking lot. I still am. You have a chance to fix this. Beyond just a home for the farmer's market, a downtown commons builds community and provides a lovely central green space that Santa Cruz currently just painfully lacks at present. Not having a downtown commons green space completely goes against the spirit of Santa Cruz.

Then there's the fact that the library doesn't belong buried beneath a monstrous parking garage. Cities that value their libraries don't jam them into ugly mixed use projects. I tutored many local elementary school children using the library as our meeting space and I'm sure many of their parents would not have been comfortable with that if the library were in the same place as a site of heavy traffic like a garage. And then there's the fact that we don't need more parking garages downtown-- don't we care about cars' contribution to global warming? Santa Cruz pretends to be a liberal, environmentally conscious city. Let's live up to that reputation.

Let's improve the library where it is and give Santa Cruz the communal green space it is sorely lacking.

Thank you so much,  
Phoebe Hall

## Rosemary Balsley

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**From:** Cara Pearson <cara@pacificcookie.com>  
**Sent:** Friday, June 12, 2020 9:21 AM  
**To:** Justin Cummings; Donna Meyers; Sandy Brown  
**Cc:** City Council  
**Subject:** Support for the Library Mixed Use Option

Good Morning Council Members Cummings, Meyers & Brown,

I am writing you in full support of the new mixed use library. I believe a modern library combined with affordable housing will be an essential addition to our downtown. It is a smart use of our surface parking lots and I am excited about creating more modern community spaces that can be used by a wide range of people from locals to tourists. Bringing more people Downtown will help to activate our streets and keep our businesses vital.

Thank you for your time,  
Cara

Cara Pearson, President  
Pacific Cookie Company  
831.429.9709  
800.969.9709  
<https://www.pacificcookie.com/>

## Rosemary Balsley

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**From:** marie-francoise Chesselet <mchesselet@yahoo.com>  
**Sent:** Friday, June 12, 2020 9:31 AM  
**To:** City Council; Justin Cummings; Donna Meyers; Sandy Brown  
**Subject:** No Parking garage

Dear Mayor Cummings and City Council Members,

I am writing to express my strong hope that Santa Cruz will abandon the idea of building additional parking structures downtown. The success of downtown shopping depends on a walkable, pleasant environment. Large, concrete and by nature ugly, parking structures detract from this experience.

As world travelers, we have witnessed an increase in pedestrian city centers and enjoyed the more leisurely time they provide to enjoy shops and eateries, leading to more impulse consumption and much better memories, and enticing us to return to those locales.

We have even seen large and busy cities such as Marseille, in France, revitalizing a whole, once decaying, neighborhood by *destroying* multistory parking on a city square. It would be heartbreaking to see Santa Cruz go in the other direction by erecting new parking structures within the downtown area.

We welcome the idea of building more housing downtown; local residents will shop locally, car-free, and ensure more round the clock human presence.

Please vote against a new parking structure.

Thank you for your consideration and your leadership for a more sustainable and enjoyable downtown Santa Cruz,

**Marie-Françoise Chesselet**  
Emeritus Professor  
Ph: 323-371-4318  
mchesselet@yahoo.com

## Rosemary Balsley

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**From:** treisine@aol.com  
**Sent:** Friday, June 12, 2020 10:04 AM  
**To:** City Council; Justin Cummings; Donna Meyers; Sandy Brown  
**Subject:** Please vote no for the parking garage!

To Mayor Cummings and City Council Members,

It is my understanding that Santa Cruz is presently considering building a parking garage downtown across from Toadal Fitness and the Market. I strongly oppose building this structure and would hope you consider this when you vote on whether to go forward with this endeavor.

I oppose the building of this structure for multiple reasons:

1. I have been working out at Toadal Fitness for almost 6 years, mainly in the front of the gym. At almost any time of the day I have been there, the parking area that already exists is only partially full. Thus, it is not clear to me what will be gained by adding more parking?
2. The building effort will likely cause the removal of Toadal Fitness and the Market from their present locations. This would be unfortunate, because both are in ideal sites that attract the greatest number of patrons. An advantage of this site for Toadal fitness is its ease of access, especially for elderly individuals and for many that do not drive or have cars, yes there are such people in the world, displacement will make it difficult to get the needed exercise and benefits of citygoers at the gym as well as the incredible atmosphere of the Market that exists now.
3. Parking garages are ugly, do you really want to put such an eye sore in the heart of the town? Also, garages like the one proposed will foster more crime by providing hiding places for criminals. What will be gained by this?
4. Considering the financial crisis that exists now because of Covid-19 which is not likely to change anytime soon, does the city really have resources to waste on such a structure that is not likely to increase income to the city in the future?

Please vote against the building of the new parking structure.  
Thank you for your consideration and effort.

Terry Reisine, Ph.D  
Biotech consultant  
310-806-2198

## Rosemary Balsley

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**From:** Hayley Mears <hayley.mears@gmail.com>  
**Sent:** Friday, June 12, 2020 10:23 AM  
**To:** Justin Cummings  
**Cc:** City Council  
**Subject:** Support for mixed-use library in downtown Santa Cruz

Dear Mayor Cummings & City Council,

I'm writing in support of a new library built as part of a mixed use project on Cedar Street, including 60-120 affordable housing units and replacement parking serving the full range of downtown uses: library, residential, local businesses and community functions. This approach would create a spacious, modern ground-floor library, help meet local housing needs, optimize environmental features including green building and infill development, and support the recovery and future vitality of downtown.

I love the public library system and use it frequently. I look forward to a new and innovative space for our library that will revitalize the community.

Thank you for your consideration,

## **Rosemary Balsley**

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**From:** Rebecca Trautwein <rtrautwein358@gmail.com>  
**Sent:** Friday, June 12, 2020 12:08 PM  
**To:** City Council  
**Subject:** Downtown Library

Please adopt Jayson Architecture's proposal for the reconstruction.

Please, for our air and for our climate, do not encourage increased vehicle traffic downtown.

Please conserve scarce resources by rebuilding in the existing space.

Thank you!

## Rosemary Balsley

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**From:** Mindy Lawrence <mindyraelawrence@gmail.com>  
**Sent:** Friday, June 12, 2020 1:06 PM  
**To:** City Council  
**Subject:** Library

Dear Members of the Santa Cruz City Council,

I am writing to voice my opinion on the proposed library project. For several reasons I support the plan to rebuild the current library. It seems the more fiscal responsible choice. It also is the most environmentally friendly alternative. Not only will it use less resources it will reduce landfill. In addition, to add more parking and encourage driving is not forward thinking. We need to encourage biking, walking and transportation. Furthermore, it would be more beneficial to the downtown to use parking lot four for a permanent farmer's market and public green space. That would be a legacy you could be proud of as our elected officials.

Thank you for your time,

Mindy Lawrence

404 Modesto Ave, Santa Cruz, CA 95060

## Rosemary Balsley

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**From:** Roscoe VanHorne <roscoeva@yahoo.com>  
**Sent:** Friday, June 12, 2020 1:43 PM  
**To:** City Council  
**Subject:** No parking garage

Dear City Council Members, Professor Adam Millard Ball and the Downtown Parking Strategic Plan are very clear: the City should address future parking demand through better management of existing parking. There are numerous benefits to not building a parking garage, including reduced fiscal risk in a time of economic recession; parking revenue available for affordable housing; enhanced walkability Downtown. Please vote against a new parking structure. Thank you,

## Rosemary Balsley

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**From:** Debra Jones <dbrjns@gmail.com>  
**Sent:** Friday, June 12, 2020 1:46 PM  
**To:** Justin Cummings; Sandy Brown; Donna Meyers  
**Cc:** City Council  
**Subject:** I am not in favor of the library mixed use option

Dear City Council members,

I am a retired librarian for the City of Santa Cruz, serving as a reference librarian in the downtown branch in the late 1970s until mid 90's. I am also an active member of the Friends of the Santa Cruz Public library.

I am definitely not in favor of the mixed use option for replacing the current downtown branch. I am in favor of remodeling the existing structure for the following reasons:

- the new mixed use building would subordinate the purpose, integrity and goals of a good downtown branch library to the needs and planning wishes of the city staff and downtown planners. Other goals of the mixed use option are riding on the library bond money, and the best decisions for the library will be circumvented by housing/parking decisions. It is an overly politicized arena to make the best choices for a future library.
- the downtown branch library has problems that are exacerbated by placing the new building in the middle of either cars or low income housing. Currently the downtown library has become what I regretfully call a 'homeless day care center', not serving the needs of the general public, and certainly avoided by most library users. I do not believe it is the responsibility of the library to serve solely as a resource center for our most intransigent problem, what to do with our homeless. More honest would be to find a big space, fill it with computers with internet access, and serve free coffee and meals.
- the downtown branch doesn't need to be seduced by more is better. Certainly downtown could use better meeting rooms and more pleasant browsing and reading areas. If you've noticed, no one browses the library book stacks currently, and i wonder what the circulation statistics are compared to other branches. To add on fluff like "maker's labs" is rather transparent. The Genealogy room could be housed elsewhere, it has no need to be downtown and used to be, if I remember correctly, at the Branciforte branch. Storage that presently is upstairs could be slimmed down (I'm very familiar with what is there) or housed elsewhere, and requests and rotating collections are better ways to keep floor footage devoted to stacks to a minimum. And what about the off-site library staff offices and the rent paid for that?
- As Stephen Kessler has adroitly pointed out in his SC Sentinel commentaries, the downtown branch library is perfectly well situated where it is now, near the other city buildings. He makes some very good points, I hope you've read him.
- Why have we never gotten a good answer to what the city plans to do with the current library building? If the plan is to remodel it for city staff offices, the same asbestos and seismic problems remain. The cost of retrofitting it for other city uses should be factored into general budget costs (i.e. remove those costs from a library remodel costs, since the city has to pay for these retrofits either way, unless the plan is to turn it into more parking? or a homeless campground perhaps?)

In summary, I feel the best goals of a new library are not being addressed when the whole issue is being pushed by alternative political agendas, i.e. reducing square flat footage designated for parking, arguing whether there should be more or less parking downtown, pressure to build high density urban housing, short timeline to spend library bond monies. And then there is the underlying problem of what to do with growing numbers of homeless

downtown, keeping library users and downtown shoppers away. Building a new parking structure with a library buried inside does not serve the needs of the community for a good downtown branch library.

thank you for listening  
Debra Jones

## Rosemary Balsley

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**From:** Mary Reynolds <maryreynolds9@gmail.com>  
**Sent:** Friday, June 12, 2020 2:11 PM  
**To:** City Council  
**Subject:** Downtown Library and Community Space

Dear Mayor Cummings, Vice-Mayor Meyers, and Councilmember Brown,

I have lived in Santa Cruz for nearly 35 years and am very invested in retaining what is left of the unique character of our community. I beseech you to remodel the existing library, retaining our iconic farmer's market and open space, and building on the existing a sense of community and livability, beautifying our downtown. Any move to increase parking and build a massive structure is a giant step backward. With Climate catastrophe the ultimate threat to life on earth, it behooves us to take every measure to cut back on, not encourage, car use. We can do it.

Thank you in advance for your belief in a sustainable future!!

In your recommendations concerning the Downtown Library, please choose Option B: reconstruction of the Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market! Here are the issues I consider most important:

- \* A free-standing iconic Downtown Library at the Civic Center is far preferable to a library in a big-box mixed use project.
- \* Building a \$54 million dollar (\$1.8 million/year for 30 years) parking garage is not justified on the basis of projected parking demand.
- \* Incorporating a library and affordable housing in a project based on building unneeded parking makes no sense.
- \* The costs exceeding Measure S revenues in order to include upgrade alternatives beyond the base plan for the Downtown Library at the Civic Center can be paid from revenues from sale of air rights for development of affordable housing on other city-owned lots.
- \* I want a central downtown community public space with a permanent Farmers' Market. Parking Lot 4, with its size, trees, and afternoon sunlight is far better used in this way than for a parking garage, with or without a library, and it is a far better location for the Farmers' Market than the parking lot behind Pizza My Heart.
- \* Please keep the successful Antique Faire where it is!
- \* I want a first-class library, but NOT in a place that undermines the 2017

Downtown Plan, which promotes the village character of Cedar Street.

\* Building an unnecessary \$54 million parking garage cannot be justified by including affordable housing units. Cost savings from not building an expensive garage can be used to leverage affordable housing construction elsewhere to increase downtown density and vitality.

\* The 2017 Downtown Plan has an unrealized goal of creating public space that can best be fulfilled at Parking Lot 4.

\* The plan to build an unnecessary parking garage violates the city's Climate Action Plan.

\* A Downtown Commons will serve as an anchor that can help broaden downtown Santa Cruz from its present narrow Pacific Avenue axis and encourage economic development beyond that axis.

\* Building a mixed-use parking garage on Parking Lot 4 will create even more dead street space in Downtown Santa Cruz, already a serious problem along Cedar Street and Church Street, for example.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Mary Reynolds  
111 Younglove Avenue  
Santa Cruz, CA 95060

## Rosemary Balsley

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**From:** Richard Popchak <rich@ventanawild.org>  
**Sent:** Friday, June 12, 2020 3:02 PM  
**To:** City Council  
**Subject:** The Library/Garage Proposal is Not Right for Our Community

Dear Santa Cruz City Council Members,

I am writing to express why I am against the proposed Library/Garage structure between Lincoln and Cathcart and along Cedar. I feel this plan is wrong for the community for several reasons.

1. We cannot be encouraging more vehicular traffic by encouraging cars to come downtown. A garage is not necessary and a waste of public funds.
2. The proposal does little if anything to address the major concerns of our community. It offers little in the way of affordable housing and takes away a much-needed community gathering spot.
3. The proposal takes away valuable real estate that can be used to better serve the community.
4. The existing library can be renovated and modernized and -- as bland as it currently is -- it still is much more appealing than a concrete parking garage.
5. This whole process seems to be railroaded upon the citizens of the city. Allow time for all community groups to have their say and allow research and science to be included in the decision-making process. Just because somebody in power "thinks" they know what is best for the community does not mean they are right.
6. And finally ... do we really want to be known as the city that buried its main library under a parking garage?

Thank you for your service to the community.

Regards,

Richard Popchak  
346 Getchell Street  
Santa Cruz CA 95060

## Rosemary Balsley

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**From:** fulkins <fulkins@cruzio.com>  
**Sent:** Friday, June 12, 2020 3:14 PM  
**To:** Justin Cummings; Donna Meyers; Sandy Brown; City Council  
**Subject:** Support for the mixed use library project

Councilmembers Cummings, Meyers and Brown,

I strongly support the proposed mixed use library project. I was an active member of the Yes on Measure S campaign committee to raise funds for the library system, including a new downtown library. The Santa Cruz city voters passed Measure S by a large margin looked forward to having a new modern library.

I urge you to recommend the mixed use library plan to the full council.

I have spoken with a number of library staff members and they are very supportive of the mixed use plan. The current location would not allow for all the programming and meeting space they hope to have.

As even the consultant on the renovation of the current library conceded " *“Even with additional features (not in the budget), the building is only improved to a low-medium quality facility and will lack many of the amenities the public has come to expect in a modern library.”*

The citizens of Santa Cruz deserve a new modern library not a "low-medium quality facility."

I am really mystified by the opposition to the mixed use library plan. What we are looking at now is a very funky parking lot. The mixed use plan would replace the current parking, provide much needed affordable housing, and give us a new modern library.

I have heard that the new proposed location for the farmer's market is popular with the organizers of the market. It would have the added benefit of being covered by solar panels which would make it more usable in the winter, provide shade in the summer and move the city towards energy independence.

As for a downtown commons, proposed by opponents of the mixed use library project, where would the money for that come from? As it is the city is facing sever budget cuts.

Carol Fuller  
513 Olive Street  
Santa Cruz

## **Rosemary Balsley**

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**From:** Carey <careycx26@gmail.com>  
**Sent:** Friday, June 12, 2020 3:19 PM  
**To:** City Council  
**Subject:** Library alternatives

The library-in-a-parking-garage proposal is a very bad idea, based on outdated thinking and ignoring the conclusions of the professionals hired by the city to study this issue. We should be getting people out of their cars, not creating another white elephant.

Remodel or replace the existing library, in the same location.

Sincerely,

Wm. C. Casey

40+ year resident, retired planning and building design consultant

## Rosemary Balsley

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**From:** Deborah Hencke <dhencke@icloud.com>  
**Sent:** Friday, June 12, 2020 3:55 PM  
**To:** City Council  
**Subject:** Read the Nelson\Nygaard report

Why hasn't the staff invited the consultants to review their report? (Read it - you'll find out!)

I have suspected as much, but now have evidenced testimony that the staff have concocted the whole need for more parking by making up falsehoods for such need by some. Crazy idea that there needs to be this horrendous monstrous creation in our prized downtown area of a buried library, housing and parking where we now have parking, music, open air market place. There are other options for affordable housing. Perhaps along the river instead of the giant grotesque over height buildings for the rich? Or at St. Joseph's instead of massive building for the old rich?

Those buildings would be better suited out on Delaware towards Natural Bridges. Keep the heights reasonable in town. We aren't Hong Kong!

Thank you.

Deborah Hencke

Santa Cruz County Resident

Who would like to retire in the city!

831-359-9391

Prior city dweller/owner

At 531 Dufour St.

## Rosemary Balsley

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**From:** A Webb <webbheart@gmail.com>  
**Sent:** Friday, June 12, 2020 4:58 PM  
**To:** City Council; Donna Meyers; Justin Cummings  
**Subject:** Downtown Library

Measure S was approved by voters with the understanding that funds would be to renovate the current library at its present location. It needs to be renovated or rebuilt at that location.

I urge you to drop plans and stop defending the premature decision that another hugely expensive parking garage is warranted on Lot 4, of which a new library would be a tenant buried beneath it. Clearly not enough focus and time has been given towards the improvement of parking management for the parking surplus identified in recent studies to arrive at this last, costly resort. It also does not support the Climate Action goals of the City.

I urge you to support the vision that many groups have brought forward for Lot 4 instead, that of a community Commons among the stunning heritage trees that we must preserve for the important air-scrubbing, greenhouse effect-reducing workhorses they are. Hundreds if not thousands of these important mature trees have been lost to local bulldozers or natural disasters in recent years. This Commons vision holds enormous potential for all manner of community uses, including the continuation of the popular and long-standing Farmers Market, supporting a pedestrian friendly downtown that better achieves Climate Action goals.

I urge you to consider the idea of Senior/Low Income housing across the street from Lot 4 on the parking lot there.

I urge you to support the plans for a modern library and its current Civic corner location.

Thank you.  
Anita Webb

## **Rosemary Balsley**

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**From:** Nana Montgomery <n.e.montgomery10@gmail.com>  
**Sent:** Friday, June 12, 2020 5:10 PM  
**To:** City Council  
**Subject:** Downtown Library -- keep the historical location

Hi City Council

I'm writing in as a longtime Santa Cruz resident. I say keep the library where it is, close to the vibrancy of downtown, close enough to bus stops and in a nice part of town. I love the Santa Cruz Branch, it's where I spent a lot of time over the years, especially when I was a college student and then as a working person. The library needs to be accessible for all. Please leave it where it is.

Respectfully  
Nana Montgomery

## Rosemary Balsley

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**From:** lisa ekström <ekstromdesign@gmail.com>  
**Sent:** Friday, June 12, 2020 6:20 PM  
**To:** City Council; Justin Cummings; Donna Meyers; Sandy Brown  
**Cc:** Amanda Rotella  
**Subject:** Downtown Library location decision

Dear City Council Members and Amanda Rotella,

I'm sending this email again to [citycouncil@cityofsantacruz.com](mailto:citycouncil@cityofsantacruz.com) since my email to:  
[jcumings@cityofsantacruz.com](mailto:jcumings@cityofsantacruz.com)  
[dmeyers@cityofsantacruz.com](mailto:dmeyers@cityofsantacruz.com)  
[sbrown@cityofsantacruz.com](mailto:sbrown@cityofsantacruz.com)  
[arotella@cityofsantacruz.com](mailto:arotella@cityofsantacruz.com)

... was returned to me as "Mail delivery failed".

I've just checked the email addresses and they appear to all be correct (according to the city website).

I hope that this email is delivered.

Thank you,  
Lisa Ekström

Begin forwarded message:

From: lisa ekström <[lisa@ekstromdesign.com](mailto:lisa@ekstromdesign.com)>  
Subject: Downtown Library location decision  
Date: 12 June, 2020 at 3:55:41 PM PDT  
To: [jcumings@cityofsantacruz.com](mailto:jcumings@cityofsantacruz.com), [dmeyers@cityofsantacruz.com](mailto:dmeyers@cityofsantacruz.com), [sbrown@cityofsantacruz.com](mailto:sbrown@cityofsantacruz.com)  
Cc: [arotella@cityofsantacruz.com](mailto:arotella@cityofsantacruz.com)

Dear Mayor Cummings, Vice-Mayor Meyers, and Councilmember Brown,

For the Downtown Library, please choose Option B: Reconstruction of the Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market! Here are the issues I consider most important:

- \* A free-standing iconic Downtown Library at the Civic Center is far preferable to a library in a big-box mixed use project.
- \* Building a \$54 million dollar (\$1.8 million/year for 30 years) parking garage is not justified on the basis of projected parking demand.
- \* Incorporating a library and affordable housing in a project based on building unneeded parking makes no sense.

\* The costs exceeding Measure S revenues in order to include upgrade alternatives beyond the base plan for the Downtown Library at the Civic Center can be paid from revenues from sale of air rights for development of affordable housing on other city-owned lots.

\* I want a central downtown community public space with a permanent Farmers' Market. Parking Lot 4, with its size, trees, and afternoon sunlight is far better used in this way than for a parking garage, with or without a library, and it is a far better location for the Farmers' Market than the parking lot behind Pizza My Heart.

\* Please keep the successful Antique Faire where it is!

\* I want a first-class library, but NOT in a place that undermines the 2017 Downtown Plan, which promotes the village character of Cedar Street.

\* Building an unnecessary \$54 million parking garage cannot be justified by including affordable housing units. Cost savings from not building an expensive garage can be used to leverage affordable housing construction elsewhere to increase downtown density and vitality.

\* The 2017 Downtown Plan has an unrealized goal of creating public space that can best be fulfilled at Parking Lot 4.

\* The plan to build an unnecessary parking garage violates the city's Climate Action Plan.

\* A Downtown Commons will serve as an anchor that can help broaden downtown Santa Cruz from its present narrow Pacific Avenue axis and encourage economic development beyond that axis.

\* Building a mixed-use parking garage on Parking Lot 4 will create even more dead street space in Downtown Santa Cruz, already a serious problem along Cedar Street and Church Street, for example.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sincerely,  
Lisa Ekström

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## Rosemary Balsley

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**From:** Steven King <stevenking95062@gmail.com>  
**Sent:** Saturday, June 13, 2020 1:51 AM  
**To:** City Council  
**Subject:** Vote NO to parking garage

Dear Mayor Cummings and City Council Members,

I ask you to vote no to more ridiculous parking garages in downtown Santa Cruz.

It is way past time to abandon this Rube Goldberg of a transport system of ton-and-a-half, thirty-thousand part motor vehicles, burning noxious carbons, taking up ungodly acreage for traffic lanes, jeopardizing pedestrian safety, and requiring concrete monstrosities to store them when they are idle.

How easy it would be to ride one's bicycle downtown if we had not surrendered the security of our bicycles to petty thieves. Maybe if we had secure bicycle storage, the thieves would go hungry, and relocate to Huntington Beach.

I bet we could create a reliable bicycle security system for a whole lot less cost than a parking garage.

Parking garages reek of SoCal anyway. 1961 SoCal.

Please vote against a new parking structure.

Thank you,

Steven King,  
171 Marine Parade, #1  
Santa Cruz, CA 95062  
Ph: 831•426•4600

[sking1a@aol.com](mailto:sking1a@aol.com)

## Rosemary Balsley

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**From:** eduardo izquierdo <chateauedo@cruzio.com>  
**Sent:** Saturday, June 13, 2020 9:48 AM  
**To:** City Council  
**Subject:** downtown library

Council people, I have lived in Santa Cruz since 1975 love the city and the library system. I am urging you NOT to undertake the construction of a garage/library complex at the site of the present farmers market. We do not need to store more cars. I do support a new or remodeled library at it's current site. kindly consider this request. Eduardo Izquierdo phone # 460 9325

## **Rosemary Balsley**

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**From:** Joya Winwood <joya@mothersong.org>  
**Sent:** Saturday, June 13, 2020 10:03 AM  
**To:** City Council  
**Subject:** library and farmer's market

Hi friends,

Please keep the Library where it ia and create a Downtown Commons with the Farmer's Market  
on parking lot 4.

Thank you!

Joya Winwood

Santa Cruz resident since 1978

## **Rosemary Balsley**

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**From:** kathy bigelow <kathyatbigelow@yahoo.com>  
**Sent:** Saturday, June 13, 2020 10:41 AM  
**To:** City Council  
**Subject:** downtown library

In regards to the library issue in downtown Santa Cruz the Thorne household with over 50 years of residency in Santa Cruz City would like to see the library stay at the same location. In regards to the downtown Farmers Market we would prefer it to stay as is.

Sincerely,  
James T Thorne III  
Katherine Thorne

## Rosemary Balsley

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**From:** roblinbuildingco <roblinbuildingco@comcast.net>  
**Sent:** Saturday, June 13, 2020 11:04 AM  
**To:** City Council  
**Subject:** Library Garage

Honorable Council Members,

Please refrain from burying the Downtown Library in a concrete commercial enterprise on the only Commons the town now has. Its value to the Community cannot be measured or replaced. Surely, the existing Library can be remade to meet the budget if leadership shows the way; that would be truly modern. Thank you for listening to a 47 yr County resident. Will Roblin, Seacliff

Sent from my Verizon Wireless 4G LTE smartphone

## Rosemary Balsley

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**From:** James Weller <jweller@cruzio.com>  
**Sent:** Saturday, June 13, 2020 12:57 PM  
**To:** City Council  
**Cc:** Martin Bernal  
**Subject:** I oppose development of Lot 4

Councilmembers and Mr. Bernal:

I oppose the City administration's proposal to develop a multi-story mixed use parking/library structure, with or without housing, on the City's Parking Lot 4.

Indeed, I oppose building anything there, other than fixtures and facilities for common open-space use, such as the Downtown Farmers Market and a Town Commons, as has been more recently proposed.

I do not oppose urban development in general. I support new housing developments in Santa Cruz, affordable or otherwise, where they make sense as urban infill, including in new multi-story buildings. I actually have favorable opinions of the planned Pacific/Front and River/Front mixed-use developments.

Nevertheless, I believe strongly that the value of Lot 4 as permanent public open space is far greater than its value as a site for a massive multi-story concrete structure. Even though I acknowledge the community values of a new library, and affordable housing, and public parking, when it comes to Lot 4, none of these is commensurate with the incalculable value of public open space there.

Two huge new multi-story housing developments are planned in the near future less than two blocks away from Lot 4. Santa Cruz has needed a town commons downtown for decades, and the need will increase dramatically with all those new dwelling units just down the street. Multi-story housing has even been proposed directly across Cedar street from Lot 4, on church-owned land leased to the City for use as a parking lot.

Lot 4 is the last sizeable piece of publicly owned land downtown. It should remain in the public domain as an improved, landscaped open space for everyone downtown to enjoy freely.

I favor the proposal to reconstruct and remodel the downtown library in its present location. There are enough bond funds to create a very much improved library there. It is not necessary to sacrifice precious open space for the sake of a slightly grander library project.

Blessings,

Jim Weller

## Rosemary Balsley

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**From:** Catherine Byrne <cathcbyrne@yahoo.com>  
**Sent:** Saturday, June 13, 2020 1:08 PM  
**To:** City Council  
**Subject:** Library

Good day,

As a city resident of 16 years, I wish to request that we not build a new library with large parking garage and a few (perhaps affordable) housing units on the Farmers' Market (parking lot 4) property.

Let's make that a beautiful community space and create a walkable downtown.

Let's renovate/reconstruct the current library (perhaps using Jayson proposal) if need be.

Let's build needed affordable housing on other vacant city owned lots.

Thank you for considering my opinion.

Cath

Catherine Byrne, Ph.D.  
114 Dufour St  
Santa Cruz, CA 95060  
(831)419-7292

## Rosemary Balsley

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**From:** Sara C <saritanube@hotmail.com>  
**Sent:** Saturday, June 13, 2020 2:26 PM  
**To:** City Council  
**Subject:** downtown library

Dear Council Memers,

I urge you to think carefully about the fate of the downtown library. We are in uncertain times and to plan another garage downtown would be a huge mistake given the economy and our need to deal with climate change. From everything I've seen the Jason Architecture plan would bring a complete remodel of the present building and bring it into line with current needs. Please support this plan for this vital community resource.

Thank you,  
Sara Cloud  
82 Blackburn St., Apt. 213  
Santa Cruz, CA 95060

## Rosemary Balsley

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**From:** Lynn K. Gordon <lynngordon@bay3.net>  
**Sent:** Saturday, June 13, 2020 3:22 PM  
**To:** City Council  
**Subject:** Plans for Central Library

City Council Members:

I've been a resident of the city of Santa Cruz since 1973, and a card carrying Library participant as long. I walk to the main library usually twice a week so I am very familiar with it's services, staff and problems. I voted for the bond issue to remodel the library at it's current site, opposite City Hall, and adjacent to the Civic Center Auditorium. This area is the City Center, and should be kept as such.

I shop at the Wednesday Farmer's Market weekly, and always attend the Downtown Antiques Fair, on the second Sunday of the month. I was one of the founders of the original Caffè Pergolesi, worked at the Santa Cruz Community Credit Union, Bookshop Santa Cruz, and Women's Crisis Support when it was downtown.

I love and support the idea of a Downtown Commons on the current parking lot behind the former Logos bldg. We need a community gathering place in addition to a Farmer's Market, and Antiques Fair site. It's an ideal site for art shows, food shows, and anything else the people of Santa Cruz want. We don't need another concrete monolithic garage, even with retail, low income housing, and a library, and whatever else is added to make it more acceptable.

We are in the midst of a real pandemic which will bring long lasting changes to our community, culture and economy.

We need a Common gathering area, and a remodeled Library. Please build what we voted for, and support the people of Santa Cruz.

Thank you,  
Lynn K. Gordon

## **Rosemary Balsley**

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**From:** Steve Lustgarden <slustgarden@gmail.com>  
**Sent:** Saturday, June 13, 2020 5:49 PM  
**To:** City Council  
**Subject:** Garage library project

Dear Mayor and City Council Members,

Trust in local government is at stake in the decision over the library project. The Council should ask Nelson\Nygaard to present their recommendations contained in the \$100,000 report, Downtown Parking Strategic Plan.

Please heed those recommendations when you make your decision about a proposed 400 space parking structure at the Farmers Market Lot.

Thank you,  
Steve Lustgarden  
Santa Cruz

## Rosemary Balsley

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**From:** Aharona Shackman <aharonashackman@gmail.com>  
**Sent:** Saturday, June 13, 2020 9:18 PM  
**To:** City Council  
**Subject:** Please Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

I am a Santa Cruz city resident and long-time supporter of the farmers' market, which is the best farmers' market I have ever attended in this entire country - through which I have traveled extensively! I am writing to ask you, with reference to your decision concerning the downtown library, to please choose reconstruction of the library at the Civic Center, and to please preserve Parking Lot 4 as the site of a future Downtown Commons and permanent farmers' market. To me, and to everyone with whom I have spoken about it, a library at the Civic Center is far preferable to a library in an overly expensive mixed-use project based on a parking garage for which we do not even have a need - as per the projected demand for parking. And as for the affordable housing aspect, there are other lots that would be better used for affordable housing.

What I would love to have is a central downtown public space with a permanent farmers' market - a Downtown Commons that could also help encourage economic growth beyond the strip of Pacific Street where business is now predominantly focused. And Parking Lot 4 is a far better location for this Commons than any of the other locations that have been proposed. It is a perfect size, and it has beautiful trees and afternoon sunlight - it would be ridiculous to lose all of that to a parking garage. The 2017 Downtown Plan promotes the "village" character of Cedar Street, and I believe a parking garage would do much to undermine that, and that the plan to build an unnecessary parking garage would also violate the city's Climate Action Plan.

Thank you for your consideration and also for the work you do.

Sincerely,  
Susan Shackman

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[www.ashtangayogasantacruz.com](http://www.ashtangayogasantacruz.com)

## Rosemary Balsley

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**From:** Lori Blake <lorindablake@gmail.com>  
**Sent:** Saturday, June 13, 2020 11:06 PM  
**To:** City Council  
**Subject:** Please Reconstruct the Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

I am a resident of the city of Santa Cruz. In your decision concerning the Downtown Library, please choose reconstruction of the Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market! Here are the issues I consider most important.

During this time when COVID-19 is severely threatening budgets, Santa Cruz should not be taking on this huge amount of debt. Building a \$54 million dollar (\$1.8 million/year for 30 years) parking garage is not justified on the basis of projected parking demand.

- \* A free-standing iconic Downtown Library at the Civic Center is far preferable to a library in a big-box mixed use project.
- \* Incorporating a library and affordable housing in a project based on building unneeded parking makes no sense.
- \* The costs exceeding Measure S revenues in order to include upgrade alternatives beyond the base plan for the Downtown Library at the Civic Center can be paid from revenues from sale of air rights for development of affordable housing on other city-owned lots.
- \* I want a central downtown community public space with a permanent Farmers' Market. Parking Lot 4, with its size, trees, and afternoon sunlight is far better used in this way than for a parking garage, with or without a library, and it is a far better location for the Farmers' Market than the parking lot behind Pizza My Heart.
- \* Building an unnecessary \$54 million parking garage cannot be justified by including affordable housing units. Cost savings from not building an expensive garage can be used to leverage affordable housing construction elsewhere to increase downtown density and vitality.
- \* The 2017 Downtown Plan has an unrealized goal of creating public space that can best be fulfilled at Parking Lot 4.
- \* The plan to build an unnecessary parking garage violates the city's Climate Action Plan.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Thank you,  
Lori Blake

## Rosemary Balsley

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**From:** Valerie Morgan <vjgandrcm@cruzio.com>  
**Sent:** Sunday, June 14, 2020 11:14 AM  
**To:** City Council  
**Subject:** Library

Please keep the library at it's current location. We do not need a 6 story mixed use concrete parking garage in beautiful downtown Santa Cruz. There is plenty of parking downtown, never have had any issues with that and speaking to friends and family, they haven't either. Renovating the current library, though, is a great idea.

Thank you,

Valerie Girsh-Morgan

## Rosemary Balsley

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**From:** Bill Schoenbart <bill.schoenbart@gmail.com>  
**Sent:** Sunday, June 14, 2020 12:06 PM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center!

Dear Mayor Cummings and Councilmembers,

In your decision concerning the Downtown Library, please choose reconstruction of the Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market! Here are the issues I consider most important.

\*A free-standing iconic Downtown Library at the Civic Center is far preferable to a library in a big-box mixed use project.

\*I want a central downtown community public space with a permanent Farmers' Market. Parking Lot 4, with its size, trees, and afternoon sunlight is far better used in this way than for a parking garage, with or without a library, and it is a far better location for the Farmers' Market than the parking lot behind Pizza My Heart.

\*I want a first-class library, but NOT in a place that undermines the 2017 Downtown Plan, which promotes the "village" character of Cedar Street.

\*A Downtown Commons will serve as an "anchor" that can help broaden downtown Santa Cruz from its present narrow Pacific Avenue axis and encourage economic development beyond that axis.

\*Building a mixed-use parking garage on Parking Lot 4 will create even more dead street space in Downtown Santa Cruz, already a serious problem along Cedar Street and Church Street, for example.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

- Bill Schoenbart

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Bill Schoenbart, L.Ac., D.A.O.M.  
PO Box 8099  
Santa Cruz, CA 95061

Office: 831-466-0980  
Email: [bill.schoenbart@gmail.com](mailto:bill.schoenbart@gmail.com)



## Rosemary Balsley

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**From:** Gerda Endemann <healthyfat@gmail.com>  
**Sent:** Sunday, June 14, 2020 2:27 PM  
**To:** City Council  
**Cc:** downtowncommonsadvocates@gmail.com  
**Subject:** Keep the library where it is and create a downtown commons

Dear City Council,

I am a resident of Santa Cruz and I support keeping the library where it is, carrying out necessary renovations, and creating a downtown commons with the farmers' market.

I am not against parking lots in principle, but see no need to combine the two projects. I do believe that we need more affordable housing, but have seen little evidence that what the city and developers call affordable housing is helpful to anyone but the well-to-do.

I hope that you can provide the necessary leadership on this important issue.

Sincerely,

Gerda Endemann  
139 Magnolia Street  
Santa Cruz, CA 95062

650-814-4914

## Rosemary Balsley

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**From:** Louisa Capp <lcapp@scusd.net>  
**Sent:** Sunday, June 14, 2020 3:46 PM  
**To:** City Council  
**Subject:** Rebuild existing library

Dear City Council,

Please rebuild the existing site of the downtown library. I would like you to preserve the trees the building integrity and the downtown farmers market as is. This plan also helps us practice conservative fiscal responsibility in a recession era. I am writing on behalf of my three voter household.

Yours,

Louisa (Christopher and Jonas) Capp  
741 Prospect Heights  
Santa Cruz, CA 95065

lcapp@scusd.net

Sent from my iPhone

## Rosemary Balsley

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**From:** Joe Ferrara <joe@atlantisfantasyworld.com>  
**Sent:** Sunday, June 14, 2020 5:37 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** for the Mixed use project on Lot 4

Dear Mayor and Councilmembers:

Please choose the mixed use option for Parking Lot 4.

- A fully functional first-class library will be an important step toward further developing the downtown as a whole. This is only possible in the mixed use project.
- Future parking demand dictates that it is imperative we build this now. We will lose parking in the coming years for a variety of reasons. The economic vitality of the downtown retail sector will require enough parking to accommodate future customers.

Affordable housing will be more and more difficult to provide.

The Downtown Farmers' Market has survived in other locations and will do so again. I do not say this lightly or in jest. Our community will not let it die and will support it wherever it is located.

**For these reasons and more, implementing the Jayson Architecture proposal is NOT the wisest choice.**

Future citizens will thank you for building a state of the art mixed use project for community members of all ages to enjoy.

The most responsible use of taxpayers money is to look forward.

Thank you for your work and your consideration of my views.

Please do the right thing for the long-term future of Santa Cruz!

Joe Ferrara

## Rosemary Balsley

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**From:** toni miras <toni1b@hotmail.com>  
**Sent:** Sunday, June 14, 2020 6:34 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots.
- The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sent from my iPad

## Rosemary Balsley

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**From:** Ann Durbin <durbin.ann@gmail.com>  
**Sent:** Sunday, June 14, 2020 6:38 PM  
**To:** +downtowncommonsadvocates@gmail.com; City Council  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers: Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market! • Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center. • Parking demand does not justify building an economically risky parking garage. • Affordable housing can be built as easily on other city-owned lots. • The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons. For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be permanent monuments to your efforts as the City Council. Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## **Rosemary Balsley**

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**From:** Zachariah Buck <buckzac@gmail.com>  
**Sent:** Sunday, June 14, 2020 6:38 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots.
- The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## **Rosemary Balsley**

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**From:** marymcgranahan48 <marymcgranahan48@gmail.com>  
**Sent:** Sunday, June 14, 2020 7:05 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots.
- The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sent from my Samsung Galaxy smartphone.

## Rosemary Balsley

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**From:** Pat McVeigh <pmcveigh@baymoon.com>  
**Sent:** Sunday, June 14, 2020 7:08 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmember

Please listen to the majority of the votes in this town and county the library needs to be rebuilt on the existing footprint. A monster building with parking and housing would further impact the aesthetics of the city please reconsider your thinking put the funds in the efforts toward rebuilding our existing library

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz

Thank you for listening to us who live in this county, and two definitely want the library rebuilt in this location

Have a Happy Day,

Pat

## Rosemary Balsley

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**From:** Pam SC <planetwkr@icloud.com>  
**Sent:** Sunday, June 14, 2020 7:17 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots.
- The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be permanent monuments to your efforts as the City Council.

Thank you for your consideration and the will of the people! Please do the right thing for the long-term future of Santa Cruz.

- Pam

## Rosemary Balsley

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**From:** Knitsnpaints <knitsnpaints@gmail.com>  
**Sent:** Sunday, June 14, 2020 7:22 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** Refurbish Our Library at the Civic Center!

Dear Mayor and Councilmembers:

I cannot fathom why the majority of you, who claim to be environmentalists, are so bent on promoting an unecological behemoth to house more cars, cutting down beautiful trees that have sequestered so much carbon, and abandoning a perfectly good and solid structure that is our current library with the claim that it is unselvedgable. And yet, mark my words, the library will be remodeled, most likely for city offices under the aegis of the City Manager, or handed over, for pennies on the dollar, to one of the favored developers of Ms. Mathews and Mr. Bernal, unless the Council makes an effort to listen to the community that wants to save our library where it is and save our farmers market and antiques fair where they are, among the heritage trees.

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots.
- The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons.

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Please do the right thing for the long-term future of Santa Cruz!

Susan Martinez  
Santa Cruz

## Rosemary Balsley

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**From:** toni miras <toni1b@hotmail.com>  
**Sent:** Sunday, June 14, 2020 7:49 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sent from my iPad

## Rosemary Balsley

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**From:** Jo Kenny <jokenny7@icloud.com>  
**Sent:** Sunday, June 14, 2020 8:31 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
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- The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Much Appreciation,

Jo Kenny

Sent from my iPhone

## Rosemary Balsley

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**From:** Ann Simonton <mwatch@cruzio.com>  
**Sent:** Sunday, June 14, 2020 8:44 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots.
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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Media Watch: Challenging racism, sexism, and violence in the media  
through education & action!

Box 618 Santa Cruz, CA 95061  
[mediawatch.com](http://mediawatch.com) (under construction)  
Tweet: #Challenge\_Media  
Facebook: Media Watch: Challenge Media



## **Rosemary Balsley**

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**From:** Eve-Marie Mcgrath <evesicloud@me.com>  
**Sent:** Sunday, June 14, 2020 9:21 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Thanks Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Nancy Jackson <nancy\_j@baymoon.com>  
**Sent:** Sunday, June 14, 2020 9:46 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
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For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sent from my iPad

## Rosemary Balsley

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**From:** Jane Yett <janeyett1@gmail.com>  
**Sent:** Sunday, June 14, 2020 10:13 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Cc:** Jane Yett  
**Subject:** No new construction in the flood plain

**My main concern is different from most. I don't want my tax dollars spent on any capital improvements in the river-plain, which is the area where City Hall and the Library sit, because I fear all that investment can be inundated by sea level rise in the coming decades. Any new facilities or major upgrades should be on the higher elevations on the East Side or the West Side, or split between them. Who would spend all that money downtown with the knowledge that it may be drowned long before the end of the useful life of the structures?**

**Thanks for considering my hopes.**

**Jane Yett**

Assuming my concerns will be lost in the shuffle (until the sea surges make people wonder about the lack of foresight of people way back in 2020, when they could have built on a longer-accessible site), then my secondary hopes are expressed here:

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Jane Yett  
[janeyett1@gmail.com](mailto:janeyett1@gmail.com)  
831-431-3359

## Rosemary Balsley

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**From:** wumby <wumby@comcast.net>  
**Sent:** Sunday, June 14, 2020 10:51 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

I am writing to express my concerns about the possibility that one of the last biggest empty spaces, Parking Lot 4 in the middle of downtown could be partially filled with a large parking structure! I think this would be a travesty, and a terrible use of the location. Our downtown deserves better than that. We can do a lot better at promoting less car traffic into downtown and encouraging busing, walking and biking. Keeping more cars out of downtown will also mean less traffic downtown. If there is to be more parking areas created, they should not be in the middle of downtown! Many studies have shown, along with real world examples that it is possible to create a lively useful, well used and loved downtown that does not have to be filled with parking areas.

I like the idea of preserving Parking Lot 4 as the site of a future commons and permanent Farmers' Market. I believe that such a use would benefit the town, and its inhabitants by creating a people friendly environment, and one that gives a focal point to downtown.

I know it is very important to get more affordable housing built, and am in complete support of that, but believe there are other city lots that could be used.

I like the Jayson Architecture plan for reconstruction of the Downtown Library at the Civic Center.

I sincerely hope that far thinking views and wise heads prevail in creating a downtown that will serve all of us well long into the future.

Thank you,

Janet Kamiya

(Santa Cruz resident since 1978)

## Rosemary Balsley

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**From:** Jacquelyn Griffith <jkgriffith2@icloud.com>  
**Sent:** Monday, June 15, 2020 12:38 AM  
**To:** City Council  
**Subject:** Keep the Library Where It is and Make Parking Lot 4 Our Downtown Commons with Our Farmer's Market PLEASE!

We **have** a Climate Plan and lot 4 as a parking garage goes against it. Use parking management, not a garage.

We are in a big recession experts say will take years ( 9 years ) to resolve. You must practice conservative City budgeting or risk fiscal insolvency, so no combining the library with other mixed-use components with *shaky* funding mechanisms. We will need money for protecting our City from rising sea levels and should not take on 30 years of increased debt payments. Storm surges are even predicted to inundate our sewage plant within that time period ( imagine clean-up☺ ) if we don't have the money to protect it.

Preserve the Farmer's Market where it is, save the heritage trees for clean air and carbon reduction, and make lot 4 a beautiful public space...an open-air Downtown Commons anchoring a **walkable downtown**.

Do build affordable housing, but on other nearby city-owned properties.

End the delay on the Downtown Library reconstruction. Adopt the proposal from Jayson Architecture for a rebuilt, renewed downtown library...it even has outdoor spaces and parking.

Respectfully yours,  
Jacquy Griffith  
239 Calvin Pl.  
Santa Cruz

"We must accept finite disappointment, but never lose infinite hope."

Rev. Dr. Martin Luther King, Jr.

## **Rosemary Balsley**

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**From:** Esther Centers <esther.centers@gmail.com>  
**Sent:** Monday, June 15, 2020 5:54 AM  
**To:** City Council  
**Subject:** Respond conscientiously please

To Whom It May Concern,

Regarding the future of downtown Santa Cruz: public trust hinges on whether you examine the Nelson/Nygaard report and respond to its conclusions.

I trust you will do the right thing! Don't bury the library.

Sincerely,  
Esther Centers

## Rosemary Balsley

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**From:** Shauna Gunderson <gunderson.s1@gmail.com>  
**Sent:** Monday, June 15, 2020 7:08 AM  
**To:** City Council  
**Subject:** parking garage

Dear Council,  
Don't build a Parking Garage where the Farmer's market is!  
We are supposed to be getting away from fossil fuels, not planning for more cars.  
Represent your community!  
Life over profit!  
Shame on you if you do this!  
Shauna Gunderson  
resident of Santa Cruz since 1987

## Rosemary Balsley

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**From:** Vivienne <aviva2@baymoon.com>  
**Sent:** Monday, June 15, 2020 7:19 AM  
**To:** City Council; Martin Bernal  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

I have written to you in the past about my opposition to the parking-garage-combined-with-library proposal, and continue to feel that is the wrong way to modernize our library. I am a steady patron and have also volunteered and worked at the library in the past. I want the location of the farmer's market to continue to be a more open space perhaps more park-like and inviting as a community space. I would like the current library to be remodeled or recreated on its current site.

Sincerely, Vivienne Orgel, MSW - and I support the following:

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Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots.
- The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Vivienne Orgel

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www.rustandindigo.com  
aviva2@baymoon.com

## Rosemary Balsley

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**From:** Johnathon Turner <jt4turner@hotmail.com>  
**Sent:** Monday, June 15, 2020 7:22 AM  
**To:** City Council  
**Subject:** Library Project

Dear Members of the Santa Cruz City Council-

The Wednesday Farmers Market on Cedar St is the lifeblood of downtown Santa Cruz -- one can see this particularly during the pandemic, when most of downtown is vacant and deserted. The Farmers market is still a gathering place for our community which also provides economic stimulus.

I first moved to Santa Cruz in 1981. I know that development is important to keep our town vital yet the library/parking structure plans for the Farmers Market lot is a misguided venture. I hope instead that the Council would decide to....

- Transform Parking Lot 4 public space into a beautiful Commons for all residents and visitors.
- Preserve and enhance the Farmers' Market at its current home on Lot 4.
- Be fiscally responsible -- don't take on enormous debt to build an unneeded parking garage during a recession.
- Rebuild the library where it is.
- Not increase carbon emissions and car trips by building another garage. We need to confront climate change by taking actions to slow CO2 emissions.
- Save our 10 heritage trees and large public space, reducing pollution and mitigating greenhouse gas emissions.
- Build affordable housing on other nearby city-owned lots, not on Lot 4.

Thank you very much for your time.

Kind regards-  
Johnathon Turner

## Rosemary Balsley

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**From:** fred geiger <fredjgeiger@yahoo.com>  
**Sent:** Monday, June 15, 2020 7:25 AM  
**To:** City Council  
**Subject:** Library/ garage.

Dear Councilmembers.

Don't build the project. Improve the existing library- like the voters that passed the bond issue were lead to believe they were voting for.,

Sent from my iPad

## **Rosemary Balsley**

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**From:** Gerald Brown <gebrown@cabrillo.edu>  
**Sent:** Monday, June 15, 2020 7:28 AM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots.
- The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Mamoura Slike <mamoura.slike@gmail.com>  
**Sent:** Monday, June 15, 2020 7:40 AM  
**To:** +downtowncommonsadvocates@gmail.com; City Council  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers: Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market! • Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center. • Parking demand does not justify building an economically risky parking garage. • Affordable housing can be built as easily on other city-owned lots. • The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons. For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be permanent monuments to your efforts as the City Council. Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## **Rosemary Balsley**

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**From:** Gail Blumberg <gandi88@hotmail.com>  
**Sent:** Monday, June 15, 2020 8:13 AM  
**To:** City Council  
**Subject:** Library move

To the City Council:

We support Jayson Architect's library renovation proposal. This project will improve our library; its renovation will create a revitalized Civic Center, bounded by the library, City Hall and the Civic Auditorium. Cultivating public space, both on Parking Lot 4 and at the Civic Center will promote health, tourism and the quality of life we enjoy in Santa Cruz.

We urge you to support Jayson Architect's library renovation and do not move forward with a mixed-use project on Parking Lot 4.

Thank you, Deborah Blumberg and Gail Blumberg  
204 California St. Santa Cruz, 95060

## Rosemary Balsley

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**From:** eduardo izquierdo <chateauedo@cruzio.com>  
**Sent:** Monday, June 15, 2020 8:22 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots.
- The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Eduardo Izquierdo

326 Van Ness Ave

831 460 9325

## Rosemary Balsley

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**From:** Kenneth Taylor <jukeboxxhero42@yahoo.com>  
**Sent:** Monday, June 15, 2020 8:34 AM  
**To:** City Council  
**Subject:** Downtown parking garage - Vote NO

Hello,

Please do not approve the excessively expensive downtown parking garage. This would be a blight to our downtown area, removing our beloved farmers market, and costing taxpayers an insane amount of money that could be used in so many better ways.

Thank You  
Kenneth Taylor

## Rosemary Balsley

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**From:** Dixie Coulter <dixiecoulter@gmail.com>  
**Sent:** Monday, June 15, 2020 8:34 AM  
**To:** City Council  
**Subject:** Library/Farmer's Market opinion

Please leave the Library at the same place where it's been for all these years. If a rebuild is necessary, then let it be at the same site and create a Downtown Commons including the Farmer's Market on parking lot #4. People who wish to use library services will go to wherever the library is located. A Farmer's market has traditionally been in the center of the city for thousands of years, and in all civilizations. It currently serves this traditional role at the center of our city; and for a good time tested reason. Please don't liquidate this popular function for the city. It makes absolutely no sense.

Donald May  
[dixiecoulter@gmail.com](mailto:dixiecoulter@gmail.com)



Virus-free. [www.avast.com](http://www.avast.com)

## Rosemary Balsley

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**From:** mandy spitzer <mandyspit@yahoo.com>  
**Sent:** Monday, June 15, 2020 8:39 AM  
**To:** City Council  
**Subject:** No parking garage

I am a 26 year resident in Santa Cruz and feel strongly about keeping the good things in Santa Cruz.

### DO NOT:

- Build a 400-car parking garage downtown where the Farmers' Market is located.
- Expand unneeded parking inventory, doubling down on carbon emissions and congestion.
- Move the Farmers' Market on Parking Lot 4 to Front Street.
- Destroy Lot 4 public space and its 10 heritage trees, including decades-old magnolias.
- Replace our public space with a \$100 million-dollar development: a garage, a library and an unspecified number of market rate housing and some affordable units.
- Finance the project in unpredictable economic times, risking fiscal insolvency -- tax payers will be on the hook if monthly revenue debt on the garage is not met.

### PLEASE DO:

- Transform Parking Lot 4 public space into a beautiful Commons for all residents and visitors.
  - Preserve and enhance the Farmers' Market at its current home on Lot 4.
  - Rebuild the library where it is.
  - Not increase carbon emissions and car trips by building another garage. We need to confront climate change by taking actions to slow CO2 emissions.
  - Save our 10 heritage trees and large public space, reducing pollution and mitigating greenhouse gas emissions.
  - Build affordable housing on other nearby city-owned lots, not on Lot 4.
  - Be fiscally responsible -- don't take on enormous debt
- Mandy Spitzer, 152 Hagemann Ave., Santa Cruz, CA 95062

Thank you,

[www.mandyspitzer.com](http://www.mandyspitzer.com)

## Rosemary Balsley

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**From:** Joseph Schultz <jozseph@gmail.com>  
**Sent:** Monday, June 15, 2020 8:47 AM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

Please excuse my laziness in just forwarding this document. I whole-heartedly agree with all the points made below.

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots.
- The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

If you have any questions about my support for the Jayson Architecture proposal, please do not hesitate to contact me.

Jozseph Schultz  
India Joze Restaurant  
831 325-3633

## Rosemary Balsley

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**From:** Pauline Seales <paulineseales120@gmail.com>  
**Sent:** Monday, June 15, 2020 8:52 AM  
**To:** City Council; +downtowncommonsadvocates@gmail.com; SC CAN discussion  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

I have been following this closely since the first series of meetings at the library. From the beginning there were three disturbing features

1. Public input was only allowed at the end of each long meeting and completely ignored. At least 95% of the public expressed opposition to the garage proposal.
2. It was clear that city management were totally committed to the garage project and made sure it was presented as the only viable option.
3. The complete funding for the library/garage was much more complex and would be difficult and time consuming to secure. The library measure had built in time constraints. The public had voted for a library restoration NOT a garage. The simplest most efficient way to improve the library was as a stand-alone project.

Therefore I'm asking you to please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots.
- The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons.

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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Pauline Seales - Santa Cruz Climate Action Network

## Rosemary Balsley

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**From:** AL 245 <aleitner245@gmail.com>  
**Sent:** Monday, June 15, 2020 9:17 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sincerely,  
Astrid

**From:** Ardith Willner <ardithk9@gmail.com>  
**Sent:** Monday, June 15, 2020 9:19 AM  
**To:** City Council  
**Subject:** Parking Lot downtown??????

Dear City Council,

I absolutely must weigh in on this very bad idea!

To tear up our beautiful town, for a parking lot is just a concept that makes my mind boggle.

Thousands of people come to Santa Cruz day to see something special, something unique, something that has a real flavor of joy and a touch of history, and these developers are not taking that into consideration.

We ARE, special, we ARE unique, we ARE historic, and slapping up a Hugh parking lot in the heart of town, destroying our culture and quaintness, makes us a into just another ugly city.

How about you vote to make the parking lot on the **edge** of town, with a shuttle bus **into** downtown and the Boardwalk???? I am sure people would appreciate that lot more that tearing up our City.

In San Francisco, they put a hugh parking lot South of Market and no one seems to care if they don't walk out the door, and are in Union Square.

# Vote against this Please!!!!

We citizens of Santa Cruz are having to deal with much larger problems that where to park a car.... lets address that, and not sell our souls for a dollar.

Lack of parking is not what is keeping people from the shops in town.... its feeling unsafe to walk downtown.... Help the merchants, clean up downtown with the money this could cost..... not cover our beautiful City it a ugly cement high-rise.

These developers will leave town when this is done, with the dollars in their pockets, and a stain on what was, a beautiful -Historic -Charming little taste of life.

Namaste,

*Ardith*

*Let food be thy medicine,  
and medicine be thy food  
Hippocrates*

XOXOXOXOXOXO

## Rosemary Balsley

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**From:** John Hall <jhall5@ucsc.edu>  
**Sent:** Monday, June 15, 2020 9:22 AM  
**To:** City Council  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

I do not find the arguments in favor of the Group 4 proposal credible. We don't need the parking garage capacity, we can build affordable housing elsewhere and have public space on lot 4, and we can have a wonderful library at its present site, which includes adjacent street-level parking and outdoor spaces for the children's library and for community events — all this as part of the Civic Center. Of course librarians want more space; we are all used to wanting more. But the Jayson Architecture proposal provides perfectly adequate space, especially in an era when book collections are being downsized in favor of internet access and libraries are using the space saved for on-site technology access.

Please choose the Jayson option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay “air rights” in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

[John R. Hall](#)  
Research Professor of Sociology  
University of California - Santa Cruz and Davis  
[Essay: "Time, culture, and Covid-19"](#)

<https://sociology.ucsc.edu/about/directory-emeriti.php?uid=jhall5>  
<https://ucdavis.academia.edu/JohnHall>

## Rosemary Balsley

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**From:** Connie Crab <cayecrab@icloud.com>  
**Sent:** Monday, June 15, 2020 9:24 AM  
**To:** City Council  
**Subject:** Library

The plan to develop the library at its current location is a good one. Please concentrate on that rather than moving the library and losing our farmer's market location. Connie Jones

*Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has. Margaret Mead*

## Rosemary Balsley

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**From:** Sylvia Patience <sylvibo@cruzio.com>  
**Sent:** Monday, June 15, 2020 9:25 AM  
**To:** City Council  
**Subject:** parking garage

Esteemed City Council members,

I urge you to decide against building a parking garage/library structure on the lot where the current Farmer's Market is held. We need to take on climate change by supporting sustainable transportation, not encouraging more car trips. And the current library location is beautiful. The library should be remodeled and continue in that location.

Sincerely,  
Sylvia Patience

--  
sylvia patience.com

## Rosemary Balsley

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**From:** Cassie Steele <cassie.steele44@gmail.com>  
**Sent:** Monday, June 15, 2020 9:28 AM  
**To:** City Council

Hello, I am a resident of Santa Cruz and am appalled to hear about plans for developing the lot where the farmers market is. This will undoubtedly diminish the charm of Santa Cruz and reason so many visit and live here. I request that, instead, you:

- Transform Parking Lot 4 public space into a beautiful Commons for all residents and visitors.
- Preserve and enhance the Farmers' Market at its current home on Lot 4.
- Rebuild the library where it is.
- Not increase carbon emissions and car trips by building another garage. We need to confront climate change by taking actions to slow CO2 emissions.
- Save our 10 heritage trees and large public space, reducing pollution and mitigating greenhouse gas emissions.
- Build affordable housing on other nearby city-owned lots, not on Lot 4.
- Be fiscally responsible -- don't take on enormous debt to build an unneeded parking garage during a recession.

Thank you for taking the time to read this.

Cassie

## Rosemary Balsley

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**From:** Virginia Mayer <vamayer@sbcglobal.net>  
**Sent:** Monday, June 15, 2020 9:32 AM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay “air rights” in order to subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Respectfully,  
Virginia Mayer

Sent from my iPad

## Rosemary Balsley

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**From:** Diane Auclair <diane@magicvelvets.com>  
**Sent:** Monday, June 15, 2020 9:33 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking.

For the love of GOD ! PLEASE, Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Don't take away the Downtown Farmers' Market, and Antique Fair from lot 4. The Heritage trees are beautiful and it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, I believe implementing the Jayson Architecture proposal is the wisest choice.

## **Rosemary Balsley**

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**From:** Frank Barron <fcxbarron@gmail.com>  
**Sent:** Monday, June 15, 2020 9:33 AM  
**To:** City Council  
**Subject:** Reject proposed new library and parking garage

Dear Council Members,

I am opposed to the proposal to build a new library and parking garage on the Farmer's Market site. Renovate the existing Main Library instead. It is an attractive building on an appropriate site. Please keep it there and the exterior the same.

Thanks,

Frank Barron  
110 Tree Frog Lane  
Santa Cruz, CA 95060

## Rosemary Balsley

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**From:** Zachariah Buck <buckzac@gmail.com>  
**Sent:** Monday, June 15, 2020 9:34 AM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Carol Long <cjlong3@sbcglobal.net>  
**Sent:** Monday, June 15, 2020 9:36 AM  
**To:** City Council  
**Subject:** library garage

Everything Pauline said and more: Where are you getting the enormous price for this garage etc.?

Dear Mayor and Councilmembers:

I have been following this closely since the first series of meetings at the library. From the beginning there were three disturbing features

1. Public input was only allowed at the end of each long meeting and completely ignored. At least 95% of the public expressed opposition to the garage proposal.
2. It was clear that city management were totally committed to the garage project and made sure it was presented as the only viable option.
3. **The complete funding for the library/garage was much more complex and would be difficult and time consuming to secure. The library measure had built in time constraints. The public had voted for a library restoration NOT a garage. The simplest most efficient way to improve the library was as a stand-alone project.**

Therefore I'm asking you to please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Pauline Seales - Santa Cruz Climate Action Network

## Rosemary Balsley

---

**From:** Daniel Saks <beletted@mac.com>  
**Sent:** Monday, June 15, 2020 9:36 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

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- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

---

**From:** Victoria Tatum Wilson <vtatum@vtatum.com>  
**Sent:** Monday, June 15, 2020 9:37 AM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Victoria T. and Richard J. Wilson

## Rosemary Balsley

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**From:** Paul Schraub 1 <psphoto@cruzio.com>  
**Sent:** Monday, June 15, 2020 9:42 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

I have lived in Santa Cruz for 50 years and had a business downtown for 38 years. I agree with the following letter and think this city should take a long look at the mistakes made with development in the past. The Rittenhouse building is an ugly and oversized addition to the mall. Tearing down the old Cooper House was a huge mistake...the current building there is a soulless and generic box. Scale things to a smaller size.

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Paul Schraub  
831-426-4537 (land)  
831-419-1655 (air)  
[paulschraubphoto.com](http://paulschraubphoto.com) (see)  
[psphoto@cruzio.com](mailto:psphoto@cruzio.com) (e)

## Rosemary Balsley

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**From:** James Mulherin <jimm@ucsc.edu>  
**Sent:** Monday, June 15, 2020 9:43 AM  
**To:** Pauline Seales  
**Cc:** City Council; +downtowncommonsadvocates@gmail.com; SC CAN discussion  
**Subject:** Re: [SCCAN] For the Library at the Civic Center!

That is a great letter, Pauline, identifying the gross flaws in the process and overlooking key community values like the existing farmers market and future community space and most of all that the garage is not needed and--if the Mayor and Council had a clue about climate change--the fossil fuel inducing garage is totally counter to the professed goals of curtailing emissions.

Hey! Curtailing emissions should be your top priority.

Why!? Why this boondoggle of a fossil fuel consumption facilitating project? Why is it so hard to drive a stake through its heart?

Mr. Mayor, I hear you are a trained environmentalist. Scotching this project as well as the Hwy 1/9 intersection, etc. which are contradictory to environmental sustainability should be obvious to you.

Look upon the vote as a test, your test, of course, of whether you grasp accelerating sea level rise, temperature increases, refugee movements from parts of the planet that no longer are conducive to human life (because of storms, ice and permafrost melt, heat, crop failure) so your vote is not only for our town with our rising groundwater level but Bangladesh, Southern Africa, Native villages in Alaska that are looking to you and us to get our emissions curtailed.

Jim Mulherin, PhD

On Mon, Jun 15, 2020 at 8:52 AM Pauline Seales <[scrucz-can@lists.riseup.net](mailto:scrucz-can@lists.riseup.net)> wrote:

Dear Mayor and Councilmembers:

I have been following this closely since the first series of meetings at the library. From the beginning there were three disturbing features

1. Public input was only allowed at the end of each long meeting and completely ignored. At least 95% of the public expressed opposition to the garage proposal.
2. It was clear that city management were totally committed to the garage project and made sure it was presented as the only viable option.
3. The complete funding for the library/garage was much more complex and would be difficult and time consuming to secure. The library measure had built in time constraints. The public had voted for a library restoration NOT a garage. The simplest most efficient way to improve the library was as a stand-alone project.

Therefore I'm asking you to please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
- Parking demand does not justify building an economically risky parking garage.

- Affordable housing can be built as easily on other city-owned lots.
- The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons.

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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Pauline Seales - Santa Cruz Climate Action Network

You're subscribed to the riseup list [SCruz-CAN@lists.riseup.net](mailto:SCruz-CAN@lists.riseup.net).

To unsubscribe from the list, send a message to [scruc-can-unsubscribe@lists.riseup.net](mailto:scruc-can-unsubscribe@lists.riseup.net).

## Rosemary Balsley

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**From:** Judi Grunstra <judiriva@hotmail.com>  
**Sent:** Monday, June 15, 2020 9:46 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

If one looks closely at some of the claims made by those who think the Jayson library design will not provide sufficient space, they are simply not true. One claim is that there will not be enough room for programs in a smaller library (which both B, C and D are). With an expanded Community Meeting Room open after hours, and a vastly larger Children's Area, and a Teen Space, and a "Life Literacies Center" the Jayson remodel provides plenty of space for library programs. Santa Cruz libraries have been providing tons of programs for the public year after year, even with the shortcomings of the "decrepit" state of the building. And please note: all these programs required STAFF, and over 60 staff members have been laid off.

I have seen mixed-use proponents playing the "equity card." Our public libraries are and have been the very definition of "equity", founded on the idea of providing access to all people. Libraries are a key institution in a democratic society.

Perhaps it's just a reality that the Santa Cruz library cannot be all things to all people, in either space, given Santa Cruz's resources and economic realities. Over time, however, needs change and a well-designed building can be flexible.

If one of the reasons to favor the mixed use project is the potential to have rooftop solar, the city darn well better provide the extra funding required for that right at the beginning, otherwise using that as a reason to not do the renovation is invalid.

And despite the sketches provided by Group 4 that show a rosy picture, remember that their "apples to apples" design features "low quality" materials. It was a miscalculation to pass a bond measure that was known to be insufficient to rebuild our libraries with better quality materials. You get what you pay for.

Claims that a 1-story library is more efficient surely cannot be relied upon without evidence to explain that claim. There are thousands of libraries that are multi-storied.

And lastly, although some communities have combined libraries with housing, THOSE ARE ALL SMALL BRANCH LIBRARIES, NEVER THE MAIN "FLAGSHIP" BRANCH.

**Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!**

**• Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.**

Please do the right thing for the long-term future of Santa Cruz!

Judi Grunstra, **Librarian**

## Rosemary Balsley

---

**From:** Marilyn Rigler <mprigler@gmail.com>  
**Sent:** Monday, June 15, 2020 9:56 AM  
**To:** City Council  
**Subject:** yes to Present downtown library site

Marilyn Rigler  
mprigler@gmail.com  
(831) 423-2505

Dear People,

I am a member of the Friends of the Library and visited our downtown branch regularly, that is until the Pandemic. I have never found it difficult to park and enjoy the ambience of the present location. I urge you to approve the downtown library's location at its present site. Thank you, MarilynRigler

## Rosemary Balsley

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**From:** Bogdan Vitoc <bogdanvitoc@gmail.com>  
**Sent:** Monday, June 15, 2020 9:57 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear people of the Santa Cruz city council,

Before I share the text written by the Downtown Commons Advocates, which I thoroughly agree with, I wanted to put in a few personal words. Outside of COVID times, I work remotely (for a big tech company in San Francisco) from the Cruzio Internet coworking space. You may know that the building is across the street from the current library/civic center and two blocks away from the proposed site on the farmer's market. I can absolutely assure you that the big-box/parking conglomerate monstrosity proposed to be built on the farmer's market will create a net negative experience for me while I'm at Cruzio, I imagine for others who work here with me too, and for Santa Cruz county.

My personal anecdote is that I cherish Wednesdays as they are the days the farmer's market is open. It's a huge marker for my week, since I love dropping by for the *atmosphere*. Even if the farmer's market is replaced by some alternative, if it's not outdoors and in such close proximity to downtown, the experience will lose all of its magic (to me).

Plus, I hate the library becoming like a gift shop to a parking garage.

Please go with Jayson Architecture :)

-Bogdan Vitoc  
500 Hudson Lane, Aptos

=====

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable

housing costs by requiring that that each unit in a mixed-use project pay “air rights” in order subsidize the library’s construction budget.

- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Mavel Armijo <maarmijo2@gmail.com>  
**Sent:** Monday, June 15, 2020 10:00 AM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots.
- The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## **Rosemary Balsley**

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**From:** Roland Saher <rolandsaher@gmail.com>  
**Sent:** Monday, June 15, 2020 10:11 AM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots.
- The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons.

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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Susan Cavaliere <susanwcavaliere@gmail.com>  
**Sent:** Monday, June 15, 2020 10:12 AM  
**To:** Pauline Seales  
**Cc:** City Council; +downtowncommonsadvocates@gmail.com; SC CAN discussion  
**Subject:** Re: [SCCAN] For the Library at the Civic Center!

Thank you Pauline and Jim for your great letters! I wrote too and sent them a link to tipping points information. On Mon, Jun 15, 2020 at 8:52 AM Pauline Seales <[scruc-can@lists.riseup.net](mailto:scruc-can@lists.riseup.net)> wrote:

Dear Mayor and Councilmembers:

I have been following this closely since the first series of meetings at the library. From the beginning there were three disturbing features

1. Public input was only allowed at the end of each long meeting and completely ignored. At least 95% of the public expressed opposition to the garage proposal.
2. It was clear that city management were totally committed to the garage project and made sure it was presented as the only viable option.
3. The complete funding for the library/garage was much more complex and would be difficult and time consuming to secure. The library measure had built in time constraints. The public had voted for a library restoration NOT a garage. The simplest most efficient way to improve the library was as a stand-alone project.

Therefore I'm asking you to please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots.
- The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons.

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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Pauline Seales - Santa Cruz Climate Action Network

You're subscribed to the riseup list [SCRUC-CAN@lists.riseup.net](mailto:SCRUC-CAN@lists.riseup.net).

To unsubscribe from the list, send a message to [scruc-can-unsubscribe@lists.riseup.net](mailto:scruc-can-unsubscribe@lists.riseup.net).

## **Rosemary Balsley**

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**From:** Nancy Mead <nancymeadsc@gmail.com>  
**Sent:** Monday, June 15, 2020 10:13 AM  
**To:** City Council  
**Subject:** Fate of the Santa Cruz Library

I plead that the council reject the proposal for a multi-story parking garage to house our local library. It is all wrong in every sense, in my opinion. The metaphor, to begin, is anti-intellectual. The reality is anti-aesthetic, as well as premised on something that is likely to be on its way out--the automobile. I have lived in Santa Cruz since 2003 and have never once had a problem finding parking in the downtown. And I have never had to use any of the current parking garages! To me, the entire idea is repulsive in every sense of the word.

Nancy Mead

## Rosemary Balsley

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**From:** Lisa Murphy <rangermurphy@gmail.com>  
**Sent:** Monday, June 15, 2020 10:28 AM  
**To:** City Council

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking.

Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

It seems that:

- Reconstruction of the Library will be no more expensive than a library in a mixed-use 6 story garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay “air rights” in order subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sincerely,  
Lisa Murphy

--

Lisa Murphy

## Rosemary Balsley

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**From:** Natasha Fraley <n.fraley@gmail.com>  
**Sent:** Monday, June 15, 2020 10:41 AM  
**To:** Susan Cavalieri  
**Cc:** Pauline Seales; City Council; +downtowncommonsadvocates@gmail.com; SC CAN discussion  
**Subject:** Re: [SCCAN] For the Library at the Civic Center!

Thanks Pauline and Jim,

I just sent a modified version.

Natasha

On Jun 15, 2020, at 10:11 AM, Susan Cavalieri (via scruz-can Mailing List) <[scruz-can@lists.riseup.net](mailto:scruz-can@lists.riseup.net)> wrote:

Thank you Pauline and Jim for your great letters! I wrote too and sent them a link to tipping points information.

On Mon, Jun 15, 2020 at 8:52 AM Pauline Seales <[scruz-can@lists.riseup.net](mailto:scruz-can@lists.riseup.net)> wrote:

Dear Mayor and Councilmembers:

I have been following this closely since the first series of meetings at the library. From the beginning there were three disturbing features

1. Public input was only allowed at the end of each long meeting and completely ignored. At least 95% of the public expressed opposition to the garage proposal.
2. It was clear that city management were totally committed to the garage project and made sure it was presented as the only viable option.
3. The complete funding for the library/garage was much more complex and would be difficult and time consuming to secure. The library measure had built in time constraints. The public had voted for a library restoration NOT a garage. The simplest most efficient way to improve the library was as a stand-alone project.

Therefore I'm asking you to please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots.
- The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Pauline Seales - Santa Cruz Climate Action Network

You're subscribed to the riseup list [SCruz-CAN@lists.riseup.net](mailto:SCruz-CAN@lists.riseup.net).

To unsubscribe from the list, send a message to [scruc-can-unsubscribe@lists.riseup.net](mailto:scruc-can-unsubscribe@lists.riseup.net).

You're subscribed to the riseup list [SCruz-CAN@lists.riseup.net](mailto:SCruz-CAN@lists.riseup.net).

To unsubscribe from the list, send a message to [scruc-can-unsubscribe@lists.riseup.net](mailto:scruc-can-unsubscribe@lists.riseup.net).

## Rosemary Balsley

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**From:** Lisa Segnitz <lisasegnitz@hotmail.com>  
**Sent:** Sunday, June 14, 2020 8:12 AM  
**To:** City Council  
**Subject:** Please choose the Jayson Architecture Downtown Library at the Civic Center!

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Dear Mayor Cummings and Councilmembers,

In your decision concerning the Downtown Library, please choose reconstruction of the Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market! Here are the issues I consider most important.

\*A free-standing iconic Downtown Library at the Civic Center is far preferable to a library in a big-box mixed use project.

\*Building a \$54 million dollar (\$1.8 million/year for 30 years) parking garage is not justified on the basis of projected parking demand.

\*Incorporating a library and affordable housing in a project based on building unneeded parking makes no sense.

\*The costs exceeding Measure S revenues in order to include upgrade alternatives beyond the base plan for the Downtown Library at the Civic Center can be paid from revenues from sale of "air rights" for development of affordable housing on other city-owned lots.

\*I want a central downtown community public space with a permanent Farmers' Market. Parking Lot 4, with its size, trees, and afternoon sunlight is far better used in this way than for a parking garage, with or without a library, and it is a far better location for the Farmers' Market than the parking lot behind Pizza My Heart.

\*Please keep the successful Antique Faire where it is!

\*I want a first-class library, but NOT in a place that undermines the 2017 Downtown Plan, which promotes the "village" character of Cedar Street.

\*Building an unnecessary \$54 million parking garage cannot be justified by including affordable housing units. Cost savings from not building an expensive garage can be used to leverage affordable housing construction elsewhere to increase downtown density and vitality.

\*The 2017 Downtown Plan has an unrealized goal of creating public space that can best

be fulfilled at Parking Lot 4.

\*The plan to build an unnecessary parking garage violates the city's Climate Action Plan.

\*A Downtown Commons will serve as an "anchor" that can help broaden downtown Santa Cruz from its present narrow Pacific Avenue axis and encourage economic development beyond that axis.

\*Building a mixed-use parking garage on Parking Lot 4 will create even more dead street space in Downtown Santa Cruz, already a serious problem along Cedar Street and Church Street, for example.

Thank you for your work and thoughtful consideration.

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## Rosemary Balsley

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**From:** Patricia Damron <patricia@coastroad.us>  
**Sent:** Monday, June 15, 2020 10:50 AM  
**To:** City Council  
**Subject:** Proposed parking garage

Dear City Council -

Regarding the decision of whether or not to build a parking garage on the current location of the downtown Farmer's Market:

\* It seems a waste of precious money to expand unneeded parking inventory, which would contribute carbon emissions and allow for more congestion downtown. City money is especially precious now since the financial hit from the Covid crisis.

\* These are uncertain times financially, making this expenditure especially risky for the city when we have elderly people, veterans and other destitute people living and dying in our streets. One would think that financing low-income housing and other options for providing shelter to our vulnerable population, saving lives, is of higher value than more parking spaces.

\* The Farmer's Market is the only real outdoor community gathering event/place in downtown, and an important source of income and exposure for many small local farms. This space should be preserved to continue this important commerce and community gathering place.

\* Removing the Farmers' Market to Front Street and building the parking garage on Lot 4 would mean destroying 10 heritage trees, including decades-old magnolias. Let's preserve our beautiful downtown public space for the enjoyment of all, as well as the bird habitat!

\* In these uncertain times, there has been a lot less driving and the Covid crisis will likely result in many more people working from home and/or riding bikes downtown as opposed to driving. This should be factored into the consideration of - do we REALLY need more parking spaces? Is it worth \$100 million dollars?

INSTEAD of the above proposal, I urge the following:

\* Preserve the parking Lot 4 public space into a beautiful Commons for all residents and visitors.

\* Rebuild the library where it is.

\* Prevent the increase of carbon emissions and car trips downtown by NOT building another garage. We need to confront climate change by taking actions to slow CO2 emissions - we need to act locally now!

\* Save the 10 heritage trees and large public space on Lot 4, reducing pollution and mitigating greenhouse gas emissions.

\* Build affordable housing on other nearby city-owned lots, not on Lot 4.

Be fiscally responsible -- don't take on enormous debt to build an unneeded parking garage during a recession.

I think these are critical points. Thank you for listening to what the public wants and supports, and for all of the hard work you all do!

Respectfully,

Patricia Damron  
Santa Cruz

## Rosemary Balsley

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**From:** Susan Maresco <scmaresco@gmail.com>  
**Sent:** Monday, June 15, 2020 10:54 AM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers, Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons! • Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center. • Parking demand does not justify building an economically risky parking garage. • Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay “air rights” in order to subsidize the library’s construction budget. • Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons. For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council. Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## **Rosemary Balsley**

---

**From:** Abbey Wilson <abbeywilson@gmail.com>  
**Sent:** Monday, June 15, 2020 10:56 AM  
**To:** +dmeyers@cityofsantacruz.com; +jcummings@cityofsantacruz.com;  
+sbrown@cityofsantacruz.com; City Council  
**Subject:** No parking garage

Dear City Council Members, Professor Adam Millard Ball and the Downtown Parking Strategic Plan are very clear: the City should address future parking demand through better management of existing parking. There are numerous benefits to not building a parking garage, including reduced fiscal risk in a time of economic recession; parking revenue available for affordable housing; enhanced walkability Downtown. Please vote against a new parking structure. Thank you,  
-Abbey Wilson

## Rosemary Balsley

---

**From:** Jesse Muzzy <jessemuzz@gmail.com>  
**Sent:** Monday, June 15, 2020 11:00 AM  
**To:** City Council  
**Subject:** NO to Downtown construction!

Hello City Council,

I am writing as a prior resident and frequent visitor to Santa Cruz. The current project in question on building a parking garage and displacing the farmers market should be voted down. I ask you to ask yourself what the value of a parking garage really brings to a community? An area that serves as a regular gathering space, community uplifter, home to 10 heritage trees, and frequent community markets and events should be not only preserved, but uplifted by initiatives that support these actions-NOT displace them. Ask yourself what really makes community thrive?

My requests are to:

- Transform Parking Lot 4 public space into a beautiful Commons for all residents and visitors
- Preserve and enhance the Farmers Market on Lot 4
- Rebuild the library where it currently stands
- Do NOT support the increase of carbon emissions and car trips by building another garage
- Save the 10 Heritage Magnolia trees by preserving the public space and mitigating greenhouse gas emissions
- Build affordable housing on other nearby city-owned lots, not on Lot 4
- Be fiscally responsible. Do not take on enormous debt to build an unneeded parking garage during a recession.

## Rosemary Balsley

---

**From:** Jen Buell <jen.s.buell@gmail.com>  
**Sent:** Monday, June 15, 2020 11:02 AM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that that each unit in a mixed-use project pay “air rights” in order subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sincerely,  
Jen Buell

## Rosemary Balsley

---

**From:** JanPeculiar Sturtevant <janpsturtevant@gmail.com>  
**Sent:** Monday, June 15, 2020 11:08 AM  
**To:** City Council  
**Subject:** "Subject: Choose the Jayson Architecture Downtown Library"

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots.
- The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz.

*I realize that the above is a copy of a letter to you used by many local organizations and like-minded individuals. I concur with everything in the letter. I support a solution that preserves the area used by the Farmers' Market, the Antiques Fair, and others.  
I support using this area for a downtown city commons/park.  
Affordable housing can be built elsewhere.*

*Thank you,  
Jan Sturtevant*



Virus-free. [www.avast.com](http://www.avast.com)

## Rosemary Balsley

---

**From:** Korrine Fitz <korrinefitz@gmail.com>  
**Sent:** Monday, June 15, 2020 11:11 AM  
**To:** City Council  
**Subject:** Pls. stop \$100 m parking garage downtown

Dear City Council-

It would be much better for the environment if we:

- Transform Parking Lot 4 public space into a beautiful Commons for all residents and visitors.
- Preserve and enhance the Farmers' Market at its current home on Lot 4.
- Rebuild the library where it is.
- Not increase carbon emissions and car trips by building another garage. We need to confront climate change by taking actions to slow CO2 emissions.
- Save our 10 heritage trees and large public space, reducing pollution and mitigating greenhouse gas emissions.
- Build affordable housing on other nearby city-owned lots, not on Lot 4.
- Be fiscally responsible -- don't take on enormous debt to build an unneeded parking garage during a recession.

Sincerely,  
Korrine and Terry Fitz

## Rosemary Balsley

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**From:** deb4akua@aol.com  
**Sent:** Monday, June 15, 2020 11:12 AM  
**To:** City Council  
**Subject:** Destructive Downtown Parking Structure

Council, in these times of uncertainty regarding health and welfare, the one thing that is or was assured was the intelligence of planning to bring to the downtown neighborhood a safe and healthy environment. We've survived a deadly earthquake and Santa Cruz downtown District is only going to continue to survive as a thriving economy if it's aesthetically and environmentally sound. A large disruptive parking structure is not a need or want in Santa Cruz.

Please don't cave into commercialism and the ugliness of planting a building to house and encourage more traffic, pollution (exhaust and noise) as well as dangerous to our walking and biking community. Do the right, courageous move for Santa Cruz now and future generations.

Sent from AOL Mobile Mail

Get the new AOL app: [mail.mobile.aol.com](mailto:mail.mobile.aol.com)

## **Rosemary Balsley**

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**From:** Susan Worth <susanworthone@gmail.com>  
**Sent:** Monday, June 15, 2020 11:13 AM  
**To:** City Council  
**Subject:** Please don't F up our downtown library and our Farmer's Market.

We need them both to stay where they are. I'm voting for our heritage trees who shade me every Wednesday. I also vote for the Jayson architecture design. Thank You

## Rosemary Balsley

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**From:** Phyllis Wasserstrom <pwasserstrom@gmail.com>  
**Sent:** Monday, June 15, 2020 11:14 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

---

**From:** Gary Silberstein <gsilbers@ucsc.edu>  
**Sent:** Monday, June 15, 2020 11:15 AM  
**To:** City Council  
**Subject:** BAD IDEA: Parking Structure w/ Library Afterthought!!

- **Rebuild the library where it is.**
- Transform Parking Lot 4 public space into a beautiful Commons for all residents and visitors.
- Preserve and enhance the Farmers' Market at its current home on Lot 4.
- 
- Save our 10 heritage trees and large public space, reducing pollution and mitigating greenhouse gas emissions.
- Build affordable housing on other nearby city-owned lots, not on Lot 4.
-

## Rosemary Balsley

---

**From:** Cynthia Copple <ayurveda@lotusayurveda.com>  
**Sent:** Monday, June 15, 2020 11:32 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

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- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Cynthia Copple

## Rosemary Balsley

---

**From:** Anandi Paganini <anandipaganini@gmail.com>  
**Sent:** Monday, June 15, 2020 11:36 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
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- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sent from my iPad

## Rosemary Balsley

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**From:** Sweeney E. Schragg <eschrag1@icogitate.com>  
**Sent:** Monday, June 15, 2020 11:54 AM  
**To:** City Council  
**Subject:** Downtown Farmer's Market Parking Lot

This sums up my objections to the proposed library/parking development proposed for the Cedar Street lot(s) between Cathcart and Lincoln Streets:

- Transform Parking Lot 4 public space into a beautiful Commons for all residents and visitors.
- Preserve and enhance the Farmers' Market at its current home on Lot 4.
- Rebuild the library where it is.
- Not increase carbon emissions and car trips by building another garage. We need to confront climate change by taking actions to slow C02 emissions.
- Save our 10 heritage trees and large public space, reducing pollution and mitigating greenhouse gas emissions.
- Build affordable housing on other nearby city-owned lots, not on Lot 4.
- Be fiscally responsible -- don't take on enormous debt to build an unneeded parking garage during a recession.

Thank you,  
Eugene Schragg  
1902 Delaware Ave  
Santa Cruz, CA 95060

## Rosemary Balsley

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**From:** Brie Jongewaard <briejong@cruzio.com>  
**Sent:** Monday, June 15, 2020 12:10 PM  
**To:** City Council  
**Subject:** Why?

City Council:

Why are you considering this massive destruction to our downtown area? We don't need it. Didn't the long vacancies of that horrid misplaced SF financial district wanna be on Pacific Ave. teach you any lessons? This is Santa Cruz and we do not need overbuilding to underscore our seemingly mindless current version of seeking an identity. Get real and reconsider your actions! That massive redo of downtown is an affront to our senses and, if done, will not age well.

Barbara Jongewaard

## Rosemary Balsley

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**From:** Ron Lampi <thelamp66@gmail.com>  
**Sent:** Monday, June 15, 2020 12:09 PM  
**To:** City Council  
**Subject:** Library location

Those Concerned,

I feel (as do my friends) that building a costly new building displacing a Santa Cruz tradition (a beloved one) is a bad idea when we already have an existing building and site to work with. The location is great and the possibilities even greater. What a waste of space and money to use that open space instead of what we already have.. If you feel you must go crazy spending money why not spend it to make the existing Farmers Market spot more beautiful with plants, flowers, decorated bricks or tiles? Make it sort of a Union Square that has multiple uses. I don;t think the Abbot Square quite fulfills this.

Also, we don't need more paid parking much as you might want revenue. We need some free parking spaces..We should encourage less driving as well.

Best, Rhonda Hoefs and Ron Lampi

## Rosemary Balsley

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**From:** voiceofjoy8 <voiceofjoy8@bellsouth.net>  
**Sent:** Monday, June 15, 2020 12:23 PM  
**To:** City Council  
**Subject:** opposed to the garage/library project

I am opposed to this expensive, wasteful, unnecessary project.  
please consider the following instead:

Rebuild the library where it is.  
Preserve and enhance the Farmers' Market at its current home on Lot 4.  
Transform Parking Lot 4 public space into a beautiful Commons for all residents and visitors.  
Not increase carbon emissions and car trips by building another garage. We need to confront climate change by taking actions to slow CO2 emissions.  
Save our 10 heritage trees and large public space, reducing pollution and mitigating greenhouse gas emissions.  
Build affordable housing on other nearby city-owned lots, not on Lot 4.  
Be fiscally responsible -- don't take on enormous debt to build an unneeded parking garage during a recession.

Please preserve our city.

Joyce Newkirk  
428 Escalona Drive  
Santa Cruz 95060

## Rosemary Balsley

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**From:** Mallory Angeli <malloryangeli@gmail.com>  
**Sent:** Monday, June 15, 2020 12:31 PM  
**To:** City Council  
**Subject:** Stop the Parking Garage

Dear, Honorable Council-

The last thing Santa Cruz needs is another parking garage! Let's increase usability of downtown with beautiful places people can gather, eat and provide needed space for ongoing social distancing that will last for years.

Please consider my requests here for downtown:

- Transform Parking Lot 4 public space into a beautiful Commons for all residents and visitors.
- Preserve and enhance the Farmers' Market at its current home on Lot 4.
- Rebuild the library where it is.
- Not increase carbon emissions and car trips by building another garage. We need to confront climate change by taking actions to slow CO2 emissions.
- Save our 10 heritage trees and large public space, reducing pollution and mitigating greenhouse gas emissions.
- Build affordable housing on other nearby city-owned lots, not on Lot 4.
- Be fiscally responsible -- don't take on enormous debt to build an unneeded parking garage during a recession.

Thank you for your consideration.

Mallory Newell  
413 San Juan Ave.  
Santa Cruz, CA 95062

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Mallory Angeli Newell

## Rosemary Balsley

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**From:** Daniel Mollner <tropicalbreeze@mac.com>  
**Sent:** Monday, June 15, 2020 12:34 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** Hopeful for the Library at the Civic Center

Dear Mayor and Councilmembers:

I am a Santa Cruz resident of 20 years. For the sake of quality of life, civic pride, and creating the feeling of a village rather than an urban environment PLEASE choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay “air rights” in order to subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Daniel Mollner  
[www.DanielMollner.com](http://www.DanielMollner.com)

--"Don't waste time trying to discover the meaning of life. You go and tell life what meaning it has by doing exactly what you love."

## Rosemary Balsley

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**From:** Kathleen Roberts <krd@cruzio.com>  
**Sent:** Monday, June 15, 2020 12:34 PM  
**To:** City Council  
**Subject:** Downtown Library

Hello

I am writing to ask that we keep our downtown library where it is and rebuild it there. Also let's create a downtown commons to preserve the farmers' market where it is. We have learned recently that farmers' markets are essential to our lives, so let's keep ours where it is under heritage trees.

thanks,  
Kathleen Roberts  
154 Trescony Street

## Rosemary Balsley

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**From:** Ringler <sring@cruzio.com>  
**Sent:** Monday, June 15, 2020 12:58 PM  
**To:** City Council  
**Subject:** A sustainable option

Dear City Council,

- Transform Parking Lot 4 public space into a beautiful Commons for all residents and visitors.
- Preserve and enhance the Farmers' Market at its current home on Lot 4.
- Rebuild the library where it is.
- Not increase carbon emissions and car trips by building another garage. We need to confront climate change by taking actions to slow CO2 emissions.
- Save our 10 heritage trees and large public space, reducing pollution and mitigating greenhouse gas emissions.
- Build affordable housing on other nearby city-owned lots, not on Lot 4.
- Be fiscally responsible -- don't take on enormous debt to build an unneeded parking garage during a recession.

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Thanks for listening, Sarah Ringler

## Rosemary Balsley

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**From:** Randa Solick <rsolick@gmail.com>  
**Sent:** Monday, June 15, 2020 1:06 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

I've lived here for more than 40 years, and would so much like to see a renovated downtown library right where it is, at the Civic Center. Plus I love the Farmers' Market location, and those beautiful trees. We have a chance now to actually have a public commons there, as so many other towns do - and I know there are other city-owned lots where affordable housing can be built.

So many times the public writes and meets with you and you decide not to listen. In this case, please do listen. Let us have a Civic Center with library, Civic Auditorium and City Hall - and a beautiful commons at the parking lot/Farmers' Market space. You already know there is enough parking, and I certainly know that from driving around - it only takes a few minutes to find a spot. Those trees and that location are perfect for a commons. Please, do the right thing by our community.

Sincerely, Randa Solick

## Rosemary Balsley

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**From:** Della Davis <delladavis1@gmail.com>  
**Sent:** Monday, June 15, 2020 1:10 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay “air rights” in order subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Della Davis

## Rosemary Balsley

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**From:** Della Davis <delladavis1@gmail.com>  
**Sent:** Monday, June 15, 2020 1:10 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** Leave the Library at the Civic Center!

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that that each unit in a mixed-use project pay “air rights” in order subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Charlie McDowell <mcdowell@ucsc.edu>  
**Sent:** Monday, June 15, 2020 1:22 PM  
**To:** City Council  
**Subject:** don't build another parking garage

- Transform Parking Lot 4 public space into a beautiful Commons for all residents and visitors.
- Preserve and enhance the Farmers' Market at its current home on Lot 4.
- Rebuild the library where it is.
- Not increase carbon emissions and car trips by building another garage. We need to confront climate change by taking actions to slow CO2 emissions.
- Save our 10 heritage trees and large public space, reducing pollution and mitigating greenhouse gas emissions.
- Build affordable housing on other nearby city-owned lots, not on Lot 4.
- Be fiscally responsible -- don't take on enormous debt to build an unneeded parking garage during a recession.

Charlie McDowell

## **Rosemary Balsley**

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**From:** Sarah Clark <sandeclark2002@yahoo.com>  
**Sent:** Monday, June 15, 2020 1:22 PM  
**To:** City Council  
**Subject:** No to the Big Parking Lot!

I hope you can go for the FarMar and commons option. We should not be encouraging driving and parking. Let's rebuild the Library where it is. And get started with some public housing in other areas.

Don't do it!

Thank you,  
Sarah Clark  
814 Windsor Street  
Santa Cruz CA 95062

## Rosemary Balsley

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**From:** Cookie Sherman <cookie.sherman@gmail.com>  
**Sent:** Monday, June 15, 2020 1:39 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay “air rights” in order subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Zachariah Buck <buckzac@gmail.com>  
**Sent:** Monday, June 15, 2020 1:40 PM  
**To:** City Council  
**Subject:** Please reconstruct the library in its current location

Please do not approve the Mixed-Use project, instead vote to pursue the Jayson Architecture reconstruction proposal of the downtown library -- because it will cost the City less, planning can be implemented immediately, and it will provide a modernized and beautiful library for everyone! And please postpone your decision until it is possible for a **real** public meeting - at the Civic Auditorium with social distancing - that is **truly** open to the public, when they vote on the fate of our downtown library.

Thank you,  
Zach

## Rosemary Balsley

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**From:** Martha Dexter <mmdexter@gmail.com>  
**Sent:** Monday, June 15, 2020 1:59 PM  
**To:** City Council  
**Subject:** Support the Library Mixed-Use Option for the Downtown Library

Dear Santa Cruz City Council,  
Soon you will consider the options for a new downtown library. I urge you to approve the library mixed-use option which was one of two options studied by your library subcommittee.

I am a professional librarian with more than 30 years of library management experience, retiring in 2007 from the Library of Congress. From 2013 until 2016, I served on the Santa Cruz Public Libraries Library Joint Powers Board when we approved the Facilities Master Plan which became the basis for Measure S, the library revenue measure in support of building and renovation of our libraries. I served on the successful Measure S campaign committee. In 2017-2018 I was a member of the Downtown Library Advisory Committee (DLAC) which recommended a library mixed-use project for the downtown library, and 2016-2020 I served on the system-wide Library Advisory Commission.

Based on my professional experience and judgement and my knowledge of the Santa Cruz Public Libraries, I strongly recommend the library mixed-use option for the downtown library. From a library perspective, we'll get more of the 21st century features prioritized by the community in the DLAC survey and all on one level. We will reap the benefits of an entirely new building, not the half-measure of a partially renovated and still sub-par building. Best of all, we won't need to close the library while the new library is being built, or opt for an expensive temporary location and storage. Not only does it provide for a larger library than the renovation option, it also incorporates much needed affordable housing and parking that will take the place of lost parking as other surface lots are developed.

Without a doubt, this project gives us the best bang for our buck and makes the most sense for the use of our Measure S funds. This is the kind of smart project I voted for.

Many towns and cities are opting for mixed-use projects as the best use of limited resources. I'm excited about the possibilities of this project and the bold statement Santa Cruz will make in this creative solution to bringing a new library, affordable housing, and parking to its downtown.

Martha Dexter  
Santa Cruz, CA

## Rosemary Balsley

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**From:** Kay Clark <annielanekay@yahoo.com>  
**Sent:** Monday, June 15, 2020 2:07 PM  
**To:** City Council  
**Subject:** SANTA CRUZ PUBLIC LIBRARY

June 15, 2020

To Santa Cruz City Council

I've lived in Santa Cruz since 1978--forty two years. I'm writing to implore you to chose the Jayson Architecture Reconstruction Project for our downtown library for the following reasons:

- \*It will cost the city less \$\$\$.
- \*Planning can begin immediately after the program is approved.
- \*We will have a beautiful library when it's done.

Please postpone your decision until you can have an in-person meeting, possibly in August. This is a decision that should be made with input from as many library patrons as possible.

Thank you for considering an avid library user's request,

Kay Clark  
117 Annie Lane  
Santa Cruz, CA 95062  
annielanekay@yahoo.com  
831-429-5263

## **Rosemary Balsley**

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**From:** Marianne Mastopietro <vintage51@cruzio.com>  
**Sent:** Monday, June 15, 2020 2:14 PM  
**To:** City Council  
**Subject:** Library

I strongly urge Santa Cruz City Council to allow for a real public meeting so that citizens to voice their opinion on the fate of a new library.

I am against the building of a new library, i.e. mixed use building where farmer's market is located. I'm in favor of renovation of existing downtown library.

Thank you,  
Marianne Mastopietro

## Rosemary Balsley

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**From:** Martha Vickers <mnvickers@gmail.com>  
**Sent:** Monday, June 15, 2020 2:18 PM  
**To:** City Council  
**Subject:** Library

Please do not allow a cement monstrosity to replace the current main library. Your vote for a huge garage will permanently remove any possibility that the center of downtown Santa Cruz could be a human-scale gathering place for its citizens. Please try to think of cities you have visited with open-air markets. Have not those markets been magnets for shoppers, walkers, visitors, businesses, etc.? Where and when will you find equally fortuitous sites for the magnolia trees, farmers' market, antiques fair? Perhaps money actually is and always will be the core value espoused by Santa Cruz politicians. I truly hope that you will prove that wrong and put your collective heads together to find a better place for a huge garage.

Martha Vickers

## Rosemary Balsley

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**From:** Martha Vickers <mnvickers@gmail.com>  
**Sent:** Monday, June 15, 2020 2:22 PM  
**To:** City Council  
**Subject:** Library

- Please to **not approve** the Mixed-Use project and instead vote to pursue the Jayson Architecture reconstruction proposal of the downtown library -- because it will cost the City less, planning can be implemented immediately, and it will provide a modernized and beautiful library for everyone!
- Please postpone your decision until you can provide for a **real** public meeting - at the Civic Auditorium with social distancing - that is **truly** open to the public, when you vote on the fate of our downtown library. The Mayor recently told a constituent: "*We are adjusting our protocols and my hope is that in August we will be able to have in person meetings again.*"

Sincerely,

Martha Vickers

## **Rosemary Balsley**

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**From:** Ronald Parrish <parrishre@gmail.com>  
**Sent:** Monday, June 15, 2020 2:24 PM  
**To:** City Council  
**Subject:** Library

Please to not approve the Mixed-Use project and instead vote to pursue the Jayson Architecture reconstruction proposal of the downtown library -- because it will cost the City less, planning can be implemented immediately, and it will provide a modernized and beautiful library for everyone!

Please postpone your decision until you can provide for a real public meeting - at the Civic Auditorium with social distancing - that is truly open to the public, when you vote on the fate of our downtown library. The Mayor recently told a constituent: "We are adjusting our protocols and my hope is that in August we will be able to have in person meetings again."

Sincerely,

Ronald Parrish

## Rosemary Balsley

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**From:** Cliff Barney <cbarney047@gmail.com>  
**Sent:** Monday, June 15, 2020 2:25 PM  
**To:** City Council  
**Subject:** Library

Please approve the Jayson Architecture proposal for renovating the present S.F. downtown library, and NOT the proposal to put the library in an unnecessary parking building.

My wife Carolyn McCall and I have both used the current library. we have never had trouble parking downtown; and the proposa to build a large parking structure at the very center of downtown, encouraging more driving, conflicts with sensible measures to decease auto traffic and the likelihood that the use of Uber and bicycles will decrease driving anyway.

Cliff Barney  
Carolyn McCall  
2627 Mattison Lane, Space #15,  
Santa Cruz CA 95062

## Rosemary Balsley

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**From:** bbsunman@comcast.net  
**Sent:** Monday, June 15, 2020 2:29 PM  
**To:** City Council  
**Subject:** New Parking Structure

I am in total agreement with the Sierra Club. I strongly oppose this project for all the reasons cited and I know you are aware of the controversy over a retrograde use of public space to enable even more carbon burning transit as well as the loss of open public space and heritage trees. Some people will make a small fortune on this project...the city will go deeper into debt and, in the current economic climate, this is irresponsible.

Sincerely, Bruce Grobman in Live Oak, Santa Cruz County

## **Rosemary Balsley**

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**From:** Russell Brutsche <russellb@baymoon.com>  
**Sent:** Monday, June 15, 2020 2:37 PM  
**To:** City Council  
**Subject:** no garage

Please! don't build that garage thing. Keep Lot 4 as Farmers' Market, w/a great future as our town commons.

Let the public in on it--the Mayor hopes to have in-person meetings about it by August.

R. Brutsché

## Rosemary Balsley

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**From:** Margie Lafia <mlafia56@gmail.com>  
**Sent:** Monday, June 15, 2020 2:38 PM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center!

Dear Mayor Cummings and Councilmembers,

Although I cut and pasted the following information, I agree with all of it. I feel that it is important to maintain/develop sustainable building solutions while maintaining a small city atmosphere. I believe that a greener, walkable, human scale environment is needed to maintain the quality of life for future generations. The City is lacking in convenient and reliable public transportation options. Please consider this vision as you make plans for our Santa Cruz future.

Margie Lafia

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Kitty Dennis <1katmt@gmail.com>  
**Sent:** Monday, June 15, 2020 2:44 PM  
**To:** City Council; MarianKitty Dennis  
**Subject:** Parking garage downtown

Dear City Council,

Please do not support the building of a parking structure on block 4 where the Farmers' Market is held. This would be a disaster!

A garage would bring more cars and carbon emissions, ruin a walking space with historic magnolia trees, and destroy the pedestrian friendly Farmers Market at which local as well as tourists shop. The Farmers Market provides income for our local farmers and small businesses. It is one of the unique features of down town Santa Cruz.

The current library should stay where it is. Repairs and upgrading it would cost way less than a parking garage!

If we are a green minded city, our city council ought not to support building a garage that creates more pollution with cars, does not encourage people to walk and bike, and does not support our local farmers.

A parking garage, I believe, would encourage the spread of the Corona virus by increasing the carbon emissions in the air. This virus loves bad air as we have seen in large congested cities!

If you care about the health and quality of life in Santa Cruz please do not OK the building of this parking structure!

Thank You,

Kitty Dennis

SC Resident and Homeowner

Sent from my iPhone

## Rosemary Balsley

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**From:** George Reynolds <ggr3se@gmail.com>  
**Sent:** Monday, June 15, 2020 3:32 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

George and Mary Reynolds  
111 Younglove Avenue  
Santa Cruz, CA 95060

## Rosemary Balsley

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**From:** Karin Grobe <karingrobe@gmail.com>  
**Sent:** Monday, June 15, 2020 3:37 PM  
**To:** City Council  
**Subject:** Downtown Library

In your recommendations concerning the Downtown Library, please choose Option B: reconstruction of the Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market. Here are the issues I consider most important.

Building a \$54 million dollar (\$1.8 million/year for 30 years) parking garage is not justified on the basis of projected parking demand. Capital cost per new parking garage space is estimated at \$78,000. Investment in a parking garage puts the City at financial risk.

Incorporating a library and affordable housing in a project based on building unneeded parking makes no sense.

I want a central downtown community public space with a permanent Farmers' Market. Parking Lot 4, with its size, trees, and afternoon sunlight is far better used in this way than for a parking garage, with or without a library, and it is a far better location for the Farmers' Market than the parking lot behind Pizza My Heart.

## **Rosemary Balsley**

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**From:** Philip Posner <chatrabbi@aol.com>  
**Sent:** Monday, June 15, 2020 3:54 PM  
**To:** City Council  
**Subject:** Leave library and Farmers Mkt. where they are. Thanks, Phil Posner

Hello Council, I too believe Farmers Mkt should remain where it is, and the library rebuilt where it is. Thanks, Phil Posner

## **Rosemary Balsley**

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**From:** Sharon Peregrin <sharonperegrin@icloud.com>  
**Sent:** Monday, June 15, 2020 4:34 PM  
**To:** City Council  
**Subject:** Library

Please leave the library in its current location.

Thank you!

Sharon Peregrin

Sent from my iPhone

## Rosemary Balsley

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**From:** david <bezanpsy3506@hotmail.com>  
**Sent:** Monday, June 15, 2020 4:43 PM  
**To:** City Council  
**Subject:** Proposal for downtown parking garage

Hi Mayor Cummings,

Please discard the proposal.

Instead, develop policies that discourage use of private vehicles,  
E.g., encourage remote digital work and learning for private and public sectors.

Make mass transit safe by instituting pandemic safety regulations, e.g., distancing and masks.  
Use OSHA guidelines for worksites to protect riders and drivers.

Our current downtown library is a fine facility with many years of useful life remaining.  
Let's use it until maintenance costs become prohibitive.

Thanks,

David Bezanson, Ph.D.  
Santa Cruz resident and voter

## Rosemary Balsley

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**From:** Ann Simonton <mwatch@cruzio.com>  
**Sent:** Monday, June 15, 2020 4:47 PM  
**To:** City Council  
**Subject:** Library

Dear council members: I am writing to implore you to reject the mixed up proposal being forced during co-vid 19 on the people of Santa Cruz. We voted for a new library NOT a mixed use project with an UNKNOWN price tag. The library presentation has deceived people with the idea that the projects cost the same. This is potentially actionable as lying to the public. You hired experts about the need for more parking downtown. THEN you ignore the findings as they don't support a behemoth of parking and supposed "affordable" housing which is likely to cost more than most anyone can afford.

We need low income housing not unaffordable housing. Most people in Santa Cruz don't want eliminate the trees where we have the farmer's market now. I asked Bernal years ago when he came to push this insane project at the library, and he said the current library would be used as city offices. SO. . . the building isn't uninhabitable as it is.

Please remember that the people voted for a measure to improve the library not to stick it somewhere in a 6 story building.

We are lucky to have Civic Auditorium, City Hall and Library all in one place. If you pass this now you will go against the will of this city and appease the likes of Mathews who can't vote, but has been busy lobbying downtown businesses to accept this mess. Please vote against the mixed use option and pursue the Jayson Architecture reconstruction proposal of the downtown library. It will cost less, play can start NOW and it will prove a wonderful new library for everyone. The current proposal package and presentation is full of lies, deceit and misinformation and an open price tag on the mixed use. Yet you claim it will cost just a little bit more than fixing up the old library. Please don't push this when meetings and gatherings are impossible due to a virulent virus. Please consider postponing this very controversial building until you, our representatives can meet with the public. Don't do this behind our backs during this stressful time.

Thank you for your service to our community and please listen to our voices.

Thank you very much for your consideration, Ann Simonton

## Rosemary Balsley

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**From:** Sandra Farrell <sfarrell@cruzio.com>  
**Sent:** Monday, June 15, 2020 4:48 PM  
**To:** City Council  
**Cc:** Justin Cummings; Donna Meyers; Sandy Brown; Martin Bernal;  
snemitzs@santacruzpl.org; jgoldstein@ci.capitola.ca.us; tfriend@scottsvally.org;  
carlos.palacios@santacruzcounty.us  
**Subject:** Santa Cruz Public Library

Dear City Council, Library Committee, Library Board and City Manager,

The focus on the downtown main library has been overshadowed by parking and housing as the remodel/rebuild discussion has gone on and on. Of course parking and housing are important, but our library deserves its own place of honor within the area of the City Hall and the Civic Center and must not be treated as an apparent afterthought as part of another project. Please don't make the mistake of removing this vital service from its location near other city services.

I hope that all who are involved in making this decision will read the local history article by Ross Eric Gibson in today's Santa Cruz Sentinel, Pages 2 and 4. Please read all the way to the end of his report. He makes some very important points that I have not seen reported in my past reading about this project.

Thank you for considering my thoughts.

Sincerely,  
Sandra Farrell

## Rosemary Balsley

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**From:** dave@cascadiaengineering.com  
**Sent:** Monday, June 15, 2020 4:48 PM  
**To:** City Council  
**Subject:** Rebuild in place

Please don't screw up the library decision!

Please (a) transform Parking Lot 4 public space into a beautiful Commons for all residents and visitors, (b) preserve and enhance the Farmers' Market at its current home on Lot 4, and (c) rebuild the library where it is.

Sincerely,  
Dave

++++++  
Cascadia Engineering  
133 Pryce Street  
Santa Cruz, CA 95060  
(510) 495 - 4494

*Cascadia Engineering: Taking care of the people inside, and the planet outside*

**Rosemary Balsley**

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**From:** Gildas Hamel <gweltaz@ucsc.edu>  
**Sent:** Monday, June 15, 2020 4:50 PM  
**To:** City Council  
**Cc:** Hamel Amy; Manger Marc; Aronson Elliot; Nanus Burt  
**Subject:** Parking Garage

Dear Council Members,

Please do not build a new garage on Lot 4. Fix the Library where it is. Build more apartments for the neediest among us.

1. The garage is not needed for two main reasons. One, parking garages are very expensive propositions in very uncertain times. Two, there are other solutions that include more concentrated habitat, help to renters, programmatic incentives to reduce parking demand including bus passes, cycling, parking on the periphery of town, sharing, automated driving, etc...
2. The Library can be rehabilitated where it is, for a fraction of the cost.
3. The apartment project seems a murky project to me. How many units exactly will be built, how many of them will be for low income? The whole project looks now like a mishmash of good intentions. Please do not proceed with this ill-conceived project.

Thank you,  
--Gildas

=====  
Gildas Hamel  
331 Plateau Avenue  
Santa Cruz, CA 95060  
+1 831 325 5863 cell  
+1 831 423 1849 home  
=====

## **Rosemary Balsley**

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**From:** Steve Lustgarden <slustgarden@gmail.com>  
**Sent:** Monday, June 15, 2020 4:54 PM  
**To:** City Council  
**Subject:** no parking garage

We can do better. The planet is suffering from heat exhaustion. What's needed is a cool drink of water, not more incentives to drive our automobiles. Let's use this space to promote a sustainable city. Let's re-use our existing library footprint.

Please say no to another concrete monstrosity downtown for housing cars.

## **Rosemary Balsley**

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**From:** David <goldpilot@aol.com>  
**Sent:** Monday, June 15, 2020 5:17 PM  
**To:** City Council  
**Subject:** This is what the City needs!

Transform Parking Lot 4 public space into a beautiful Commons for all residents and visitors.

Preserve and enhance the Farmers' Market at its current home on Lot 4.

Rebuild the library where it is.

Not increase carbon emissions and car trips by building another garage. We need to confront climate change by taking actions to slow CO2 emissions.

Save our 10 heritage trees and large public space, reducing pollution and mitigating greenhouse gas emissions.

Build affordable housing on other nearby city-owned lots, not on Lot 4.

Be fiscally responsible -- don't take on enormous debt to build an unneeded parking garage during a recession

Hello lovely this would make the city an increase peoples revenue spending by wanting to visit downtown.

## Rosemary Balsley

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**From:** Dan Phillips <dipmensch@aol.com>  
**Sent:** Monday, June 15, 2020 5:32 PM  
**To:** City Council  
**Subject:** Time to Say Yes for Library Renewal

Dear City Council,

We are in support of adopting the proposal to leave our library building where it is and rebuild and renew it. The monolithic, wasteful combination parking garage/library /housing on the site of the heritage Magnolia trees and our Farmers' Market is a bad idea. Affordable housing can be built elsewhere on city owned property nearby.

As citizens and homeowners of Santa Cruz for over forty years, we came here seeking a cooperative community. The needs of its people over cars keep us from increasing the hazards of global warming and pollution. As such, we support the partial closure of Pacific Garden Mall to vehicular traffic and see no need to provide more parking spaces. Instead the city should encourage municipal bus riding, biking and walking downtown to protect our environment. We need a downtown commons where people can congregate adjacent to a renewed library.

It's time to say no to the wasteful \$100 million behemoth we don't need!

Thank you for your thoughtful consideration.

Sincerely, Judy and Dan Phillips

## Rosemary Balsley

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**From:** Kat Trueblood <whitedeer444@gmail.com>  
**Sent:** Monday, June 15, 2020 6:17 PM  
**To:** City Council  
**Subject:** Please create a beautiful open commons area for us, NO PARKING STRUCTURE!

- Dear Santa Cruz City Council,
- Please create a beautiful and elegant downtown area that will encourage walking and shopping and socializing, a large parking structure will absolutely ruin our downtown area and experience. If anything, we need a more open feel to encourage pedestrians and a vital feeling downtown...huge buildings will further overshadow our already narrow Pacific Ave....Please, let's take what is already open and improve it so that it is filled with trees and benches and beauty....to open up the feeling of downtown rather than overshadow it with an overbearing fortress.
- Thank you,
- Kat Trueblood
- 
- 
- Transform Parking Lot 4 public space into a beautiful Commons for all residents and visitors.
- Preserve and enhance the Farmers' Market at its current home on Lot 4.
- Rebuild the library where it is.
- Save our 10 heritage trees and large public space, reducing pollution and mitigating greenhouse gas emissions.
- Build affordable housing on other nearby city-owned lots, not on Lot 4.
- Be fiscally responsible -- don't take on enormous debt to build an unneeded parking garage during a recession.

## **Rosemary Balsley**

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**From:** Elizabeth Flynn <lunary@gmail.com>  
**Sent:** Monday, June 15, 2020 6:17 PM  
**To:** City Council  
**Subject:** Library remodel > parking garage!

Dear Council,

Thank you for your support to rebuild the library at its present site. We support making it part of a civic center instead of combining it in a multi-use project. We say YES to reconstruct the library where it is.

*Reduce, Reuse, Remodel!*

Sincerely,

Elizabeth Flynn

Cabrillo Chemistry

## **Rosemary Balsley**

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**From:** planetwkr@yahoo.com  
**Sent:** Monday, June 15, 2020 6:31 PM  
**To:** City Council  
**Subject:** Library

To the city council,

The voters approved Measure S funds for a renovation at the current site- period.

You need to adhere to this, and go forward with Jayson architecture and revitalize the civic area!

Otherwise this is a bait and switch (and in the current climate, not a good look).

-Pam

## Rosemary Balsley

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**From:** Richard Montgomery <rmont@ucsc.edu>  
**Sent:** Monday, June 15, 2020 7:18 PM  
**To:** City Council  
**Subject:** library

Dear City Council

Come on. The current library works.  
Your proposal is a huge waste of money.

Stop it. We do not need a new parking structure,  
esp. now. Be reasonable.

Withdraw this proposal. Save the money.  
Use it for something sensible -- parks?  
the Pogonip? a few more shelters?  
healthcare.

Do not rip up our beloved central library and put in another parking structure

please

30 year resident,

Richard Montgomery

223 Dickens Way

## Rosemary Balsley

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**From:** Jeri <jbodemar@baymoon.com>  
**Sent:** Monday, June 15, 2020 7:42 PM  
**To:** City Council  
**Subject:** No new parking lot ! Use the Jayson Architecture option instead!

Please reject the Parking lot plan and support the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center instead.

Please listen to the public majority by doing the following:

- Transform Parking Lot 4 public space into a beautiful Commons for all residents and visitors.
- Preserve and enhance the Farmers' Market at its current home on Lot 4.
- Rebuild the library where it is, using the .
- Do not increase carbon emissions and car trips by building another garage. We need to confront climate change by taking actions to slow C02 emissions.
- Save our 10 heritage trees and large public space, reducing pollution and mitigating greenhouse gas emissions.
- Build affordable housing on other nearby city-owned lots, not on Lot 4.
- Be fiscally responsible -- don't take on enormous debt to build an unneeded parking garage during a recession.

Jeri Bodemar & James Smith

## Rosemary Balsley

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**From:** martina <martina.nicholson@gmail.com>  
**Sent:** Monday, June 15, 2020 8:04 PM  
**To:** City Council  
**Subject:** Library

Dear City Council Members,

Please do not approve the "mixed use" project. Instead, vote to pursue the Jayson Architecture reconstruction proposal of the downtown library. It is more fiscally conservative a plan, and it will provide a modern and beautiful library for our city.

Please postpone the final decision until a public hearing can occur. This is important to our city, and should not be done in a hurried manner.

Thanks for your attention,

Sincerely,

Martina Nicholson MD (retired)

## Rosemary Balsley

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**From:** Cathy Bayer <bayercathy@hotmail.com>  
**Sent:** Monday, June 15, 2020 8:04 PM  
**To:** City Council  
**Subject:** Fate of Downtown Santa Cruz Public Library IMPORTANT

To:  
All members of the Santa Cruz City Council:

I implore you not approve the Mixed-Use project and instead vote to pursue the Jayson Architecture reconstruction proposal of the downtown library -- because it will cost the City less, planning can be implemented immediately, and it will provide a modernized and beautiful library for everyone!

I ask you to postpone their decision until you can provide access to a real public meeting in which concerned citizens are allowed a lengthy comment period at the Civic Auditorium with social distancing. A meeting that is truly open to the public as witness when you vote on the fate of our downtown library.

I am a very regular downtown library user who has lived in Santa Cruz County since 1972. I do not approve of the idea of moving the library to the current site of the farmer's market for mixed-use construction... keep the same site, close the library for the time it takes and remodel the current building to reflect modern standards....

I strongly urge this and hope to have the opportunity to attend a public meeting in which my views can be expressed verbally... this is one of the most important decisions to be made for our community and the downtown area.

Respectfully,  
Catherine Bayer  
bayercathy@hotmail.com  
831-429-0180

## Rosemary Balsley

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**From:** meg s <megztravelz@gmail.com>  
**Sent:** Monday, June 15, 2020 8:43 PM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center!

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Meg Sandow  
Santa Cruz County resident

## Rosemary Balsley

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**From:** Russell Weisz <russweisz1@gmail.com>  
**Sent:** Monday, June 15, 2020 8:45 PM  
**To:** City Council  
**Subject:** Parking Garage

Dear Council Members,  
I agree with the following:

- Transform Parking Lot 4 public space into a beautiful Commons for all residents and visitors.
- Preserve and enhance the Farmers' Market at its current home on Lot 4.
- Rebuild the library where it is.
- Not increase carbon emissions and car trips by building another garage. We need to confront climate change by taking actions to slow CO2 emissions.
- Save our 10 heritage trees and large public space, reducing pollution and mitigating greenhouse gas emissions.
- Build affordable housing on other nearby city-owned lots, not on Lot 4.
- Be fiscally responsible -- don't take on enormous debt to build an unneeded parking garage during a recession.

thanks,  
Russell Weisz  
319 Laguna St.  
Santa Cruz CA 95060

## Rosemary Balsley

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**From:** lin colavin <lincolavin@sbcglobal.net>  
**Sent:** Monday, June 15, 2020 9:24 PM  
**To:** City Council  
**Subject:** Reconstruction of the Downtown Library.

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots.
- The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Lin Florinda Colavin  
434 Pennsylvania Avenue  
Santa Cruz, CA 95062

## Rosemary Balsley

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**From:** Gerald Brown <gebrown@cabrillo.edu>  
**Sent:** Monday, June 15, 2020 9:34 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay “air rights” in order subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Joan Timpany <djtimpany@hotmail.com>  
**Sent:** Monday, June 15, 2020 11:09 PM  
**To:** City Council  
**Subject:** Library

- • To Santa Cruz City Council members
- 
- Keep our Library here! and make it beautiful.
- Don't move our Library and make us lose our Farmer's Market location.
- Measure S \$\$\$ for our library here, not stuck in a 6 story building!

So much more for so much less than a library in a parking garage.

Sincerely,  
Joan Timpany  
Resident of Seabright

## Rosemary Balsley

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**From:** simon marino <simonoscarino@gmail.com>  
**Sent:** Monday, June 15, 2020 11:22 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** Build New Library at the Civic Center!

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay “air rights” in order subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sincerely,

Simon Marino

## Rosemary Balsley

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**From:** Denise Lapidés <denise@divinelightyoga.com>  
**Sent:** Monday, June 15, 2020 2:02 PM  
**To:** City Council  
**Subject:** planned new parking structure

Dear City Council -

Regarding the decision of whether or not to build a parking garage on the current location of the downtown Farmer's Market:

\* It seems a waste of precious money to expand unneeded parking inventory, which would contribute carbon emissions and allow for more congestion downtown. City money is especially precious now since the financial hit from the Covid crisis.

\* These are uncertain times financially, making this expenditure especially risky for the city when we have elderly people, veterans and other destitute people living and dying in our streets. One would think that financing low-income housing and other options for providing shelter to our vulnerable population, saving lives, is of higher value than more parking spaces.

\* The Farmer's Market is the only real outdoor community gathering event/place in downtown, and an important source of income and exposure for many small local farms. This space should be preserved to continue this important commerce and community gathering place.

\* Removing the Farmers' Market to Front Street and building the parking garage on Lot 4 would mean destroying 10 heritage trees, including decades-old magnolias. Let's preserve our beautiful downtown public space for the enjoyment of all, as well as the bird habitat!

\* In these uncertain times, there has been a lot less driving and the Covid crisis will likely result in many more people working from home and/or riding bikes downtown as opposed to driving. This should be factored into the consideration of - do we REALLY need more parking spaces? Is it worth \$100 million dollars?

INSTEAD of the above proposal, I urge the following:

\* Preserve the parking Lot 4 public space into a beautiful Commons for all residents and visitors.

\* Rebuild the library where it is.

\* Prevent the increase of carbon emissions and car trips downtown by NOT building another garage. We need to confront climate change by taking actions to slow CO2 emissions - we need to act locally now!

\* Save the 10 heritage trees and large public space on Lot 4, reducing pollution and mitigating greenhouse gas emissions.

\* Build affordable housing on other nearby city-owned lots, not on Lot 4. Be fiscally responsible -- don't take on enormous debt to build an unneeded parking garage during a recession.

I think these are critical points. Thank you for listening to what the public wants and supports, and for all of the hard work you all do!

Respectfully,

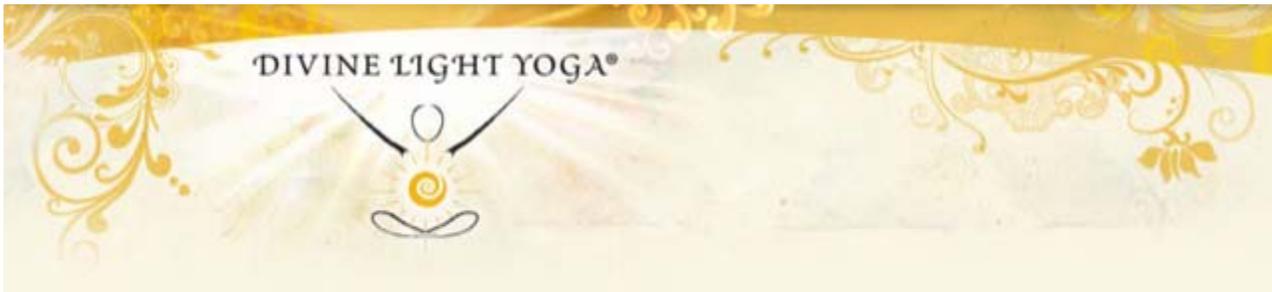
Denise Kirpal Lapedes, E-RYT 500, Level II IKYTA, C.Ayu, Certified Yoga Therapist, IAYT Member  
Creator, Divine Light Yoga Teacher Trainings  
C 410-570-2878

<http://www.divinelightyoga.com>

[FB DeniseKirpalLapedes](#)

[Inst/DeniseDivine](#)

"Be the Light and Light the Way"



## Rosemary Balsley

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**From:** VIRGINIA A NOTIN <vnotin@sbcglobal.net>  
**Sent:** Tuesday, June 16, 2020 7:27 AM  
**To:** City Council  
**Subject:** Public library

Dear Members of the Santa Cruz City Council,

Please do not approve the Mixed Use project! Instead, please vote to pursue the Jayson Architecture reconstruction proposal of the downtown library. It will cost the city less money, planning can be implemented immediately and it will provide a modernized and beautiful library for everyone.

Please postpone the meeting until we can have a real public meeting where the community can weigh in. One with social distancing and enough room for everyone at the Civic Auditorium.

Thank you.

Joy Parker

## Rosemary Balsley

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**From:** Rebecka Hawkins <rebeckalea45@gmail.com>  
**Sent:** Tuesday, June 16, 2020 7:36 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project.

I agree with all that was said, and add that there has been a thriving Antique Market at that location for many years. We need this diversity, and many people's income would be directly, and adversely affected by a change in location.

Also, Heritage trees Must be protected!  
The library's current location is perfect.

Sent from my iPhone

## Rosemary Balsley

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**From:** Irene Ibeanza <itibeanza@gmail.com>  
**Sent:** Tuesday, June 16, 2020 8:19 AM  
**To:** +downtowncommonsadvocates@gmail.com; City Council  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers: Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market! • Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center. • Parking demand does not justify building an economically risky parking garage. • Affordable housing can be built as easily on other city-owned lots. • The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons. For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be permanent monuments to your efforts as the City Council. Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Lynne Achterberg <lynne.projpur@sbcglobal.net>  
**Sent:** Tuesday, June 16, 2020 8:19 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent%

Sent from my iPhone

## Rosemary Balsley

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**From:** Martha Dyer <marthaldyer@gmail.com>  
**Sent:** Tuesday, June 16, 2020 8:19 AM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

I am a school librarian at the middle school in Santa Cruz. I work on-call at the Watsonville Library which feels spacious and light. The idea of having a parking garage above the library seems to me like it is not valuing the library as a center of the community. I have been following the various plans and discussions, and I am in favor of choosing the Jayson Architectural plan for the following reasons:

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking.  
Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

Martha Dyer  
Teacher Librarian, Mission Hill Middle School

## Rosemary Balsley

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**From:** Gary Patton <gapatton@mac.com>  
**Sent:** Tuesday, June 16, 2020 8:22 AM  
**To:** Renee Golder; City Council; Martine Watkins; Cynthia Mathews; Justin Cummings; Donna Meyers; Katherine Beiers; Sandy Brown  
**Subject:** The Library Project

Dear Council Members,

I strongly believe that the Council should reject what I understand is the recommendation of the Library Subcommittee. I oppose the parking garage-library-affordable housing project as proposed. What City voters voted for was an upgrade to our existing library, in its existing location. The idea that we currently have a “Civic Center” is right. Eliminating one of the main components of that Civic Center, the library, undermines the integrity of something that we have all taken for granted, but that this proposed project would imperil. The city staff and Council Member Mathews (who is not, of course, actually supposed to be trying to influence a City decision that could potentially benefit her personally) have pushed for the Lot #4 plan, initially as a garage for downtown development and when that failed to get community support, have thrown in something that is always attractive, affordable housing. Adding affordable housing makes the current proposal better than the garage-library, but being better than a “bad” project doesn’t make this one a “good” project.

I listened to the recent meeting of the Library Subcommittee at which the proposed library, garage, affordable housing project was outlined. As I understood the presentation, the library-related reason for putting the library together with the garage and housing project was to build a BIGGER library. The square foot costs of a renovation and the proposed project were the same, but you could get MORE library if the housing project subsidized the library by paying for “air rights.” I don’t think that this approach gets you “affordable” housing. Just more housing for the upper income cohort. If there are really lots of affordable housing developers who would love to build on Lot #4, why not make that the focus of that project, and have a 100% affordable housing-garage project? Move ahead with the plans for the restoration and renovation of the existing library while you work that out.

I also think the pandemic has made good decision-making difficult. Since all the City’s recent meetings have been held in cyberspace, why not hold a meeting in the Civic, to let the opposing groups appear before you in person, to see if that would give you a better feel for what the community actually wants? Also, I think it would be good to do some polling to see what the community as a whole thinks about this proposed garage-affordable housing-library idea.

Again, I am distressed by the recommendation. I gather it will be before the Council on June 23rd. I hope you will reject it.

Thanks for taking my concerns seriously.

Yours truly,

Gary A. Patton

Email: [gapatton@stanfordalumni.org](mailto:gapatton@stanfordalumni.org)

Facebook: <https://www.facebook.com/gapatton>

Website / Blog: [www.gapatton.net](http://www.gapatton.net)

## Rosemary Balsley

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**From:** Gail Michaelis-Ow <gailmow@gmail.com>  
**Sent:** Tuesday, June 16, 2020 8:42 AM  
**To:** City Council  
**Subject:** Library

Dear City Council Members, Please do not approve the mixed use library project. Please vote for the Jayson Architecture reconstruction of the downtown library.

This option will be less expensive in the long run and that is very important as the City recovers from the economic fallout of the Covid-19 pandemic.

Also this project can be started and completed much sooner than a massive parking structure. Over the next few decades, how we get around is going to change more and more. Ride sharing and more biking and walking will reduce the need for a massive parking structure.

Also you will create distrust with Santa Cruz citizens who voted for the library bond without being told the library would be moved. It will affect every bond you try to pass going forward.

The wildly popular farmer's market deserves to stay where it is and Santa Cruz deserves an open space plaza. Surely this pandemic has taught us the importance of outside, communal space.

Lastly the library is in a perfect location now, near City Hall and the Civic Auditorium. Historical precedent should be honored here. Please vote for a remodeled and upgraded library on the convenient and beautiful site where it is now.

Thank you for considering these thoughts. Fondly, Gail Michaelis-Ow  
203 Highland Avenue Santa Cruz CA 95060 (831) 423-0128

## Rosemary Balsley

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**From:** Louise Drummond <hldrummond@yahoo.com>  
**Sent:** Tuesday, June 16, 2020 8:49 AM  
**To:** City Council  
**Subject:** Library



stay where it is.

are going to survive the storm,  
re you going to play in the rain.



## Rosemary Balsley

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**From:** David Levan <daviddlevan@gmail.com>  
**Sent:** Tuesday, June 16, 2020 8:53 AM  
**To:** City Council  
**Subject:** The downtown library

Moving the library to Cathcart street is a thinly veiled travesty. Your own consultant question the need for more parking. Throwing in some “affordable housing “ is another classic smoke screen. If the council was actually serious about affordable housing they could demand more of it from each development project downtown. We don’t need this boondoggle. I will actively support the removal of candidates that support this project. Thank you for your consideration. David LeVan

Sent from my iPhone

## **Rosemary Balsley**

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**From:** Cheryl VanDeVeer <bsktcheryl@gmail.com>  
**Sent:** Tuesday, June 16, 2020 9:13 AM  
**To:** City Council  
**Subject:** Plans to replace farmers market with another building

Please keep the remaining public open space as it is. Do not put a parking garage there.

Cheryl VanDeVeer  
409 Avalon St.  
Santa Cruz, CA 95060

## Rosemary Balsley

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**From:** Ann Durbin <durbin.ann@gmail.com>  
**Sent:** Tuesday, June 16, 2020 9:27 AM  
**To:** City Council  
**Subject:** Pro Jayson - keep Library at the Civic Center!

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons! Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

Ann Durbin

## Rosemary Balsley

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**From:** Zachariah Buck <buckzac@gmail.com>  
**Sent:** Tuesday, June 16, 2020 9:30 AM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay “air rights” in order subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Mark Mesiti-Miller <markmesitimiller@gmail.com>  
**Sent:** Tuesday, June 16, 2020 9:42 AM  
**To:** City Council  
**Subject:** Approve the Downtown Library Mixed-Use Facility

Dear City Council:

It was good to hear the recent Group 4 presentation summarizing the results of their analysis of options for the proposed library mixed-use facility and comparing it to the proposed renovation of the old library. After considering the facts Group 4 presented and listening to the stakeholder's comments, I am now more convinced than ever that moving forward with the the mixed use facility is absolutely the best way forward and urge you to approve the library mixed-use facility ASAP.

The proposed mixed-use library facility is a win-win-win project. It is the best option for the people, for the planet and for prosperity.

**People:** The proposed mixed-use library facility offers the people the best library, much needed affordable housing and needed parking for adjacent planned healthcare and housing developments as well as supporting the employees and employers of nearby businesses.

**Planet:** Building more housing near jobs and near transit is key to reducing vehicle miles travelled, our collective carbon footprint and addressing the existential threat to life itself from acceleratating global warming. Having the facility be directly powered by solar energy (an option the old library doesn't offer) confirms the superiority of the mixed-use facility.

**Prosperity:** Investing in maximizing the use of scarce land and especially transforming an existing surface parking lot into a more compact, more useful urban facility is the best use of public funds for continued improvement of our community especially the adjacent businesses, their employees and customers.

Lastly, I was impressed that 16 of the 22 community stakeholders who spoke at the Group 4 presentation, expressed enthusiastic support for the downtown library mixed-use facility. I was especially impressed by the remarks of the labor representative who spoke up for the voices not-in-the-room. The proposed mixed-use facility will be especially beneficial to those most in need !

In closing, do the right thing: approve the proposed mixed-use library facility ASAP.

Thanks,  
Mark  
Mark Mesiti-Miller, P.E.  
(831) 818-3660

## Rosemary Balsley

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**From:** Christine Barrington <yinwisdom@gmail.com>  
**Sent:** Tuesday, June 16, 2020 9:55 AM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay “air rights” in order subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sincerely,  
Christine Barrington

## **Rosemary Balsley**

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**From:** Trish Foley <foleytrish35@gmail.com>  
**Sent:** Tuesday, June 16, 2020 10:33 AM  
**To:** City Council  
**Subject:** The library

Please consider  
Rebuilding the library at its present location  
Thank you  
Trish

## Rosemary Balsley

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**From:** Peter Scott <drip@ucsc.edu>  
**Sent:** Tuesday, June 16, 2020 10:35 AM  
**To:** City Council  
**Cc:** Peter Scott  
**Subject:** Win-Win for Farmers Market AND Library

June 16, 2020

Dear Mayor Cummings and City Council members:

I'm writing to let you know that I am among those who support the reconstruction of the library at its current location, and that I am among those who support the creation of a Downtown Commons at the site of the current Farmers Market on Lot #4.

I hope that you agree with me.

If you have yet to read Stephen Kessler's columns, I urge you to do so.  
They are here:

<http://sustainabletransportationsc.org/kessler/>

Sincerely,

Peter Scott  
1520 Escalona Drive  
Santa Cruz, CA 95060

## Rosemary Balsley

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**From:** Angelee Dion <angelee.dion@gmail.com>  
**Sent:** Tuesday, June 16, 2020 10:53 AM  
**To:** City Council  
**Subject:** Rebuild library at current site, NO NEW PARKING GARAGE

Hello,

I am writing today to express my strong desire to keep Lot 4 as a Green Commons and site of our Farmers Market and to rebuild the library in the civic center where it stands now.

The study the City commissioned proved that we do not need more parking downtown. In fact, if the City keeps to its promises to move towards a greener and more environmentally sustainable environment, we will need even less parking.

Please do not spend millions of dollars on something we do not need. What we do need is more mental health services, support for the elderly, and education. I prefer not to line the pockets of developers needlessly when we have other more pressing issues to address.

Thank you for consideration,  
Angelee Dion  
833 Front St, Santa Cruz, CA 95060  
831-2278-3015

**From:** harvey dosik <harvey-d@sbcglobal.net>  
**Sent:** Tuesday, June 16, 2020 11:47 AM  
**To:** City Council  
**Subject:** Library

Don't  
Bury the  
Library  
under a  
Garage  
Harvey Dosik

## Rosemary Balsley

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**From:** David Brick <dbrick@cruzio.com>  
**Sent:** Tuesday, June 16, 2020 12:41 PM  
**To:** City Council  
**Subject:** Library

Dear Councilmembers,

The proposal to build big stuff on the Cedar Street lot is a poor idea. We don't need to welcome more cars by increasing parking, and we will lose by removing the Main Library from the town's civic center.

Please instead support leaving the Main Library where it is, turning Lot 4 into a multi-use Public Commons, and continuing to support the development of affordable housing on other city-owned properties. These steps will be better for our environment and our shared lives here.

David Brick  
UCSC in the 60s  
came back to Santa Cruz in 1977  
still here

## Rosemary Balsley

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**From:** Patricia McVeigh <pmcveigh@baymoon.com>  
**Sent:** Tuesday, June 16, 2020 12:57 PM  
**To:** City Council; Downtown Commons Advocates  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

I am strongly urging that you consider renovating the library in its present location. Parking can be addressed at another session. Also please enhance the location the Farmers Market, which is a real attraction for Santa Cruz on Wednesdays. This area needs to be repaved, and turned into a local gathering place, preserving those beautiful old trees, which is a mark of Santa Cruz. We do not need more parking!!!

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage. If you are looking for more parking, make the area in back of Trader Joe's into a double layer with solar on top.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Irene Lennox <irenefraetron@gmail.com>  
**Sent:** Tuesday, June 16, 2020 12:59 PM  
**To:** City Council  
**Subject:** Library proposals

Hi

From the beginning I have felt strongly that it downgrades the value of a library to hide it at the foot of a garage! The need for another garage (?) and affordable housing (true) should not dictate the use of the money which the Santa Cruz voters specifically laid aside for library improvements.

Spend the money as intended in renovating the Library on its current site, topping up if necessary to complete the task. Do not downplay the importance of this essential facility by making it subordinate to other needs or ideas!

Irene Lennox  
126 Shelter Lagoon Dr

## **Rosemary Balsley**

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**From:** Janice Simons <extrasanjan@yahoo.com>  
**Sent:** Tuesday, June 16, 2020 1:00 PM  
**To:** City Council  
**Subject:** Library - Request from an Actual Library User

Please abandon the mixed-use option. Please vote instead for the Jayson proposal....it not only meets all pre-established criteria, but we will end up with a streamlined building that will shine as an integral part of the city center. And, IT WILL COST THE CITY LESS than the ugly monster option.

Also, please delay the final decision until you have had the opportunity to hear from the public at a meeting with proper social distancing—a type of meeting which the mayor has said he expects S.C. will be able to hold soon.

Thank you.

## Rosemary Balsley

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**From:** Gail Mowatt <bgmowatt10@cruzio.com>  
**Sent:** Tuesday, June 16, 2020 1:10 PM  
**To:** City Council  
**Subject:** keep library in place!

As the vote comes close on the library project, I strongly urge you to support the original intent of the project, renovation and updating of the current library structure . I am a frequent patron of the Westside branch so am aware of the value of upgrades and hope that approach would work at the Downtown Library as well. Don't mire the Library under the weight of tons of concrete, no matter how "beautiful" that would be for some advocates. Gail Mowatt

## Rosemary Balsley

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**From:** Michael Bertoni <michaelbertoni@icloud.com>  
**Sent:** Tuesday, June 16, 2020 1:31 PM  
**To:** City Council  
**Subject:** Yes to Downtown Commons

To whom this may concern,

I support a better downtown Santa Cruz with the building of the Downtown Commons in support of the Downtown Commons Advocate Group to vote NO to relocate the Public Library.

Please support the use of this land for the Farmers Market and NOT for combining the Downtown Library and other mixed-use components.

Thank you,  
Michael

P. Michael Bertoni  
372 Everson Drive  
Santa Cruz, CA  
95060

(831) 419-6640  
[michaelbertoni@icloud.com](mailto:michaelbertoni@icloud.com)

## Rosemary Balsley

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**From:** Joseph Schultz <jozseph@gmail.com>  
**Sent:** Tuesday, June 16, 2020 2:10 PM  
**To:** City Council  
**Subject:** Mixed Up Use Project

I am ashamed to be part of a community that thinks the mixed use project should even be considered. Logic and data seems to have played only a small part in the opaque process that has been used to move this perfidious agenda forward.

I've lived here for more than 50 years, with a business for most of that time. Sooooo, you really think I want to be paying for this monstrosity for the rest of my life?

City staff are unaccountable, so blaming them is fruitless. But you, as an elected official, should know better.. Please reconsider.

Sincerely,

Jozseph Schultz

India Joze Restaurant

## Rosemary Balsley

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**From:** Roland Saher <rolandsaher@gmail.com>  
**Sent:** Tuesday, June 16, 2020 2:12 PM  
**To:** City Council  
**Subject:** library

Dear council members, please go with the Jayson Architecture plan for reconstruction of the library - it costs less than the parking structure (remember the rapidly changing financial picture!) and will give us the kind of library we all deserve.

Also, the public needs and deserves a clear picture of all the aspects of the reconstruction vs the mixed use project. HAVE A TRULY PUBLIC MEETING WITH PHYSICAL DISTANCING ETC IN THE CIVIC that presents all alternatives. This is a momentous decision to be made and everybody should have sufficient insight and say in it.

Respectfully, Roland Saher  
295-6106

## **Rosemary Balsley**

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**From:** cathy cavanaugh <cecav208@gmail.com>  
**Sent:** Tuesday, June 16, 2020 2:40 PM  
**To:** City Council  
**Subject:** New Downtown library project

Dear Council Members, The first things I do when moving to a new town, 30 yrs. now, is register to vote and get a library card. After my 20 yr parks worker retirement, I have volunteered at the downtown branch for about 8 years.

I've attended the council sub-committee meetings and would like to see the mixed use , plan D , implemented.

Thank you,  
Cathy Cavanaugh

Sent from my iPad

## Rosemary Balsley

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**From:** Megan Clemens <megan@meganclemens.com>  
**Sent:** Tuesday, June 16, 2020 3:30 PM  
**To:** City Council  
**Subject:** Regarding the downtown library

Dear City Council Members,

I hope you are all doing well during these uncertain and challenging times.

I live in the Seabright neighborhood and go to the farmer's market regularly and I know you are coming up on a decision soon about the library project.

I stand with the Sierra Club Santa Cruz and have the same requests that they do for you. Please hear my voice, as a voice along with many voices who feel the same way:

- Transform Parking Lot 4 public space into a beautiful Commons for all residents and visitors.
- Preserve and enhance the Farmers' Market at its current home on Lot 4.
- Rebuild the library where it is.
- Not increase carbon emissions and car trips by building another garage. We need to confront climate change by taking actions to slow CO2 emissions.
- Save our 10 heritage trees and large public space, reducing pollution and mitigating greenhouse gas emissions.
- Build affordable housing on other nearby city-owned lots, not on Lot 4.
- Be fiscally responsible -- don't take on enormous debt to build an unneeded parking garage during a recession.

Thank you for reading and for taking my voice seriously.

May you be nourished body, mind and soul today and always,

Megan

## Rosemary Balsley

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**From:** Marcia <mgracec@sbcglobal.net>  
**Sent:** Tuesday, June 16, 2020 4:13 PM  
**To:** City Council  
**Subject:** No No No Library/Parking Garage

City Council Members,

Keep the Library where it is!!!  
I have read both sides of this issue and I feel **STRONGLY**  
to **Rebuild** the existing downtown library and create a beautiful  
Downtown Commons area.

Respectfully,  
Marcia Charland

Sent from my iPad

## Rosemary Balsley

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**From:** passerinus@yahoo.com  
**Sent:** Tuesday, June 16, 2020 4:18 PM  
**To:** City Council  
**Subject:** New Library Project

Dear City Council Members,

I ask you to vote for the Jayson reconstruction proposal for the downtown library. However, this is a huge decision that will affect our town forever. It should not be decided by a small handful of people being pulled in all directions. Please consider postponing the decision until a widely-publicized public meeting can occur, possibly at the Civic.

In comparing the reconstruction to the multi-use proposals, the advantages include keeping the library in our civic plaza area, having an outdoor community space, maintaining a single tenant type of occupancy in the library building (instead of the problems with a multi-tenancy building of library, garage, housing, stores), keeping the open space parking lot as a possible commons area, not building a garage that experts (paid by our city) say we don't need and which puts the City into debt. Affordable housing needs to be built but not as a carrot dangled to entice your vote on the library and the garage.

Thank you.

Sincerely,  
Susan Renison  
209 Northrop Pl  
Santa Cruz, CA 95060

## Rosemary Balsley

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**From:** mary odegaard <marytodegaard@gmail.com>  
**Sent:** Wednesday, June 17, 2020 7:37 AM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay “air rights” in order subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

In all Sincerity, Mary Odegaard

## Rosemary Balsley

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**From:** William Hendricks <lliamhendricks@gmail.com>  
**Sent:** Wednesday, June 17, 2020 7:11 AM  
**To:** City Council  
**Subject:** Parking Garage

Please do not build a new parking garage. Please consider positive alternatives such as purchasing exterior lots and providing shuttle services to a walkable and bikeable downtown.

--

-gw

"Be kind, for everyone you meet is carrying a great burden", ian maclaren - circa 1898.

## Rosemary Balsley

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**From:** BARRY GIRSH <barrygirsh@gmail.com>  
**Sent:** Wednesday, June 17, 2020 7:10 AM  
**To:** City Council  
**Subject:** Support rebuilding the library at its present site

Thank you for your support to rebuild the library at its present site. I support making it part of a civic center instead of combining it in a multi-use project. I say YES to reconstruct the library where it is.

Reduce, Reuse, Renew

Sincerely,  
Barry Girsh

--

Barry Girsh, Project Manager/Web Developer  
843.345.7937 (C)  
Skype: barry.girsh  
[barrygirsh@gmail.com](mailto:barrygirsh@gmail.com)  
[www.myvalueadd.com](http://www.myvalueadd.com)

"Without deviation from the norm, progress is not possible" - FZ  
"I have not failed. I've just found 10,000 ways that don't work." -Thomas Edison

## Rosemary Balsley

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**From:** Fabricio Breeze Olsson <alohabreeze@gmail.com>  
**Sent:** Wednesday, June 17, 2020 12:25 AM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
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- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay “air rights” in order to subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Fabricio Olsson  
21 year Santa Cruz resident

NorCal United  
So that more gymnasts have the opportunity to compete in college.  
<https://norcalunitedgymnastics.com/>

NorCal United is a proud founding-member of Gymnastics Association of College Teams  
<https://www.gymact.org/>

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Excuse the brevity. This email is being sent from my handy-dandy cell phone.  
Desculpa eu ser breve. Este email está sendo mandado do meu celular.

## Rosemary Balsley

---

**From:** martha handley <marthahandley@gmail.com>  
**Sent:** Tuesday, June 16, 2020 10:24 PM  
**To:** City Council  
**Subject:** Downtown library / NO PARKING GARAGE !!!

When we voted for Measure S, we were voting for funding to renovate our Downtown Library. We **did not** vote to build a parking garage. We **did not** vote to build a parking garage. We **did not** vote to build a parking garage.

We **did not** vote to build a parking garage. We **did not** vote to build a parking garage.

Please choose to renovate the Downtown Library in its current location. Please **do not** choose to build a parking garage. Please preserve our Farmer's Market current location.

Thank you,  
Martha Handley  
20 year downtown resident

## Rosemary Balsley

---

**From:** martha handley <marthahandley@gmail.com>  
**Sent:** Tuesday, June 16, 2020 9:47 PM  
**To:** City Council  
**Subject:** Keep Downtown Library / NO parking garage

Dear Mayor Cummings and Councilmembers,

**Please choose** the Jayson Architecture option for **reconstruction of the Downtown Library at the Civic Center**, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

**PLEASE, do NOT waste millions of dollars building an unneeded parking garage. Our climate crisis demands that we get people out of their cars.**

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots.
- **Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.**

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!  
Martha Handley  
20 year downtown resident

## Rosemary Balsley

---

**From:** Nita nita <nitahertel@gmail.com>  
**Sent:** Tuesday, June 16, 2020 9:26 PM  
**To:** City Council  
**Subject:** make the library beautiful in place

Dear Council.

I am writing to urge you to go with the broad public sentiment to keep the library where it is and make it modern and lively where it is now. It is in a prime central location and can be renovated in place to meet the needs of the community. We don't need a parking garage and we certainly don't need to dwarf the library in a 6 story building.

There are so many better uses for the farmer's market parking lot than a parking garage. We need a community commons where lots of different cultural and social events can take place, where people can gather for fun, pleasure and entertainment. Thanks for doing the right thing in using measure S funds as they were intended. Please vote to keep the library home.

sincerely,  
Nita Hertel

## **Rosemary Balsley**

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**From:** Elizabeth Cassen <elizabethdiana5@cs.com>  
**Sent:** Tuesday, June 16, 2020 8:58 PM  
**To:** City Council  
**Subject:** Santa Cruz Library Plans

Dear Santa Cruz City Council Members:

I grew up in Santa Cruz, and attended/ graduated from Westlake Elementary, Mission Hill Jr. High, SCHS, Cabrillo College and SJSU. I probably spent several thousand hours in the downtown library growing up reading, researching and writing papers for school.

Regarding future plans for the library facility, I strongly feel that the character of the Church St. neighborhood, should be saved, which includes having City Hall, the Library, and the Civic Auditorium located in close proximity to one another.

I strongly urge you to vote to pursue the Jayson Architecture reconstruction proposal of the downtown library, as it will prove to be less cost to the a City, planning can be implemented immediately, and a modernized and physically beautiful library will be a boost to that area, bringing back many people who have stopped coming downtown to use the Library.

Please also postpone your decision until a real public meeting with social distancing can be held at the Civic Auditorium, that is fully open to the public, so all may be heard.

Thank you kindly,

Elizabeth Cassen

## Rosemary Balsley

---

**From:** Miles Woodward <joemcslugg@gmail.com>  
**Sent:** Tuesday, June 16, 2020 8:17 PM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center!

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

-The Woodwards  
Gularte Apartments

## Rosemary Balsley

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**From:** Amy Harrington <amykrosa@gmail.com>  
**Sent:** Tuesday, June 16, 2020 7:52 PM  
**To:** City Council  
**Subject:** Plan to move the library

I am not in favor of moving the library and building more concrete parking structures. Surely there are other places to put affordable housing then to take away a place that is a gathering place to have outdoor markets and venues. We need the outdoor space... Libraries have been closed and we are going to go to on line streaming and not need so much library space. What happened to all the condos that they constructed in Aptos none of them are low income? What about all the new housing on front where is the low income on those developments? We need low income housing. We have plenty of space along front street, but why are we tearing down a library that just needs updating? You know the project is just going to get more and more expensive. We should be thinking creatively on how to have less cars go downtown and you are promoting more cars. We need open spaces to create business, and a sense of community. I will not vote for taxes in our city if we don't think outside the box and create outdoor venues.

Thank you  
Amy Harrington

## Rosemary Balsley

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**From:** Timmi Pereira <timmipereira@hotmail.com>  
**Sent:** Tuesday, June 16, 2020 6:30 PM  
**To:** City Council  
**Subject:** Library Downtown

Please do not re-locate the library. We did not approve measure S funds in order to be swindled. Please remove all the library in tune with the Jayson proposal. If you would stop allowing developers to “pay off” their obligation for low income housing. It would really help.

Please have integrity in this decision. We are tired of being swept under the rug

Sent from my iPhone

## Rosemary Balsley

---

**From:** Lindabookout516 <lindabookout516@gmail.com>  
**Sent:** Tuesday, June 16, 2020 6:22 PM  
**To:** City Council  
**Subject:** Yes to Downtown Library Reconstruction

Santa Cruz City Council Members:

As a long-time resident of Santa Cruz and a devotee of our Downtown Library, I urge you to keep our library at its present location.

I favor adopting Jayson Architecture's proposal for a rebuilt, renewed downtown library.

I also support preserving and enhancing the Farmers' Market where it is ~ along with creating a Downtown Commons.

I believe that this kind of development suits Santa Cruz and our diverse community ~ far better than a mixed-use project and parking garage.

Please consider the needs of the people of Santa Cruz over the goals of developers.

With appreciation of your efforts on behalf of all residents of Santa Cruz,

Linda Bookout  
(like "take a 'book out'  
of the library")

## Rosemary Balsley

---

**From:** James Weller <jweller@cruzio.com>  
**Sent:** Tuesday, June 16, 2020 5:46 PM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

Don't build a multi-story parking/library structure, with or without affordable housing, on Downtown Parking Lot 4.

I don't oppose development generally. We need new housing in Santa Cruz, particularly affordable units, as urban infill, and in multi-story buildings.

Nevertheless, the value of Lot 4 as open space is greater than its value as a concrete structure. Put aside the appeal of a shiny new library, and parking, and affordable housing; when it comes to Lot 4, none of these compares to its incalculable value as permanent public open space. Lot 4 is one of the last chunks of public land downtown, and the best location for a town commons. It should remain open for everyone to enjoy freely.

Reconstruct the downtown library where it is. There are enough funds to create a very much improved library right there. We don't need to sacrifice precious open space for the sake of a somewhat grander library.

Blessings,

Jim Weller

## Rosemary Balsley

---

**From:** Comcast <baldwin\_janis@comcast.net>  
**Sent:** Wednesday, June 17, 2020 8:17 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. Preserve Parking Lot 4 as the site of a future Downtown Commons and permanent Farmers' Market!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class library will be an important step toward further developing the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots.
- The Downtown Farmers' Market is at its best location and the best location for the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Janis Baldwin  
A Santa Cruz city resident since 1979

Sent from my iPhone  
Please excuse typos.

## **Rosemary Balsley**

---

**From:** Comcast <baldwin\_janis@comcast.net>  
**Sent:** Wednesday, June 17, 2020 8:22 AM  
**To:** City Council  
**Subject:** Rebuild the librarian in its current location

Dear council members,

I moved from Los Angeles to Santa Cruz in 1979. The last thing I want to see is Santa Cruz turn into is a megalith concrete jungle.

One more massive structure downtown, in the last open space, is, in my opinion, the last thing Santa Cruz needs.

I urge you to rebuild the library, and its current location, which is our city civic center!

Janis Baldwin  
116 Market Street  
Santa Cruz 95060

Sent from my iPhone  
Please excuse typos.

## Rosemary Balsley

---

**From:** Kathleen Stratton <kataghaway@gmail.com>  
**Sent:** Wednesday, June 17, 2020 8:32 AM  
**To:** City Council; Me  
**Subject:** Library

Please support the Jayson plan for the library site and leave the footprint at Cathcart and Cedar as is. The proliferation of large block high rise buildings is ruining the ambience and historical perspective of our town.

Kathleen Stratton

721 Bay St.

SC, CA 95060

## **Rosemary Balsley**

---

**From:** Vivian Fenner-Evans <vivianfennerevans@yahoo.com>  
**Sent:** Wednesday, June 17, 2020 8:35 AM  
**To:** City Council  
**Subject:** YES to construct the library it is. NO to mixed use project.

**Thank you for your support to rebuild the library at its present site. We support making it part of a civic center instead of combining it in a multi-use project. We say YES to reconstruct the library where it is. We say, NO to a mixed use project.**

**Vivian Fenner-Evans**

## Rosemary Balsley

---

**From:** Timmi Pereira <timmipereira@hotmail.com>  
**Sent:** Wednesday, June 17, 2020 8:38 AM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay “air rights” in order to subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sent from my iPhone

## **Rosemary Balsley**

---

**From:** Kathleen Stratton <kataghaway@gmail.com>  
**Sent:** Wednesday, June 17, 2020 8:32 AM  
**To:** City Council; Me  
**Subject:** Library

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Kathleen Stratton

721 Bay St.

SC, CA 95060

## **Rosemary Balsley**

---

**From:** Vivian Fenner-Evans <vivianfennerevans@yahoo.com>  
**Sent:** Wednesday, June 17, 2020 8:35 AM  
**To:** City Council  
**Subject:** YES to construct the library it is. NO to mixed use project.

**Thank you for your support to rebuild the library at its present site. We support making it part of a civic center instead of combining it in a multi-use project. We say YES to reconstruct the library where it is. We say, NO to a mixed use project.**

**Vivian Fenner-Evans**

## Rosemary Balsley

---

**From:** Timmi Pereira <timmipereira@hotmail.com>  
**Sent:** Wednesday, June 17, 2020 8:38 AM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

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- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sent from my iPhone

## Rosemary Balsley

---

**From:** Valerie Morgan <vjgandrcm@cruzio.com>  
**Sent:** Wednesday, June 17, 2020 9:07 AM  
**To:** Justin Cummings; Donna Meyers; Sandy Brown  
**Cc:** Amanda Rotella; City Council  
**Subject:** [CAUTION: Verify Sender Before Opening!] rebuild the library; black pall cast over the Lot 4 project  
**Attachments:** Stephen Kessler \_ Cynthia Mathews%u2019 art of the backdoor deal – Santa Cruz Sentinel.pdf; Mathews' quid pro quo email.docx

Dear Mayor Cummings and Council Members Meyers and Brown,

I've been engaged in the Library projects since voting yes on Measure S four years ago. I voted for the Measure S based on The Library Master Facilities Plan and continue to support the rebuild of our current Library at its current location at Civic Center. We can revitalize the Civic Center and rebuild our Library to the standards we all want. This new Civic Center--a renovated Civic Auditorium, a reconstructed new library and our civic government's home. We will create a Civic Plaza.

My sons attend SCHS. We often have met on the second floor youth area when they've been completing homework, or just hanging out on the computers. I'm frequent user of the Library and and have attended community meetings upstairs. I look forward to it opening again. .

In this context, I read Stephen Kessler's column today in the Sentinel, \_\_\_\_\_ (6/17) and am deeply disappointed to learn that Cynthia Mathews', who owns property across the street from the proposed Lot 4 project, has been the driving force behind the effort to build the proposed project on Lot 4. Her blatant overtures to the director of the Downtown Association are unethical and cast a black pall over the entire effort to push this project through. Her behavior smacks of overwhelming hubris and deeply undermines the trust of the community.

This morning I researched the Ms. Mathews' email on the Downtown Library Subcommittee's website. It is evidence that her actions since the inception of the concept have intimidated a quid pro quo. Her unwavering commitment to the group she has formed, Downtown Forward, implicates all the groups who have signed onto her agenda. It also calls into question staff ethical behavior. For both, Ms. Mathew's pressure begs the question: what was offered to them as allegiance to her cause? Or what was implied if they didn't get on her side. It is, frankly, an outrageous effort to void the desire of residents who voted for Measure S and exemplifies an all out push to override our wishes. I have attached both Stephen Kessler's op-ed and Ms. Mathews' email to

I ask the Council to postpone any decision on moving ahead with this tainted proposal until an investigation has uncovered just how insidious Ms. Mathews' work has been to foist her ambitions onto the public.

I ask the council to fully vet and shine light on statements by staff about the financing of housing, the ratio of market rate to affordable units and the data-based rationale for the inclusion of a 400-car garage. All staff statements are now suspect.

We need to trust our representatives. Ms. Mathews' efforts, her tentacles reaching through Downtown Forward and staff integrity, are an affront to a transparent, honest democratic process.

Sincerely,

Valerie Girsh

# Stephen Kessler | Cynthia Mathews' art of the backdoor deal

By [STEPHEN KESSLER](#) | Santa Cruz Sentinel

June 17, 2020 at 5:00 a.m.

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As you know if you've been following the epic saga of the Taj Garage—the proposed mixed-use parking-library (and belatedly added “affordable housing”) complex on Lot 4 in downtown Santa Cruz—Councilwoman Cynthia Mathews, due to her conflict of interest as an owner of property adjacent to the site, is recused from voting on this item that will soon be before the council.

This hasn't kept Mathews from launching, directing and sustaining an all-out lobbying campaign to build her project in the face of significant popular opposition. How she reconciles or rationalizes this ethical, if not legal, contradiction may be her personal business, but as the city's most veteran and powerful elected official, pretty much anything and everything she does has public and political implications.

That's why I've been watching with astonishment and dismay the gross corruption of the city's decision-making process by her behind-the-scenes machinations. Awhile ago she founded a front organization called Downtown Forward which recruited an impressive assortment of "stakeholders" to publicly support the Taj Garage as the only way for the city to gain a "21st-century library," which is the bait for public approval of an otherwise unsightly and unneeded garage.

As far as I know, Downtown Forward has done nothing but put up a very slick and expensive website since its unveiling at a "press conference" more than a year ago—a press conference at which no questions were taken and where Mathews, the group's primary organizer, never took the microphone. She has been hard at work since then throwing her political weight around attempting to cajole a critical mass of local citizens and businesspeople to get with her program and vocally advocate for her mixed-use garage.

With the deadline approaching for the city council's decision on this issue, the recused and conflicted councilwoman's lobbying campaign has gone into overdrive as public opinion appears to be trending against her desired outcome. She recently sent an email to the executive director of the Downtown Association, a group of businesses distinct from the chamber of commerce, asking for what she calls in her subject line "A big favor."

In her email, sent from her personal not her city council address, Mathews writes, "...we are facing an imminent decision point for the DT library/housing/parking project and we would really appreciate getting a letter from the DTA affirming its support... Justin [SC Mayor Justin Cummings] is the key." Who exactly the plural "we" refers to is unclear. Is it the royal "we," the council "we"—or should it have been more truthfully the singular Mathews "I"? The blatant if indirect attempt to manipulate the mayor's vote is one of the creepiest things about this troubling message.

Regardless of where it was sent from, can anyone in this town think of Mathews as anything but its most shrewd and influential politician? Can any businessperson openly oppose her without wondering how it might affect future council decisions on other matters? If former council members Drew Glover and Chris Krohn could be recalled for openly offensive behavior, surely Mathews' shameless and shadowy arm-twisting is a far more serious breach of public trust. The "favor" President Trump requested of the president of Ukraine was enough to get him impeached. No doubt Mathews would declare, as the president did, "no quid pro quo," but appearances matter.

In her email to the DTA, Mathews goes on to offer talking points to its members for letters they should write to the council. Why she doesn't just offer to compose the letters herself and have them sign under her words—a tactic she has been known to deploy in the past—you'll have to ask her. But if this is not corruption, I don't know what is. It may not be a smoking gun, but it's a stinking pile of political excrement.

Mathews owes the community an apology for her sleazy backroom behavior and should immediately resign her seat on the city council.

*Stephen Kessler's column runs on Wednesdays and Saturdays.*



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By Upbeat News

**upbeat**

What this couple found during renovation on their old home they never could have prepared for...



**Stephen  
Kessler |  
Columnist**

**From:** Abra Allan <[director@downtownsanacruz.com](mailto:director@downtownsanacruz.com)>

**Sent:** Tuesday, June 9, 2020 10:09 AM

**To:** Patrice Boyle <[patrice@soifwine.com](mailto:patrice@soifwine.com)>; Stuyvesant Bearns <[stuyvie@lupulosc.com](mailto:stuyvie@lupulosc.com)> **Subject:** Fwd: A big favor

Hi Patrice and Stuyvie,

I thought I would start with you on this inquiry being that the two of you had the strongest feelings in opposition to the library project on the board.

Cynthia Mathews is asking me to write a letter on behalf of the downtown Association in support of the project. The project was technically endorsed by the DTA with some criteria. So, I'm trying to just get a sense of how to come at this right now.

Why don't the two of you review the email and the points that she brought and tell me your thoughts and your suggested path forward here?

----- Forwarded message -----

**From:** Cynthia Mathews <[mathews@cruzio.com](mailto:mathews@cruzio.com)> **Date:** Wed, Jun 3, 2020 at 3:56 PM

**Subject:** A big favor

**To:** Abra Allan <[director@downtownsanacruz.com](mailto:director@downtownsanacruz.com)>

I know you're swamped, but we are facing an imminent decision point for the DT Library/Housing/Parking project, and we would really appreciate getting a letter from the DTA affirming its support. The subcommittee will meet on June 12 to discuss its recommendation (meeting not open to the public), and the item will most likely be on the council's agenda on June 23. Ideally the letter could get to subcommittee members prior to the 12th. Justin is the key.

Could you do this?

Here are some possible points to make, any of which would work for downtown. The main thing is to say that the DTA is on the record supporting this approach. Give some numbers: # of business members in the DTA; # of employees DT, whatever seems to make the case.

**The project is a unique opportunity that will support the recovery and continued vitality of downtown far into the future.**

#### **Adequate parking**

- Existing surface lots are being supplanted with infill development: **parking is disappearing and new demand being created**
- We have a highly successful Transportation Demand Management program for downtown workers ("Go Santa Cruz",) but 50% of downtown workers commute from south of Aptos; **alternative programs alone are not sufficient**
- Visitors are an essential part of downtown vitality: retail, restaurant and entertainment. The vast majority of visitors to Santa Cruz come from Northern California within a 2-hour drive time. They need adequate facilities to park and then enjoy downtown on foot.

A new 21st Century library will be a **destination and source of civic pride**, serving the entire community. (Quote Chip's observation in Boulder?)

The project **will add 60-120 affordable units**, which are desperately needed to meet community housing demand, and will strengthen downtown. The city already has multiple qualified affordable housing developers who are eager to be a partner in this project. A large percentage of downtown workers are low-wage service workers who could benefit from this housing.

**Mixed use projects are the trend for successful downtowns:** cost-effective partnerships that reinforce the synergy of commerce, lifestyle, housing, civic and community functions, with adequate infrastructure for all.

Anyway, there you have it. Please let me know if this something you can do.

I will be also asking downtown business people who are personally supportive — additional names welcome.

Thanks Cynthia

## Rosemary Balsley

---

**From:** Nadene Thorne <nadenetd@yahoo.com>  
**Sent:** Wednesday, June 17, 2020 9:25 AM  
**To:** City Council  
**Subject:** Library

I am strongly in favor of keeping the library right where it is and making the improvements that can be made in that location. The notion of a "mixed use" building on the Farmer's Market lot will create an eyesore and an expensive behemoth that destroys the ethos of downtown Santa Cruz. To attempt to combine a 6-story parking garage (a BIG backward move as far as climate change and the city's stated community goals go) with affordable housing (how long with those units remain affordable?) is a fast way to take a bad idea and combine it with other bad ideas, achieving the worst of the worst alternatives.

Further, I agree with Steve Kessler's views of Cynthia Matthews' politicking for this building; she should desist immediately and, more than recuse herself from the vote, should resign from the council - if what she's doing isn't illegal, it's certainly unethical.

Nadene Thorne  
140 Averitt St.  
Santa Cruz 95060  
907-590-7996

## Rosemary Balsley

---

**From:** Christine Barrington <yinwisdom@gmail.com>  
**Sent:** Wednesday, June 17, 2020 9:19 AM  
**To:** City Council  
**Subject:** The Recent Library/Parking Lot Decision

Dear Santa Cruz City Council:

I was disheartened to hear the recent unanimous recommendation by The Library Subcommittee to go forward with Group 4's Mixed-Use proposal for the Santa Cruz Public Library.

I respectfully ask that the Santa Cruz City Council **not approve** the Mixed-Use project and instead vote to pursue the Jayson Architecture reconstruction proposal of the downtown library -- because it will cost the City less, planning can be implemented immediately, and it will provide a modernized and beautiful library for everyone!

Additionally, please postpone your decision until a **real** public meeting at the Civic Auditorium with social distancing that is **truly** open to the public can be arranged. This is a huge decision and the voice of the public matters greatly on this issue.

It is estimated that Santa Cruz will need to spend hundreds of million of dollars to deal with sea rise due to climate change in the relatively near future (between 2030-2040). An 80-million dollar mixed use parking garage facility is truly the last financial priority for this city.

Thank you for your consideration.

Sincerely,  
Christine Barrington

## Rosemary Balsley

---

**From:** Wally Motloch <goldrushwally@gmail.com>  
**Sent:** Wednesday, June 17, 2020 9:24 AM  
**To:** City Council  
**Subject:** Library

Scrap this project!

After Corona, money is needed for better things.

People do NOT read books or go to the library- this is computer age!

Will not need parking for working or shopping from home.

Thank you

Wally Motloch

## Rosemary Balsley

---

**From:** Susan Cavalieri <susanwcavalieri@gmail.com>  
**Sent:** Wednesday, June 17, 2020 9:29 AM  
**To:** City Council  
**Subject:** library

I am so depressed and sickened by the subcommittee decision to promote the library/garage complex. Please tell me how we save our children as the climate heats beyond repair and poor communities of color suffer? Please tell me how we will have a sustainable food system as drought and salt water intrusion destroy farmland? Please tell me how we stop pipelines now destroying Indigenous Communities when we support fossil fuel use with driving? Please tell me how the City is complying with the Climate Emergency Resolution and Health in all Policies when supporting vehicle congestion, air pollution and removal of large trees which cleanse the air and absorb carbon dioxide? Please tell me how to promote democracy in Santa Cruz when our voices raised to limit ecological devastation have no meaning?

We need a new City Council with a vision for the next decade as we all fight for survival. The 20th century has ended and led us to the Sixth Extinction. What is your plan for the 21st century? Will it be more of the same policies? That seems to be the direction in which you are headed.

Please change that direction and vote for Library Option B.  
Susan Cavalieri

## Rosemary Balsley

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**From:** Rene Belling <bellingr@santacruzpl.org>  
**Sent:** Wednesday, June 17, 2020 10:19 AM  
**To:** City Council  
**Subject:** Library Rebuilt at Lot 4

Dear Mayor and Councilmembers:

For the amount of money the Library has to spend on getting a new and current library, the only way to do it is to rebuild the library with the attached parking garage and affordable housing above.

Building new, ensures that all of the old structural problems in the current building are dealt with, and not having pipes breaking weekly or having to lay new electrical wires everytime the library updates their hardware.

Also, we do need parking Downtown. Do you really think people are going to come Downtown to shop if they have to catch a bus to do so? If you have to park somewhere else and catch shuttles to the Downtown area to shop, eat, catch a movie, or even just stroll around, they probably will not. Parents with kids/infants would rather be somewhere near their car. Shopping, you want to be able to go to your car and drop off bags of bought items, not carry them around all day, and then struggle to deal with them on a shuttle getting back to your car.

Families are not going to want to take a shuttle with all the kids to come Downtown to eat or go to a movie, and then after dark, they have to wait for a shuttle with sleepy kids to get back to their car and then drive home. Adds too much time and they will want to go somewhere where they can get in their car and leave right after eating. They will need to get the kids ready for and into bed before it gets too late.

And tourists are not going to want to find parking, then a shuttle, and then have to walk around sightseeing and shopping without being able to go to their cars.

Getting rid of parking in Downtown Santa Cruz is a good way to kill Downtown Santa Cruz and push all money transactions to Aptos, Soquel, Scotts Valley and farther out.

A concerned citizen

## **Rosemary Balsley**

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**From:** foosbeal <foosbeal@aol.com>  
**Sent:** Wednesday, June 17, 2020 10:57 AM  
**To:** City Council  
**Subject:** library plans

since we are under such duress with covid and blm, as well as the duress of intractable politicking, it seems most prudent to calm the library issue down and take it up later. i am one of the people who is an active library user--and under non covid times go in at least once a week. an underground seems so ridiculous... for a cultural institution...and elevate parking above all else? what about the parking being underground if you must do this!

sincerely and calmly,  
tandy beal

## Rosemary Balsley

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**From:** Aldo Giacchino <agsantacruz@sbcglobal.net>  
**Sent:** Wednesday, June 17, 2020 11:10 AM  
**To:** City Council  
**Subject:** Against Library in a Garage

Dear Council members:

It has become eminently clear that the library-in-a-garage idea is just a Cynthia Mathew's vanity project. There is no public good that would come from it. We don't need more parking, there is enough already. We don't need to destroy the farmers' market just to benefit Cynthia Mathew's property values. The proposed alternate sites for the farmers' market are patently less adequate and less attractive than its present site.

The existing library site is a perfect location for this activity and the proposed rebuild of the existing library is more than sufficient for Santa Cruz, especially considering that with digitalization the need to collect paper books in a central library will inexorably decline.

Aldo Giacchino  
1005 Pelton Avenue  
Santa Cruz, CA 95060

## Rosemary Balsley

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**From:** John - Linda Brown <brown1978@msn.com>  
**Sent:** Wednesday, June 17, 2020 11:25 AM  
**To:** City Council  
**Subject:** Library

Please do not approve the Mixed-Use project yet - please allow for a public meeting in August where we citizens can again plead the case for your accepting Jayson Architecture's reconstruction proposal at the current site.

Reconstruction/remodeling at the current uses the Measure S money as the voters intended. Building a huge new mixed-use building was NOT what the voters thought their money would go for!

We do not need another parking garage downtown as earlier studies already proved. With the Covid-19 causing our national economy turning down sharply, now, fewer customers will be shopping downtown for quite a while. IA new parking garage is simply not needed.

The mixed-use option also displaces the farmer's market and antique shows.

The promise of low-income housing is not really as low as needed for the truly needy; nor is the promise sure, as rumors are the price may eventually be higher to order to "make more money" for the city.

**Please vote NO on the Mixed-Use choice.**

Linda & John Brown

1190 7th Ave. #11

Santa Cruz CA 95062

## Rosemary Balsley

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**From:** Gabe Carr <gabecarr27@gmail.com>  
**Sent:** Wednesday, June 17, 2020 11:39 AM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay “air rights” in order to subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Cynthia Copple <cynthiacopple108@gmail.com>  
**Sent:** Wednesday, June 17, 2020 11:41 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay “air rights” in order subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!



Cynthia Copple Ayurvedic Doctor (NAMA)  
Master Ayurvedic Author/Teacher/Mentor  
Director, Lotus Holistic Health Institute  
831-566-0735  
[www.lotusayurveda.com](http://www.lotusayurveda.com)

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A square box containing a handwritten signature in cursive script that reads "Cynthia".

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[www.lotusayurveda.com](http://www.lotusayurveda.com)

## Rosemary Balsley

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**From:** Suzanne Drysdale <sfdrysdale@gmail.com>  
**Sent:** Wednesday, June 17, 2020 11:51 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Council Members,

As a former resident of downtown Santa Cruz and now a resident of Scotts Valley (only because we couldn't find anything for under a million in SC when we purchased!) who still frequents downtown SC multiple times weekly, I would like you to consider the Jayson Architecture option as the only viable solution for all the reasons listed below.

Thank you for your service!

Suzanne Drysdale  
603-828-6619

Don't it always seem to go, That you don't know what you've got 'til it's gone? They paved paradise And put up a parking lot -- Joni Mitchell Dear Mayor and Councilmembers: Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons! • Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center. • Parking demand does not justify building an economically risky parking garage. • Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that that each unit in a mixed-use project pay "air rights" in order subsidize the library's construction budget. • Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons. For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent%

--

Suzanne Drysdale  
(603-828-6619)

## Rosemary Balsley

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**From:** dantan@baymoon.com  
**Sent:** Wednesday, June 17, 2020 11:59 AM  
**To:** Amanda Rotella  
**Cc:** City Council  
**Subject:** Downtown Santa Cruz Public Library

I appreciate this opportunity to comment on the plans for our Santa Cruz Public Library.

Please do not betray the voters' trust by combining the library with a garage. We did not vote to fund a garage/library combination in Measure S and doing so will erode confidence in future city ballot measures.

Keep our library at its current location where it has stood historically as a vital institution of knowledge for all and a symbol of our civic pride. Repair and add on to the existing building as intended originally; consider changing the entrance to face our lovely City Hall garden to enhance the feel of a unified civic center area at Center and Church Streets.

The Jayson design looks cheap and out of context with City Hall and our other nearby civic buildings. As mentioned by Ross Gibson in his recent article, it is more of a "clubhouse" instead of a true library for collections and quiet study\*.

A recent Sentinel article stated that Main Branch Manager James Lee said it was a shame that the subcommittee's concerns were veering away from the core issue of a library facility and that other issues were overshadowing that priority\*\*.

I agree. The city has used too many resources trying to manipulate the will of the voters for the library into serving other city objectives. Please return to the basics of Measure S, which are to repair and upgrade our existing downtown library building.

Thank you.  
Isabelle Scott  
418 Sumner Street  
Santa Cruz

\*Santa Cruz's once and future library by Ross Eric Gibson, Santa Cruz Sentinel, June 14, 2020

\*\*Santa Cruz committee hears final downtown library project cost comparisons by Jessica A. York, Santa Cruz Sentinel, June 3, 2020

**From:** Steve Lustgarden <slustgarden@gmail.com>  
**Sent:** Wednesday, June 17, 2020 12:10 PM  
**To:** City Council  
**Subject:** Parking Garage? Cynthia Mathews should resign

## **Stephen Kessler | Cynthia Mathews’ art of the backdoor deal**

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By [STEPHEN KESSLER](#) | Santa Cruz Sentinel  
June 17, 2020 at 5:00 a.m.

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As you know if you’ve been following the epic saga of the Taj Garage—the proposed mixed-use parking-library (and belatedly added “affordable housing”) complex on Lot 4 in downtown Santa Cruz—Councilwoman Cynthia Mathews, due to her conflict of interest as an owner of property adjacent to the site, is recused from voting on this item that will soon be before the council.

This hasn’t kept Mathews from launching, directing and sustaining an all-out lobbying campaign to build her project in the face of significant popular opposition. How she reconciles or rationalizes this ethical, if not legal, contradiction may be her personal business, but as the city’s most veteran and powerful elected official, pretty much anything and everything she does has public and political implications.

That’s why I’ve been watching with astonishment and dismay the gross corruption of the city’s decision-making process by her behind-the-scenes machinations. Awhile ago she founded a front organization called Downtown Forward which recruited an impressive assortment of “stakeholders” to publicly support the Taj Garage as the only way for the city to gain a “21st-century library,” which is the bait for public approval of an otherwise unsightly and unneeded garage.

As far as I know, Downtown Forward has done nothing but put up a very slick and expensive website since its unveiling at a “press conference” more than a year ago—a press conference at which no questions were taken and where Mathews, the group’s primary organizer, never took the microphone. She has been hard at work since then throwing her political weight around attempting to cajole a critical mass of local citizens and businesspeople to get with her program and vocally advocate for her mixed-use garage.

With the deadline approaching for the city council's decision on this issue, the recused and conflicted councilwoman's lobbying campaign has gone into overdrive as public opinion appears to be trending against her desired outcome. She recently sent an email to the executive director of the Downtown Association, a group of businesses distinct from the chamber of commerce, asking for what she calls in her subject line "A big favor."

In her email, sent from her personal not her city council address, Mathews writes, "...we are facing an imminent decision point for the DT library/housing/parking project and we would really appreciate getting a letter from the DTA affirming its support...Justin [SC Mayor Justin Cummings] is the key." Who exactly the plural "we" refers to is unclear. Is it the royal "we," the council "we"—or should it have been more truthfully the singular Mathews "I"? The blatant if indirect attempt to manipulate the mayor's vote is one of the creepiest things about this troubling message.

Regardless of where it was sent from, can anyone in this town think of Mathews as anything but its most shrewd and influential politician? Can any businessperson openly oppose her without wondering how it might affect future council decisions on other matters? If former council members Drew Glover and Chris Krohn could be recalled for openly offensive behavior, surely Mathews' shameless and shadowy arm-twisting is a far more serious breach of public trust. The "favor" President Trump requested of the president of Ukraine was enough to get him impeached. No doubt Mathews would declare, as the president did, "no quid pro quo," but appearances matter.

In her email to the DTA, Mathews goes on to offer talking points to its members for letters they should write to the council. Why she doesn't just offer to compose the letters herself and have them sign under her words—a tactic she has been known to deploy in the past—you'll have to ask her. But if this is not corruption, I don't know what is. It may not be a smoking gun, but it's a stinking pile of political excrement.

Mathews owes the community an apology for her sleazy backroom behavior and should immediately resign her seat on the city council.



Virus-free. [www.avg.com](http://www.avg.com)

## Rosemary Balsley

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**From:** Leah Laddon <leah.svete@gmail.com>  
**Sent:** Wednesday, June 17, 2020 12:22 PM  
**To:** City Council

Dear Mayor Cummings and City Council Members,

Please exercise your responsibility to receive Nelson\Nygaard's Downtown Parking Strategic Plan before making any decision on new parking construction Downtown. I expect our elected representatives to consider expert advice before making a large investment of public dollars. The public trust is at stake.

Thank you,  
Leah Laddon

To whom it may concern:

I have lived in Santa Cruz for more than a decade and would be devastated were the city to go through with building a new parking garage and library on the spot of the farmers market. Please please do not do so!  
Leah

## **Rosemary Balsley**

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**From:** Ringler <sring@cruzio.com>  
**Sent:** Wednesday, June 17, 2020 12:50 PM  
**To:** City Council  
**Subject:** Why do we need a big old parking library?

Dear Mayor Cummings and City Council Members,

Please exercise your responsibility to receive Nelson\Nygaard's Downtown Parking Strategic Plan before making any decision on new parking construction Downtown. I expect our elected representatives to consider expert advice before making a large investment of public dollars. Do we really have the money to spend on this dinosaur now? The public trust is at stake.

Thank you,

Sarah Ringler  
357 Park Way  
Santa Cruz, ca

## Rosemary Balsley

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**From:** Kristin Enersen HOYE <kehbear@berkeley.edu>  
**Sent:** Wednesday, June 17, 2020 12:50 PM  
**To:** City Council  
**Subject:** Renovate library where it is!

Dear City Council,

I am yelling at you now to say NO! to the moving of the library, the moving of the Farmers Market and the construction of a mixed use parking monstrosity as proposed.

I like to think of Santa Cruz as a progressive city, but this project proposal is a product of backward thinking.

We are in a recession which very well may become a depression before we finally recover. We must not let developers get us into fiscal trouble. It is going to be bad enough without taking on an ill-conceived project and risking fiscal insolvency. The developers are looking out for their own interests, natural enough, but their interests are not the interests of our city. You must resist their pressure.

Remember global warming? Does climate change sound familiar? That will still be with us, more than ever, once we are finished with the coronavirus. Everything we do now must be towards building a sustainable future. No exceptions!

I support a Downtown Commons and a walkable downtown. I have long supported no cars on the Pacific Avenue Mall. I would love to see that. Look at the numerous cities of Europe which have pedestrian-only areas downtown. These are thriving centers of economic activity. Let us drop our addiction to exhaust and traffic noise.

Put the irresponsible project idea up for a vote by the citizenry. I doubt it has a chance.

Or just say no to the proposal now. Say no! Instead, adopt Jayson Architecture's proposal which sounds really good.

Sincerely,

Kristin Hoye  
Santa Cruz

## Rosemary Balsley

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**From:** Sue Harless <suegunhar@gmail.com>  
**Sent:** Wednesday, June 17, 2020 12:51 PM  
**To:** City Council  
**Subject:** Issues

dear city council...

**I am NOT in favor of the following issues you have before you.**

- Building a 400-car parking garage downtown where the Farmers' Market is located.
- Expanding unneeded parking inventory, doubling down on carbon emissions and congestion.
- Moving the Farmers' Market on Parking Lot [4 to Front Street](#).
- **Destroying Lot 4 public space and its 10 heritage trees, including decades-old magnolias.**
- Replacing our public space with a \$100 million-dollar development: a garage, a library and an unspecified number of market rate housing and some affordable units.
- Financing the project in unpredictable economic times, risking fiscal insolvency -- tax payers will be on the hook if monthly revenue debt on the garage is not met.

PLEASE BE MINDFUL OF YOUR DECISION ON THE FUTURE OF SANTA CRUZ.

SINCERELY,  
Susan Harless

## Rosemary Balsley

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**From:** Alice Lopez <enna.lopez@yahoo.com>  
**Sent:** Wednesday, June 17, 2020 1:07 PM  
**To:** City Council  
**Subject:** Parking Garage

Please carefully consider the downtown library/parking garage. This is not an effective use of the property. I lived in a city that tried it and soon found myself having to find another library to use. Let's look for options at the current location to maintain the heart of the city.

Sincerely,  
Alice Lopez

Sent from my iPad

## Rosemary Balsley

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**From:** Erica Aitken <ericaitken@me.com>  
**Sent:** Wednesday, June 17, 2020 1:09 PM  
**To:** City Council  
**Subject:** Library/Garage

City Council members

I urge you to ignore the recommendation of some of your members to go ahead with the plan to demolish our existing library and replace it by a monstrous structure right in the middle of town, a library dwarfed by parking that nobody needs unless you are planning further development that we don't know about.

It has become very clear that this is not a decision that will benefit our community but only a few of which I suspect some of you are part.

The community needs a town that cares about its inhabitants. We want to be able to afford rents and to have jobs. We don't need hotels, horrible towers of parking, condos built to give Silicon Valley a second residence. We don't want to be Palo Alto by the Sea.

Please listen to the community and do not approve this project. Time to show some integrity.

Erica Aitken  
831 325 1854  
Santa Cruz.

## Rosemary Balsley

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**From:** Alice Lopez <enna.lopez@yahoo.com>  
**Sent:** Wednesday, June 17, 2020 1:12 PM  
**To:** City Council  
**Subject:** Library

Please consider all available information before making a decision on the parking structure. We need to look at creative options that do not encourage cars. Times are changing and by the time this structure is finished it will be outdated.

Thank you,  
Sharyn Enna

Sent from my iPad

## Rosemary Balsley

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**From:** Shelley Hatch <scghia@gmail.com>  
**Sent:** Wednesday, June 17, 2020 1:21 PM  
**To:** Justin Cummings; dmyers@cityofsantacruz.com; Sandy Brown; Renee Golder; Martine Watkins; Katherine Beiers; City Council  
**Subject:** Fwd: Measure S

I voted Yes to the upgrades for our libraries , based on the statements in Measure S, Had more thorough and complete research been done before S was prematurely placed on the ballot, we would not still be debating garage or no garage. That information would have been in the text had the financials been properly and fully researched. If the text of Measure S had suggested a garage/library for the downtown location, it would mean that the in depth financial assessment necessary had been completed . Obviously, this was never accomplished before the plan was put on the ballot . The plan quickly changed after citizens gave their approval to the originally stated plans. Not 1 person in the entire county was given the opportunity to vote for or against a library/garage ,so why is it being considered as a part of Measure S, when it never was presented as such in any of the verbal or written outreach to residents.

This bait and switch tactic after the vote is an insult to voters who seriously weigh issues and facts put before them. But not enough research had been done so the true facts weren't given to voters The results of Measure S were then hijacked and repackaged into a new plan that none of us have been given the chance to vote on. Deceiving voters with poor research and inaccurate information is unfair and is what created this problem .If this was thought to be important enough to bring to a vote of the entire county, why hasn't the new version been brought to the voters for their approval ? Deceiving voters with poor research , resulting in incomplete financial information should not be rewarded, but should be remedied. . Why would Santa Cruz voters ever again trust that ballot statements are based on complete information ? I hope the council will not be complicit in passing a plan that is a virtual bait and switch to their voters. Garage was never a concept that was mentioned or written about in the time the city and county were selling the library upgrades to us. I hope you will support our county voters who supported the library upgrades as presented to us in many venues before the election and in the ballot text.

Knowing that not one person in the county voted Yes or No on a parking garage/library combination, I hope you will honor our votes by not ignoring our votes I find it hard to understand how any council member can justify a Yes vote on a bait and switch of this proportion

Shelley Hatch

## Rosemary Balsley

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**From:** Paul Franklin <paul@paulfranklin.us>  
**Sent:** Wednesday, June 17, 2020 1:44 PM  
**To:** City Council  
**Subject:** Parking structure

Dear Mayor Cummings and City Council Members,

Please exercise your considered and complete due diligence, something that was substantially lacking in the process used by the library committee.

Please demand to receive Nelson\Nygaard's Downtown Parking Strategic Plan. Please demand sufficient time to review the study, individually and as a group. Please pay the consultants to come before the Council to answer all questions about the study and its conclusions. Please schedule that Council meeting in the Civic Auditorium so that all interested city residents may attend and participate.

Only then decide whether to place the new parking construction issue onto the agenda.

Please audit the numbers using outside independent auditors - the fees will never recoup the cost for another downtown parking garage. This was true before the COVID lockdown and is now MUCH MORE true. Society has been fundamentally changed. It has never been more clear that many workers can work from home. The increased parking fees necessary to pay for the garage will motivate a lot of workers who must commute to do so by other means. The electric bike and scooter revolution is in full swing.

And be sure that the construction and maintenance costs include the significantly increased costs for a library on the ground floor in a FEMA-designated tsunami zone, right next to a river levy recently decertified by the Army Corps of Engineers as capable of withstanding a 100-year flood.

If this project is actually a foundational move to expand City Hall's footprint onto a recently-vacated library, and / or to provide parking for planned downtown housing, please be transparent about this.

As elected representatives, you must carefully and completely consider expert advice, WHICH YOU PAID FOR, before making a large investment of public dollars.

The public trust is at stake. Your legacy is at risk by approval of a parking project that will decimate available funding for basic services and potentially result in the city filing for bankruptcy protection.

If you lack the courage to vote no, then vote to put the issue before the voters.

Thank you,

Paul Franklin

## Rosemary Balsley

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**From:** Leslie Andrews <lesliea@cruzio.com>  
**Sent:** Wednesday, June 17, 2020 1:56 PM  
**To:** City Council  
**Subject:** Library parking structure

Here is what I'm not in favor of and cannot support:

- Building a 400-car parking garage downtown where the Farmers' Market is located.
- Expanding unneeded parking inventory, doubling down on carbon emissions and congestion.
- Moving the Farmers' Market on Parking Lot 4 to Front Street.
- Destroying Lot 4 public space and its 10 heritage trees, including decades-old magnolias.
- Replacing our public space with a \$100 million-dollar development: a garage, a library and an unspecified number of market rate housing and some affordable units.
- Financing the project in unpredictable economic times, risking fiscal insolvency -- tax payers will be on the hook if monthly revenue debt on the garage is not met.

Here is what I can support:

- Transform Parking Lot 4 public space into a beautiful Commons for all residents and visitors.
- Preserve and enhance the Farmers' Market at its current home on Lot 4.
- Rebuild the library where it is.
- Not increase carbon emissions and car trips by building another garage. We need to confront climate change by taking actions to slow CO2 emissions.
- Save our 10 heritage trees and large public space, reducing pollution and mitigating greenhouse gas emissions.
- Build affordable housing on other nearby city-owned lots, not on Lot 4.
- Be fiscally responsible -- don't take on enormous debt to build an unneeded parking garage during a recession.

Thank you for reading this email.

Leslie Andrews  
905 3rd street  
SC, 95060  
[lesliea@cruzio.com](mailto:lesliea@cruzio.com)  
831-588-6676

Thoughts come and go but don't serve them tea.

## Rosemary Balsley

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**From:** leonie sherman <compositos@hotmail.com>  
**Sent:** Wednesday, June 17, 2020 2:13 PM  
**To:** City Council  
**Subject:** Please do not approve the parking garage/housing development on Tuesday

Hi City Council members,

I hope you are staying healthy, safe and sane during these uncertain times. Thank you so much for continuing to govern with compassion and creativity.

As we struggle to come to terms with a rapidly changing world, one thing has become clear: don't make any big moves until things have settled. This holds true for our personal lives and even more so for big infrastructure decisions by government. Now is not the time to commit millions of dollars to building a controversial structure for which we many never be able to recoup the costs.

We are living in a world none of us could have imagined 3 months ago. A six story parking garage in the heart of downtown was a bad idea then, it is a colossally terrible idea now. California is entering what may be the worst depression of our lifetime. Dozens of businesses will close downtown. More people than ever can work from home and do not need to drive to work. People are eager to get out and get exercise so bikes and scooters will become more popular.

Even without the parking garage, building a six story structure In the heart of downtown is a bad idea right now. We have no way of knowing how covid will impact the population of our town, or the numbers of people who want to and can afford to live here. Please kick this can a little further down the road so you can allow plenty of time to see how covid will impact our local economy and hear from people who clearly do not want this structure to go up.

I've been attending meetings about this for several years now. At every meeting I have been to there is an overwhelming majority of attendees who do not want to structure built. It's starting to feel like you don't listen to People or maybe county on the pandemic to keep them home so you don't need to consider their input. Please back off on approving this, and allow more time to see how the situation evolves and get more feedback from the people who will be impacted by this colossal ugly building right in the heart of downtown.

Thank you!  
Leonie

When you count your blessings they multiply

## **Rosemary Balsley**

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**From:** Mary Carvalho <marycarvalho@gmail.com>  
**Sent:** Wednesday, June 17, 2020 3:42 PM  
**To:** City Council  
**Subject:** Yes on the Multi-Use Library!!!

Dear City Council.

Please approve and fast-track the Multi-Use Downtown Library project!

Thank you.

Mary E Carvalho  
129 Los Altos Ct.  
Santa Cruz, C 95060  
[marycarvalho@gmail.com](mailto:marycarvalho@gmail.com)

## **Rosemary Balsley**

---

**From:** Andy Carman <rokamon@baymoon.com>  
**Sent:** Wednesday, June 17, 2020 4:13 PM  
**To:** City Council  
**Subject:** Library

Dear Mayor Cummings and City Council Members,

Please exercise your responsibility to receive Nelson\Nygaard's Downtown Parking Strategic Plan before making any decision on new parking construction Downtown. I expect our elected representatives to consider expert advice before making a large investment of public dollars.

The public trust is at stake.

I strongly support the plan to remodel of the existing library and oppose the parking structure with library plan.

Thank you,  
Andy Carman  
231 Sunset Avenue  
Santa Cruz 95060

## Rosemary Balsley

---

**From:** Madeline Newel <madeline.newel@gmail.com>  
**Sent:** Wednesday, June 17, 2020 4:13 PM  
**To:** City Council  
**Subject:** Re: removal of Parking Lot 4

I urge you to vote against the removal of Parking Lot 4 in order to build a parking structure. I understand that parking can be an issue in Downtown Santa Cruz, but instead of accommodating more cars, we should be addressing the root of the problem: that we have so many cars in the first place. Perhaps there should be a plan in place to make it easier to get to downtown Santa Cruz via public transit or bike paths (for starters, we could reintroduce the bus route down Graham Hill Road).

Lot 4 is a cornerstone of our community as it serves as the venue for the Downtown Farmers' Market, a hub of local pride and celebration. Santa Cruz should emphasize public gathering places, not destroy them. It's bad enough that there is no large gathering place to host the Market other than a parking lot. Please don't take the parking lot, too.

Finally, Lot 4 is home to 10 heritage trees. Their removal would be a devastating loss for our community.

Thank you for your consideration.  
Madeline Newel, Santa Cruz resident

## Rosemary Balsley

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**From:** Mara Alverson <maraalverson@gmail.com>  
**Sent:** Wednesday, June 17, 2020 4:30 PM  
**To:** City Council  
**Subject:** Library

- Please do **not approve** the Mixed-Use project and instead vote to pursue the Jayson Architecture reconstruction proposal of the downtown library -- because it will cost the City less, planning can be implemented immediately, and it will provide a modernized and beautiful library for everyone!
- Please postpone your decision until you can provide for a **real** public meeting - at the Civic Auditorium with social distancing - that is **truly** open to the public, when they vote on the fate of our downtown library. The Mayor recently told a constituent: "*We are adjusting our protocols and my hope is that in August we will be able to have in person meetings again.*"
- 

Thank you,

Mara Alverson  
Licensed Marriage and Family Therapist  
[HappyPassionateMarriage.com](http://HappyPassionateMarriage.com)  
Santa Cruz, California  
831-588-3013

This electronic communication may contain information that is confidential. Electronic communications are not secure. Please do not mail correspondence you wish to keep private. I can be reached by phone at 831-588-3013. Thank you for your courtesy and consideration in this security matter.

Sessions not cancelled 48 hours in advance will be charged at the full amount.

## Rosemary Balsley

---

**From:** Beverly Jennings <bevjenn@cruzio.com>  
**Sent:** Wednesday, June 17, 2020 5:08 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Leoma <dragonwing@airpost.net>  
**Sent:** Wednesday, June 17, 2020 6:53 PM  
**To:** City Council  
**Subject:** library

Please keep the library where it is and pursue the Jayson reconstruction proposal! Please do not go with the mixed use project.

It horrifies me to think of my library imprisoned under a parking garage when its needs could be taken care of for less cost while keeping it at its current location. Parking is not the magic potion to solve our city's needs.

I'm watching you,

Frances Scott [city resident]

**Rosemary Balsley**

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**From:** Joanne Moy <jmoylmft@gmail.com>  
**Sent:** Wednesday, June 17, 2020 7:17 PM  
**To:** City Council  
**Subject:** Remodel the library..... NOT to build a parking structure

**Dear City Council & Mayor Cummings,**

**Thank you for your support to rebuild the library at its present site. We support making it part of a civic center instead of combining it in a multi-use project. We say YES to reconstruct the library where it is.**

***Reduce, Reuse, Remodel. We do not need a new parking structure!***

**Sincerely, Joanne Moy**

**2355 Brommer St, Santa Cruz, CA 95062**

## Rosemary Balsley

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**From:** Yvonne Geller <capizoola@gmail.com>  
**Sent:** Wednesday, June 17, 2020 7:51 PM  
**To:** City Council  
**Subject:** Garage-- library- housing project.

I support the Central Library being remodeled where it is. The Lot where the Farmers Market is being held should be as it is. That space has room for the Market, with other activities that it also is very good for with the location right in the middle of town.

Sincerely,

Yvonne Geller, David Philp  
Santa Cruz

## **Rosemary Balsley**

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**From:** Lois Van Buren <lois.vanburen59@gmail.com>  
**Sent:** Wednesday, June 17, 2020 8:04 PM  
**To:** City Council  
**Subject:** Vote No on the Library Issue, Please

Dear Council Members;

As a former librarian and Wharf business owner; as an avid round-town bicyclist and Downtown Farmer's Market shopper; and as former Gularte Apartments renter who lived with all that is downtown Santa Cruz, I say let's work with what we've got. Please vote against the proposed and highly controversial library/parking/housing plan and look toward the future with an eye for restructuring. Simply: We just don't need more cement and concrete.

Thank you.

Sincerely,  
~ Lois Van Buren  
831-319-2817  
1114 Broadway  
Santa Cruz, CA 95062

## Rosemary Balsley

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**From:** Judi Grunstra <judiriva@hotmail.com>  
**Sent:** Wednesday, June 17, 2020 9:49 PM  
**To:** City Council; Bonnie Lipscomb  
**Subject:** Excerpt from New Yorker article about density

Dear Mayor and City Council, Something to consider regarding the mixed-use library project. Judi Grunstra

From The New Yorker, June 17, 2020:

### How the Coronavirus Will Reshape Architecture by Kyle Chayka

The future of cities will be a fundamental question of density. In the eighties, Georges-Eugène Haussmann began his remaking of Paris, demolishing crowded medieval neighborhoods, which were thought of as pestilential, in favor of broad avenues and grand city plans with geometric parks and public squares—the precursor to Euclidean modernist developments in the twentieth century. Over the past few decades, urbanism focussed on undoing this model, cultivating organic density through affordable housing, ever-smaller capsule studio apartments, and mixed-use zoning. Now, once again, as a response to disease, Armborst said, “we’re in a situation where density is something to be avoided.”

## Rosemary Balsley

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**From:** Myriam C <myriammyriad@gmail.com>  
**Sent:** Wednesday, June 17, 2020 10:12 PM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library

Dear Mayor Cummings and Councilmembers,

There are two things that downtown Santa Cruz needs (actually more, but I'm focusing on two for now):

A stand alone library and

A downtown commons

One thing we do not need is more parking downtown. This encourages more drivers, more pollution and more traffic, while deterring bikes and pedestrians, strolling and chatting.

Part of the reason tourists like Santa Cruz is because of the vibe, the walking around, the beautiful trees, the buildings with character. "I come to Santa Cruz because I like parking garages" said no tourist ever. As a long time resident here, I want the heart and soul of Santa Cruz to remain what it is. I don't want us to turn into another shopping mall or Santana Row, and I want our priorities (books, people) to be obvious to all travelers who come, as well as to us locals.

Please choose the Jayson Architecture option for reconstruction of the downtown library at the civic center, with adjacent parking. Keep parking lot 4 as the site of the farmers' market and a future commons.

Thank you,  
Myriam Cohen  
Resident of the City of Santa Cruz

## Rosemary Balsley

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**From:** E. Hansen <ephansen1@yahoo.com>  
**Sent:** Thursday, June 18, 2020 7:25 AM  
**To:** City Council  
**Subject:** I Support the Library Mixed Use Project

As a resident of South Santa Cruz County I support the Library Mixed Use Project. Our overburdened Highway and arterial roadways are filled to a standstill due to commute traffic related to jobs in the north county and lack of housing in Santa Cruz.

It's hard to overstate how dire California's housing crisis is. To combat it, policymakers must consider a complicated intersection of issues, yet to end the crisis, 3.5 million new homes must be built in California and every community should do their part in creating solutions, not impediments to increasing housing.

Preventing high density projects supports urban sprawl and the pollution associated with single occupant vehicles. Coastal access is a nation wide desire and when high density housing is eliminated from consideration, only the very wealthiest will be able to reside in Santa Cruz.

Erik Hansen  
Watsonville Resident

[Sent from Yahoo Mail for iPhone](#)

## Rosemary Balsley

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**From:** Bonnie Bush  
**Sent:** Thursday, June 18, 2020 7:41 AM  
**To:** City Council  
**Subject:** FW: Letter to Council for 6/23 Council Meeting  
**Attachments:** 6.23 FCH Letter to Council\_Library Subcommittee.pdf

*Bonnie Bush, CMC*

City Clerk Administrator  
City of Santa Cruz  
831-420-5035

Public Records Requests may be submitted online via the Public Records Request form, by email to [bwillman@cityofsantacruz.com](mailto:bwillman@cityofsantacruz.com), or by hard copy form available at the City Clerk's Office located at 809 Center Street, Room 9, Santa Cruz, CA 95060.

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**From:** José Lujano [mailto:JoseL@firsthousing.org]  
**Sent:** Wednesday, June 17, 2020 4:59 PM  
**To:** Bonnie Bush <bbush@cityofsantacruz.com>  
**Subject:** Letter to Council for 6/23 Council Meeting

Good Afternoon Bonnie,

I hope you are well. Attached, please find a letter from First Community Housing to the City Council in consideration of the Downtown Library Subcommittee's recommendations. Kindly confirm receipt or delivery of the attached. Can you advise when we can expect to have an agenda for this meeting?

Regards,  
Jose

**José J. Lujano**  
Project Manager  
**First Community Housing**  
75 East Santa Clara St. Suite 1300  
San Jose, CA 95113  
e: [josel@firsthousing.org](mailto:josel@firsthousing.org)  
o: 408.291.8650 x30



**Geoffrey Morgan**  
*President & CEO*  
LEED AP

**DIRECTORS**

**Gary J. Schoennauer, FAICP**  
*Founder Emeritus*  
The Schoennauer Company

**Richard Conniff**  
*CEO Emeritus*  
Focus Business Bank

**Matthew James**  
*Attorney*  
Hopkins & Carley

**Josh Cross, CPA**  
*Principal*  
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**Jaime Angulo**  
*RLEI Program Manager*  
Catholic Charities of SCC

**Dunia Noel, AICP**  
*Assistant Executive Officer, LAFCO*  
Santa Clara County

**Sandra Soellner**  
*Neighborhood Representative*

**Gerry DeYoung**  
*President*  
Ruth and Going, Inc

**Kermit Conley**  
*FCH Resident Representative*

**Ru Weerakoon**  
*Senior Advisor Emeritus*  
City of San Jose

**Robert Sherrard**  
*Vice President*  
Argus Financial

**Jeffrey Gee, AIA**  
*VP, Division Manager*  
Swinerton Consulting

6/17/2020

Honorable Mayor Justin Cummings & City Council  
City Hall  
809 Center Street, Room 10  
Santa Cruz, CA 95060

Dear Mayor and Council,

First Community Housing is proud to support the Downtown Library Subcommittee's recommendation to build a new state of the art library with affordable housing above, in the heart of Downtown Santa Cruz.

We have been following the dialogue surrounding this once-in-a-lifetime opportunity and commend the members of the subcommittee for putting forward a bold vision that will modernize the Santa Cruz Public Library and provide desperately needed housing. As a developer serving Santa Cruz for a decade at Bay Avenue Senior Apartments, where we partnered with the County to reduce net water consumption beyond the requirements of the Soquel Water District while creating new housing, and as one of the City of Santa Cruz's qualified developers, we share a proven commitment to partner with the City to deliver high-quality, sustainable design that provides far-reaching community benefits, including affordable housing. Our experience building such projects across the Bay Area illustrates that it is in fact feasible to bring this vision to life.

In the City of San Jose, we have on several occasions partnered with the Valley Transportation Authority and the City to bring to bear State funding, including Infill Infrastructure Grants as well as Affordable Housing, Sustainable Communities (AHSC) funding that leverage scarce local dollars towards the development of high-quality affordable and supportive housing. At Iamesi Village, a 135-unit supportive housing development in the heart of downtown San Jose, IIG and AHSC funding awarded to this project allowed for extensive area improvements including realigning the streets, adding parks, planting street trees, upgrading street lights, improving ADA access, commissioning art for the nearby overpass and providing pedestrian connections to public transit.

At Roosevelt Park Apartments, an 80-unit development of family Rapid Rehousing, as well as housing for transition age youth, developmentally disabled individuals, and the local workforce, AHSC dollars are being leveraged to address community needs including reducing traffic by increasing bus frequency, and creating safe routes to school by making pedestrian and bicycle infrastructure improvements. We also have demonstrated capacity to leverage state funding to defray infrastructure costs, including parking, pedestrian enhancements, and easier access to transit using



IIG funding at our senior development, Salinas Gateway Apartments (52 units) as well as our newest development in San Jose, Second Street Studios (135 units of Permanent Supportive Housing).

**Geoffrey Morgan**  
*President & CEO*  
LEED AP

**DIRECTORS**

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*Founder Emeritus*  
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*Principal*  
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*VP, Division Manager*  
Swinerton Consulting

We believe that the best solution, in keeping with the City of Santa Cruz's Housing Blueprint Subcommittee to maximize the development of affordable housing on city owned sites, would be to leverage the development of affordable housing to build the new library. Today, cities large and small across the country continue to study and build mixed use library concepts-- San Francisco, Oregon, and Chicago to list a few. We look forward to engaging in the dialogue as the City Council deliberates this historic opportunity. If we can provide any additional information, please don't hesitate to reach out.

In community,

Geoff Morgan  
President and CEO



**Geoffrey Morgan**  
*President & CEO*  
LEED AP

**DIRECTORS**

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*Senior Advisor Emeritus*  
City of San Jose

**Robert Sherrard**  
*Vice President*  
Argus Financial

**Jeffrey Gee, AIA**  
*VP, Division Manager*  
Swinerton Consulting

## Rosemary Balsley

---

**From:** Bill Malone <billmalone@pacbell.net>  
**Sent:** Thursday, June 18, 2020 9:01 AM  
**To:** City Council  
**Subject:** Don't destroy OUR Downtown Library

On the ballot measure a few years ago, I voted "yes" to tax me and others to improve our Downtown Library. I like the Downtown Library. I have used it a lot. It is great.

On that ballot measure, I don't remember any mention of destroying the existing Library and building a new Library combined with a five-story parking garage on the site of the Farmer's Market.

I would have voted "NO" on the ballot measure if I knew that was a possibility. That is a terrible idea. It would destroy the ambiance of the area. What little of it that is left in our town.

Remember the song: "Hate paradise? Put up a parking lot!" "You don't know what you got 'till it's gone."

Now, in spite of a lot of opposition, you are pursuing the folly of putting up a parking lot! You have been using a "bait and switch" tactic on us. That is blatantly deceitful.

This issue has unnecessarily divided our community. Obviously a lot of Santa Cruz citizens care about this. And OUR town.

Let the voters decide what to do. We are having an election in a few months. Put a ballot measure on it to let ALL the Santa Cruz citizens decide what to do in THEIR City. That is the right thing to do.

--Bill Malone, Santa Cruz

## Rosemary Balsley

---

**From:** Bonnie Bush  
**Sent:** Thursday, June 18, 2020 9:06 AM  
**To:** City Council  
**Subject:** FW: Affordable Housing NOW letter  
**Attachments:** City Council Library Project 6.23.20.pdf

*Bonnie Bush, CMC*

City Clerk Administrator  
City of Santa Cruz  
831-420-5035

Public Records Requests may be submitted online via the Public Records Request form, by email to [bwillman@cityofsantacruz.com](mailto:bwillman@cityofsantacruz.com), or by hard copy form available at the City Clerk's Office located at 809 Center Street, Room 9, Santa Cruz, CA 95060.

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**From:** Linda Kerner [mailto:lindakerner@sbcglobal.net]  
**Sent:** Thursday, June 18, 2020 8:52 AM  
**To:** Bonnie Bush <bbush@cityofsantacruz.com>  
**Subject:** Affordable Housing NOW letter

Good morning Bonnie,  
I've attached the letter from Affordable Housing NOW for the June 23rd City Council agenda packet. Many thanks for your help!

Linda



## **Affordable Housing NOW!**

P.O. Box 2374, Santa Cruz, California 95063

(831) 295-2756

[affordablehousing-now.org](http://affordablehousing-now.org)

June 14, 2020

Santa Cruz City Council  
809 Center Street  
Santa Cruz, CA 95060

### **RE: Mixed Use Library Project – June 23<sup>rd</sup> City Council Agenda**

Dear City Council Members:

Recent statistics from the California Housing Partnership identify 10,590 low-income renter households in Santa Cruz County that do not have access to an affordable home. They calculate that it takes a \$41.37 per hour income to afford the average rent. Affordable Housing NOW (AHN) supports the mixed-use option for the library only if it can provide a majority of low income housing units to address those housing needs.

We do not support market rate units to subsidize the library-garage project. Since there is limited city land any use should be entirely for the community who live and/or work in the city and are currently priced out of adequate housing.

The City's housing element progress reports show a continued deficit in its provision of housing for low and very-low income residents. Any housing project on city owned land should meet a minimum affordability level – generally an average 50% of AMI level, or lower. This will ensure that we are housing the community's most vulnerable population, including downtown low-wage workers. More, and smaller units for downtown low-wage worker households would be ideal.

Affordable housing funding is competitive and a major factor is a city's funding contribution to a project. At the May 2020 Subcommittee meeting, Development Director Bonnie Lipscomb stated that the city's Affordable Housing Trust Fund was being used for the Metro Project and there should be enough funds left to assist in the financing of the mixed use affordable housing project. There are more than the two affordable housing projects in the works and AHN would urge the council to make the mixed use project a priority to ensure that market rate housing not be considered to make it pencil out.

Finally, should the council choose the mixed-use option, the existing library site would consequently be a potential site for development of additional affordable housing. We implore the council to make affordable housing the highest priority for the site or for any combination of uses for the site.

By supporting one project at a time, the council can chip away at those 10,500 households in need of affordable housing. We are encouraged, with your votes, that the mixed use project can provide a significant number of affordable units to begin to address that need.

Sincerely,

A handwritten signature in black ink that reads "Tim Willoughby".

Tim Willoughby, AHN Chair

## Rosemary Balsley

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**From:** Jo-Neal Boic <jonealboic@gmail.com>  
**Sent:** Thursday, June 18, 2020 9:18 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and City Council Dear City Council Members,

As a forty year resident and retired Santa Cruz teacher, I am adamantly opposed to the project that proposes yet another parking structure, a move of our downtown library and possible affordable housing where our beloved downtown Farmer's market currently resides every Wednesday afternoon

I do not understand, in the first place, how money, which was, I believe, approved by Santa Cruz voters can simply be redirected without voter approval?

Rent prices are absolutely crazy and I have heard that we have many vacant apartments in a few of the newer downtown structures. I realize that we need affordable housing but at the cost of building, wouldn't it make more sense to find less precious property on which to build this affordable housing? What, I ask, constitutes affordable housing? I guess I am thinking about the cost of building vs. the actual rent that might be collected for this proposed housing.

At this point in time, considering Covid-19 and the uncertainty surrounding it, unemployment like we have never seen in our lives as well as a deadline of 2024 for spending or losing this precious bond money, doesn't it seem logical that we should stick with the original voter approved plan?

Sincerely,  
Jo-Neal Graves  
4675 Emerald Street  
Capitola, CA 95010  
831.345.9052

Sent from my iPad

## **Rosemary Balsley**

---

**From:** Richard Buckingham <richbucks434@yahoo.com>  
**Sent:** Thursday, June 18, 2020 9:44 AM  
**To:** City Council  
**Subject:** Leave library where it is. There's plenty of room. I've never had to wait to use a computer, for instance. The antique fair is held where the

farmer's market is held. This is an other popular event. Other important community events are held at this location.

## Rosemary Balsley

---

**From:** Victor Schiffrin <vpschiffrin@gmail.com>  
**Sent:** Thursday, June 18, 2020 10:02 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center!

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Victor Schiffrin

## Rosemary Balsley

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**From:** Carrie <clp1us@yahoo.com>  
**Sent:** Thursday, June 18, 2020 11:15 AM  
**To:** City Council  
**Cc:** Carrie Patrick  
**Subject:** Library

KEEP and revitalize our current downtown library!!! This is what fits in Santa Cruz. NO megaplex parking garage. Santa Cruz claims to be environmentally responsible. Not for more parking and cars.

KEEP all of our Heritage Trees. Santa Cruz claims to be environmentally responsible. We need more trees, not more concrete/asphalt.

KEEP outdoor areas for community. Make them attractive, welcoming outdoor spaces that people in our community want to go to. Have community events like the Farmers Market, Antique Fair, Art in the Park to support our large artist community, family oriented events, etc.

Be fiscally responsible like all other members of this community have to do. Now is not a time to be fiscally extravagant, actually there is no time to be fiscally extravagant.

Regards,  
Carrie L. Patrick  
32 year working, tax paying Santa Cruz City resident

## Rosemary Balsley

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**From:** Christina Waters <xtina@cruzio.com>  
**Sent:** Thursday, June 18, 2020 11:59 AM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay “air rights” in order to subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Florence Lesur <frenchword@msn.com>  
**Sent:** Thursday, June 18, 2020 12:35 PM  
**To:** City Council  
**Subject:** LIBRARY

Dear City council

I am a Santa Cruz resident long time... and I implore you to NOT approve the Mixed-Use project and instead vote to pursue the Jayson Architecture reconstruction proposal of the downtown library -- because it will cost the City less, planning can be implemented immediately, and it will provide a modernized and beautiful library for everyone!

Please postpone your decision until you can provide for a real public meeting - at the Civic Auditorium with social distancing - that is truly open to the public, when you vote on the fate of our downtown library

Also please make PACIFIC ave a fully PEDESTRIAN ZONE ! The 50 parking spots are useless and a pedestrian zone would be great for business and a place to gather for the community !

THanks you  
FLorence lesur  
141 sutphen str  
Santa Cruz  
831-915-8712

## Rosemary Balsley

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**From:** Sara Hapner <sarahapner@gmail.com>  
**Sent:** Thursday, June 18, 2020 2:21 PM  
**To:** City Council  
**Subject:** downtown commons

Dear Council Members,  
I am writing to ask you to keep the library where it is and create a Downtown Commons with the Farmers' Market on parking lot 4.  
Thank you.  
Sara Hapner

--

Sara Hapner  
Please update your records with my new email address:  
[sarahapner@gmail.com](mailto:sarahapner@gmail.com)

## Rosemary Balsley

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**From:** Joe <joe@atlantisfantasyworld.com>  
**Sent:** Thursday, June 18, 2020 2:47 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the future of the downtown

Dear Mayor and Councilmembers:

The future of the downtown depends upon your approval of the mixed use building on lot 4.

Joe Ferrara

## Rosemary Balsley

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**From:** Carol Colin <cjc4peace@gmail.com>  
**Sent:** Thursday, June 18, 2020 2:48 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay “air rights” in order subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Please Save our Heritage Trees and don't build another stinking garage.

Carol Colin Senior voter

## Rosemary Balsley

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**From:** Zachariah Buck <buckzac@gmail.com>  
**Sent:** Thursday, June 18, 2020 2:48 PM  
**To:** City Council  
**Subject:** For the Library at the Civic Center!

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And put up a parking lot  
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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Andy Shapiro <andyshapiro7@gmail.com>  
**Sent:** Thursday, June 18, 2020 2:48 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Andy Shapiro

## Rosemary Balsley

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**From:** Felix Kulpa <art4felix@gmail.com>  
**Sent:** Thursday, June 18, 2020 2:49 PM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sent from my iPad

## Rosemary Balsley

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**From:** MacBook Pro <cjlong3@sbcglobal.net>  
**Sent:** Thursday, June 18, 2020 2:50 PM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sincerely,  
Carol Long

## Rosemary Balsley

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**From:** Sandra Brauner <sanjan@cruzio.com>  
**Sent:** Thursday, June 18, 2020 2:52 PM  
**To:** City Council  
**Subject:** Library Matters!

Dear Council:

The Library's location was chosen very carefully by your forebears many years ago; it is where it is because of intelligent decisions, one of which is to realize that the Library is part of our cultural heritage, and therefore the Downtown Library BELONGS IN THE CIVIC CENTER.

**Measure S** was passed on the understanding that money was to be spent on improving the Library where it stands, not to bury it inside a monster building that goes against all best environmental concepts, never mind the unsightliness of it.

The least you owe the voters and other concerned citizens is an open hearing in a large enough building that will allow for social distancing...such as the Civic Aud.....unless you are planning on tearing it down before there is a chance to secure it for such a fair hearing..

Thank you for reconsidering the Jayson proposal.

## Rosemary Balsley

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**From:** Darren Huckle <qihuck@yahoo.com>  
**Sent:** Thursday, June 18, 2020 3:05 PM  
**To:** City Council  
**Subject:** Please choose the Jayson Architecture Downtown Library at the Civic Center!

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons. (I go to the market every week with my children, it is a necessary and wonderful institution in Santa Cruz)

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

"Life is like a mirror, it reflects all what you do. If you face it smiling, it will smile right back to you" Joseph Hill

## Rosemary Balsley

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**From:** Michael Menace <michaelmenace92@gmail.com>  
**Sent:** Thursday, June 18, 2020 3:54 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Paul Geise <avanti@cruzio.com>  
**Sent:** Thursday, June 18, 2020 3:58 PM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
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- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sent from my iPhone

## Rosemary Balsley

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**From:** john markytan <jmarkytan@gmail.com>  
**Sent:** Thursday, June 18, 2020 4:19 PM  
**To:** City Council  
**Subject:** Library

Please do not approve the mixed-use project at the site of the farmer's market. Instead refurbish the existing library and also postpone the decision until a suitable public meeting can be held. Thank you , from a 40 year resident.

## Rosemary Balsley

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**From:** Larry Millsap <larrymillsap@comcast.net>  
**Sent:** Thursday, June 18, 2020 4:21 PM  
**To:** City Council  
**Subject:** Library renovation project

Dear City Council Members:

I urge you to vote to renovate the current downtown library building, the action we thought we were voting for when the bond measure was approved, and reject the library/garage for the following reasons.

The massive 6-story structure violates most of the principles of the plan for downtown.

Additional parking is not needed downtown. This has been shown by studies and anecdotal evidence. If the proposed garage does not generate enough money to pay for itself, tax revenue will be required.

It seems wrong to incur new bond debt when city workers are having their hours reduced because of the financial problems caused by the corona virus pandemic.

Thank you for your consideration.

Larry Millsap  
Santa Cruz

## Rosemary Balsley

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**From:** Ross Gibson <rossericgibson@comcast.net>  
**Sent:** Thursday, June 18, 2020 4:55 PM  
**To:** City Council  
**Subject:** Save the Library

Dear City Council

It seems the oldest proposal (option A) was deliberately under-represented, offering it as an undersized replacement library, instead of an addition to the library. It wasn't even explored.

When us voters granted money for the library, it was not in response to calls for a smaller library. Yet all three options being considered downgrade the library from its current 43,000 square feet to 30-or-35,000 in the highrise parking garage, or 30,360 by chopping up the current facility.

And by eliminating the research collections, you end up with the equivalent of a minor branch circulating library, not a headquarters library for a county-wide system, nor an important research destination. The only option that includes a History / Genealogical Room, has tables but no space for collections. So your options either leave us out as stakeholders, or reduce the value that is currently part of the library.

If the library only needs 30,000 sq.ft., then you don't need a new library building. But if the library complained for 20 years that space to grow is needed, then keep the existing library building, and add a structure in the parking lot. The administration wing is the only thing expendable if it can create a better layout for the new wing and parking.

**WE DON'T NEED A SMALLER LIBRARY. KEEP WHAT YOU HAVE, AND ADD TO IT.**

Sincerely

Ross Eric Gibson  
Santa Cruz

## Rosemary Balsley

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**From:** Nicholas Kerkhoff <nsk76@yahoo.com>  
**Sent:** Thursday, June 18, 2020 5:10 PM  
**To:** City Council  
**Subject:** No new parking structure!!!!

I have been a downtown Santa Cruz resident for 15 years. Santa Cruz is supposed to be a progressive city, but you're going to build more space for cars and less for people?? Do you not know about climate change?? Not only the carbon of the construction will be terrible but you're going to encourage more car use while displacing a popular and beloved farmer's market.

YOU SHOULD BE LOOKING FOR WAYS TO LIMIT CARS, NOT ENCOURAGE THEM!

MORE WALKING SPACE!!  
MORE GREEN SPACE!!

Please end the senseless over-development of this great city. You're RUINING it.

Sincerely,  
Nicholas S Kerkhoff

## Rosemary Balsley

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**From:** Margie Kern-Marshall <mkernmarshall@yahoo.com>  
**Sent:** Thursday, June 18, 2020 5:43 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center. I prefer a smaller compact library sitting in an appropriate place within the city center as it was intended to be.

I appreciate all your time and work on this issue and thank you your consideration of my opinion.

Margie Kern-Marshall

Sent from my iPhone

## Rosemary Balsley

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**From:** katharine@cruzio.com  
**Sent:** Thursday, June 18, 2020 6:31 PM  
**To:** City Council  
**Subject:** Our Downtown Library

Dear Mayor Cummings and Councilmembers,

Please, please let us keep our Library, upgraded and renewed by Jayson Architecture who showed such genuine professionalism and care in their presentations to us.

I have written and spoken to you before about this—as have so many citizens—and am now feeling that I just don't know what else to say. I will repeat here essentially what I wrote to the Subcommittee, which did not act as I had so fervently wished:

**The Jayson Architecture proposal is the best, most beautiful, comfortable, safe, sustainable, ethical, and moral choice.**

**It is true to our votes which passed Measure S, and this is crucial to our democracy and trust in our local government.**

**Our Library, right where it is and in its own footprint, is a cherished downtown city treasure.**

Please don't betray us.

Thank you,  
Katharine Herndon

## Rosemary Balsley

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**From:** Eliahu Goodman <eliahu@eliahugoodman.com>  
**Sent:** Thursday, June 18, 2020 6:49 PM  
**To:** City Council  
**Subject:** Please Choose the Jayson Architecture Downtown Library at the Civic Center!

Dear Mayor Cummings and Council Members,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
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- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

I truly thank you for your work and for considering my views, perspective and needs for a better civic center, a permanent Farmers Market on the site where it currently is, and a beautiful Downtown Commons that will be the heart and soul of our community, and serve us well for generations to come. I urge you, please do the right thing for the long-term future of Santa Cruz!

Most appreciatively,  
Eliahu Goodman  
[Eliahu@EliahuGoodman.com](mailto:Eliahu@EliahuGoodman.com)

## Rosemary Balsley

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**From:** Kevin Wells <wellskevinm@gmail.com>  
**Sent:** Thursday, June 18, 2020 6:54 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** jaime garfield <jaimegarfield@gmail.com>  
**Sent:** Thursday, June 18, 2020 8:42 PM  
**To:** City Council  
**Subject:** Regarding the Library :

I want to implore the city council to not make our library under a garage- retail -housing structure. Yes we need affordable housing but we need a beautiful Library where it sits now- in the Civic Center. I and many feel this switch is a betrayal of the voters who called for renovation and retrofitting which can be done. Jason architecture laid out a beautiful plan(s).

A huge structure at the proposed site is very depressing. The entire idea and the deception in the process is disgraceful. The delay has been costly. Yet the proponents of a mixed use library option have stalled momentum FORWARD in an effort to convince the community to disregard its clear preference. All the meetings and requests for feedback has been a sham. In the meantime, costs have gone up, and covid makes for an even more non transparent process.

Don't do this.

Jason's design is good.

There are many points I'd like to make, but it would be a repetition of all that we have been saying, loudly, firmly for years!

Be well,

Jaime Garfield

## Rosemary Balsley

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**From:** Ryan Sarnataro <ryan@calcentral.com>  
**Sent:** Thursday, June 18, 2020 8:46 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

The future of the Santa Cruz as well as the planet is one where large single occupancy vehicles are deemphasized. The assumption that Santa Cruz has or will have a parking shortage over the long term is seriously in error.

I understand from attending presentations to the city council and at the library that rebuilding in the current location will involve compromises and tradeoffs that will cost money and reduce service - especially the size of the stacks. Nonetheless, viewed 30 years hence I believe this will be seen as a wise decision, avoiding a physical and financial commitment to the wrong technological framework.

**Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center.**

Ryan Sarnataro  
Santa Cruz resident 25 years

## **Rosemary Balsley**

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**From:** Jean Brocklebank <jeanbean@baymoon.com>  
**Sent:** Thursday, June 18, 2020 8:53 PM  
**To:** City Council  
**Subject:** Library Decision

DEar City Council ~

I submitted this statement to the Sentinel, but it may not be seen by you before your discussion and decision on June 23rd. So here it is for your eyes only:

The Downtown Library Subcommittee just made a choice - not really for our downtown library - but for housing and parking. How did this happen?

From the beginning the library was used as an excuse to build support for a parking garage. The public was showered with images of huge, modernistic libraries in major cities. Many residents were immediately shocked by the bait and switch, because they had not voted to abandon their library and stick it in a parking garage. Responding to the push back, the City tossed in the holy grail of "affordable housing," a trick to generate even more support for the parking garage project.

Now that the City appears close to getting what it wants, it is already backpedaling, saying we can get more money for the library if there is more market rate housing in the project. That gem from the Economic Development Department.

Not content to wave the affordable housing flag, a mixed-use project proponent recently used the equity card in the Sentinel to suggest that only their project will provide a way to "break class and race barriers," implying proponents of library renovation do not care about affordable housing or parking services.

Most voters did not know before Measure S was placed on the June 2016 ballot that the library administration knew the money raised would not be nearly enough to repair and renovate branches, nor to build the Felton and Capitola branches about which the public was aware. Nine branches are now collectively millions of dollars short and must secure extra funding. In January two of the City's branches (Garfield and Branciforte) got \$1.5 million of the downtown branch's \$27 million, leaving it in even worse shape financially than it was only a year ago. On top of that another \$500,000 must still be raised for those two branches.

To make sense of current plans for the downtown library, it is important to understand that both proposals submitted to the City in response to its Request for Proposals provide for essentially the same size library.

Jayson Architecture's remodeled/rebuilt library is 30,360 square feet. Group 4's is either 30,300 square feet or 29,660 square feet depending on whether the 400 parking spaces are above the library or adjacent to it. The only way the Group 4 proposal can have a larger library is to raise additional multi-millions of dollars. Some how. Some way. Maybe.

With the Jayson remodel/rebuild project, we could immediately begin the process of implementing the logistical steps to see it proceed. The community could then get behind this project with fundraising efforts.

With Group 4, there are so many complications that it may take years to get all the mixed-use ducks in a row. For instance, the City will have to buy and demolish the Toadal Fitness building, provide them a temporary relocation and expect the owners of the business to give up the benefits of street level foot traffic and accept a second story location for their business. The City will have to provide a new Farmer's Market location, spending millions, before it can take down the trees and begin to build anything on Lot 4. Then there is the depleted Enterprise Fund. And so forth.

Unlike some, we do not celebrate the Group 4 designs. Quite the contrary, the interiors look like a commercial airport terminal. With Group 4, there will be no street level handicapped parking adjacent to the library entrance and no entrance from the parking levels directly into the library. Jayson provides street level dedicated handicapped parking right next to two designed entrances.

Tying a new library to parking and housing unduly complicates all three essential services. We respectfully ask for the City Council's vote to wisely proceed with the Jayson Architecture proposal, to retain our library in its historical location into the future.

Jean Brocklebank, Judi Grunstra, Michael Lewis  
[Don't Bury The Library](#)

## Rosemary Balsley

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**From:** Brett Garrett <brett@dolphyn.com>  
**Sent:** Thursday, June 18, 2020 10:00 PM  
**To:** City Council  
**Subject:** Please Renovate Library, NO garage (Evening Agenda Item 1)

Dear Mayor Cummings and Councilmembers,

I urge renovation of the existing library instead of building a garage. Please keep the following in mind:

**Flood Risk:** Lot 4 is in the heart of a flood zone, about 6 feet lower elevation than the current library location at Church and Center. The Group 4 design is extremely vulnerable to flooding because there's no "step up" from curb level into the library. Flood risk will increase every year due to climate crisis and sea level rise.

**Misrepresentation:** The Library Project Evaluation Matrix awards better scores to the mixed use concepts, but with no explanation and some direct falsehoods. For example the Matrix claims "Renovation: roof can't support solar (see Jayson Architecture Report)" while page 43 (or PDF page 46) of the Jayson report clearly shows the roof can support solar panels.

**Please support library renovation** and also find other ways to support affordable housing that need not be tied to a parking garage. (For example, Tannery-style flood-proof construction over any existing City parking lot.)

**Please oppose the parking garage** which is financially risky and can exacerbate climate change by encouraging auto traffic.

Also please ensure that the library project is separate from any garage project. If there is a decision to move the library to Lot 4, Option D (garage next to library) is preferable to Option C (garage on top of library) because Option D includes a library skylight and also allows "phased" decision-making, opportunity to build library and housing while cancelling or delaying any parking garage.

Sincerely,

Brett Garrett  
190 Walnut Ave Unit 301  
Santa Cruz, CA 95060

**Rosemary Balsley**

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**From:** Roland Saher <rolandsaher@gmail.com>  
**Sent:** Thursday, June 18, 2020 10:29 PM  
**To:** City Council  
**Subject:** Don't waste my tax dollars on a parking structure!

Dear council members, I urge you not to burden Santa Cruz tax payers with the millions of dollars it will take for decades to pay for the boondoggle parking garage! There are better ways to get a fine library and to accommodate cars, both of downtown workers and tourists.

NO new parking garage!  
Roland Saher

## Rosemary Balsley

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**From:** cassandra brown <casandwitch@yahoo.com>  
**Sent:** Thursday, June 18, 2020 11:05 PM  
**To:** City Council  
**Cc:** Downtown Commons Advocates  
**Subject:** Library proposal

Dear City Council Members:

This letter is in regards to the library/parking garage combo proposal. Books and parking spaces for cars do not go together. This Six floor parking garage with a library at the bottom; this is what the long-term visionary decision makers have planned for our community?

I have lived in this community since 1998. I am devoted to the beauty and smart development of this town. We are facing one of the greatest challenges in human history, climate change. A percentage of which has been caused and continues to be contributed by the use of cars. The future is not about cars.

I understand that there is the idea of higher density living in the downtown area, and the city wants to prepare for the car needs for those residents, but why not include a level of parking in any new apartment building for the permits, passing the responsibility onto the developers? Maybe there could be some kind of incentives to help them out.

With the money that is proposed for this library/parking garage project, 44 million dollars, we could have something that could draw the public to our town. Something we could be proud of, a destination, a landmark of beauty.

I grew up in Reno, Nevada. We had a beautiful innovative library, the architect, Hewitt Wells in 1966, wanted to bring the library to the park, knowing that was not feasible, he brought the park into the library. It's beautiful with plants, a pond, trees among the shelves of books. I loved it as a kid, and I still love it. It's one of the only places I have seen that has designed a building like this, with so much greenery inside. That was, until, I traveled to Madrid, where at the Atocha train station, there is almost a tropical forest in it. It has such a lovely feel. It is beautiful. Here are links to pictures of the Reno downtown library and the Atocha train station.

Here's Reno's library:<http://renohistorical.org/items/show/60>  
and Atocha train station:<https://www.raileurope.com/place/madrid-atocha>  
We could do something like this.

The proposed location for the library/garage already has magnificent Magnolia trees that will be tragically destroyed in a garage/library plan, why not incorporate them into an indoor park/library? They are a hundred years old and are a great source of beauty. Imagine a library with them and all kinds of native plants and trees, water fountains. Maybe there could be coordination with a science center to become a library and a natural history museum.

We have no downtown plaza that is public place. It would be great to have a library/plaza. A space where you can gather and have some green space to soften the feel of buildings, think of Central Park, Golden gate park, Union plaza. They change the feel of a cityscape, make a city more liveable. An outdoor space where we can meet and see each other. If we are going to have more people downtown, for their sanity, they need some

open space, more than they need a place to store their cars. It would be great for businesses, like Lupolo and Hula's.

City council members think, think about the future. What is it that will make Santa Cruz a beautiful place, a city to be proud of? Use that 44 million dollars for our residents and visitors to enjoy nature, and the written word. Design a library building and a plaza for both. The future is nature, the future is beauty. Plan for it.

If not a big beautiful library and plaza with trees inside the library or outside in a plaza; then just renovate the library where it is, and make a plaza where the farmer's market is. Parking garages and libraries don't mix. We don't need more parking.

Thank you for your public service and considering my thoughts on this matter that I feel urgently, and so strongly about, how much we can not as community go forward with such an ugly plan. Please do the right thing, do not go forward with a 6 floor garage/library project. Go towards a beautiful plan of a Library/Garden or a simple plan, renovate the library where it is, and make an open space plaza for the future of common space for our citizens. Create a world for humans and plants and not for cars.

Sincerely,

Cassandra Brown

## Rosemary Balsley

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**From:** Michele Newman <michele@michelenewman.us>  
**Sent:** Friday, June 19, 2020 12:18 AM  
**To:** City Council; downtowncommonsadvocates  
**Subject:** For the Library at the Civic Center!

**Don't it always seem to go, That you don't know what you've got 'til it's gone?  
They paved paradise And put up a parking lot  
-- Joni Mitchell**

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking.

- Keep Parking Lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!
- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from Lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Michele Newman



Open Your Heart & Sing Your Song!

Michele Newman  
Sonic Vibration Specialist  
831-247-1489

[Michele@MicheleNewman.US](mailto:Michele@MicheleNewman.US)  
[www.SingYourSoulSong.com](http://www.SingYourSoulSong.com)



## Rosemary Balsley

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**From:** Monica Larenas <mlarenas@calcentral.com>  
**Sent:** Friday, June 19, 2020 12:40 AM  
**To:** City Council  
**Cc:** Amanda Rotella  
**Subject:** Rebuild the Library at current site

Dear Council members,

**I urge you to vote for renovation of the library at its current location**, in spite of the significant limitations presented by rebuilding on that site. I am an active library user (more at the Branciforte Branch with occasional Downtown library forays).

Maintaining a strong civic core of our historic city hall and library matters - it keeps a heart to the city. This is what we voted for when we approved extra taxes to ourselves to support upgrades. I'm disappointed that the momentum seems to be towards building a monolithic building, with the library on the bottom floor. No. Please.

While I'm seriously concerned that the renovation means that the library will be significantly smaller and therefore limited, the location matters and natural light in libraries matters--tremendously.

Sincerely,

Monica

Monica Larenas

215 Darwin Street • Santa Cruz • California 95062

## Rosemary Balsley

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**From:** Row <rowlandsushi@yahoo.com>  
**Sent:** Friday, June 19, 2020 6:51 AM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center!

### **I Do not support a new parking garage/new Library VOTE NO**

**To:** [citycouncil@cityofsantacruz.com](mailto:citycouncil@cityofsantacruz.com)

**Bcc:** [downtowncommonsadvocates@gmail.com](mailto:downtowncommonsadvocates@gmail.com)

**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center!

#### **Email:**

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!  
thank you Rowland

## Rosemary Balsley

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**From:** malewis@calcentral.com  
**Sent:** Friday, June 19, 2020 8:20 AM  
**To:** City Council  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

**Do NOT** approve the Mixed-Use project.

**Adopt** the Jayson Architecture proposal.

**Santa Cruz County residents overwhelmingly oppose the Mixed-Use Project and favor renovating/rebuilding the present building.**

1. At the only public community meeting during the Downtown Library Advisory Committee process, **80%** of attendees **opposed** the library in a parking garage and favored the renovation option.
2. As of Thursday, June 18, of the 257 public comments submitted to the City, **95%** are **opposed** to the Mixed-Use project and prefer the Jayson Architecture proposal to rebuild the Downtown Branch Library in its present location in the Civic Center. And the letters continue to pour in!

**Post-Covid Santa Cruz County requires new urban and city facilities planning**

1. As a result if the recession resulting from the Covid-19 response, the Santa Cruz County economy is depressed and will not fully recover for several years. This seriously questions City staff promises of future funding for a parking garage with significant low income housing.
2. Library and urban planners are questioning whether post-Covid public buildings and urban infrastructure planning will return to pre-Covid norms.

**The so-called "Mixed-Use Project" is an environmental travesty.**

1. It violates the **City's Climate Action Plan**, the **Climate Emergency Resolution** and the **Downtown Recovery Plan**.
2. It would require the **demolition** of the Toadal Fitness Building and the present Downtown Branch Library building and **removal** of the material to overstressed local landfills.
3. It would require the production of untold **tons of concrete**, the largest single source of atmospheric **greenhouse gases** in the world.
4. It would continue and enhance outdated **autocentric** transportation policies that ignore current trends in car ownership and use, and the advice of City-paid parking consultants who cautioned against building a new parking garage.

It would be irresponsible and unethical for the City Council to ignore public opinion, its own paid consultants and the realities of contemporary conditions to decide to proceed with the Mixed-Use project. The Downtown Library Branch would be held hostage to the questionable success of a large, complex, publicly unpopular project. The existing Downtown Branch Library building can be rebuilt in place within the existing Measure S budget, and future enhancements and upgrades can be achieved as needed through local fundraising.

In these uncertain times it would wise and prudent to fix what we already have and not build more that we cannot afford to maintain.

Michael Lewis  
Jean Brocklebank

## Rosemary Balsley

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**From:** Nina Rose Odegaard <nrodegaard@gmail.com>  
**Sent:** Friday, June 19, 2020 8:22 AM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

NinaRose Odegaard

## Rosemary Balsley

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**From:** Jonathan Wittwer <jonwitt@cruzio.com>  
**Sent:** Friday, June 19, 2020 8:38 AM  
**To:** City Council  
**Subject:** I support the Jayson Architecture Plan for the Downtown Library

As an annual donor to Friends of the Santa Cruz Public Library, and longtime downtown business owner and shopper, I support the Jayson Architecture Plan for the Downtown Library and oppose the “big box” proposal.

Jonathan Wittwer  
1927 Smith Grade  
Santa Cruz, CA 95060  
T: 831.423.8265  
F: 831.423.5652  
Email: jonwitt@cruzio.com

## **Rosemary Balsley**

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**From:** Julie Esterly <info@esterly.com>  
**Sent:** Friday, June 19, 2020 8:41 AM  
**To:** City Council  
**Subject:** Library

Dear Council Members,

Please reutilize and renew our current Library and save the Farmers Market space for community use. Reduce, Reuse, Recycle!

Sincerely, Julie Esterly

## **Rosemary Balsley**

---

**From:** Desiree Banzhaf <dezbanz69@gmail.com>  
**Sent:** Friday, June 19, 2020 9:06 AM  
**To:** City Council  
**Subject:** Library

Our city does NOT need another parking garage. We need to have forward-thinking. We need to move away from car usage. Keep the library where it is.  
Desiree Banzhaf

## Rosemary Balsley

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**From:** Brigitte Desouches <brigitte@cruzio.com>  
**Sent:** Friday, June 19, 2020 10:04 AM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** bikerick@att.net  
**Sent:** Friday, June 19, 2020 10:10 AM  
**To:** City Council  
**Subject:** June 23 2020 council meeting; Item 1 Mixed Use Library Project

Dear Councilmembers: Please do not entangle needed and funded library improvements in a longer-term, more complex and more speculative multi-use project.

There is a partial two-story public structure downtown due for renovation. The City has decided to partner with the Board operating that project to add affordable housing and parking into a new multi-use facility. This project has been in the planning stage since at least 2013, but still has years to go in terms of securing all funding, executing operating agreements, designing, permitting, and constructing. And, no I'm not referring to the library, I'm describing the status of redeveloping Metro's Pacific Station. This project, if it ever comes to fruition, could allow residents to access almost any bus route in the County without even having to leave their building!

At a recent meeting about the library, staff indicated that much of the City's affordable housing money is earmarked for this project. Given the current precarious overall financial position that the City is in and the great demands on limited staff time, doesn't it make sense to finish work on this project with Metro before undertaking another similar, long-term, complex mixed-use project?

Currently, there are attractive, conceptual plans and available bond funds to move forward much more quickly and expeditiously on renovating the Main Library at its current location. Why not let that stand-alone project proceed?

When the time is right, the City can reevaluate the need and funding availability for both public parking and affordable housing and the best location(s) for these. They could be separate or either combined together and/or with public uses other than a library (e.g., maybe a public meeting room, freeing the community room space at the library for other library functions). Meanwhile the current library will have long been renovated and in use as an attractive and popular facility.

Please vote to keep the Main Library at its current, convenient location and proceed with its renovation there.

Thanks,  
Rick Hyman

## Rosemary Balsley

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**From:** Juliet Heizman <julietyogi@gmail.com>  
**Sent:** Friday, June 19, 2020 10:11 AM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
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For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sent from my iPad

## Rosemary Balsley

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**From:** Jane McCormick Crowley <janemccc4@gmail.com>  
**Sent:** Friday, June 19, 2020 10:34 AM  
**To:** City Council  
**Subject:** Sub Choose the Jayson Architecture Downtown Library at the Civic Center! Email:

Subject: Choose the Jayson Architecture Downtown Library at the Civic Center!

Email:

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
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For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Barbara Lawrence <barjlawrence@gmail.com>  
**Sent:** Friday, June 19, 2020 10:39 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** Remodel the Downtown Branch of the SCPL

Dear Mayor and Councilmembers:

There are so many reasons to remodel the existing library. Please reconsider adding a large parking lot to our beautiful downtown at a time when climate change is a crisis for our planet.

- Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!
- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
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- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent

Barbara Lawrence  
Teacher Librarian, Santa Cruz City Schools  
[barjlawrence@gmail.com](mailto:barjlawrence@gmail.com)  
831.251.5522

## Rosemary Balsley

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**From:** Carolyn Livingston <seanandi@cruzio.com>  
**Sent:** Friday, June 19, 2020 10:41 AM  
**To:** City Council  
**Subject:** Approve Mixed Use Downtown Library Project

Downtown Library Subcommittee,

I recently attended two Zoom meetings on the proposed mixed use downtown library project and I approve of the inclusion of affordable housing. This will be a great addition to our downtown.

Thank you, Carolyn

--

Carolyn Livingston

"This above all: to thine own self be true,  
And it must follow, as the night the day,  
Thou canst not then be false to any man."

-William Shakespeare

FPPC Reporting, Carolyn Livingston Campaign Services  
Treasurer, Democratic Party of Santa Cruz County  
Treasurer, Nancy A. de la Pena for Superior Court Judge 2020  
Treasurer, Santa Cruz United Committee

## Rosemary Balsley

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**From:** Ptoflux3 . <racsodude@gmail.com>  
**Sent:** Friday, June 19, 2020 10:44 AM  
**To:** City Council  
**Subject:** The future of the Downtown Library

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

-Oscar (santa cruz resident)

BLACK LIVES MATTER

## Rosemary Balsley

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**From:** Thomas Leavitt <thomleavitt@gmail.com>  
**Sent:** Friday, June 19, 2020 10:47 AM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and fellow City Council members,

The Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center with adjacent parking is the safest, most financially prudent option at this time.

Making a major capital investment in a parking garage that requires a 30 year ROI, in the context of massive economic uncertainty due to the Covid-19 pandemic and the emergence of self-driving vehicles over the next decade with a concurrent unknown impact on parking demand that might very well be a radical reduction, is unwise. This building could very well be a white elephant ten years from now.

Beyond this most fundamental point, preserving this space for the Farmers Market and other potential open space applications such as a Downtown Commons represents good stewardship of a vital city resource.

Regards,  
Thomas Leavitt

## Rosemary Balsley

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**From:** Juno Groves <gnosticbutterfly@gmail.com>  
**Sent:** Friday, June 19, 2020 11:14 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Please do not build this parking lot. Forward thinking is about sustainability. Santa Cruz will draw in business if it is unique and beautiful, more than if it is convenient to park cars in. Maybe a parking lot farther out from the downtown area with a shuttle bus to bring people in? That's what they do in Capitola village and it works well. Let's be creative and not keep repeating old patterns that create stagnation and cut off the essence of community.

Thank you,  
Juno Groves  
5th generation Santa Cruz resident

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sent from my iPhone

## Rosemary Balsley

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**From:** John Bost <bost@sdsu.edu>  
**Sent:** Friday, June 19, 2020 11:22 AM  
**To:** City Council  
**Subject:** Library

We'd like to add our opposition to the proposed new library. It would be far better to spend the money on renovation of the existing library and consider the alternate proposal of a Downtown Commons. Once the present open space is lost it is lost forever. We don't need additional parking spaces. If you really think we do, then add another level to the two existing parking garages. Thank you for listening. Regards, John and Jennifer Bost

## Rosemary Balsley

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**From:** Brian Voegtlen <bvoegtlen@yahoo.com>  
**Sent:** Friday, June 19, 2020 11:22 AM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center! Email:

### Dear mayor and city council members,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Brian Voennell

## Rosemary Balsley

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**From:** marcelo decarvalho <marceloucsdhistory@hotmail.com>  
**Sent:** Friday, June 19, 2020 11:52 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sent from my iPhone

## Rosemary Balsley

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**From:** mwadzuka@cruzio.com  
**Sent:** Friday, June 19, 2020 11:56 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

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And put up a parking lot  
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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Kelly Bernard <kellybernard@cruzio.com>  
**Sent:** Friday, June 19, 2020 11:59 AM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.

*The Downtown Library is the best location, let's keep it and make improvements.*

- Parking demand does not justify building an economically risky parking garage.

*We have adequate parking. There are too many cars on our streets already. Bike and pedestrian paths, please!*

- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay "air rights" in order to subsidize the library's construction budget.

- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

*Please don't take this away! It's an important part of our community.*

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

**Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!**

**Kelly Bernard  
126 Sherman St.  
Santa Cruz, CA 95060**

## Rosemary Balsley

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**From:** Garrett <garrettphilipp@aol.com>  
**Sent:** Friday, June 19, 2020 12:04 PM  
**To:** City Council  
**Subject:** 6.23.20 Mixed Use library

6.23.20 Mixed Use library

Dear Council,

Three words "Ain't we broke?".

How can you consider anything that isn't fully funded at this point in the coming depression (you know, the one the government caused)?

However, I have no problem with more parking in general. I don't have a problem with cars, and this tourist town runs on tourist cars. Tourists are not going to bicycle around except maybe at the beach. I have no problem with affordable housing in general. I have no problem with a newer library in general.

As to whether all 3 of those actually go together in one space at some unknown price (or any time) I leave to others but the proposal seems ill-timed to say the least.

You can start with eliminating the climate action manger and associated jobs and throw those salaries in the kitty if you need a few extra bucks.

Thanks for "reading", Garrett Philipp

## Rosemary Balsley

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**From:** Kathleen Tyger Wright <tygerwright@gmail.com>  
**Sent:** Friday, June 19, 2020 12:05 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Drewsila Ho <drewsilaho@comcast.net>  
**Sent:** Friday, June 19, 2020 12:14 PM  
**To:** City Council  
**Subject:** Downtown Parking Garage

Dear Mayor Cummings and City Council Members.,

I am writing to let you know that I do not agree with the plans to build the parking garage where the Farmers Market is located.

As you know, the conclusion of the Parking Study for this new structure was that it would be more fiscally prudent to focus on parking efficiency rather than spending so much money on more parking.

Encouraging more car trips with this parking structure is also at odds with the City's Climate action plan for 2020 (10% reduction of green house gas emissions) and the State Climate action plan for 40% reduction of greenhouse gas emissions by 2030. Why not focus on better public transportation, outer parking nodes with shuttle buses to downtown or other creative ideas?

I think it is really important to maintain the last large open space in Downtown. Once you loose it, it will be harder and more costly to retrieve. Retaining the location of the Farmers's market is also a very important component in maintaining the vitality, sense of community and identity of the City which a parking structure cannot provide.

I support affordable housing in the downtown area and don't support it being linked with a parking structure for all the above mentioned reasons and an additional health reason of tenants living over higher traffic areas and breathing more unhealthy air than they normally would.

With all of the other things we have to worry about at this time, I think it is prudent not to go ahead with this project for fiscal, environmental and social reasons.. I also think that you would have more feedback and be better able to access the will of the community at large once all of the uncertainty and unrest of these times has settled.

Thank you.

Sincerely,

Drewsila Ho

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This email has been checked for viruses by Avast antivirus software.  
<https://www.avast.com/antivirus>

## Rosemary Balsley

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**From:** Aubrey Connelly <aubreylmcdonald@gmail.com>  
**Sent:** Friday, June 19, 2020 12:26 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
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They paved paradise  
And put up a parking lot  
-- Joni Mitchell

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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Todd Sabatino <toddsab@comcast.net>  
**Sent:** Friday, June 19, 2020 12:43 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

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They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

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This email has been checked for viruses by Avast antivirus software.  
<https://www.avast.com/antivirus>

## Rosemary Balsley

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**From:** bee garden <santacruz.bee.garden@gmail.com>  
**Sent:** Friday, June 19, 2020 1:08 PM  
**To:** City Council  
**Subject:** library

Dear Council,

It seems very ill-conceived that a subcommittee designated to review the library issue supports a plan to move the library from its current location to inside a parking garage structure downtown. It is also against the public will.

Please renovate the library in its current location and keep it as part of the Civic Center. We utilize the library on a weekly basis (well, at least before the pandemic). My younger daughter learned to read due to their old summer reading program; my older daughter still can't satiate her appetite for books. Sitting in the kid's section upstairs for an hour next to the windows opening out onto pretty trees and a breeze - that is a library experience to be valued. I certainly would not want my kids sitting in a library under a parking garage where you can't open windows, with noxious fumes circulating through the air system and having to be filtered out.

After having lived in Berkeley for a few years and also on the coast of Brazil, I moved back to Santa Cruz for multiple reasons, but what I was escaping in both of those other places was the increasing car-culture and building of hi-rises that destroyed the towns' characters and made both much more unlivable. In Brazil 6+ story buildings were going up so quickly, blocking views and access to the beach. A 7-story building is slated to quash the historic South Berkeley flea market and its Black culture (very frustrating to our bi-racial family!). Downtown Berkeley with its hi-rises now gets little sun except at noon when it is directly overhead; hardly a place to want to hang out, particularly if you want to sit outside at a cafe (or **are required** to sit outside due to increasing viral pandemics...).

We are so lucky to have our low-building-profile beach town; don't ruin it with the boxy, out-of-character 4 and 5+ story buildings that seem to be getting approved around town more and more. It seems that our planning department is being overrun by those with urban over-the-hill mentalities. Santa Cruz is not San Jose nor Santa Clara and I don't think most of us want it to be. I don't know any long-term resident (not developer) in favor of building over our farmer's market and its vibrant culture. (We shop weekly at that market; has anyone noticed that the proposed new farmer's market location is totally shaded in the afternoons - why would you want to shop or sit in the cold shade to eat a yummy snack/dinner, versus the beautiful open current location that basks in afternoon sun?). And it was so wonderful to see parts of Pacific Ave. blocked off this past Wed, Euro-style, for open-air dining and pedestrians - we don't need an increase of car culture in Santa Cruz and certainly don't need another parking garage. Why would you want to promote more driving and traffic in our already-congested town?

(An aside about the "mixed-use" plan's affordable housing component - affordable housing is extremely important, and can/should be achieved in other ways. For example, make it easier/cheaper for folks to rent out existing ADU's or build new ones, increase requirements for affordable units (Santa Cruz is way above target for market rate units - stop approving so many until we get up to speed with affordable units), pursue more of the affordable housing funding options out there, etc.)

My understanding is that there are guaranteed Measure S funds for a library renovation in the current location, and it is well worth the public effort to raise any additional funds needed.

Please scrap the parking garage "mixed-use" plan - we residents don't want it.

Sincerely,  
Julie Mascarenhas

## Rosemary Balsley

---

**From:** Gary Niblock <gniblock@gmail.com>  
**Sent:** Friday, June 19, 2020 1:09 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

**Vote YES!** on the mixed-use library/affordable housing project on Lot 4. This is progress. We don't live in Santa Cruz 1950's, 60's or 70's any longer. Time to move forward into our current age. Do it for the kids and for the people who need a place to live in the here and now. Thank you!

## Rosemary Balsley

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**From:** Megan Piety <megan@kinshiphairco.com>  
**Sent:** Friday, June 19, 2020 1:09 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the development of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library.

Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

Thank you,  
Megan Piety  
Owner, Kinship Hair Co.

## Rosemary Balsley

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**From:** Sean Livingston <seanklivingston@gmail.com>  
**Sent:** Friday, June 19, 2020 1:23 PM  
**To:** City Council  
**Subject:** I Support a Mixed Use Library and Affordable Housing

To Santa Cruz City Council Members,

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the development of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library.

Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

Thank you, Sean Livingston

## Rosemary Balsley

---

**From:** Casey Coonerty <caseycoonerty@hotmail.com>  
**Sent:** Friday, June 19, 2020 1:29 PM  
**To:** City Council  
**Subject:** support mixed use library project

Dear Councilmembers,

I am writing today in support of the mixed use library plan that has been extensively research, assessed and endorsed. As the Owner of Bookshop Santa Cruz, I know the importance of a twenty first century library in creating the next generation of readers. These spaces define a community and we need a library that showcases our commitment. In addition, this project, approved through the overwhelming support of the library bond, is central to building an even stronger downtown with places that can be community centers and draws families to visit. In addition, for Downtown to be truly green, we need live/work housing, especially affordable housing. This project creates a step forward across all of these issues and should be approved.

Thank you for your consideration,

Casey Coonerty Protti  
Owner  
Bookshop Santa Cruz

## **Rosemary Balsley**

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**From:** Toby Paige <tobypaige@gmail.com>  
**Sent:** Friday, June 19, 2020 1:33 PM  
**To:** City Council  
**Subject:** Downtown Library at the Civic Center

Dear Council members,

Please select the Jayson Architecture proposal for the reconstruction of the existing Downtown Library.

Please use city funds to build truly affordable housing. The current proposal for the lot 4 site fails to meet this standard. Why? Because it bakes in the cost of parking, forcing low-income residents who do not drive to subsidize parking spaces for those who do.

Santa Cruz is well positioned to tackle issues of equity and economic development at the same time but I believe the mixed-use proposal for lot 4 fails to meet the mark.

Thank you for your work and your consideration of my views.

Regards,

Tobias Paige

## **Rosemary Balsley**

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**From:** Meyer, Drew <drewmeyer@amazon.com>  
**Sent:** Friday, June 19, 2020 1:33 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

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Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

Thank you,

## Rosemary Balsley

---

**From:** d wirkman <debrawirkman@sbcglobal.net>  
**Sent:** Friday, June 19, 2020 1:48 PM  
**To:** City Council  
**Subject:** Library

Mayor and Council,

I support rebuilding the downtown library where it is using the Measure S parcel taxes I voted for and pay. Please keep the current downtown Farmers Market site, with its central location and beautiful Magnolia trees, as our Downtown Commons. Expand one of the existing parking garages if parking demand exceeds the current supply. This is what the majority of residents want you to do. If you don't believe it then put it to a vote.

Thank you,

Deb Wirkman  
Resident, City of Santa Cruz

## Rosemary Balsley

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**From:** Matt Farrell <mateo@cruzio.com>  
**Sent:** Friday, June 19, 2020 1:50 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

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Thank you,

Sent from my iPhone

## Rosemary Balsley

---

**From:** Diane Grunes <digrunz@aol.com>  
**Sent:** Friday, June 19, 2020 1:52 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
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They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

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- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
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For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

You can help make the difference!

Follow the local voices, and support the redevelopment of our current Downtown library! We don't need an entirely new building on a new site.

And the city does not need a huge new parking lot - especially one that shares its space with the library, and takes away easy access and robs the space of adequate natural light and windows from which we can see the City and feel at home whether inside or while sitting outside in the comfy Commons area!

Thank you, Diane Grunes

42 year Santa Cruz citizen, and property owner. Retired public school art teacher in Santa Cruz County,

Sent from my iPhone

## **Rosemary Balsley**

---

**From:** Bob Lamonica <boblamonica@gmail.com>  
**Sent:** Friday, June 19, 2020 1:55 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

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Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

Thank you,

Bob Lamonica

## Rosemary Balsley

---

**From:** lisa ortiz <lisa.allen.ortiz@me.com>  
**Sent:** Friday, June 19, 2020 1:58 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

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Thank you,

Sent from my iPhone

## Rosemary Balsley

---

**From:** Lois Robin <robin@baymoon.com>  
**Sent:** Friday, June 19, 2020 1:58 PM  
**To:** City Council  
**Subject:** On the side of the angels

To members of the City Council,

--Please be your visionary selves and opt for a Real Library in the Civic Center complex, restored and revitalized and/or rebuilt as necessary.

--Do not build the thoroughly ugly monstrous garage that we do not and will not need and that gives the wrong message by encouraging automobiles to the downtown.

--Do save the intended lot for the garage as a revitalized civic plaza saving the great old magnolia trees there for future generations to enjoy and providing milieu for markets, fiestas and events.

--There are other ways to have new housing in the downtown. Find them.

\*We have a great town and this is your moment to enhance it, not denigrate it with an unneeded parking garage.

Your truly,

Lois Robin, lover of real libraries

4701 Nova Dr.

Santa Cruz, CA 95062

*Lois Robin*

*4701 Nova Dr.*

*Santa Cruz, CA*

*831 464-3939*

[\*www.LoisRobin.com\*](http://www.LoisRobin.com)

[\*climatechangehitshome.com\*](http://climatechangehitshome.com)

## Rosemary Balsley

---

**From:** Satya Orion <lightspirit16@gmail.com>  
**Sent:** Friday, June 19, 2020 2:09 PM  
**To:** City Council  
**Cc:** Bonnie Bush  
**Subject:** Vote NO on the Parking Garage - City Council Meeting 6/23/2020

Dear Mayor Cummings & City Council,

I am so deeply saddened that the Library Sub-Committee voted in favor of a library buried under a parking garage. I have no idea why the committee came to this decision, which in my opinion, completely disregards the wishes of the community.

It's a very sad day for Santa Cruz, which no longer feels like my community. I'm reminded now of why I never wanted to have anything to do with politics.

I've been very naive and optimistic that change was possible, with that one short year of possibilities that we all had. But now I see that was just a moment in time and the door has slammed shut on any meaningful interest in what the community wants.

I hope you will all be present to watch when the beautiful heritage trees are killed and tons of concrete are poured over our beloved Farmers Market and Antique Faire.

If you vote in favor of this insane parking garage, you will be forever remembered as the ones who destroyed Santa Cruz.

Please vote with your heart and be the voices for the community who elected you.

in truth,  
Satya

## Rosemary Balsley

---

**From:** SYLVIA A LEE <sylviale2@sbcglobal.net>  
**Sent:** Friday, June 19, 2020 2:12 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the development of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library.

Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

Thank you,  
Sylvia Lee, President of Scotts Valley Friends of the Library

Sent from my iPad

## Rosemary Balsley

---

**From:** ROBERT STEPHENS <awranch@aol.com>  
**Sent:** Friday, June 19, 2020 2:19 PM  
**To:** City Council  
**Subject:** New Library

Dear City Council Members

I am afraid that the idea to improve the downtown library has been taken over by other city demands, such as to provide housing.

The citizens of Santa Cruz county voted to help libraries not build housing, which seems to be the main driver behind the proposed garage/housing/library building. Build the library that you can afford and lose all the other ideas.

Please focus on the library and don't make decisions based on other needs that have no connections to a library. Pass a ballot measure for housing, if this is your goal.

Sincerely

Robert Stephens

June 19, 2020

Dear Mayor Cummings,

RECEIVED

JUN 19 2020

CITY CLERK'S DEPT.

*All Councilmembers  
received a copy  
& added to agenda mail*

Thank you for your support for a mixed-use library as a member of the Downtown Library Council Subcommittee. The mixed-use alternative (Option D) provides multiple benefits for our community:

Affordable Housing

The mixed-use alternative (Option D) provides an opportunity to build much needed affordable housing close to transit, shopping, restaurants, culture, and government services. Given that the City Council is also considering applying for state housing funds at your June 23 meeting, it is wise to have projects available to compete for this funding. The project also provides the opportunity to use air rights fees collected from the project's developer to support library expansion.

A Better Downtown Library

The mixed-use alternative (Option D) also provides a more accessible, single story floor plan for a better library. This library will have more space than a renovated library. This will allow the library system to maintain 19,000 more volumes; have more daylighting; a quiet space; a study, tutoring, and small group space; a dedicated California and local history collection; a genealogy space; room for adult services; sufficient bathroom facilities; better opportunities for solar energy; better building energy efficiency; no library relocation expenses; and no disruption of library operations.

Shared Replacement Parking

The mixed-use alternative (Option D) provides for a separated 400 space parking facility, adjacent to the library and housing. This facility will consolidate 347 parking spaces currently provided in several surface parking lots. Repurposing these properties for mixed use and housing projects is a much better use of this land; and will help us provide much needed housing and services for our community. This parking will meet the needs of residents living in the adjacent housing, library employees and visitors; and other Downtown employees, residents and visitors. It will also provide opportunities for increased bicycle parking, bike sharing, car sharing and electric vehicle charging. It will be shared and available to the public all day, every day.

Thanks also for your work as Mayor during this very difficult time. And for the courage and vision you have shown in your work on the Downtown Library Council Subcommittee. I deeply appreciate it.

Best,  


Matt Farrell  
922 Windsor Street  
Santa Cruz, CA 95062

## Rosemary Balsley

---

**From:** Lisa Benson <lisa@lisabenson.net>  
**Sent:** Friday, June 19, 2020 2:23 PM  
**To:** City Council  
**Subject:** Mixed Use Library

Hello City Council -

I wanted to lend my voice to those supporting the construction of a new library. Combining housing with the library is a brilliant use of space in downtown. It allows the current library to provide services to the community while the new one is under construction. The plan provides for much needed new housing inventory. And the approach of densification of our downtown is the responsible approach to growth in our city. Lastly, it is an innovative use of the funds provided through Measure S and generates solutions to multiple issues, while providing a modern library space for our community.

Please vote to approve the plan to build a new library.

Much Laughter,  
Lisa Benson  
Resident of the city of Santa Cruz  
831-335-4235

Sent from my iPad

## Rosemary Balsley

---

**From:** Dennis <hagensipkin@gmail.com>  
**Sent:** Friday, June 19, 2020 2:29 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the development of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library.

Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

Thank you,  
Dennis Hagen  
Diane Sipkin  
322 Pelton Ave

## Rosemary Balsley

---

**From:** Robin Brune <shaylaah@gmail.com>  
**Sent:** Friday, June 19, 2020 2:31 PM  
**To:** City Council  
**Subject:** Library -Opposition Letter to library in garage plan.

Hello,

I am a resident of Santa Cruz County and an avid user of the library-including the Santa Cruz branch. I go there to browse their massive collection of dvds/cds and to return books as well. I enjoy the light airy rooms, the spacious shelving, and the helpful staff.

I do not support moving the library to the bottom of a parking garage.

I do not support tearing down the locals' farmers market to put up a parking garage.

Please don't pave over paradise and put up a parking garage.

I support renovating the library at its current location using funds that have already been earmarked for that benefit.

Robin Brune  
Felton, California

## Rosemary Balsley

---

**From:** Matt Steele <matt@thegreatrabbit.com>  
**Sent:** Friday, June 19, 2020 2:35 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

I see this as a no-brainer, no least of all from an affordable housing perspective. Over and over, the can has been kicked down the road on affordable housing. We claim to be a progressive city and yet, one of the most critical items to creating equity, reducing traffic, and providing opportunities for our downtown to continue to be a vibrant destination.

We need a new library, not a re-built one. We have an opportunity in this moment to have a central library that is state of the art and doesn't feel like a relic from another time. We already approves funding for this and it's about time we actually got it done.

Let's face it. People aren't going to stop driving. Americans are too individualistic. So let's face the fact that even if we have something like the the Rail & Trail we will best serve tourists (our economic drivers) by providing ample parking.

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the development of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library.

Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community.

Let's move forward!

Thank you,

Matt Steele

## Rosemary Balsley

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**From:** Schumacher, Marty <Marty.Schumacher@gcinc.com>  
**Sent:** Friday, June 19, 2020 2:41 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the redevelopment of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library.

Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

Thank you for listening,

Martin Schumacher

## Rosemary Balsley

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**From:** Joel Wilson <openwatr@got.net>  
**Sent:** Friday, June 19, 2020 2:51 PM  
**To:** City Council  
**Subject:** Library / Parking Lot

Hello City Council Members,

I want to express to you, my elected representatives, how much I approve of keeping the library in its current location. Let's rebuild and renovate the library where it stands. Making the library part of an unnecessary parking lot is a huge mistake, both aesthetically and financially.

Please respond to the will of the people and keep the library where it stands.

Sincerely,

Joel Wilson  
340 B Dakota Ave.  
Santa Cruz 95060

## Rosemary Balsley

---

**From:** Matt Steele <matt@thegreatrabbit.com>  
**Sent:** Friday, June 19, 2020 2:35 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

I see this as a no-brainer, no least of all from an affordable housing perspective. Over and over, the can has been kicked down the road on affordable housing. We claim to be a progressive city and yet, one of the most critical items to creating equity, reducing traffic, and providing opportunities for our downtown to continue to be a vibrant destination.

We need a new library, not a re-built one. We have an opportunity in this moment to have a central library that is state of the art and doesn't feel like a relic from another time. We already approves funding for this and it's about time we actually got it done.

Let's face it. People aren't going to stop driving. Americans are too individualistic. So let's face the fact that even if we have something like the the Rail & Trail we will best serve tourists (our economic drivers) by providing ample parking.

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

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Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community.

Let's move forward!

Thank you,

Matt Steele

## **Rosemary Balsley**

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**From:** betty devalcourt <bettydeval@gmail.com>  
**Sent:** Friday, June 19, 2020 2:52 PM  
**To:** City Council  
**Subject:** Library

Dear Council,

Please record me as (1) in favor of a major renovation of the current library as a reasonable and indeed exciting idea and to preserve the special community experience we have had and (2) my disappointment in the proposal to combine a library/garage.

Betty Devalcourt  
634 Walnut Ave.  
Santa Cruz 95060

## Rosemary Balsley

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**From:** Brian O'Connor <oconnorbri@yahoo.com>  
**Sent:** Friday, June 19, 2020 3:01 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing NO - Opposed

This email notice is a mis use of the bully pulpit.

No on the monstrosity parking garage, affordable housing plan. Yes on refurbishing the existing library. Keep the corner at Cathcart and Cedar as is. If you want a parking garage, buy the 124 River Street building. This is a terrible plan. The over sized Swenson building at North Pacific is horrible. Same with the development where Pacific runs into Front Street. Both are monolithic structures with no soul or character. Yep Santa Cruz is just an extension of downtown San Jose except for no water traffic congestion and thrice the homeless population.

SC CITY COUNCIL.... you must be so proud. While I am at it, no train. Disband the useless RTC just like the Redevelopment agency.

Brian O'Connor  
Commercial Realtor  
Santa Cruz County resident since 1961  
SLV, UCSC, Cabrillo, SJSU

NO!

Dear Santa Cruz City Council Members, Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff! Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the development of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library. Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community! TOTAL BULLSHIT.

## Rosemary Balsley

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**From:** J H <jdhoward9@gmail.com>  
**Sent:** Friday, June 19, 2020 3:15 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the development of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library.

Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

J. Howard

## Rosemary Balsley

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**From:** Bonnie Bush  
**Sent:** Friday, June 19, 2020 3:28 PM  
**To:** City Council  
**Subject:** Fwd: Recommendation to Proceed with the Mixed Use Downtown Library Project

Bonnie Bush, CMC  
City Clerk Administrator  
831-420-5035

Begin forwarded message:

**From:** Casey Beyer <casey.beyer@santacruzchamber.org>  
**Date:** June 19, 2020 at 3:11:29 PM PDT  
**To:** Justin Cummings <jcummings@cityofsantacruz.com>, Donna Meyers <dmeyers@cityofsantacruz.com>, Cynthia Mathews <CMathews@cityofsantacruz.com>, Martine Watkins <mwatkins@cityofsantacruz.com>, Katherine Beiers <kbeiers@cityofsantacruz.com>, Sandy Brown <sbrown@cityofsantacruz.com>, Renee Golder <rgolder@cityofsantacruz.com>  
**Cc:** Bonnie Bush <bbush@cityofsantacruz.com>  
**Subject: Recommendation to Proceed with the Mixed Use Downtown Library Project**

Dear Mayor Cummings, Vice Mayor Meyers and Council members Beiers, Brown, Golder, Mathews and Watkins:

I am writing on behalf of the Santa Cruz County Chamber of Commerce and are nearly 600 members in support of the Mixed Use Downtown Library Project.

In June 2016, with voter approval of a countywide Library bond Measure S, this started the wave of positive interest that our future county library system would be modernized. Over the past two years the Santa Cruz County Chamber, other business and community organizations have worked diligently to support a mixed-use downtown library project that includes, much needed affordable housing, as well as adequate parking for residents, employees and visitors to our downtown. We believe that building a 21st century library in a mixed-use project is the most economic and environmentally sound decision for our city council to make.

A year ago, on May 14, 2019, the Santa Cruz City Council voted to put a hold on the decision regarding how to proceed with a Downtown Library Mixed-Use Project, and instead approved formation of a Council Subcommittee to investigate library project alternatives, in collaboration with Library staff and the interested community. The subcommittee included Mayor Justin Cummings, Vice Mayor Donna Meyers and Councilmember Sandy Brown. You can review the subcommittee activity during the past year: [cityofsantacruz.com/government/subcommittees/downtown-library-3994](http://cityofsantacruz.com/government/subcommittees/downtown-library-3994)

Last week, the subcommittee unanimously recommended a mixed-use project on the city owned parking Lot 4, instead of remodeling a 1966 old and out of code library building. I applaud the subcommittee members for listening to the majority of the community who took the time to follow the subcommittee's actions by attending meetings, submitting letters demonstrating the variety of reasons why this project is the best solution. As one community member I attended, listened, spoke out to offer constructive input throughout the process. The subcommittee's decision is the right thing for our community. Now, four years after passing Measure S, it is time for the full city council to approve the subcommittee's recommendation.

The opposition argues that a mixed-use project is not environmentally sound. This argument falls flat, as it doesn't even meet the national Sierra Club's own environmental standards for in-fill development. <https://www.sierraclub.org/redwood/blog/2019/09/sierra-club-updates-urban-infill-policy>

Fundamental to all good urban planning is designing 21st century communities. The Sierra Club's national policy underscores the value of the mixed-use project and refutes the local environmental group's arguments, who stridently oppose change for the better in our downtown.

The national Sierra Club policy says: "It is important that neighborhoods be close to safe paths for bicycles and good-quality public transportation." The policy further states: "In order to realize these goals, the land use policy calls for transformative strategies that build communities with:

- Affordable housing that is accessible to all;
- Transit, bike and pedestrian-first approaches to transportation;
- Expanded opportunities for all residents to participate in the local economy and civic decisions;
- Living-wage jobs;
- A balance between employment opportunities and housing;
- Access to education, services, amenities, and recreation that improves overall quality of life;
- Measures and policies that increase climate resilience.

The policy statement acknowledges that traditional zoning practices in the United States have led to social inequities, economic insecurity and increased greenhouse gas emissions. By calling for living wage jobs located close to affordable housing, plus advocating for mixed-use developments which support diverse food markets, cafes, and other businesses, the policy aims to bring more balance to communities while strengthening local economies.

The Downtown mixed-use Library project hits on all of the national Sierra Club's policy priorities, and especially places a stronger worded policy that address inequity in our society.

Vivian Rogers' recent Opinion piece in the Sentinel (June 13th) is spot on: <https://www.santacruzsentinel.com/2020/06/13/guest-commentary-new-library-brings-abundance-of-community-benefits/>. Vivian was the former Executive Director of the Friends of Santa Cruz Public Libraries, so she has a clear understanding of what it requires to have a functional library for our community.

Tonight you have an opportunity — and I would say an obligation — to address the fundamental needs for our current and future residents with a new library, affordable housing and adequate parking space. On behalf of the Chamber, we support a modern 21st Century Library built by this generation for future generations.

Thank you in advance for considering the views of the business community on this important project.

Casey

Casey Beyer  
Chief Executive Officer  
Santa Cruz County  
Chamber of Commerce  
(831) 457-3713  
[www.santacruzchamber.org](http://www.santacruzchamber.org)

## **Rosemary Balsley**

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**From:** Marie Beaugureau <cmariabeau@gmail.com>  
**Sent:** Friday, June 19, 2020 3:32 PM  
**To:** City Council  
**Subject:** support for mixed-use downtown library project

Hi SC City Council,

As a Santa Cruz resident and someone who works downtown, I wholeheartedly support building a MIXED USE building to house the downtown library, provide more housing downtown, and include a parking lot. Please vote to approve the mixed use building at your next council meeting!

Marie Beaugureau

## Rosemary Balsley

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**From:** Nita nita <nitahertel@gmail.com>  
**Sent:** Friday, June 19, 2020 3:35 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

I have written many, many times to urge and coax and now demand that you listen to public with vision and approve reconstruction of the library on site. That would give us a beautiful opportunity and space to create a public commons on lot 4. NOW is the time!!

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay “air rights” in order subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

---

**From:** Tim Fitzmaurice <tim.fitzmaurice1@gmail.com>  
**Sent:** Friday, June 19, 2020 3:38 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons.

The circumstances surrounding the promotion of this project have become damaging to the integrity of the choice. Please remember the real goal is the local community. We have missed the boat on downtown open spaces, the commons for community, since the earthquake made us rethink downtown. It went awry then. It seems like we might miss it again and for the final time. This garage will be the final nail in that coffin.

You know that silly song is right!

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

---

**From:** Sarah Marie Shane <smshane@dons.usfca.edu>  
**Sent:** Friday, June 19, 2020 3:39 PM  
**To:** City Council  
**Subject:** Support for library in mixed-use building

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
- With meeting rooms for my reading club, to hold meetings, or community get-togethers.
- That has room for more books.
- Is a library that I can be proud of!

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you!

Sarah Shane-Vasquez

## Rosemary Balsley

---

**From:** Valerie Morgan <vjgandrcm@cruzio.com>  
**Sent:** Friday, June 19, 2020 3:44 PM  
**To:** City Council  
**Subject:** Library

I am absolutely not in support of building a mixed use building and everyone I speak to has expressed the same opinion. There is a very large group of opponents--this letter is very deceiving. There is no issue with parking downtown. Keep the library where it is and renovate.

Sincerely,

Valerie Girsh

## Rosemary Balsley

---

**From:** Annette Hagopian <bobnetcruz@sbcglobal.net>  
**Sent:** Friday, June 19, 2020 3:44 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

As a member of the Genealogical Society and long-time volunteer staffer at our desk at the downtown library, I am passionately in favor of upgrading our library. The people of Santa Cruz voted in good faith to get this done. I object to both plans that have so far put forward. however. I believe that the multi-story parking garage should be a separate project from the library, and it is unfair and unfortunate that objections to the parking garage have held up the library project and inserted nasty politics into the discussion, which should have been about which library amenities are best for our community. Affordable housing is I think less politically charged, but also should be kept separate. If you didn't have enough money (as certainly seems to be the case), you need to raise more money, but KEEP THE LIBRARY SEPARATE. The "upgrade" /rebuilding proposal at the current site is likewise untenable in the extreme — the severe restrictions and downsizing that would necessarily be involved would result in a poorer — not a better — library. Not incidentally, the genealogy collection (and the adjacent history and Californiana sections would likely be eliminated, which would be a sad loss for our community.

I urge you to stop adding on to what the people voted for — a 21st century library — by tying that to other more objectionable projects. PUT THE LIBRARY FIRST IN WHATEVER DECISION YOU MAKE — please don't have the library be an adjunct casualty.

Because our Genealogical Society has members with many varying (and strongly-held) opinions on this issue, we have chosen to officially remain neutral on this choice, and pray that we will have a place in whatever future plan is eventually adopted. This letter is sent by me as a private individual.

Sincerely,  
Annette Hagopian

## **Rosemary Balsley**

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**From:** Sheila Namir <snamir@sbcglobal.net>  
**Sent:** Friday, June 19, 2020 3:46 PM  
**To:** City Council  
**Subject:** please DO NOT BUILD A NEW LIBRARY with parking

We do not need more parking in Santa Cruz, or more cars coming downtown. We need open spaces, the Farmer's Market, and other amenities. It is ridiculous to take more space from downtown for a mammoth structure, which is hardly in keeping with this low key hamlet.

Please do not approve this project.

Thank you,

Dr. Sheila Namir

## Rosemary Balsley

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**From:** JEAN MICHEL <jmichel@gmail.com>  
**Sent:** Friday, June 19, 2020 3:46 PM  
**To:** City Council  
**Subject:** Letter in support of building a new mixed-use building with library

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
- With meeting rooms for my reading club, to hold meetings, or community get-togethers.
- That has room for more books.
- Is a library that I can be proud of!

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you!

## Rosemary Balsley

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**From:** Randy Nelson <randynelson@mac.com>  
**Sent:** Friday, June 19, 2020 3:47 PM  
**To:** City Council  
**Subject:** Yes! New Library Plan

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

We all have a lot of hard work before us, building a safe and fair community. What a great way to support that effort, on multiple levels, with a multi-use library!

Libraries are a huge and visible investment in making key resources equal access. Please vote to support this plan for a new Downtown Library.

Randy & Chris Nelson  
Boulder Creek

Sent from my iPhone

## **Rosemary Balsley**

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**From:** Margy Baron <mcpbaron@gmail.com>  
**Sent:** Friday, June 19, 2020 3:48 PM  
**To:** City Council  
**Subject:** Downtown Library at the Civic Center

Dear members of the Santa Cruz City Council,

We are four adults who are sheltering-in-place. We share a strong opinion about the Library. We are fully in favor of the Downtown Library being at the Civic Center. We do want a Downtown Commons. We favor the Downtown Farmers Market being kept in its present location. We approve of low cost housing being built downtown on city owned lots.

We do not want a parking garage/library complex.

Thank you for your attention to our opinions.

Margaret Baron  
Stephen Baron  
Elizabeth Baron  
Piero Lorenzo

## Rosemary Balsley

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**From:** Denise Lee <dlee@cruzio.com>  
**Sent:** Friday, June 19, 2020 3:49 PM  
**To:** City Council  
**Subject:** Please vote in support of the new downtown library!

Dear Santa Cruz City Council,

Thanks so much for your hard work on behalf of our city! Please vote in support of a new downtown library as part of the mixed-used building. This investment would benefit the city so much.

Our libraries serve the community in so many more ways than its important function as a media lending and resource center.

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thanks again for your service and for voting in support of the new downtown library and mixed-used building.

Best regards,  
Denise Lee

## Rosemary Balsley

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**From:** thebeach175@comcast.net  
**Sent:** Friday, June 19, 2020 3:51 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Our Santa Cruz library system is one I am truly proud of.....I support the mixed use proposal for our downtown branch and encourage you to do the same!

Thank you,

Lynne M. Simpson

927 Corcoran Avenue

Santa Cruz 95062



This email has been checked for viruses by AVG antivirus software.  
[www.avg.com](http://www.avg.com)

## Rosemary Balsley

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**From:** Teresa D <teresawang83@gmail.com>  
**Sent:** Friday, June 19, 2020 3:52 PM  
**To:** City Council  
**Subject:** Downtown Library

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
- With meeting rooms for my reading club, to hold meetings, or community get-togethers.
- That has room for more books.
- It is a library that I can be proud of!

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- incorporating environmentally-safe building criteria following the Sierra Club such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you!

--  
Regards,  
Teresa

## **Rosemary Balsley**

---

**From:** colesantacruz@aol.com  
**Sent:** Friday, June 19, 2020 3:53 PM  
**To:** City Council  
**Subject:** Mix use library

I most emphatically do NOT support the building of a mixed use library. This is not what I voted for. This is not how the money was supposed to be spent. I will vote against all future bonds, parcel taxes, etc. as I no longer trust the money will be used for the purpose intended.

Paula Cole

## Rosemary Balsley

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**From:** Cathy Johnson <cjohnson@scdefenders.com>  
**Sent:** Friday, June 19, 2020 3:55 PM  
**To:** City Council  
**Subject:** downtown library

Hello Council members,

I am in strong support of the Friends of the Library subcommittee's plan to rebuild the library as a mixed-use space. It sounds amazing and puts us on a path towards the future that our beloved library system deserves! Please vote to fully approve what they are proposing.

Thank you in advance for this!

C. Johnson

## Rosemary Balsley

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**From:** Kit Birskovich <kitb@baymoon.com>  
**Sent:** Friday, June 19, 2020 3:55 PM  
**To:** City Council  
**Subject:** Library/Parking Garage

Dear City Council Members,

I must forcefully declare I am 100% against the behemoth "new library" and parking garage plan. How ridiculous and wasteful! First, the current library is at a good site and can be renovated/upgraded. Secondly, the plan would eliminate the site of our weekly farmers' market and would remove some pretty wonderful old trees. Thirdly, the city's charm does not include 6-story unsightly parking garages.

Please listen to our citizens' objections and wishes, "the will of the people," and ditch this crazy idea. I think most of you know in your heart this is a bad, bad idea.

Most sincerely,  
Kit Birskovich, Piano Teacher  
1027 N. Branciforte Ave., Santa Cruz

## Rosemary Balsley

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**From:** Nadene Thorne <nadenetd@yahoo.com>  
**Sent:** Friday, June 19, 2020 3:56 PM  
**To:** City Council  
**Subject:** DISAGREE with Library Friends on Garage Library Recommendation!

City councilpeople:

Much as I appreciate the Friends of the Library, I recognize that they'd love to have a big new space, and are undeniably drawn to a project they've worked and sweated over for a few years now. Nonetheless, I wholeheartedly do NOT support the giant concrete mixed use monster they envision. Watsonville's library is lovely in its big city building in a city full of similar big buildings - NOT for Santa Cruz. Adding a parking garage for which there is no evidence we need, or should pay for for a future which should be reducing our car travel, and "affordable" housing which eventually will NOT be affordable is selecting the plan which is the worse combination of possibilities. I vote NO on the new library - fix the one we've got and create a real city center adjacent to the rest of the city offices, and civic center.

Ira Davis  
140 Averitt Street  
Santa Cruz 95060  
831-346-9777

## Rosemary Balsley

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**From:** Laurie King <laurie@laurierking.com>  
**Sent:** Friday, June 19, 2020 4:01 PM  
**To:** City Council  
**Subject:** New Santa Cruz library

Dear friends on the Santa Cruz City Council,

I write asking you to support a new downtown library, particularly one closely tied with a mixed-use building as I understand the current proposal has put before you.

I have used the Santa Cruz library since the 1950s, as patron and as presenter, and have always appreciated it as a center of downtown life. To have a larger children's area, a friendly and safe area for older kids, and meeting rooms for all manner of book-related events would make the library a real center of activities for the whole area—and to have it linked not only with a farmer's market, but affordable housing as well, could transform the downtown area into an exciting place to shop, visit, and live.

I remember the old ivy-covered Carnegie library, which was all about the books. I have long used the current downtown one, where books have branched out into everything from study centers to literary get-togethers to computer access. I look forward to moving into the future with a new generation of Santa Cruz library, where books are just the beginning.

Thank you, and I look forward to seeing how the City Council reaches into Santa Cruz's future.

Yours,

Laurie R. King  
Bestselling, award-winning local author

Laurie King web site & newsletter: [www.LaurieRKing.com](http://www.LaurieRKing.com)

## **Rosemary Balsley**

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**From:** woodseagan@gmail.com  
**Sent:** Friday, June 19, 2020 4:01 PM  
**To:** City Council  
**Subject:** New library

I am very sad and disappointed that you are building the new parking lot library. It destroys the only open space of any size downtown. And why in this time, we think we should encourage more cars is beyond me. This is a dreadful action. Jane Eagan

Sent from my iPhone

## Rosemary Balsley

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**From:** Lynn Kidder <lkpumpkin@hotmail.com>  
**Sent:** Friday, June 19, 2020 4:05 PM  
**To:** City Council  
**Subject:** Library upgrade

Hello,

I am very sorry to learn the library subcommittee is unanimously supporting a new building combining a new library and living spaces with a parking garage.

Even if the Library and living spaces can be fully protected from the pollutants associated with a parking garage, moving the library 3 blocks from City Hall and the Civic Center leaves the town with a split center.

I believe the town would be better served economically and otherwise by adding to (and renovating as necessary) the existing library building.

If a new parking garage combined with (protected) affordable housing is wanted and needed downtown, let that happen separate from the library.

Thank you for considering this.

Lynn Kidder  
Santa Cruz resident

## Rosemary Balsley

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**From:** charles stover <cas33333@yahoo.com>  
**Sent:** Friday, June 19, 2020 4:04 PM  
**To:** City Council  
**Subject:** I support new mixed use library

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
- With meeting rooms for my reading club, to hold meetings, or community get-togethers.
- That has room for more books.
- Is a library that I can be proud of!

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you!

Charles Stover

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## Rosemary Balsley

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**From:** Lin Miles <linmiles8@gmail.com>  
**Sent:** Friday, June 19, 2020 4:07 PM  
**To:** City Council  
**Subject:** New library

Hello,

I am a long time active member of The Friends of the Santa Cruz Public Libraries and ask that you vote in support of the mixed-use proposal for the new library. It appears to be the most cost-effective, resource-effective, and elegant solution to meet a number of community needs.

Thanks in advance for your support,  
Lesli Min

## Rosemary Balsley

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**From:** Ellen Bass <ellen@ellenbass.com>  
**Sent:** Friday, June 19, 2020 4:07 PM  
**To:** City Council  
**Subject:** library

Dear Members of the City Council,

I am writing to ask you to vote against the Subcommittee's recommendation to build a multi-story, mixed-use library. The Farmer's Market (where it is) is a delightful and useful feature of Santa Cruz culture. We could have an open-air commons as part of a more pedestrian-friendly downtown. We need affordable housing, but that doesn't need to be smack dab in the center of downtown. Our library needs to be rebuilt, but that could be done at its current location for significantly less money. More parking garages are not the answer to the climate crisis. And we don't need a \$100 million, 6-story monster in the middle of downtown in our current financial situation. This is such a terrible idea that I don't know how it's gotten so far. It's shortsighted and misguided and I don't believe that it reflects the will of the people of Santa Cruz.

Thank you for your consideration,  
Ellen Bass  
226 Younglove Ave.  
Santa Cruz, CA 95060

**Follow me online:**

[ellenbass.com](http://ellenbass.com)

Twitter: [@PoetEllenBass](https://twitter.com/PoetEllenBass)

Facebook: [@PoetEllenBass](https://www.facebook.com/PoetEllenBass)

## Rosemary Balsley

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**From:** Jane <jcox2002@hotmail.com>  
**Sent:** Friday, June 19, 2020 4:09 PM  
**To:** City Council  
**Subject:** proposed parking garage on Lot 4

Dear City Council Members, I am opposed to the new plan for building on Lot 4 downtown for the following reasons:

- 10 heritage trees and large public space will be gone. These trees help our city by reducing pollution and mitigating greenhouse gas emissions which we desperately need right now.
- Building a new parking garage will encourage people to drive their cars into town instead of walking or biking thereby increasing carbon emissions. We need to confront climate change by taking actions to slow CO2 emissions not increase them.
- It will change the fabric of our downtown by taking away one of our last large open spaces.
- We are in a recession and shouldn't be taking on enormous debt to build an unneeded parking garage.
- The library can be rebuilt where it is - saving money, trees and space.
- Affordable housing can be built on other nearby city-owned lots, not on Lot 4.

A better use of the space would be to transform Lot 4 into a beautiful Commons for all residents and visitors and preserve and enhance the Farmers Market at this location.

One of the reasons I love living in Santa Cruz is that it is a leader among cities in many ways. We need to be a leader in this as well. Please make the right decision and do not approve this plan.

Thank you,  
Jane Forbes

## Rosemary Balsley

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**From:** Cameron Meyers <cameronmackenzie429@gmail.com>  
**Sent:** Friday, June 19, 2020 4:12 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the development of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library.

Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

Cameron Meyers  
Sent from my iPhone

## Rosemary Balsley

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**From:** Susan Willats <susan@willats.com>  
**Sent:** Friday, June 19, 2020 4:14 PM  
**To:** City Council  
**Subject:** support for the new library

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building. This is such a win-win situation for library users throughout the County, as well as a small-but-important step to create more housing.

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a larger library that can better serve the needs of our community. Keeping the library in its current location cannot offer the amenities of an expanded facility. That, plus the ability to share costs with both a garage and housing units, make this the clear choice.

Thank you for the work you do.

Sincerely,

Susan Willats  
Felton

## Rosemary Balsley

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**From:** Anita Wood <anita.wood1@gmail.com>  
**Sent:** Friday, June 19, 2020 4:14 PM  
**To:** City Council  
**Subject:** construction of a new library

I totally support the building of the new library for Santa Cruz. The building addresses not only the library needs, but the inclusion of parking, affordable housing units, and the farmers market are wonderful additions. I brag all the time about the ability to the library to respond to my enquiries and almost without fail, have a book available that I am searching for. I love libraries and want to see ours meet more of community needs.

Sincerely,  
Anita

Anita H. Wood, Ph.D.  
131 Jeter Street  
Santa Cruz, CA  
95060  
(480) 363-5879

## Rosemary Balsley

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**From:** Valerie Bengal <valeriebengal@yahoo.com>  
**Sent:** Friday, June 19, 2020 4:16 PM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Council Members,

I am a physician specializing in Family and Community Medicine and have resided in Santa Cruz since 1990. I am also a member of Santa Cruz Symphony, since 1988. I have lived in many places (Sacramento, Vallejo, Davis, Paris, Berkeley, Vienna, Chicago, Salinas, La Selva Beach) which obviously differ from each other tremendously, but each has a focal point in the town center of which is inclusive and welcoming, building culture, community and a strong economy. Periodically there are street fairs on Church Street organized by the SC Symphony and the Cabrillo Festival, or the Greek Festival. I hope the City Council notices how popular these celebrations are!

I was disappointed after the 1989 earthquake that the rebuilding of downtown did not include a Downtown Commons. The space considered at that time is now the Rittenhouse Building. I don't know if it is a successful enterprise or not, hopefully it is a great resource for some people. I just walk past it and appreciate its enormous-scale Neoclassical architecture. It shades the Locust and Pacific Street sidewalks, which is helpful for those who should avoid heat and excessive sun exposure.

Related topic:

For those who argue that we need these city owned spaces for affordable housing: that is a nice fantasy! Building any housing in Santa Cruz over the last several years seems to be a private speculative venture to generate short-term profits which do not stay in the community. The number of "affordable" units are usually neither numerous nor truly affordable. I suggest that the city develop a not-for-profit agency to build affordable housing

I completely agree with the analysis below, proposed by my community:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that that a mixed-use project pay "air rights" in order subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice.

Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Yours truly (I pay oodles of taxes here)

Valerie Bengal MD FAAFP

## Rosemary Balsley

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**From:** Lynn Difley <lynnhrvl@gmail.com>  
**Sent:** Friday, June 19, 2020 4:18 PM  
**To:** City Council  
**Subject:** Library

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
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- With meeting rooms for my reading club, to hold meetings, or community get-togethers.
- That has room for more books.
- Is a library that I can be proud of!

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you!

## Rosemary Balsley

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**From:** Debbie Zenker <debitandcr@gmail.com>  
**Sent:** Friday, June 19, 2020 4:20 PM  
**To:** City Council  
**Subject:** Downtown Library

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
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- With meeting rooms for my reading club, to hold meetings, or community get-togethers.
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The mixed-use project will save the cost of construction and help the City address some other important issues by:

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- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you!

Debbie Zenker

## **Rosemary Balsley**

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**From:** jean <sonny85704@gmail.com>  
**Sent:** Friday, June 19, 2020 4:23 PM  
**To:** City Council  
**Subject:** Mixed use downtown library

I am and avid fan of a mixed use downtown library.

It is the best use of the funds voted in.

Additional low income house is what this county really needs

Bonus! Farmers Market

Jean schAAF  
Board member of the Friends LSB chapter

## **Rosemary Balsley**

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**From:** Newton Jere <jere.newton@gmail.com>  
**Sent:** Friday, June 19, 2020 4:24 PM  
**To:** City Council  
**Subject:** Support for new Library

Please think about building the new library with a drive thru. Saw it in Florida and they stayed open thru Shelter in Place. It's a great idea. And I support a new library - Thanks, Jere

## **Rosemary Balsley**

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**From:** Email Admin <mfliesler@yahoo.com>  
**Sent:** Friday, June 19, 2020 4:25 PM  
**To:** City Council; Michael Fliesler  
**Subject:** Downtown Library

Dear Council members,

The ballot measure approved by the voters (including me) was to upgrade the downtown library. We did NOT approve to build a new parking garage/ housing/library.

I urge the Council to follow the will of the voters and UPGRADE the EXISTING Downtown Library in the current location, as budgeted.

Regards,

Michael Fliesler  
Santa Cruz  
(408) 981-0694  
mfliesler@yahoo.com

[Sent from Yahoo Mail for iPad](#)

## Rosemary Balsley

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**From:** no name <jazarapa@hotmail.com>  
**Sent:** Friday, June 19, 2020 4:30 PM  
**To:** City Council  
**Subject:** new library

This is to let you know that I am very disappointed and discouraged by this decision. There has been strong community opposition to this multi use building and it is not in keeping with what is the best use of our downtown, nor does it provide the community a facility that truly addresses the needs of the community. Remodeling of the current building offered much more opportunity to create what Santa Cruz wants and deserves.

## Rosemary Balsley

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**From:** Christy <christy718@pacbell.net>  
**Sent:** Friday, June 19, 2020 4:38 PM  
**To:** City Council  
**Subject:** Downtown library proposal

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
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The mixed-use project will save the cost of construction and help the City address some other important issues by:

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- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you!

Sent from my iPhone

## Rosemary Balsley

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**From:** Eric Stettmeier <bubbashelby@gmail.com>  
**Sent:** Friday, June 19, 2020 4:38 PM  
**To:** City Council  
**Subject:** Support for new library

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
- With meeting rooms for reading clubs, to hold meetings, or community get-togethers.
- That has room for more books.
- Is a library that I can be proud of!

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you!

Eric Stettmeier

## Rosemary Balsley

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**From:** Lynne Cooper <lynnerbc@icloud.com>  
**Sent:** Friday, June 19, 2020 4:38 PM  
**To:** City Council  
**Subject:** In favor of a City commons & the Jayson Architecture option!

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart

and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sent from my iPhone

## **Rosemary Balsley**

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**From:** Johanna Bowen <jobowen@gmail.com>  
**Sent:** Friday, June 19, 2020 4:39 PM  
**To:** City Council  
**Subject:** Downtown library project FORWARD a victory

I want to thank the Santa Cruz City Council for rising above the progressive REGRESSIVE silliness in this County and going forward with a library built for the future which does more than nod to greater needs in our County, not just the narrow perspective of the usual anti-everything chorus in Santa Cruz.

Johanna Bowen  
Sent from my iPad

## Rosemary Balsley

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**From:** Molly Meyers <mollyreese19@gmail.com>  
**Sent:** Friday, June 19, 2020 4:42 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the development of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library.

Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

Molly Meyers

## Rosemary Balsley

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**From:** Bear N Champlain <bearchamplain@gmail.com>  
**Sent:** Friday, June 19, 2020 4:43 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Good afternoon. Dear Santa Cruz City Council Members, Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff! Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the development of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library. Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

## Rosemary Balsley

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**From:** Joe Ferrara <joe@atlantisfantasyworld.com>  
**Sent:** Friday, June 19, 2020 4:46 PM  
**To:** City Council  
**Subject:** approve the mixed use project for lot 4

DEAR COUNCIL MEMBERS,

The unanimous vote by the subcommittee to support the mixed use project on lot 4 is a profoundly strong endorsement for responsible civic leadership. They analyzed all the options and clearly decided that this project is the best use of public funds and property.

I encourage you all to approve this project because it will provide meeting rooms for countless community meetings, create 60 to 120 affordable housing units, incorporating environmentally-safe building criteria and provide sorely needed parking with charging stations for electric cars, secure spaces for commuter bikes and a direct link to the upcoming new mixed-use Metro Station.

It also provides for a permanent home for the much loved Farmer's Market!!  
It just makes sense to look to the future.

Joe Ferrara  
Atlantis Fantasyworld  
Downtown Commission

## Rosemary Balsley

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**From:** Bill Patterson <wilderwill@comcast.net>  
**Sent:** Friday, June 19, 2020 4:47 PM  
**To:** City Council  
**Subject:** Better Library

I have used the downtown library for the past 20 years.

I am a Friend of the Library, having enthusiastically worked in many book sales.

I love the library for it's inclusiveness, a place like home, much like the Carmel and Monterey Libraries.

Please do not bring a big city monolithic structure to our downtown, as was done in Watsonville.

Please VOTE NO on the proposed mixed-use garage structure.

bill Patterson  
444 Baker Street Santa Cruz

**Rosemary Balsley**

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**From:** Peggy Snider <peggysnidersculpture@gmail.com>  
**Sent:** Friday, June 19, 2020 4:52 PM  
**To:** City Council; friends@fscpl.org  
**Subject:** Short and sweet

Do NOT move the library.  
Do NOT do a mixed use building.  
Do NOT add another parking monster.  
Do NOT force out the Farmers' Market.  
Do NOT cut down those trees.

**NO, NO, NO, NO,  
NO!**

Peggy Snider

## Rosemary Balsley

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**From:** Brian Spear <brian@aranahomerepair.com>  
**Sent:** Friday, June 19, 2020 5:00 PM  
**To:** City Council  
**Subject:** Mixed-use Project on Downtown Public Parking Lot 4

Dear Mayor Cummings and City Council Members,

The Sierra Club asks you to consider the economic impacts and the climate emergency as you review the Parking Lot 4 mixed-use project. This proposal, including its planned four hundred car garage, replaces the largest public open space downtown and puts the City in a vulnerable economic position during the coronavirus pandemic. It is antithetical to sustainable, ecological principles; rather than new construction, invest precious community resources to keep the current library on its present site and preserve public open space on Parking Lot 4.

We support Jayson Architect's library renovation proposal. This project will improve our library; its renovation will create a revitalized Civic Center, bounded by the library, City Hall and the Civic Auditorium. Cultivating public space, both on Parking Lot 4 and at the Civic Center will promote health, tourism and the quality of life we enjoy in Santa Cruz.

### **City Consultants Do Not Support Additional Downtown Parking**

We are not alone in our reasoning. Experts in the fields of parking management and economics have recommended improving parking management instead of financing the fifty million dollar garage. In a 2015 presentation to the City Planning Commission consultants Janis Rhodes from JR Parking Associates, Frederik Ventner from Kimley-Horn and Ria Hutabarat-Lo from Nelson Nygaard unanimously supported implementing alternative parking strategies before increasing our parking inventory.

Presentations to the City Council from parking expert Patrick Seigman, formerly of Nelson/Nygaard, and UCSC Environmental Parking Economics professor Adam Miller-Ball (March, 2019) were clear: **don't build more parking; manage parking better** by implementing parking and transportation demand management strategies. Both emphasized that we have a parking management problem, not a parking supply problem.

### **Public Presentation of Parking Study**

The Sierra Club would like the City Council to hold a public review of the recent Nelson/Nygaard Santa Cruz Downtown Parking Study undertaken between 2017 and 2019. The findings from this study are critical to the decision-making process. In this "Parking Toolbox" they advise a wide variety of parking strategies to achieve balanced, sustainable approaches to parking management before building additional parking. **"...it is better and less expensive for a city to increase the efficiency of how existing parking is used, rather than to simply build more spaces" (94)**, they write. They articulate a strong cautionary warning: **"Building and maintaining parking is expensive, so it is critical to the City's long-term financial sustainability"** that decision makers find the appropriate balance between parking supply and encouraging residents to use other modes to come downtown (1).

### **Compliance with California Climate Action Goals**

Transportation is the single largest contributing factor to climate change. We cannot reduce carbon without reducing Vehicle Miles Traveled and CO2 emissions. California has taken the lead with Senate Bill 32 which requires a 40% reduction of greenhouse gas emissions by 2030. Santa Cruz can join proactive cities of the world by designing city centers to support the climate, pedestrians and bikes. The City's 2020 Climate Action Plan (p.41) calls for a 10% reduction of car trips by 2020. ***The operation of a large new Parking Garage would work at cross purposes to the critical goal of reducing car trips. Specifically, if the City prioritizes its Climate Plan Goal, the parking garage will be underutilized and unable to service its debt. If the City meets the parking garage debt, it is by providing additional parking at an economical price, thus effectively incentivizing increased automobile trips and working against the goals of the Climate Plan. Albert Einstein said that "one cannot simultaneously prevent and prepare for war" He could have been talking about automobile trips and their impact on the world's climate.***

### **Preserve Public Open Space Downtown**

The City Council has recognized the benefit of open space for the mental and physical well-being of residents. Its Health in All Policies ordinance, now codified in our municipal code (6.02) is explicit: public health requires "Accessible built environments that promote health and safety, mitigate emissions, [and] improve parks and green space..."

### **Affordable Housing Downtown**

We understand the environmental benefits to building affordable, workforce housing near transit, employment, public space and shopping areas. We are not convinced that the City needs a parking garage as a means to create housing. ***We support affordable housing downtown and recommend that the City invest in it directly, without additional parking, as per new guidelines around parking and affordable housing recently passed at the state level.***

### **The Covid-19 Crisis Economy Is Precarious**

Due to the exceptional circumstances with Covid-19, our recommendations are even more cogent: financing a major capital expenditure is unwise in uncertain economic times. Facing what the International Monetary Fund recently called the "worst downturn since the Great Depression", makes building a garage an imprudent economic decision. A mixed-use project will further undermine the City's economic stability.

### **Conclusion**

The Sierra Club requests you review the parking consultants' findings and present the downtown parking study to the public. We urge you to support Jayson Architect's library renovation and do not move forward with a mixed-use project on Parking Lot 4. We need to recreate Parking Lot 4 for tourists, community gatherings and events, enhancing our quality of life with the largest public open space downtown.

Cheers,



Brian Spear  
Arana Home Repair  
"Your Local Santa Cruz Handyman"  
[www.aranahomerepair.com](http://www.aranahomerepair.com)  
831-512-7937

Find Us On [Yelp!](#)  
Find Us On [NextDoor](#)  
Find Us On [Facebook](#)  
Find Us On [Instagram](#)

## Rosemary Balsley

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**From:** Sharon Yamanaka <lunasbellas@gmail.com>  
**Sent:** Friday, June 19, 2020 5:01 PM  
**To:** City Council  
**Subject:** Downtown Library

Hello,

I would like to give my input on the proposed new library. I am a longtime City resident, a public library patron for 70 plus years, I worked for our library system for 17 years and have volunteered for about 10 years. I also studied library science at San Jose State during the 1980's when libraries were evolving from lending books to information technology.

I don't think it's a good idea to make the library part of a large mixed use parking garage, especially now during or even after this pandemic. This project needs to be put on hold. The Library and also the City needs to think more about sustainability than growth. And like in the 80's the library needs to reinvent itself and it's role in the community. I stopped going to the downtown library years ago because it felt more like a homeless service center. So, yes, something has to be done but this proposal is not the answer. The Library and the City should not move forward with pre Covid-19 thinking because things are not going to be like they were before. There has been a global shift and the City and the Library needs to evolve and adapt rather than continue to move in an antiquated way.

I love Santa Cruz and libraries and hope for the best for both.

Sincerely,  
Sharon Yamanaka

## Rosemary Balsley

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**From:** Bob Lamonica <boblamonica@gmail.com>  
**Sent:** Friday, June 19, 2020 5:05 PM  
**To:** City Council  
**Subject:** Build new library

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
- With meeting rooms for my reading club, to hold meetings, or community get-togethers.
- That has room for more books.
- Is a library that I can be proud of!

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you!

Bob Lamonica

## Rosemary Balsley

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**From:** William Sharp <will.sharp@me.com>  
**Sent:** Friday, June 19, 2020 5:07 PM  
**To:** City Council  
**Subject:** Santa Cruz Library Planning

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

A brand new library space is an inspirational thing. Growing up I never understood the value of a library because my local libraries were dingy, old, out of touch. When I immigrated to the US and realized that a library could be as amazing as the Barrington Area Library in IL, the Santa Clara library or even the brand new Felton library with it's visible messaging of eco friendliness... I found that inspiring and I'm jealous of my kids access.

A library should not only be a resource for books and media, it should be a public building that shows the community what can be achieved, a flagship for the city.

Thank you!

## Rosemary Balsley

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**From:** Peter Forbes <aquaforbes@cruzio.com>  
**Sent:** Friday, June 19, 2020 5:13 PM  
**To:** City Council  
**Subject:** plan for building on Lot 4 downtown

Dear City Council Members, I am opposed to the new plan for building on Lot 4 downtown for the following reasons:

- I've lived in Santa Cruz for 25 years and my first reaction when I saw the proposed building was that it's not aesthetically pleasing to look at.
- 10 heritage trees and a large public space are already there. These trees help our city by reducing pollution and mitigating greenhouse gas emissions which we desperately need right now.
- Building a new parking garage will encourage people to drive their cars into town instead of walking or biking thereby increasing carbon emissions. We need to confront climate change by taking actions to slow CO2 emissions not increase them.
- It will change the fabric of our downtown by taking away one of our last large open spaces.
- We are in a recession and shouldn't be taking on enormous debt to build an unneeded parking garage.
- The library can be rebuilt where it is - saving money, trees and space.
- Affordable housing can be built on other nearby city-owned lots, not on Lot 4.

A better use of the space would be to transform Lot 4 into a beautiful Commons for all residents and visitors and preserve and enhance the Farmers Market at this location.

One of the reasons I love living in Santa Cruz is that it is a leader among cities in many ways. We need to be a leader in this as well. Please make the right decision and do not approve this plan.

Thank you,  
Peter Forbes

## Rosemary Balsley

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**From:** plumlee@cruzio.com  
**Sent:** Friday, June 19, 2020 5:15 PM  
**To:** City Council  
**Subject:** YES ! For the New Downtown Library

Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
- With meeting rooms for my reading club, to hold meetings, or community get-togethers.
- That has room for more books.
- Is a library that I can be proud of!

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you!

David Plumlee

## Rosemary Balsley

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**From:** plumlee@cruzio.com  
**Sent:** Friday, June 19, 2020 5:17 PM  
**To:** City Council  
**Subject:** YES ! For the New Downtown Library

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
- With meeting rooms for my reading club, to hold meetings, or community get-togethers.
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The mixed-use project will save the cost of construction and help the City address some other important issues by:

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- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you!

Leslie D. Simon-Plumlee

## Rosemary Balsley

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**From:** Dan Chen <nine50six-citizen@yahoo.com>  
**Sent:** Friday, June 19, 2020 5:23 PM  
**To:** City Council  
**Subject:** Support mixed-use building for the downtown library

Dear Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building. I believe this is an investment that will benefit our housing situation, and library users across the City and County.

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
- With meeting rooms for my reading club, to hold meetings, or community get-togethers.
- That has room for more books.

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Finding a permanent home for the much loved Farmer's Market
- Incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you

Dan Chen  
240 Walk Cir  
Santa Cruz, CA

## Rosemary Balsley

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**From:** Jane mccormick crowley <janemccc4@gmail.com>  
**Sent:** Friday, June 19, 2020 5:28 PM  
**To:** City Council  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay “air rights” in order subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## **Rosemary Balsley**

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**From:** Dixie Guzzo <dixie.guzzo@icloud.com>  
**Sent:** Friday, June 19, 2020 5:30 PM  
**To:** City Council  
**Subject:** New library

I highly object to the proposed mixed use library down town!  
Dixie Guzzo

Sent from my iPhone

## Rosemary Balsley

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**From:** Christina Cuevas <christina3cuevas@outlook.com>  
**Sent:** Friday, June 19, 2020 5:32 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the development of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library.

Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

Sent from my iPhone

## Rosemary Balsley

---

**From:** Jim Sullivan <sullivanjim@sbcglobal.net>  
**Sent:** Friday, June 19, 2020 5:40 PM  
**To:** City Council  
**Subject:** Support for the new Downtown Library

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
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The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you!

**Yes, I cut and pasted the text from the Friends email of today, but I support that info. And after seeing the new branches in Scotts Valley and Felton, and having enjoyed the Aptos and Live Oak branches, I trust that the Downtown Library will continue this trend of beautiful and functional libraries.**

**Jim Sullivan, Santa Cruz resident**

\_\_\_\_\_

## Rosemary Balsley

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**From:** Oliver Ziff <olziff@gmail.com>  
**Sent:** Friday, June 19, 2020 5:41 PM  
**To:** City Council  
**Subject:** SCPL Downtown Branch

Hi City Council People,

As a resident and avid library patron for 22 years, I am writing to ask you to support a new Downtown Branch as part of a proposed mixed use building. I really think this will give us the best library bang for our bucks. As a retired school librarian (18 years) and retired SC Public Library on-call librarian (2 years), I look forward to seeing the completion of a new Downtown Branch. Let's face it: the present Downtown Branch is run down and shabby. The staff there (headed by James Lee) do a terrific job, but refurbishing that building would be throwing good money after bad.

On another note: I was disappointed to read the hateful column recently by Stephen Kessler in the Sentinel directed towards Cynthia Mathews; hopefully we can keep discourse on a friendlier level.

Thank you all for being on the City Council, a challenging position at the best of times, and please support the new Downtown Branch in a mixed use building.

Sincerely,  
Ollie Ziff

## Rosemary Balsley

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**From:** Susie Land <susietrip@gmail.com>  
**Sent:** Friday, June 19, 2020 5:41 PM  
**To:** City Council  
**Subject:** New Library - mixed use

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
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The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you!  
Susie Land

## Rosemary Balsley

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**From:** Patrick Dexter <patrick.j.dexter@gmail.com>  
**Sent:** Friday, June 19, 2020 5:44 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

Please support the development of a mixed-use library and affordable housing project on Lot 4 because:

1. it would create the best possible library,
2. provide housing for our community's most vulnerable residents,
3. would help us consolidate parking in downtown., and
4. showcase Santa Cruz as a 21st Century sustainable city.

Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the development of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library.

Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

Thank you,

Patrick Dexter  
215 Sacramento Avenue  
Santa Cruz, CA 95060

## Rosemary Balsley

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**From:** Carolyn V. Miller <carolynvmiller@aol.com>  
**Sent:** Friday, June 19, 2020 5:53 PM  
**To:** City Council  
**Subject:** Support for Library Mixed Use Project

Dear Santa Cruz City Council,

I write in support of the Library Mixed Use Project recently recommended to the full council by the Library Subcommittee. This project provides the best opportunity for use of Measure S funds in building a new 21st century library in downtown Santa Cruz.

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
- With meeting rooms for my reading club, to hold meetings, or community get-togethers.
- That has room for more books.
- Is a library that I can be proud of!

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

This will be a bold project that will show that Santa Cruz has the creativity to build smart for the future.

Thank you,  
Carolyn Miller  
Santa Cruz, CA

## Rosemary Balsley

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**From:** brielgrivetti@gmail.com  
**Sent:** Friday, June 19, 2020 5:56 PM  
**To:** City Council  
**Subject:** Downtown Library Update

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
- With meeting rooms for my reading club, to hold meetings, or community get-togethers.
- That has room for more books.
- Is a library that I can be proud of!

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Kind Regards,  
Briel Grivetti

## Rosemary Balsley

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**From:** Martha Dexter <mmdexter@gmail.com>  
**Sent:** Friday, June 19, 2020 5:58 PM  
**To:** City Council  
**Subject:** Support for Library Mixed Use Project

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
- With meeting rooms for my reading club, to hold meetings, or community get-togethers.
- That has room for more books.
- Is a library that I can be proud of!

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

I have written to you before on this topic, but now I understand you will be considering it at your next meeting. So I want to be sure my communication is included in your packet. Without a doubt, this project gives us the best bang for our buck and makes the most sense for the use of our Measure S funds. This is the kind of smart project I voted for. Many towns and cities are opting for mixed-use projects as the best use of limited resources. I'm excited about the possibilities of this project and the bold statement Santa Cruz will make in this creative solution to bringing a new library, affordable housing, and parking to its downtown. Now is the time to act!

Thank you,  
Martha Dexter  
Santa Cruz, CA

## **Rosemary Balsley**

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**From:** Fred Carlson <wildsols@beyondthetrees.com>  
**Sent:** Friday, June 19, 2020 5:59 PM  
**To:** City Council  
**Subject:** new library

Dear Council Members,

I'm pleased to hear that the Santa Cruz Library Subcommittee of the City Council has voted unanimously to recommend that the City move forward to build a new library that is part of a mixed use building. This is great news, and I want to encourage the Council to support this project which is so important to our community.

Many thanks for your support!

Fred Carlson

2026 Back Ranch Road

Santa Cruz

## **Rosemary Balsley**

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**From:** Laura Lee <lcl9@hotmail.com>  
**Sent:** Friday, June 19, 2020 5:59 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Council members,

It is clear to so many people that the vision of a new library with a parking garage on top is anti-the vision of so many who enjoy the open space of our town. We are not looking to spend money to advance the Civic Center to look like a congested town with more cars and traffic. We prefer to advance open spaces that accommodate gatherings like the farmer's market and outdoor events. We want the heritage trees and less traffic! We are concerned about the economics of building a new library when alternatives are available.

It appears that you are being swayed by developers that are not in line with the majority of residents who want to keep our town special and satisfies our needs. You are elected~ and as I understand, are there to serve us.

There is another Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that that each unit in a mixed-use project pay "air rights" in order subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

*Laura*

## **Rosemary Balsley**

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**From:** Lyn Hood <graphitecritters@gmail.com>  
**Sent:** Friday, June 19, 2020 5:59 PM  
**To:** City Council  
**Subject:** New Library

I am NOT in support of the multi-use structure that will include the proposed new Library. I will not use this facility. This is not what we voted for and should be put back to the voters to approve or disapprove.

Lyn Hood  
Santa Cruz, CA

## Rosemary Balsley

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**From:** Dimitry Struve <dman904@gmail.com>  
**Sent:** Friday, June 19, 2020 6:02 PM  
**To:** City Council  
**Subject:** New Library plan - not a good idea

Greetings,

Although I believe many of the proponents of the new mixed use library/garage building have good intentions, I do not think it is the right thing to spend money on at this time. I know the current library building, which I use regularly, is dated and needs some refreshing. But the location, adjacent to City Hall and the Civic, is consistent with a cohesive "City Center" at that location. I'd propose renovating the library with new finishes and perhaps some updated mechanical systems, close off one block of Center Street to motor vehicles to create a true people-friendly City Center, and keep the Farmer's Market at its current location with some cosmetic and environmental upgrades to the site. I don't think we need more parking downtown, especially if we make it more pedestrian/bike/people friendly than it is now. In fact, that vision could include a return to the Pacific Garden Mall of old. And invest the saved money into social services, housing, and an improved riverfront instead.

Thanks for your consideration.

-Dimitry Struve  
302 Otis Street  
Santa Cruz

## Rosemary Balsley

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**From:** mika younce <mikayounce@gmail.com>  
**Sent:** Friday, June 19, 2020 6:22 PM  
**To:** City Council

Please Please please give Santa Cruz a new Library.

Do you know that if you choose to refurbish present library it will be 30% smaller and it will 759,000. to store books for two years.

Friends of Santa Cruz Public Library will cease to exist.

Santa Cruz will not have a library for two years and branch libraries will not have a lead library. So many of our surrounding communities are building new libraries.

Do you really want to give Santa Cruz a smaller library that does not meet the communities needs???

Cecilia Younce  
SC Resident

Sent from my iPhone

## **Rosemary Balsley**

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**From:** Marcia Poms <marciapoms@gmail.com>  
**Sent:** Friday, June 19, 2020 6:23 PM  
**To:** City Council  
**Subject:** library

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building!

## Rosemary Balsley

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**From:** Cory Meyers <cory@yarnshopsantacruz.com>  
**Sent:** Friday, June 19, 2020 6:35 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the development of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library.

Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

Thank you,

Cory Metcalf Meyers

## Rosemary Balsley

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**From:** Therese Tong <therese@beingnbecoming.com>  
**Sent:** Friday, June 19, 2020 6:48 PM  
**To:** City Council  
**Subject:** Downtown Library: I Supprot The Project!!! YEH!

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
- With meeting rooms for my reading club, to hold meetings, or community get-togethers.
- That has room for more books.
- Is a library that I can be proud of!

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- **Creating between 60 to 120 affordable housing units.**
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you!

Therese

Marie Therese Tong, PCC  
Executive Coach & Coaching Supervisor  
[Being & Becoming](#)  
+1 831 3341843  
[beingnbecoming.com](http://beingnbecoming.com)

## Rosemary Balsley

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**From:** Valerie Mishkin <vmishkin@baileyproperties.com>  
**Sent:** Friday, June 19, 2020 7:00 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the development of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library.

Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

Thank you,

## Rosemary Balsley

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**From:** Joan Gilbert Martin <joan@baymoon.com>  
**Sent:** Friday, June 19, 2020 7:13 PM  
**To:** City Council  
**Cc:** Friends of the Santa Cruz Public Libraries  
**Subject:** New Library

Dear Council Members,

As a long-time library user, I am writing to support construction of the new mixed-use library. It promises to be an up-to-date modern library that we in our community can be proud of, with added space for teenagers and children. As a local historian, I look forward to using an updated genealogy room.

I am pleased that it will be built to the highest environmental standards. I am also pleased that the library will share its space with our much needed affordable housing, as well as with a garage with stations for electric cars and bicycles.

Much as I love the existing library, it is no longer viable—it is a health risk and way too small. Because replacing it would be way too expensive (I haven't seen offers of the money needed for that purpose), this mixed use building is the perfect solution.

Please vote for it.

Sincerely,

Joan Gilbert Martin  
158 Belvedere Terrace  
Santa Cruz, 95062

## Rosemary Balsley

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**From:** Sandy Davie <sandy@sctcc.org>  
**Sent:** Friday, June 19, 2020 7:15 PM  
**To:** City Council  
**Subject:** library

We need to be planning for the future, not stuck in plans from an expired era that replicate problems.  
I will not want to be in a building connected to a parking garage.  
I don't want to be in a building that undermines farmers markets.  
I don't want to be in a building that supports the prioritization of cars.

And, I love libraries, have depended upon them my entire life.

Stop and look at the needs of a dramatically changed future.

Sandy Davie

## Rosemary Balsley

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**From:** Dennis Grady <gradydennis@icloud.com>  
**Sent:** Friday, June 19, 2020 7:30 PM  
**To:** City Council  
**Cc:** A - DG Email; A - DG Email  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay “air rights” in order to subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sent from my iPhone

## Rosemary Balsley

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**From:** Barbara Stocklmeir <bstocklmeir@hotmail.com>  
**Sent:** Friday, June 19, 2020 7:34 PM  
**To:** City Council  
**Subject:** In favor of Downtown Library Mixed-Use Building

Members of the Santa Cruz City Council,

I am writing in support of a mixed-use building including the Library, parking and low-income housing.

The Library means a lot to children who would benefit by having a larger space, and when teens, a safe place to study and socialize.

And, the mixed-use plan is the most cost effective and offers more to the public than remodeling the old, dilapidated and dreary library.

My family has supported the Library for years and look forward to your approval of the mixed-use plan.

Regards,  
Barbara Stocklmeir .

Members of the

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
- With meeting rooms for my reading club, to hold meetings, or community get-togethers.
- That has room for more books.
- Is a library that I can be proud of!

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.

- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you!

## Rosemary Balsley

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**From:** true <fadedsf@aol.com>  
**Sent:** Friday, June 19, 2020 7:43 PM  
**To:** City Council  
**Subject:** library project

Hello to Everyone on the Board!

Just writing as a decades long supporter and frequent user of the downtown library, that myself and my wife both oppose the parking garage / library plan. we'd love more money go into the existing library, but the "new" library plan just doesn't look well thought out. at one point we lived in SF and saw how horribly bungled the new library was. developers rushed it thru, and the public paid the price.

in the middle of cooking dinner, but we wanted to let you all know how we feel. :-)

Thanks for your tireless work for the city of santa cruz!

Jeremy and Christina True

## Rosemary Balsley

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**From:** Dirk Reed <dirkdirkreedreed@gmail.com>  
**Sent:** Friday, June 19, 2020 7:50 PM  
**To:** City Council  
**Subject:** DOWNTOWN LIBRARY

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
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The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you!

Dirk Reed, D.C.

## Rosemary Balsley

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**From:** Susan Cook <susanwilliamscook@sbcglobal.net>  
**Sent:** Friday, June 19, 2020 8:10 PM  
**To:** City Council  
**Subject:** Please, remodel the existing library

Dear representatives,

The plan to build a huge library-garage-housing complex does not fit in this town, and it's not what we voted for. Perhaps you should ask the voters again and let us choose which option.

Thank you,  
Susan Cook

Sent from my iPhone

## **Rosemary Balsley**

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**From:** Linda Kennedy <rnacruz@gmail.com>  
**Sent:** Friday, June 19, 2020 8:11 PM  
**To:** City Council  
**Subject:** New Library

To the city council

I am in complete support of a brand new library for the city of Santa Cruz.

I also like the idea of the new very needed parking that is included in the library plans. Please get started building it and let's improve and modernize our city.

Improving the lighting, sidewalks and signage. Making it safe, attractive and meeting all disability standards. Please also locate more rubbish containers and recycle containers that can not be accessed by vagrants.

Sincerely,  
Linda Kennedy

## Rosemary Balsley

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**From:** Nancy Jackson <nancy.jackson235@comcast.net>  
**Sent:** Friday, June 19, 2020 8:50 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the development of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library.

Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

Thank you,

## **Rosemary Balsley**

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**From:** wildwoman12@gmail.com  
**Sent:** Friday, June 19, 2020 9:26 PM  
**To:** City Council  
**Subject:** downtown library

Dear City Council,

I love the old library building, and strongly dislike the new plan that is being offered.

Sincerely,  
Ellen Wild

## Rosemary Balsley

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**From:** Rachel McKay <rachelm17@gmail.com>  
**Sent:** Friday, June 19, 2020 9:31 PM  
**To:** City Council; friends@fscpl.org  
**Subject:** New Downtown Library in a mixed-use building

Dear Members of the Santa Cruz City Council,

I am delighted to learn that the Santa Cruz Library Subcommittee voted unanimously to support the mixed-use option for the new Downtown Branch. Now I am writing to ask the full council for their unanimous vote to approve the project.

I moved to Santa Cruz the year before the Downtown Branch was built and spent many a happy hour there as a teen and adult. Now I work for the library as a Library Assistant. After some years working at other branches and in the Community Corrections outreach program, I am based at the Downtown Branch. While I am happy working Downtown, my sentimental love of the branch has changed as I deal with a failing building.

Santa Cruz deserves a 21st century, LEED certified library with room for all. The proposed remodel on the existing site would not provide room for both books and teens or enough bathrooms for the many patrons as well as the staff. Since the community, while generously passing proposition S, does not seem willing to raise the additional 25 million to build a state of the art library on the existing site, I feel the mixed-use option is a cost effective win for all, by providing space for the library, housing, parking, and a new permanent home for the Farmer's Market.

I care about mitigating climate change and about trees. A mixed-use building with library, housing, and parking, on an existing parking lot is hardly paving paradise. Magnolia trees, while magnificent, are not native, provide little habitat for indigenous birds and insects, and are messy and expensive to maintain.

Thank you for supporting the mixed-use option!

Rachel McKay  
158 Belvedere Terrace  
Santa Cruz, CA

## Rosemary Balsley

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**From:** anne <a\_e\_siegel@yahoo.com>  
**Sent:** Friday, June 19, 2020 10:17 PM  
**To:** City Council  
**Subject:** in support of mixed use plan for library

Hello,

As a eastside Santa Cruz resident I am a frequent user of our library system. I think the plan for a new mixed use structure, that includes low income housing and a place for the farmer's market, has been well thought out and will serve the city well. I look forward to seeing it come to fruition. Best,  
Anne Siegel

## Rosemary Balsley

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**From:** Robin Drury <drury@cruzio.com>  
**Sent:** Friday, June 19, 2020 10:29 PM  
**To:** City Council  
**Subject:** Library proposal

Dear Councilors,

As a member of Friends of the Library I received President Gomez' request that I write you in support of the subcommittee's recommendation to build a new mixed-use library. I do NOT support this short-sighted project. The letter suggests that there is "a small group of opponents" to this plan. In fact, we are many. Along with many other arguments against it, we all agree with the findings of the transportation study that Santa Cruz does NOT need another downtown parking garage. We DO need to honor our local environmental values and preserve the small amount of open space left in the core of our city. Santa Cruz voted for Measure S to rebuild our library in its current location. Please reject this mixed-use project.

Sincerely,

Robin Drury

114 S Park Way,  
Santa Cruz, 95062

## Rosemary Balsley

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**From:** Duane William Dietz <dwd007@att.net>  
**Sent:** Friday, June 19, 2020 10:46 PM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay “air rights” in order to subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** JW Nyberg <jwnyberg@gmail.com>  
**Sent:** Friday, June 19, 2020 11:44 PM  
**To:** City Council  
**Subject:** Downtown Library

Dear Members of the Santa Cruz City Council,

I am a supporter of the Friends of the Santa Cruz Public Libraries and agree with their recommendations for the downtown library.

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
- With meeting rooms for my reading club, to hold meetings, or community get-togethers.
- That has room for more books.
- Is a library that I can be proud of!

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you!

Jane Nyberg

## Rosemary Balsley

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**From:** Penelope Kleinhans <penkle2004@mac.com>  
**Sent:** Saturday, June 20, 2020 12:29 AM  
**To:** City Council  
**Subject:** Library,Housing,Community

Dear Members of the Santa Cruz City Council,

Please vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

It will be wonderful to have a better library as part of the state of the art building that includes housing and community spaces.

Thank you,  
Penelope Kleinhans

## Rosemary Balsley

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**From:** Chelsea George (ChelseaMaya) <chelseamaya@gmail.com>  
**Sent:** Saturday, June 20, 2020 6:28 AM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** Please don't build a parking structure and new library on the Farmers' Market Lot

With the millions that would be spent to build an obsolete parking structure (I say obsolete because cars are not the future for our planet), that money could be used for alternative ways to help workers and shoppers get downtown without bringing a car to store in a parking structures. Not only are those structures ugly and a waste of tax payers' money, but they also create the perfect place for criminals to break into cars and attack people.

Instead, we could give out bus passes to all downtown employees, improve the Jump bike system, support the rail trail so that the downtown train depot could be a vibrant hub, and many other ways to reduce traffic, car accidents, air pollution, and solo driving which isolates people.

As far as the library, we have a big downtown lot for the library. If you want to create a taller, larger library, do it there. But it seems to me, at least from my own experience, with internet, ebooks, and so many resources at my fingertips at home, I'm not going to the library very much anymore. I used to check out DVDs to watch at home, but now I have online streaming with thousands more possibilities. Our library seems to be a homeless shelter more than a place to get resources. I remember having to wait for the reference desk to open to ask a question for an article I was writing. Now I have google and millions of sources of information. Fewer people have to go to the library to get internet because most homes have it. So I don't understand the priority of spending millions on a new library and abandoning the location we have, which seems ideal to me. Originally, Carnegie built a beautiful stone and brick library on that same spot. In the 1960s or whenever they built the current ugly one, they didn't move the location. They rebuilt in the same spot.

Thanks for reconsidering this waste of time, the displacement of our vibrant downtown farmer's market, the cutting of heritage trees, and the waste of taxpayers' money. Use that money to improve the library we have now and to encourage alternatives to storing cars downtown.

Chelsea George  
Homeowner in downtown Santa Cruz since 1980

## Rosemary Balsley

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**From:** JGrady <ozmorhiza@hotmail.com>  
**Sent:** Saturday, June 20, 2020 8:22 AM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## **Rosemary Balsley**

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**From:** imscott@cruzio.com  
**Sent:** Saturday, June 20, 2020 9:03 AM  
**To:** City Council  
**Subject:** Taj Garage

Mr. Gomez,

Please STOP stealing from our library fund!!!!!!

we, the citizens of this community did NOT vote or approve the use of the funds we voted on for building the Taj Garage.

STOP it.

## Rosemary Balsley

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**From:** JOE or SARA MIKLES <mikles6877@sbcglobal.net>  
**Sent:** Saturday, June 20, 2020 9:39 AM  
**To:** City Council  
**Subject:** Mixed use library

I, a fifth generation Santa Cruz resident, am completely, 100% Against the mix use building. You are not listening to the people. We voted in a measure to revamp the existing library, which has gotten lost in your idea of more parking! I will no longer support friends of the library, use down town businesses or need your parking. You will be remembered for ruining Santa Cruz and destroying the last remaining open space in downtown. Nice legacy.

S. Hart Mikles

Sent from my iPad

## Rosemary Balsley

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**From:** Mary Ripma <maryaustinripma@gmail.com>  
**Sent:** Saturday, June 20, 2020 9:48 AM  
**To:** City Council  
**Subject:** SC Taxpayers support new construction, not remodel of existing downtown library

Dear Members of the Santa Cruz City Council,

We are writing to ask you to vote in support of a new Downtown Library rather than a remodel of the existing one. To combine the project with affordable housing is efficient and a much needed improvement to our downtown. This is an investment that will benefit our environment, our housing situation, and library users across the City and County.

As supporters of the Friends of the Santa Cruz Public Libraries, we look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
- With meeting rooms for my reading club and community get-togethers.
- That will accommodate the latest technology

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating an as yet TBD number of affordable housing units.
- incorporating environmentally-safe building criteria following the Sierra Club's guidance such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you for your serious consideration of all our options. We hope you conclude as we have that a new location and building is a better use of Measure S funds.

Sincerely

Mark and Mary Ripma

[131 Santa Cruz Street](#)

[Santa Cruz CA 85060](#)

[831-334-2223](#)

Sent from my iPhone8

## **Rosemary Balsley**

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**From:** MIKE HARTNETT <mhartnett@comcast.net>  
**Sent:** Saturday, June 20, 2020 9:54 AM  
**To:** City Council  
**Subject:** Proposed Downtown Library

I would like to state my opposition to the proposed and so-called mixed use library in downtown Santa Cruz. I did not vote on the previous bond measure (measure S?) in order to fund this horrible idea to bury the downtown library in a parking garage. I believe the new library project is being mismanaged and that the current library should be renovated!

## Rosemary Balsley

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**From:** Vivian Rogers <vrogers27@yahoo.com>  
**Sent:** Saturday, June 20, 2020 10:38 AM  
**To:** City Council  
**Subject:** Thank you and YES!

Dear Council Member Brown, Vice Mayor Meyers and Mayor Cummings,

Thank you for giving this city so much of your time to research options for our future downtown library!

In every meeting, you three displayed your honest wish for the best option, and I know that you took this issue very seriously

To Council Member Mathews, I appreciate your tremendous support over the years for our three libraries in the city of Santa Cruz, and for your work to make sure that our county has 10 great library branches.

And, as you know, I say YES to a wonderful new library in a mixed-use building where families can afford their homes and commuters can park their electric cars or bikes!

*Vivian Rogers*

## **Rosemary Balsley**

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**From:** Lois Koehn <loiskoehn@comcast.net>  
**Sent:** Saturday, June 20, 2020 10:47 AM  
**To:** City Council  
**Subject:** new library

I would very much encourage you to vote in favor of the Subcommittee's recommendation. The library has always been a favorite destination in Santa Cruz and we look forward to the new changes. Thank You!!!!  
Mrs. Lois Koehn

## Rosemary Balsley

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**From:** Hilary Green <hilaryrgreen@gmail.com>  
**Sent:** Saturday, June 20, 2020 11:07 AM  
**To:** +downtowncommonsadvocates@gmail.com; City Council  
**Subject:** For the Library at the Civic Center!

Hiya City Councilmembers!

Please stop accommodating cars. There is too much traffic, too much air pollution, and too much wasted real estate. Accommodating cars by building another parking garage will make all of those things worse.

If we need to provide more access to downtown for people who don't live there, let's make public transit free to riders, increase frequency, and and increase the number of bus routes.

Yours truly  
Hilary Green  
1111 Ocean St  
Apt 303  
Santa Cruz CA 95060  
(207) 205-4427

Don't it always seem to go, That you don't know what you've got 'til it's gone? They paved paradise And put up a parking lot -- Joni Mitchell

Dear Mayor and Councilmembers: Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage. • Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that that each unit in a mixed-use project pay "air rights" in order subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council. Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** neil@acupun.com  
**Sent:** Saturday, June 20, 2020 11:42 AM  
**To:** City Council  
**Subject:** Downtown library project

Hello all-

Concerning the downtown library/mixed use project at the parking lot at Cedar and Cathcart: as co-owner of a downtown business (Vitality Wellness Center) I fully understand the necessity of having sufficient parking available. However I also value a vibrant and community oriented downtown and have long felt the need for a centrally located common space for people to gather. This is our last opportunity to create such a space (there's nowhere else it could go that is centrally located), and we will be worse off if we don't seize the moment to create something beautiful.

Thank you for all the time and effort each of you put in to keeping our community going.

Neil Bernardi-Wright, [L.Ac.](#)

## Rosemary Balsley

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**From:** John Aird <johnaird@earthlink.net>  
**Sent:** Saturday, June 20, 2020 12:33 PM  
**To:** City Council  
**Subject:** [CAUTION: Verify Sender Before Opening!] Downtown Library  
**Attachments:** To Mayor Cummings and City Council.docx

Here **attached** is my letter to Mayor Cummings and City Council Members

Please see that they get it as soon as possible.

Thank you.

John Aird

**To: Mayor Cummings and City Council**

**From: John C. Aird**

**Re. Downtown Library Recommendation to Proceed with the Mixed-Use Project**

I strongly object to and oppose the recommendation being made because of its substantive content deficiencies and implications and its serious process inadequacies as follows:

### **Content and Implications**

1. Measure S passed with the downtown library improvements framed in the context of a renovation as a stand-alone facility in its current site.

It's highly doubtful that it would have passed if the library had been presented as being relocated to an unidentified "elsewhere" and then not in its own facility but to the bottom floor of a 5-story "mixed-use" parking and affordable-housing concoction.

2. Incomplete or misrepresented information: The mixed-use plan has been falsely lobbied on the basis of the inclusion of affordable housing which could be developed elsewhere and the provision of parking that's not needed per the city-commissioned consultant report by Nelson/Nygaard that has not been publicly disclosed.

3. Approval of this plan effectively would severely detract from our current civic center area with its City Council/City Management offices, the Civic Auditorium, and our downtown library.

And secondarily yet importantly, it would essentially eliminate any future potential to develop a more fully-realized civic center with the addition of a City Plaza through street closure. This is a multi-generational opportunity to enhance civic life in Santa Cruz and give it a still-greater central focus and location, one that simply should not be lost.

## Process

1. The planning process used over these past months has been touted as “extensive and exhaustively thorough”. Anything but!
  - There is no Information on whatever the City might propose for the vacated current library site were it to be moved
  - There is no information on the costs and business effects of relocating both the Farmer’s Market and the Antique Faire
  - Online e-survey responses have not yet been available for public review
  - The comparative analysis done was woefully inadequate (see below)
2. The planning consultants and staff developed a list of some +/- 54 individual criteria divided into four categories, presented as something entitled “Library Project Evaluation Matrix” as the basis for the Downtown Library Subcommittee to compare the alternatives. There was no weighting of the individual items or indication of priorities given. At best, this “evaluation matrix” is no more than a simple check list. It certainly is not what any experienced planning consultant would have considered as sufficient for the basis of critical and comparative analysis much less what would or should be accepted as an adequate foundation for sound decision-making by any governing body.
3. Recent revelations make it clear that this project has been infected by a serious and unacceptable case of conflict-of-interest. Any council member prohibited from officially voting on an issue ought not to be able to use the full weight of their office’s power and influence to separately attempt to affect the vote of colleague council members individually or collectively either personally or indirectly through third parties.
4. Covid-19 has restricted and severely limited anything that might be fairly described as full community and public participation in this entire process. It’s true that all kinds of outreach and “zoom meetings” have been held and

those efforts are appreciated, but those should not be treated or considered by our City Council as anything close to being adequate on a subject of this much public interest and concern, especially given the significance and impact of this project and the current controversy which surrounds it.

For all these reasons and more, I strongly recommend that this project be tabled until the deficiencies listed above can be remedied or resolved. Given current circumstances, it would be irresponsible to do otherwise. More time is needed and there is no reason for not taking the time to do it right.

I look forward to what I hope will be your decision to do just that.

## Rosemary Balsley

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**From:** cindy jackson <cinjack6860@gmail.com>  
**Sent:** Saturday, June 20, 2020 12:37 PM  
**To:** City Council  
**Subject:** Vote for the mixed use option!

Dear SC City Council,

Thank you for your thoughtful consideration of the options for the Downtown Library branch. The subcommittee went above and beyond in obtaining professional estimates, listening to all stakeholders and devoting time to analyze all components.

The mixed-use building gives the community so much more than remodeling the current library on the current site. We will get a bigger library with a larger children's room, a separate room for teens and additional low income housing downtown. And we will be able to provide library services while under construction and avoid the cost of storage of books and materials required if remodeling.

Thank you for your support of the mixed use building!

Cindy Jackson  
Friends of the Santa Cruz Public Library

## Rosemary Balsley

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**From:** Catherine Hudson <c7j7hudson@cruzio.com>  
**Sent:** Saturday, June 20, 2020 12:48 PM  
**To:** City Council  
**Subject:** Downtown Library & Etc

Though I live in the County, the City of Santa Cruz is still a destination for me for many of my "town errands". I have watched for over 50+ years the changes to our fair City - the Pacific Avenue Garden Mall & related vibrancy, the earthquake & related setbacks to that vibrancy; the massive and insensitive density construction of late; and now plans for more of the latter. Downtown has become more and more unwelcoming to me and it has become like any other town in California - a hodgepodge of cold architectural styles, too much cement, too much traffic; and too little common green space.

Dear Santa Cruz, you are going in the wrong direction, and it breaks my heart. At the very least, keep the Library where it is and remodel/reconstruct it in a style that mirrors City Hall and the Civic Auditorium. Keep the Farmers' Market and make the area more green for all of us, for a sense of open space and for our health and peace of mind.

Sincerely & Sadly,

Catherine J Webb, DDS ret.  
560 Conservancy Loop  
Santa Cruz, CA 95065  
831-459-7211

## Rosemary Balsley

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**From:** Roxanne Rothafel <roxrocks@icloud.com>  
**Sent:** Saturday, June 20, 2020 12:53 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** Against the Library at the Civic Center!

Please do not take away the magnificent Magnolia trees and the farmers market for the sake of a huge parking garage.

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

Please - Thank you

Roxanne Rothafel  
5430 Coast Rd.  
Santa Cruz, CA 95060

Sent from my iPad

## Rosemary Balsley

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**From:** Daniel Grady <dgrady23@hotmail.com>  
**Sent:** Saturday, June 20, 2020 1:05 PM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Jim Rolens <rolens@cruzio.com>  
**Sent:** Saturday, June 20, 2020 1:15 PM  
**To:** City Council  
**Subject:** New library

As a Friend of the Library, I'll lend my voice to those opposed to the concrete block library/housing/parking project. It looks terrible. More parking? Let's try to get people out of their cars. What happens to the current library building? Removing will be costly . . . then what? Pushing the beloved farmers market to an out of the way, smaller parking lot? No thanks. I'd advise say no to the scheme now or give the voters a chance to decide in the next election.

Respectfully, Jim Rolens

Sent from my iPad

## Rosemary Balsley

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**From:** Karin Grobe <karingrobe@gmail.com>  
**Sent:** Saturday, June 20, 2020 1:23 PM  
**To:** City Council  
**Cc:** editorial@santacruzsentinel.com  
**Subject:** Library choices

Promising 'affordable housing' will be part of the library under the garage project is like promising that pigs will fly. Financing for affordable housing is extremely unlikely given the City's finances and the hit they have taken with the Coronavirus.

Diana Alfaro, housing manager with MidPen Housing, a non-profit developer of affordable housing, said, "Right now it's really hard to finance anything and so it would really depend on the city's commitment to really make this actually happen." (Santa Cruz Local, June 19, 2020)

In other words, the City would have to come up with a huge matching fund to give it the edge in competing for affordable housing funds from the state.

Let's be honest. What is being proposed is a parking garage, market rate housing and a library under all that. Dressing up the parking garage by promising affordable housing is not being honest with city residents.

Karin Grobe  
236 Sheldon Avenue  
Santa Cruz, CA 95060  
831-427-0984

## Rosemary Balsley

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**From:** Joseph Schultz <jozseph@gmail.com>  
**Sent:** Saturday, June 20, 2020 1:59 PM  
**To:** City Council; Rick Longinotti, SC Desal Alternatives  
**Subject:** Wrong direction for Santa Cruz

- The Champions of this misguided project have more time and resources to push it than I have to oppose it. Is this the way we want governance to work? I'll briefly address each of their bullet points:
- With more space than a refurbished library could offer at the current library site.
- **space for what? Little evidence SC's real needs are being addressed.**
- A much larger, dedicated children's room.
- **Children are a shrinking part of the SC reality, which the out of control spending this project represents exacerbates**
- A separate room for teens - for group study after school or to simply hang out in a safe space.
- **only anecdotal evidence teens need or want this, and many other possibilities for this, including (duh) schools.**
- With meeting rooms for my reading club, to hold meetings, or community get-togethers.
- **This project eliminates our last flexible outdoor gathering place. Commercial space downtown sits empty, and needs to be re-evaluated for community benefit.**
- That has room for more books.
- **This is so last century. get a clue.**
- Is a library that I can be proud of!
- **Like many of my fellow citizens, I am insulted by the very idea that a huge structure with a**

library buried in it is something to be proud of. I am proud of the current library.

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Taxpayer subsidized buildings are not "affordable". They shift costs onto the housing market which increases costs for all of us.
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- Destroying a much loved gathering place and then saying you'll find a better place for it is BS
- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Greenwashing. The environmental costs of this needless construction dwarf any energy savings. We need to save trees, not cut them down for LEED construction fairy tales
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.
- Have you no shame? Mass transit in SC is an idea whose time has gone. Using one questionable project to justify another is just ridiculous. This is putting lipstick on a pig.

Future generations will regret our short-sightedness erasing town character for illusory gains. Concentrated benefits for the few tends to trump diffuse detriments

for the many. It is the Santa Cruz story that it is time to change.

Sincerely,

Jozseph Schultz India Joze

## Rosemary Balsley

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**From:** Bob Cagle <bob@productops.com>  
**Sent:** Saturday, June 20, 2020 2:03 PM  
**To:** City Council  
**Subject:** In support of new library!

Dear Santa Cruz City Council Members,

Please vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

This is a project whose time has come and balances the needs of all the constituents in our community, not just the vocal opposition. We desperately need more housing that is affordable, more parking for the employees and visitors for our upper floors downtown businesses, and a modern and beautiful library that shows that we care about learning. This new project will help to revitalize a flagging and aging downtown in support of its citizens in myriad ways.

Thank you!  
Bob Cagle  
CEO, productOps  
Downtown Business Owner

## Rosemary Balsley

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**From:** Mark <markinsc@baymoon.com>  
**Sent:** Saturday, June 20, 2020 2:26 PM  
**To:** City Council  
**Subject:** Library plans

Hello City Counsel Members,

My name is Mark Alexander. I have lived in city of S.C. for 30 yrs. now and have had a city business license for 25 yrs. doing plumbing work.

I really want to see the library rebuilt where it's at now and NOT moved into a new parking garage. Please leave lot 4 for the farmers market and the antique fair, and civic events.

Thank You,

Mark Alexander

## Rosemary Balsley

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**From:** Becca Moeller <becca@cruzio.com>  
**Sent:** Saturday, June 20, 2020 2:31 PM  
**To:** City Council  
**Subject:** New library

Hi -

I am writing to let you know how disappointed I am in the recommendation from the Santa Cruz library subcommittee for a new library as part of a mixed use building on Cedar Street. My family uses the library extensively and has for over 45 years. I believe the downtown site where it is now should be upgraded. It has become very divisive in an already divided city to relocate the library AND to couple it with more parking. It's time that we look to alternatives to the car. Better public transportation, extensive networks of safe bicycle lanes, etc.

Low cost housing is needed, but it doesn't need to happen on one of the only "open" spaces downtown. Please consider sending this proposal to the voters. I believe that many people who voted for the tax to improve the library believed it would be spent on the current site. They (and I) are feeling very deceived by what appears to be a hidden agenda to railroad through this alternate site and plan.

Thank you

Becca Moeller

## **Rosemary Balsley**

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**From:** Marjorie Simon <mjsimonsimon@gmail.com>  
**Sent:** Saturday, June 20, 2020 2:36 PM  
**To:** City Council  
**Subject:** library

Dear People,

Our city library is such a wonderful library in such a wonderful space. Please find a way to keep it there. I am a Santa Cruz resident and library goer.

Marjorie Simon  
email: mjsimonsimon@gmail.com

**Rosemary Balsley**

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**From:** Robert Grimes <bob44cali@gmail.com>  
**Sent:** Saturday, June 20, 2020 3:00 PM  
**To:** City Council  
**Subject:** Downtown Library

Dear Members of the Santa Cruz City Council,

I am writing to ask you to approve a proposed mixed-use building for the downtown library. I am a member of the Friends of the Library.

This type of building would provide more space and would serve a larger audience than other proposals.

Thank you for your consideration.

Norma Jean Grimes

--

Bob & Jeanne Grimes  
9 Palma Ave  
La Selva Beach, Ca. 95076  
831-708-2387

## Rosemary Balsley

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**From:** LaNor Maune <lmaune@gmail.com>  
**Sent:** Saturday, June 20, 2020 3:04 PM  
**To:** City Council  
**Subject:** Please support a new Downtown Library as part of the proposed mixed-use building!

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
- With meeting rooms for my reading club, to hold meetings, or community get-togethers.
- That has room for more books.
- Is a library that I can be proud of!

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- Incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you!

## **Rosemary Balsley**

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**From:** Shan Crockett <scmdret@hotmail.com>  
**Sent:** Saturday, June 20, 2020 3:24 PM  
**To:** City Council  
**Subject:** New Downtown Library

Dear Councilmembers --

I am writing in support of your subcommittee's recommendation to support the new Downtown Library as part of a multi-use facility on the block between Lincoln and Cathcart. It will vitalize the area in many different ways.

Shan Crockett, MD, retired  
Library Volunteer

## **Rosemary Balsley**

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**From:** pclares@aol.com  
**Sent:** Saturday, June 20, 2020 3:52 PM  
**To:** City Council  
**Subject:** Garage on Cedar btwn Cathcart and Lincoln

Dear Santa Cruz City Councillors,

We strongly disapprove of a new garage on the site of our Wednesday Farmers Market.

The approval of this structure would be a backward move into the mid 20th century when, lacking foresight and steeped in hyper confidence in growth upon growth, our post WWII industrialists swept our society into an auto centric culture that has become the poisonous monstrosity we confront today.

Forgiveness can be afforded that historical error, but scientific knowledge behind our Climate Crisis today allows no such excuse for decisions that perpetuate accommodation of individual automobiles.

Should you approve this structure, blame will lay upon your legacy as leaders of our town: Blame for backward thinking; for ignoring science; for being a poor model to other towns; for turning your backs on many thoughtful long time Santa Cruzans who prioritize a community well being based on humans living on our planet in accordance with the rhythms of natural systems.

You are all educated people. Trust your core wisdom, your hearts, to do what is best for our town and many other towns. Vote NO on this project!

Sincerely,  
Phil and Pam Stearns  
327 Harbor Dr.

## Rosemary Balsley

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**From:** Rakesh Chandra <rcat20sk@gmail.com>  
**Sent:** Saturday, June 20, 2020 3:57 PM  
**To:** City Council  
**Subject:** KEEP RENOVATE Downtown Library

Please show respect for the past by doing a better job of taking care of what we have. Please do not start over, throwing away everything from our past. Instead,

RENEW REVITALIZE TRANSFORM

I support the remodeling, renovating and rebuilding of the Santa Cruz Downtown Branch Library in it's present location in the downtown Civic Center.

Please DO NOT APPROVE the Mixed-Use project.

INSTEAD pursue the Jayson Architecture reconstruction proposal of the downtown library -- because it will cost the City less, planning can be implemented immediately, and it will provide a modernized and beautiful library for everyone

Thank you  
Rakesh Chandra  
Santa Cruz Resident

Sent from my iPhone

## **Rosemary Balsley**

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**From:** alison buchter <alistephen1@yahoo.com>  
**Sent:** Saturday, June 20, 2020 5:51 PM  
**To:** City Council  
**Subject:** Library

Please keep the library where it is and do not add downtown parking.  
Thank you!  
Alicia Buchter  
aliciabuchter@gmail.com

## **Rosemary Balsley**

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**From:** alison buchter <alistephen1@yahoo.com>  
**Sent:** Saturday, June 20, 2020 5:52 PM  
**To:** City Council  
**Subject:** library

Please do not add downtown parking above a new library. We want to keep the downtown area pedestrian friendly and keep the library where it is.

Thank you,  
Isabella Buchter  
146 Bixby St.  
Santa Cruz, CA  
95060  
bellabuchte@gmail.com

## Rosemary Balsley

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**From:** Barbara Riverwoman <river@cruzio.com>  
**Sent:** Saturday, June 20, 2020 6:03 PM  
**To:** City Council  
**Subject:** Vote no on garage, yes on the future of our city and planet

Dear City Council Members,

Imagine that you are a European planning a trip to a seaside town in the western United States. It is well known for its beautiful forests, great camping, perfect Mediterranean weather and cultural amenities. What really attracts you, though, is the far-sightedness of the City planners who created a downtown with wide bicycle lanes, excellent electric trolleys and lots of outside dining where cars used to fill the streets. Best of all, the city planners protected a central commons area, in the center of the City, where there are festivals, bands, outdoor poetry readings, small food vendors, evening performances, a thriving and spacious farmer's market and lots of greenery to rest under. When you are not hiking or at the beach, you know this is where you will want to hang out to enjoy the famous creativity of Santa Cruz. And right across the street is the town's lovely library with a demonstration native garden well worth visiting!

Somebody tells you that the Commons almost didn't happen because of short-sighted planners in 2020 who were ignoring the will of the community and wanting to build a parking behemoth on the perfect site for a Commons. Thankfully, the community took the matter to the ballot, and the commons was saved. Now even the Chamber of Commerce and the Downtown Association agree that it was best for the City's economic development. And not so incidentally, it has also been best for the environment. Santa Cruz is now recognized as one of the forward-thinking leaders in designing a City with the planet in mind.

Close call, you think. Santa Cruz is where I want to take my vacation. And I hope I will have a chance to meet a lot of locals at the Commons and hear more about the progressive history of this special City by the Sea.

Let your imaginations run wild.

Best to you all,  
Barbara Riverwoman

Sent from my iPad

## Rosemary Balsley

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**From:** Marilyn Bemis <marilyn.bemis@gmail.com>  
**Sent:** Saturday, June 20, 2020 6:13 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay “air rights” in order to subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## **Rosemary Balsley**

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**From:** paul gratz <pauljg45@pacbell.net>  
**Sent:** Saturday, June 20, 2020 7:24 PM  
**To:** City Council  
**Subject:** Downtown Library Decision

City Council Members,

I urge you to adopt the Jayson Architecture's proposal to renew/reconstruct our downtown library and build an adjacent outdoors commons with appropriate parking.

Thank you,  
Paul Gratz  
501 Prospect Hts.  
Santa Cruz, CA 95065

## Rosemary Balsley

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**From:** Katie Olsen <kbo@cruzio.com>  
**Sent:** Saturday, June 20, 2020 7:27 PM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center  
**Importance:** High

Dear Mayor Cummings and Councilmembers,

**Please choose** the Jayson Architecture option for **reconstruction of the Downtown Library at the Civic Center**, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons.

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Kathleen M Olsen

243 Moore St., Santa Cruz

## Rosemary Balsley

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**From:** Jessica Evans <jessevansfiddler@gmail.com>  
**Sent:** Saturday, June 20, 2020 7:27 PM  
**To:** City Council  
**Subject:** Please Oppose Downtown Library Parking Garage on Farmers' Market Site

Dear Mayor and members of the City Council,

As you know, the world is experiencing an existential crisis in the form of a climate emergency. Building more automobile infrastructure now is wrongheaded. We need a moratorium on automotive infrastructure projects. I'm asking you to please walk the talk and live your progressive values by opposing this project and instead supporting low income housing projects that are not tied to parking requirements, and supporting alternative transportation projects such as bikeshares and complete-streets infrastructure including bike lanes that go all the way through intersections, instead of forcing cyclists to merge across auto lanes in order to go straight.

Here are some reasons why the garage is not needed.

- Complete streets Infrastructure improvement combined with the rail and trail projects can reduce the need for parking downtown, allowing more people to travel and live without cars.
- The garage will not pay for itself, as the increased cost and reduced demand for parking will mean more spaces sit empty.
- The garage is not a good use of taxpayer funds: the original plan to renovate the existing library is more economical, would give us a nice library, would preserve our downtown commons and farmer's market space, and would cost much less. If needed, we could support additional funding for the library renovation by increasing the monthly parking cost in the existing garages, which are dramatically under-priced.
- Affordable housing can be built downtown that isn't tied to parking, so that people who don't need or want cars can affordably live and work downtown.

Please oppose the parking garage/library project. It's unnecessary, expensive, and adds auto infrastructure at a time when we should be doing everything we can to promote and support alternative modes of transportation.

Respectfully, Jessica Evans  
Seaside Street, Santa Cruz

## Rosemary Balsley

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**From:** Olma O'Neill <olma.oneill@gmail.com>  
**Sent:** Saturday, June 20, 2020 8:34 PM  
**To:** City Council  
**Subject:** Please vote in support of the Subcommittee's recommendation

Dear Members of the Santa Cruz City Council,

Please vote in support of a new Downtown Library as part of the proposed mixed-use building. This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library with meeting rooms for library group/club meetings or community gatherings.

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units;
- Finding a permanent home for the much loved Farmer's Market;
- Incorporating environmentally-safe building criteria following the Sierra Club's, such as LEED construction, and onsite solar energy generation;
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station!

Thank you for your consideration.

Sincerely,

Olma and Rory O'Neill

## Rosemary Balsley

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**From:** Mamoura Slike <mamoura.slike@gmail.com>  
**Sent:** Saturday, June 20, 2020 10:52 PM  
**To:** +downtowncommonsadvocates@gmail.com; City Council  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go, That you don't know what you've got 'til it's gone? They paved paradise And put up a parking lot -- Joni Mitchell  
Dear Mayor and Councilmembers: Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons! • Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center. • Parking demand does not justify building an economically risky parking garage. • Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that that each unit in a mixed-use project pay “air rights” in order subsidize the library’s construction budget. • Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons. For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council. Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## **Rosemary Balsley**

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**From:** Bonnie Young <bonjeanyoung@gmail.com>  
**Sent:** Saturday, June 20, 2020 11:21 PM  
**To:** City Council  
**Subject:** New Library

Dear City Council, I am writing to you today to ask you to support the proposal being made to build a new multi-service library building. I would love to see the farmers market have a new permanent home, I like the added housing for low and medium income people, my book club would use the meeting rooms when available, room for more books, and of course larger more modern bathrooms are just some of the things I like about the plan.

Thank you, Bonnie Young

## Rosemary Balsley

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**From:** tjgoldrup@sonic.net  
**Sent:** Saturday, June 20, 2020 11:32 PM  
**To:** City Council  
**Subject:** City Library

To Whom it may concern: As a longtime resident of Santa Cruz County (since 1973) I would like to state my opinion that I feel the main city library in Santa Cruz is a great location and would love to see it remain in the same location instead of being moved -- and also I feel that the open space where it is thought to be possibly moved should remain an open space in our city as there is not much of that type area remaining. Thank you for your consideration.....Tom Goldrup.

## Rosemary Balsley

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**From:** Gerald Brown <gebrown@cabrillo.edu>  
**Sent:** Sunday, June 21, 2020 4:09 AM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay “air rights” in order subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Jane Heyse <jheyse@cruzio.com>  
**Sent:** Sunday, June 21, 2020 8:20 AM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the development of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library.

Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

Sincerely,  
Jane Heyse, Retired Westlake School Teacher  
2395 Delaware Ave, Spc 131  
Santa Cruz 95060

## Rosemary Balsley

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**From:** Jim Goldrup <Jimgoldrup@live.com>  
**Sent:** Sunday, June 21, 2020 9:41 AM  
**To:** City Council  
**Subject:** Santa Cruz City Library

Let's keep the library where it's at! Don't give in to the developers. It's perfect where it is now located.  
Sincerely, Jim Goldrup

## Rosemary Balsley

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**From:** Larry Millsap <larrymillsap@comcast.net>  
**Sent:** Sunday, June 21, 2020 10:38 AM  
**To:** City Council  
**Subject:** Garage library project

Dear City Council Members:

I received a message from the president of the Friends of the Library asking members to write to you supporting the garage library. It included a sample letter with talking points. I was happy to support the library through the friends group until Vivian Rogers tried to convert it to a cheering section for Cynthia Mathew's garage. Now I am annoyed at another effort to give the appearance of support to an unpopular project.

The library system has built beautiful library buildings throughout the county. It's a great disappointment to see the principal branch be part of a big, ugly garage. Is it really worth it to get more square feet for meeting rooms and dedicated spaces? In this time of pandemics, public meeting space doesn't seem like a high priority.

All this is to say, as a disaffected Friend of the Library, I think the garage library is a terrible project and urge you to vote to renovate the current building instead.

Larry Millsap  
Santa Cruz

## **Rosemary Balsley**

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**From:** Laura Chatham <laurachatahm@gmail.com>  
**Sent:** Sunday, June 21, 2020 11:20 AM  
**To:** City Council  
**Subject:** keep the farmer's market!!

keep the farmer's market!!

Laura Chatham

## Rosemary Balsley

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**From:** Garrett <garrettphilipp@aol.com>  
**Sent:** Sunday, June 21, 2020 11:32 AM  
**To:** City Council  
**Subject:** 6.23.20 Agenda Item #1 Library

Dear Council,  
6.23.20 Mixed Use library

In general these options C and D suffer from the usual misconception of the purpose and guiding principles of city government here. The council is always more interested in their version of Leftist Social Justice Warrio- ing than the principals of the city providing city services to serve the pervasive many, theoretically potentially everyone, who pay the bills in exchange for these services.

A permanent selling of the public property air space above a library to serve perhaps 50 units/people who after all are still going to be paying rent is not as favorable to the pervasive public good as retaining public ownership of an improved public property designed as a commons and market. Selling airspace is permanent selling of public property to the benefit of the few and the developer.

Also, three words "Ain't we broke?".

How can you consider anything that isn't fully funded at this point in the coming depression (you know, the one the government caused)?

I have no problem with more parking in general, or cars, and this tourist town runs on tourist cars. Tourists are not going to bicycle around except maybe at the beach. I have no problem with affordable housing. I have no problem with a newer library.

As to whether all 3 of those actually go together in one space at some unknown price, or any time, I doubt but also the staff proposal seems ill-timed and a SJW sellout of public property.

Garrett Philipp - Westside

## **Rosemary Balsley**

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**From:** Siegfried Storz <sostorz@msn.com>  
**Sent:** Sunday, June 21, 2020 11:48 AM  
**To:** City Council  
**Subject:** New Library

I support the plans for the new downtown library -- mixed use project. All aspects are needed and will contribute to improving downtown Santa Cruz for all of us.

Siegfried O. Storz

## Rosemary Balsley

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**From:** Mark D. Lee <mdlee4125@gmail.com>  
**Sent:** Sunday, June 21, 2020 12:17 PM  
**To:** City Council  
**Subject:** You have a Critically Important Decision to Make on June 23rd - Do the Responsible Think and Reject the Library Subcommittee Recommendation which is not Supported by the majority of Santa Cruzans

Sunday, June 21st, 2020 12:00 Noon

From: Mark D. Lee - Measure S Downtown Main Library Renovation and Modernization Advocate, Long Time Downtown Main Library Researcher and Urban Planner  
To: City of Santa Cruz Mayor Justin Cummings and Councilmembers

"Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot"  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the continued viability of our vibrant Civic Center boulevard on Church Street.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed-use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Don't Waste \$ hundreds of millions of dollars we do not have - We already have a great Solution (voted by the majority as Measure S in 2016) which is to Reconstruct and Modernize our Historic Main Library for the next 100 years at a much lower financial cost to the taxpayers of our fair city and make Lot 4 on Cedar Street a permanent town center Farmer's Market-Community Downtown Commons natural park setting; nicely landscaped including a new permanent pavilion and stage area for multiple cultural events, a place for organic vegetable, food, flower distributors as well as a place for much needed social interaction, relaxation, informal musical venue, and youth theater events - in the healthy outdoors, opening up a special space that will become a very popular magnet site for locals and visitors visiting downtown and spending tons of money at local adjacent businesses along Pacific Ave, Cathcart, and Lincoln corridors.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** nicole paneque <npaneque@hotmail.com>  
**Sent:** Sunday, June 21, 2020 12:49 PM  
**To:** City Council  
**Subject:** Santa Cruz Downtown Library Project

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
- That has room for more books.
- Is a library that I can be proud of!

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.

Thank you!

Nicole Goldfield

## Rosemary Balsley

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**From:** Cary Seiden <cbseiden@comcast.net>  
**Sent:** Sunday, June 21, 2020 1:06 PM  
**To:** City Council  
**Subject:** Opinion | Cities Should Open Streets to Pedestrians and Cyclists - The New York Times

Wake-up NOW!!! Renovate the existing library, join it with the Civic Auditorium and City Hall as a plaza. Eliminate cars from Pacific Avenue from Water Street to Cathcart. We need a walkable core downtown...Bring landscape architects and forward-thinking urban planners/designers into the process. Restore the charm to our prosaic city center.

<https://www.nytimes.com/2020/06/20/opinion/pandemic-automobile-cities.html>

Sent from my iPad

## **Rosemary Balsley**

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**From:** Mary Kline-Kaye <maryklinekaye@gmail.com>  
**Sent:** Sunday, June 21, 2020 1:49 PM  
**To:** City Council  
**Subject:** Keep Library Where It Is

I have lived and owned homes in Santa Cruz for 26 years. I support keeping the library where it is as a part of the civic center. The library should be considered on its own merits and not used to provide more parking and affordable housing.

Thank you.

Mary KlineKaye

109 Green St, Santa Cruz, CA 95060

## **Rosemary Balsley**

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**From:** Ray Martin <rlm15@live.com>  
**Sent:** Sunday, June 21, 2020 2:29 PM  
**To:** City Council  
**Subject:** New Library Recommend Highly

My family supports the recommendation of the second committee to recommend to the Board that a new library be built!

## Rosemary Balsley

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**From:** Steven Bignell <journeyworks@gmail.com>  
**Sent:** Sunday, June 21, 2020 2:31 PM  
**To:** City Council  
**Cc:** Justin Cummings; Donna Meyers; Katherine Beiers; Sandy Brown; Renee Golder; Cynthia Mathews; Martine Watkins  
**Subject:** Plans for New Downtown Library

Dear City Council People,

I've been a resident of Santa Cruz for 52 years and have worked downtown for over 30 of those years. My family and I have checked out literally thousands of books from the downtown library; I've used the library for business and historical research; and most important, I met my wife of 32 years in the Children's Room of the downtown library.

As much as I love the current downtown library, I believe it is inadequate to the needs of our growing and vibrant downtown. The mixed-use proposal will provide not only a larger, single story library that will be more accessible, safer, and designed around modern library usage, but it will also provide much needed parking and low-income housing.

1. Except for during this pandemic, parking has never been adequate downtown, for either visitors or employees. With the addition of much needed new housing on Pacific/Cedar, and along the river levee, parking issues will only get more difficult. Planning now for the future is one of your most important jobs.
2. Affordable low income housing at the project site is a great addition, and building it downtown, near both services and public transportation, is exactly how it should be designed.
3. And although "Don't Bury the Library" is a catchy slogan, if I refused to support businesses that were under hotels, garages, or offices, I couldn't enjoy Oswald (under garage), Bookshop SC, (under hotel) or most restaurants and storefronts along Pacific (under offices). I understand the fear of change that concerns so many people, but after 50+ years in Santa Cruz, I have to say that change has already happened. Your job at the council is to meet the needs of the city as it is today, and as it will be in the future.

So, unless you can get some internet streaming mogul to donate an extra \$25 million to build a new self-standing library next to it's current location, I fully support the new downtown library as part of the mixed-use project along Cedar Street.

Sincerely,

Steven Bignell  
124 James Street  
Santa Cruz, CA 95062

## Rosemary Balsley

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**From:** D. Condon <dacondon@yahoo.com>  
**Sent:** Sunday, June 21, 2020 2:55 PM  
**To:** City Council  
**Subject:** Library

Please vote to keep the library at its current site. The thought of having to go to a gargantuan ugly parking garage to browse for books is exceedingly depressing. Not to mention having to see that monstrosity every time I pass that way. Let's try to keep Santa Cruz the low-profile, laid-back town we love.

Renovate the existing library. Parking structures and low income housing are completely separate issues. Let those projects find their own funding.

Sincerely, .

Deborah Condon  
227 Wilkes Circle  
Santa Cruz

## Rosemary Balsley

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**From:** sharon maxwell <smaxwell@usa.com>  
**Sent:** Sunday, June 21, 2020 3:10 PM  
**To:** City Council  
**Subject:** downtown library

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building.

This is an investment that will benefit our environment, our housing situation, and library users across the City and County.

As a library patron and supporter of the Friends of the Santa Cruz Public Libraries, I have attended many meetings regarding this project and followed the two architectural proposals. Given that two appointed committees have recommended a new mixed use building that would house the downtown library, I feel we should support their dedicated work.

A new building would allow the library to continue service in place while a new facility is under construction as well as avoid the expense of moving and renting a space while a renovation took place.

The public and staff has waited a long time for a decision to provide downtown Santa Cruz with an appropriate library.

I urge you to move forward with this last recommendation. Thank you for all your time in evaluating project information.

Sincerely,  
Sharon Maxwell

## Rosemary Balsley

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**From:** Peter Spofford <peterj48@cruzio.com>  
**Sent:** Sunday, June 21, 2020 3:34 PM  
**To:** City Council  
**Subject:** The Library

Dear Council Members,

My family is very much in favor of keeping the Downtown Library on the existing site. It seems quite expensive in the long term as well as damaging to our downtown ecosystem to encourage more cars and traffic by creating hundreds of additional parking spaces when there is an adequate supply at present.

If political realities prevent council movement in this direction, I would like to see the library's location and size be put to city voters for their preference. This certainly seems like the democratic means by which our community can offer the Council its collective voice.

Respectfully submitted for your consideration,

Peter Spofford

## Rosemary Balsley

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**From:** Judith A Steen <jsteen@pacbell.net>  
**Sent:** Sunday, June 21, 2020 4:45 PM  
**To:** City Council  
**Subject:** Mixed-Use Library Project

June 21, 2020

To: Santa Cruz City Council

From: Judy Steen, Joe Michalak

Subj: Mixed Use Library Project

We **do not** support the proposed Mixed Use Library Project.

We support the Jayson Architecture plan that proposes to adaptively reuse the current structure. Adaptively reusing the current library is not only the more environmentally sound approach, but also preserves the use of Lot 4 as a public commons—a much needed community space. The elimination of this “public commons” space is permanent.

The library is a traditional component of a civic center and should remain adjacent to City Hall and the Civic Auditorium. We voted to improve library facilities, an essential educational, social, and cultural component of a vibrant community. There are more cost-effective means of addressing parking demand than building a multi-story behemoth. Affordable housing has its place, but there are other more appropriate sites.

To alter the original intent of Measure S after the vote is a misuse of the appropriation process.

Even with the availability of online research material, traditional library offerings—capable staff, a relevant collection, children’s services are all necessary components for a strong community. The library should be the focus of this project and not compromised and muddled with the need for parking or affordable housing.

### **About Us**

We are both professional librarians with over fifty years of experience in public, academic, private, and research libraries. Judy Steen served on the Library Board in the 1970s and is a founding member (1971) of the Genealogical Society of Santa Cruz County. She is a retired UCSC reference librarian. Joe Michalak worked in corporate research libraries and as Head of Reference Services at UCSC before a career in online medical and scientific publishing. We have both served on the City’s Historic Preservation Commission.

## Rosemary Balsley

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**From:** Mary <schuma@sbcglobal.net>  
**Sent:** Sunday, June 21, 2020 5:45 PM  
**To:** City Council  
**Cc:** Dancy Girot  
**Subject:** Downtown Library

City Council Members:

Please support the recommendation of the Santa Cruz Library Subcommittee to move forward on the **MIXED USE** plan for a new Downtown Library, with the understanding that the GSSCC office space will be included in that plan.

Among the many advantages of the mixed use plan, I consider some of the most important to the community to be as follows:

- More space than a refurbished library
- Room for more books
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.
- .Creating between 60 to 120 affordable housing units.
- **Office space for the GSSCC.**

The subcommittee has invited citizens to offer opinions to you regarding programs of special importance to us. As a long-time member of the GSSCC, and its former Office Manager, **I urge you to include office space for the Genealogy Society of Santa Cruz County similar to that we have occupied for many years at the Downtown Library.** The GSSCC has three file cabinets, an office computer, a telephone line, funds in the form of cash and checks, and member contact information which must remain restricted from public access. Therefore, we must have work space and privacy for conducting the business of the 200 member GSSCC. **Does the Mixed Use plan offer us this office space?**

Much focus has appropriately been placed on children and teen needs, but **please don't forget our senior population.** The Genealogical Society of Santa Cruz County offers important services to the general public, and especially to the seniors in our community. The over 8,000 books and the websites the GSSCC purchases are highly treasured archives by Santa Cruz area residents and require organization and oversight by society volunteer officers. I refer you to the recent remarks to the subcommittee by the GSSCC President, Dancy Girot.

Thank you for your consideration,

Mary Parker-Schumacher

Former Board Member and Office Manager of the GSSCC



This email has been checked for viruses by Avast antivirus software.  
[www.avast.com](http://www.avast.com)

## Rosemary Balsley

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**From:** Julie Minnis <tunie729@gmail.com>  
**Sent:** Sunday, June 21, 2020 5:53 PM  
**To:** City Council  
**Cc:** Julie Minnis; Bob Minnis  
**Subject:** Library

Dear City Council Members:

Please restrict the height of the proposed library building between Lincoln and Cathcart **to 4 stories only**. Make sure the design is within scale off the neighboring buildings.

Please think about having top floor reading space in order to connect to our beautiful environment. Cars do not need to take the view.

Thank you,

Bob and Julie Minnis

## Rosemary Balsley

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**From:** hlynch@got.net  
**Sent:** Sunday, June 21, 2020 6:09 PM  
**To:** City Council  
**Subject:** No new library now

City Council,

Please do not build a new library or start expensive new projects at this time.  
The covid19 virus has

- created great uncertainty,
- destroyed businesses,
- reduced tax revenue
- caused civil unrest
- necessitated government spending of trillions of dollars causing inflation and decreasing the value of money

Thank you.

Helen

## Rosemary Balsley

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**From:** Casey Meyers <borntoread95@yahoo.com>  
**Sent:** Sunday, June 21, 2020 6:13 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the development of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library.

Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

Thank you,  
Casey Meyers

## **Rosemary Balsley**

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**From:** Henry Hooker <henry.hooker@gmail.com>  
**Sent:** Sunday, June 21, 2020 6:18 PM  
**To:** City Council  
**Subject:** Proposed Downtown Mixed-Use Library Facility  
**Attachments:** SC YIMBY re. Mixed Use Library.pdf

Greetings,

Attached is a letter from Santa Cruz YIMBY in support of the Mixed-use Library Facility to be discussed on Tuesday, June 23.

Thank you for your consideration of our support.

Henry Hooker  
for Santa Cruz YIMBY



21 June, 2020

**RE: Proposed Downtown Mixed-Use Library Facility**

Dear Mayor Cummings and Members of the Santa Cruz City Council

I write to you as a representative of Santa Cruz YIMBY, an organization that supports sustainable production of abundant housing in response to the housing and climate crises.

Santa Cruz YIMBY fully supports the concept of a new multi-use library in downtown Santa Cruz.

Why the multi-use Library?

- Only the mixed-use model provides the library with the space it needs to increase services for its many constituents, including youth and children, for whom space is almost doubled.
- The economies of scale of the larger project lower the costs for all participants.
- Shared parking provides future opportunities for downtown housing projects without parking requirements.
- The Farmer's Market moves to a nearby permanent location that they have already embraced.

And, on top of all this, the project creates affordable HOUSING near transit and jobs. This is an important step toward housing equity and creating a walkable and sustainable community. It begins to address the 5,000 Santa Cruz workers who commute daily into Santa Cruz from elsewhere, who add to the climate crisis.

We do NOT support the renovation scenario, which uses \$38 million dollars to build a facility that provides less space than the library needs, less space than it currently has, and requires finding and paying for an alternate location during the renovation.

We urge you to build as much housing as possible on this site and other downtown sites. This project provides an opportunity to boldly address the housing crisis while making Santa Cruz more equitable, walkable, and sustainable. We can and should be a model of a hopeful future for our cities and the planet.

Respectfully,

A handwritten signature in black ink, appearing to read "Henry G. Hooker".

Henry G. Hooker for  
Santa Cruz YIMBY

## Rosemary Balsley

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**From:** Lisa Hochstein <hochstein@sbcglobal.net>  
**Sent:** Sunday, June 21, 2020 6:24 PM  
**To:** City Council  
**Subject:** renovate the current library in its current location—NO on plan for Lot 4!

Dear City Council,

As a voter, taxpayer, and concerned citizen, I implore you do the sensible thing and renovate the library in its current location. When I voted in support of library improvements it never occurred to me that the tax measure was a bait and switch.

Or... if you are going to use the library as an excuse to build parking and some housing, at least be fair and put the measure on the ballot again so people can vote on the actual plan.

sincerely,  
Lisa Hochstein

## Rosemary Balsley

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**From:** Tera Martin <teramartin17@gmail.com>  
**Sent:** Sunday, June 21, 2020 6:40 PM  
**To:** City Council  
**Subject:** In Support of the Downtown Library Council

June 21, 2020

To Members of the Santa Cruz City Council:

I write in **strong support of the Downtown Library Council Subcommittee's recommendation (and previously, the Downtown Library Advisory Committee (DLAC)'s recommendation) to build a new multi-use building that includes affordable housing, a new Downtown Main Library, and parking on what is currently a flat parking lot. I support Group 4's possibilities of the kind of community space that can be created there.** I ask you to listen to the years' worth of diverse city leaders who have spoken in favor of getting this project moving and to quit the stalling. Listen to the downtown advocates, teachers, librarians, parents, artists, housing advocates, environmentalists, and community advocates who support this project.

I am a community college teacher, a mother of two children (ages 15 and 11), a California State Parks volunteer, and have lived in Santa Cruz County since 1993. I teach writing and research, and I coordinate a multi-disciplinary Learning Center at Cabrillo College's Watsonville campus.

I was also a member of the DLAC, and as a volunteer appointed by a previous Council, I worked to listen, envision and support a library where teenagers, downtown residents, and all of our city can access safe, tech-savvy space, one where multilingual families can participate in literacy and digital media programs, where teachers, job-seekers, and seniors can access books, technology, and genealogy. My own process of learning about the years of neglect given the Downtown Branch of the Library has been both disheartening and invigorating. Invigorating because I am even more passionate about championing a project that delivers to our growing, diverse, multilingual, economically challenged community a library that **welcomes us all: working class residents, teens, veterans, immigrants, my kids, my students, families, techies, inspired entrepreneurs, and someone like me, a book lover. We cannot achieve this vision of a main branch of our library, however, when the structure is failing us.**

**Santa Cruz will bury the Downtown Library by choosing to continue to fix only some of the problems, to band-aid structural deficiencies, to continue to ignore underserved communities and provide limited services to them.** Burying the library means agreeing to all the inefficient, outdated facilities and letting them continue on, aging, deteriorating, and demoralizing to those who work in them and those who use them. Burying the library means saying to the next 50 years of Santa Cruz County, "We know you travel from Davenport and from Aptos and from South County to visit our Downtown Main Library, but we don't offer you a baseline standard of excellence, safety, and resources."

At DLAC meetings I heard seniors wax nostalgic about the current library; they are sentimentally attached to it. They are lucky. **My children, ages 11 and 15, have no such attachment to the current Downtown Library.** They have grown up in Watsonville and Santa Cruz and have better experiences and stronger memories of Watsonville's Downtown Library than their current city's. (Check out the AMAZING tile

mosaic art project underway on the exterior of Watsonville's downtown library / parking / government building led by [Watsonville Brillante](#).) As a professional educator, as someone who earned her Ph.D. at UCSC and chose to stay in this community, their lack of connection with their Main Library hurts the most.

I refuse to bury our library. I agree with the Facilities Master Plan of 2013 that recommends "extensive renovation or full replacement" of the Downtown Library. I demand greater environmental efficiency. I demand that we meet the Library's Programmatic goals. As a homeowner, I demand economic prudence. I am paying for this! I demand that we serve ALL of our communities in a building that invites us to read and learn and collaborate. The proposed Mixed Use building offers us the closest fiscal goal with the opportunity to better use what is ALREADY A PARKING LOT. In a time of city budget scrutiny for how community services balance with law enforcement expenditures, I would also encourage Council to consider the 1% of the annual budget devoted to the library and realize the opportunity: **instead of an old flat day use parking lot, we have the chance to create an invigorating cultural and community beacon in our downtown community, provide much needed affordable housing, and initiate a downtown renaissance, one sorely overdue.**

Thank you for your time and service.

Sincerely,

Tera Martin, Ph.D.

## Rosemary Balsley

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**From:** art@amystark.com  
**Sent:** Sunday, June 21, 2020 6:58 PM  
**To:** City Council  
**Subject:** Renovate our library

Hello,

I am *opposed*

to building a new parking garage / library. I could list all the reasons I think it's a horrible idea, but you've already heard them all. Please listen to the Santa Cruz citizens who have already voted to RENOVATE the library we already have.

Thank you,

Amy Stark

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~Sent from my iPod

## Rosemary Balsley

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**From:** Jim and Pam <jimandpamcarter@gmail.com>  
**Sent:** Sunday, June 21, 2020 7:37 PM  
**To:** City Council  
**Subject:** Support the mixed use library project

Dear City Council,

Pam and I strongly support the mixed use project that provides an improved library, affordable housing, parking for a variety of constituents' needs, and an expansion of youth and childhood programs.

It seems like a no-brainer.

A move to temporary quarters for the library is not required, and the current library can be repurposed for future planning for other community needs.

Also, we understand that the weekly Farmers' Market is willing to relocate to provide ongoing service to the community.

Thanks very much for considering our comments and for your continuing hard work on behalf of the Santa Cruz community.

Sincerely,

E. James (Jim) Carter  
Pamela Hunt-Carter  
1802 Bay Street  
SC 95060

(Residents of SC since 1992 and 1995, respectively)

Sent from my iPhone

## Rosemary Balsley

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**From:** Cory Ray <coryray@gmail.com>  
**Sent:** Sunday, June 21, 2020 8:43 PM  
**To:** City Council  
**Subject:** New Library

Dear Council Members,

I am in favor of the new library combined with parking and affordable housing. We need to look to the future for our library. As we have seen over the last few years and particularly over the last few months we need a facility which can be flexible and respond to the needs of the community. We need a facility designed for the future and not try and retrofit the past.

In addition to a new modern library design we can share costs and develop desperately needed affordable housing. We don't need to shut down in the interim only to end up with a subpar facility. And then we can decide what to do with the old library. So many options.

This is a win-win.

Please listen to the people who have been asked to provide their expertise and approve the new library/housing/parking project.

Respectfully,

Cory Ray

## Rosemary Balsley

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**From:** Bonnie Bush  
**Sent:** Monday, June 22, 2020 9:56 AM  
**To:** City Council  
**Subject:** FW: MBEP Letter to City Council re: Downtown Library Project  
**Attachments:** Downtown SC Library Project Support Letter.pdf

*Bonnie Bush, CMC*

City Clerk Administrator  
City of Santa Cruz  
831-420-5035

Public Records Requests may be submitted online via the Public Records Request form, by email to [bwillman@cityofsantacruz.com](mailto:bwillman@cityofsantacruz.com), or by hard copy form available at the City Clerk's Office located at 809 Center Street, Room 9, Santa Cruz, CA 95060.

Please note: Public Record Act Requests submitted via email, fax, USPS, or dropoff after 5:00 p.m. on a business day, Saturdays, Sundays, or holidays will be processed as received on the next open business day. The 10-day response period begins when the request is received.

**From:** Alexia Garcia [mailto:agarcia@mbep.biz]  
**Sent:** Monday, June 22, 2020 9:54 AM  
**To:** Bonnie Bush <bbush@cityofsantacruz.com>  
**Cc:** Kate Roberts <kroberts@mbep.biz>; Matt Huerta <mhuerta@mbep.biz>  
**Subject:** MBEP Letter to City Council re: Downtown Library Project

Hi Bonnie,

Attached please find MBEP's letter of support to City Council regarding the proposed Downtown Library Mixed Use Project (item #1 on Tuesday's City Council agenda).

Thank you,

**Alexia Garcia**  
**Monterey Bay Economic Partnership**  
Community Engagement Assistant  
(831) 682-1363

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CAO, County of Santa Cruz

**Bruce Taylor**  
Chairman & CEO, Taylor Farms

**Staff: Kate Roberts, President & CEO**

June 22, 2020

Santa Cruz City Council  
809 Center Street  
Santa Cruz, CA 95060

**Subject:** Support for Option D of Proposed Downtown Library Mixed-Use Project

Dear Mayor Cummings and Santa Cruz City Councilmembers,

The Monterey Bay Economic Partnership (MBEP) was founded in 2015 and consists of over 87 public, private and civic entities located throughout Monterey, San Benito and Santa Cruz counties with a mission to improve the economic health and quality of life in the Monterey Bay region. Our Housing initiative consists of a broad coalition of community members, local employers, and organizations to advocate for and catalyze an increase in housing of all types and income levels in the region.

According to the Downtown Library Advisory Committee (DLAC)'s [final report](#), Option D addresses several goals outlined by the community including addressing current infrastructure problems and allowing for potentially greener infrastructure. The 2020 architectural study commissioned by the City states that Option D would allow for housing units to be constructed above the library facility. The [City Staff Report](#) recommends the inclusion of at least 50 units of affordable housing above the library space, in addition to no more than 400 parking spaces in the form of an onsite parking garage. Access to public transit would be less than half a mile allowing residents to adopt greener transportation options.

MBEP's Housing Initiative supports the construction of housing in our region at all types and income levels in appropriate locations near existing jobs, transit and services. Additionally, MBEP's Climate Change Initiative advocates for the construction of transit-oriented housing developments and climate-resilient infrastructure. For these reasons, Option D is in alignment with our housing production and climate change resiliency goals. MBEP further supports staff's recommendation to include at least 50 units of affordable housing onsite in order to maximize affordability and sustainable land use.

The City has an opportunity to expand access to library services while also addressing the urgent affordable housing needs. Please vote to maximize the community benefit of preserving and expanding this important public facility and approve Option D.

Thank you for your consideration.

Sincerely

Kate Roberts  
President & CEO

3180 Imjin Road, Suite 102  
Marina, CA 93933 831.915.2806

Santa Cruz . San Benito . Monterey

## Rosemary Balsley

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**From:** Katie Fortney <katiefortney@gmail.com>  
**Sent:** Sunday, June 21, 2020 8:51 PM  
**To:** City Council  
**Subject:** Very excited for the new library

Hello city council,

One of the silver linings of all of the sheltering in place was that so many more people - like me - were able to see presentations about the possibilities for a new library than might have been able to with traditional in person meetings. I already suspected before those meetings that the city would get more for its money by starting with a new building than trying to retrofit an older one, but I was really blown away by the possibilities - an accessible space, with great opportunities for better light, tons of space for kids, and more downtown housing to boot! And last I heard, this would also avoid downtown being library-less for an extended period of time. I would hate for us to go without a downtown branch for any longer than necessary.

I've gotten fliers in the mail from folks who object and want to keep the old building. From what I've read, and seen, and now knowing about the subcommittee's unanimous vote, I find their objections unconvincing.

I'm confident that we'll find a good new spot for the farmers market, and I'm really excited to have the library so deep in the heart of downtown. My thanks to everyone on the subcommittee for the time and effort they spent evaluating these plans, and the great questions they asked during the process.

With thanks,

Katie Fortney

127 Getchell St.

Santa Cruz, CA 95060

(academic librarian, avid public library user, & mother of 2 kids who love the downtown library)

## Rosemary Balsley

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**From:** Keith Gudger <kgudger@communitytv.org>  
**Sent:** Sunday, June 21, 2020 8:52 PM  
**To:** City Council  
**Subject:** Yes For Mixed Use Library!

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
- With meeting rooms for my reading club, to hold meetings, or community get-togethers.
- That has room for more books.
- Is a library that I can be proud of!

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you!  
Keith Gudger

## Rosemary Balsley

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**From:** karen scott <karen@sploids.com>  
**Sent:** Sunday, June 21, 2020 8:55 PM  
**To:** City Council  
**Subject:** Please vote Yes on new mixed use Downtown Library

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County!

As a supporter of the Friends of the Santa Cruz Public Libraries, I look forward to a library:

- With more space than a refurbished library could offer at the current library site.
- A much larger, dedicated children's room.
- A separate room for teens - for group study after school or to simply hang out in a safe space.
- With meeting rooms for my reading club, to hold meetings, or community get-togethers.
- That has room for more books.
- Is a library that I can be proud of!

The mixed-use project will save the cost of construction and help the City address some other important issues by:

- Creating between 60 to 120 affordable housing units.
- Finding a permanent home for the much loved Farmer's Market (yes, this is part of the deal!)
- incorporating environmentally-safe building criteria following the Sierra Club's such as LEED construction, and onsite solar energy generation.
- Building a parking garage with charging stations for electric cars, secure spaces for commuter bikes, and a direct link to the upcoming new mixed-use Metro Station.

Thank you!

Karen L. Scott

## **Rosemary Balsley**

---

**From:** Sylvana Rochet <sylvana.rochet@gmail.com>  
**Sent:** Sunday, June 21, 2020 9:06 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

**I'm a mother living in Santa Cruz with my husband and three-year old daughter. We love this city, and we want this city that we call home to be great for all those who live here.**

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the development of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library.

Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

Thank you,

Sylvana Rochet

## Rosemary Balsley

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**From:** Eric Thorne <eric.thorne@gmail.com>  
**Sent:** Sunday, June 21, 2020 9:44 PM  
**To:** City Council  
**Subject:** Support of New Library Building

Hi Members of the Santa Cruz City Council,

I am totally in favor of a new Downtown Library in a mixed use building.  
Have you been to the Santa Monica Library? It is also a Library + Parking lot, and it is great (though it's parking is multi-story underground as opposed to above).

I'm all for larger library spaces.

Thanks,  
Eric

## Rosemary Balsley

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**From:** bevo@cruzio.com  
**Sent:** Sunday, June 21, 2020 9:46 PM  
**To:** City Council  
**Subject:** Downtown Library

Dear Sirs:

]I am writing you with a simple request. Remodel the downtown Library and do not lump it with housing, cars etc. in a mammoth large downtown building. The farm market & trees will be removed for no good reason except to benefit some investor(s).

I have been a resident of Santa Cruz for over 62 years. I feel this should be put to a vote by the citizens impacted by this change. The Library is centrally located across from the City Hall and the Civic Auditorium and deserves to remain where it is presently located. It is part of our community.

Sincerely,

Beverly Menehan  
1255-38th Ave. 32  
Santa Cruz, Ca. 95062 (831) 479-1156)

## Rosemary Balsley

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**From:** James Mekis <jmekis@Mekis.net>  
**Sent:** Sunday, June 21, 2020 10:46 PM  
**To:** City Council  
**Subject:** Please Support a Mixed Use Library

Dear Santa Cruz City Council Members,

After talking with library employees, and asking questions during Jayson Architecture's presentations on both the mixed use library and a remodel of the current library, I support a new mixed-use library (OptionB), that DLAC has recommended, and I ask you to do the same.

I grew up in Santa Cruz using the Carnegie library up through high school, but by the mid-60's it was clearly too small for the use it was getting in a town of then 30,000 people.

The new library (our current library) was much larger, blending new architecture and space for new programs with the old and familiar, like the huge grandfather clock from the Carnegie (that's at the back of the reading room in our current library).

Times have changed, our population has doubled to 60,000+ and one group proposes that the best solution is to reduce the size of our current library to address earthquake issues, cut programs by 30% to compensate, and remodel with a lower quality structure, not even acoustic ceilings. That hardly addresses today's needs, much less tomorrow's with our growing population!

Under the remodel plan, Santa Cruz's history and genealogy spaces are expected to be eliminated from the main library. I have certainly researched books from these rooms to prepare talks on old Santa Cruz, as have many others, including well-known Gary Griggs and Sandy Lydon.

Building a new library as part of a mixed use facility is more cost effective (shared costs), and many downtown businesses see a clear need for parking, to replace the more than 1,000 downtown surface parking spaces we will lose over the next decade. Without parking, retail businesses and some restaurants will certainly disappear, as will their tax revenue.

Please support the mixed-use facility, with its modern library, housing, and parking.

Thank you,  
Jim Mekis

## Rosemary Balsley

---

**From:** Judy Weaver <jbweaver@cruzio.com>  
**Sent:** Sunday, June 21, 2020 11:06 PM  
**To:** City Council  
**Subject:** Downtown Library in Civic Center

Dear Mayor Cummings and Council Members,

Please listen to the community of Santa Cruz and to local businesses. Many of us support the reconstruction of the Downtown Library at the Civic Center.

And we do NOT support the multistory mixed use building on Lot 4.

Our voices have been diminished by the intensive lobbying since 2016 for relocating the library in a parking garage. As a resident of Santa Cruz for 31 years and as a volunteer for the Friends of the Santa Cruz Libraries and for Library staff for 11 years, I have personally witnessed this. I believe that a public forum (at the Civic Auditorium perhaps) should be held before you make the final decision on the Downtown Library's fate.

Besides all the very practical and environmental reasons for keeping the Library in its appropriate location, I am opposed to the parking garage building on Lot 4. There is no disagreement in this choice about the need for affordable housing. I understand that the City already has at least 2 other affordable housing projects in the works at other locations, i.e. the METRO Center, and I fully support responding to this need.

Lot 4 is unique in our downtown business area, a centrally located open space with beautiful shade trees, and it has been a downtown asset for years as a site for the Farmers Market, the Antique Fair and other local events. The popularity and appeal of the Farmers Market is without question and the Market deserves to stay at this site and not be assigned to a smaller, out of the way, location on Front St.

If attracting more people to support our downtown businesses is a focus of the City, why in the world would we build a parking garage on the Farmer Market site? It deserves more recognition as a destination for city visitors and residents! Thinking outside the 'box', engaging the community in planning a central plaza would be a far better legacy for our city. A plaza or commons would serve Santa Cruz residents and visitors, be a significant factor in the appeal and vitality of the city, with possibilities of small venues, children's play area, food trucks, art, music, theatre, etc. A shaded place to sit and eat your lunch during your work day or to meet and talk with friends. A permanent home for the Farmers Market. Funding from monies saved by not building a parking garage, from sponsors who could be recognized within the plaza, donations from the community.

The issue of not enough parking now or in the future has been addressed. Parking surveys and assessment by parking management experts have demonstrated that we will need less parking and that current facilities are not fully used. And there are other locations, not in the center of downtown, that could be used if deemed necessary.

As you consider the future of our city, I hope that your choices will contribute to its uniqueness and support the reasons why people love and cherish Santa Cruz. It's been a special place to live for me and my family and probably for you too.

Please support the reconstruction of our Downtown Library. Many of us feel that it has and it will continue to serve the community best in its longtime location and position in the Civic Center of Santa Cruz.

Thank you for your consideration.

Judy Weaver  
202 Taylor St  
Santa Cruz, CA 95060

## Rosemary Balsley

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**From:** Becky Steinbruner <ki6tkb@yahoo.com>  
**Sent:** Sunday, June 21, 2020 11:28 PM  
**To:** City Council  
**Cc:** Becky Steinbruner  
**Subject:** PUBLIC COMMENT RE: EVENING SESSION ITEM #1 ON JUNE 23, 2020 COUNCIL AGENDA (DOWNTOWN LIBRARY SUBCOMMITTEE RECOMMENDATIONS)

Dear City Council,

I am extremely disappointed that the Downtown Library Subcommittee has recommended that the library be transformed into a mixed use parking garage after-thought. This is NOT what the Measure S campaign described, nor it is financially prudent for the City to take on such unnecessary debt.

I support renovation of the existing Downtown Library structure because the location is central to the city plaza area and is in line with the sustainable and environmentally-friendly values of our Santa Cruz community. Reduce, re-use, recycle the existing library to modernize it, not demolish, disrupt and destroy stately trees and a traditional small-town feel of a Farmer's Market institution.

Please do not support the Downtown Library Subcommittee recommendations for mixed use library project on lot 4. I am 100% opposed to spending Measure S funds for such misguided development.

Please put this project to the vote of the people and truly see how much support exists for a parking garage and mixed-use development vs. sustainable renovation of the existing library structure that is solid and safe.

Sincerely,  
Becky Steinbruner

## Rosemary Balsley

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**From:** Diane Putnam <d.k.putnam@icloud.com>  
**Sent:** Monday, June 22, 2020 8:35 AM  
**To:** City Council  
**Subject:** Build the mixed-use Library building downtown already!

OK, Santa Cruz City Council, it has now been 2 years since the library citizen's advisory committee gave you its well-informed recommendation for a mixed use library space downtown, which was approved. And then.....nothing. And what will you do now that it's time to vote again? Come on, get with this century! Santa Cruz deserves a modern, safe, well-equipped library for its youth, students, families, seniors, and everyone else. See my previous emails for all the reasons why (below).

The advisory committee was spot-on in its recommendation two years ago, and now our bond money is worth tens of thousands (hundreds of thousands?) less than it was in 2018. No one has stepped forward in the meantime with \$ millions in donations to rebuild it where it is, and you owe our community some action. All the other local libraries funded by the bond are built or in-progress. Let's move FORWARD!!

Diane K Putnam, parent to two SCCS students and English prof. @Cabrillo  
Santa Cruz, CA

On May 13, 2019, at 1:42 PM, Diane Putnam <[d.k.putnam@icloud.com](mailto:d.k.putnam@icloud.com)> wrote:

Dear City Councilmembers:

Nearly one year ago today, I sent this email urging you to support the recommendation by the citizen's advisory committee for Option B, which would build a library into a parking garage, which would lead to significant long-term energy savings while realizing nearly all of the community needs that were identified in the advisory committee's lengthy and in-depth research and decision-making process.

The City Council voted for Option B, thank you! And then.....nothing. With every month that has passed since the vote, costs for building have risen, and we're heading into another fire season in California that will drive up demand for materials and workers even further. In the meantime, Felton's new library has been built, and Capitola has broken ground.

Please move forward on this before the community is priced out of it.

Sincerely,  
Diane K. Putnam  
Santa Cruz, CA

On Jun 11, 2018, at 9:34 AM, Diane Putnam <[d.k.putnam@icloud.com](mailto:d.k.putnam@icloud.com)> wrote:

Dear Santa Cruz City Councilmembers,

I am writing to strongly encourage you all to support the DLAC recommendation for the downtown library branch, aka “Option B” in a mixed-use structure. If money were no object, I would push Option D. Just please go with ANY OPTION BUT “A”. Options B, C & D offer a progressive vision for the future of the library, while Option A doesn’t even cover the serious health and safety issues with the current building downtown.

I am a Cabrillo English instructor and mother of two boys who attend DeLaveaga elementary school. My boys (8 & 10) visit the downtown branch regularly for pleasure reading, special project class research (often in Spanish), and Spanish-language books at their grade level to meet school homework requirements (they’re in the Dos Alas immersion program); *many* of their friends do the same. My Cabrillo students from north county often rely the SCPL for assigned texts that aren’t textbooks. They also use public library spaces, when available, to write their papers and gather with team project members to work—many of our county’s students don’t have quiet, computer-equipped study spaces where they live, and Cabrillo’s study spaces aren’t always open or easily accessible to students coming from Santa Cruz.

I attended the DLAC community meeting on December 3rd and was dismayed to hear so much support for Option A’s half-measures (not to mention antagonism towards the advisory committee). I observed that easily more than 70% of the community members in attendance that day were over 70 years of age. I was saddened that there didn’t appear to be many parents of young children or teens in the room, perhaps one per table. I realize other focus groups took place with young people, but it felt that the make-up of the room, largely skewing elder, white, and likely property-owning, explains the overall support expressed that day for the more conservative Option A. Additionally, several misperceptions seemed to drive discussion, especially around the mixed-use Option B: suspicions about working with a private partner, assumptions about how the structure would look, anti-parking arguments that ignored Option B’s green benefits, and deep emotional attachment to the current location.

That last point probably gets down to the biggest obstacle to agreeing on a solution: sentimental, rather than visionary, thinking. We all deserve a safe, 21st-century library, so if we’re attached to the current site, let’s use this bond opportunity to fundamentally remodel or rebuild there. Let’s have some vision, please, and figure out how to raise some funds from those who can afford it in our community for Option B, C or D; it’s an investment we owe to the next generation, and we have sadly neglected that responsibility so far in allowing the library’s current home to degrade this much in the first place.

Thank you for reading this far and for all your work and patience,  
Diane Putnam

## Rosemary Balsley

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**From:** Bert Brown <bertbrown29@gmail.com>  
**Sent:** Monday, June 22, 2020 4:28 AM  
**To:** City Council  
**Subject:** Library

I support the proposed new library plan.  
Hubert A. Brown  
333 High St.  
Santa Cruz, Ca.

Sent from my iPhone

## Rosemary Balsley

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**From:** Bonnie Bush  
**Sent:** Monday, June 22, 2020 7:12 AM  
**To:** City Council  
**Subject:** FW: Library Decision

Bonnie Bush, CMC  
City Clerk Administrator  
City of Santa Cruz  
831-420-5035

Public Records Requests may be submitted online via the Public Records Request form, by email to [bwillman@cityofsantacruz.com](mailto:bwillman@cityofsantacruz.com), or by hard copy form available at the City Clerk's Office located at 809 Center Street, Room 9, Santa Cruz, CA 95060.

Please note: Public Record Act Requests submitted via email, fax, USPS, or dropoff after 5:00 p.m. on a business day, Saturdays, Sundays, or holidays will be processed as received on the next open business day. The 10-day response period begins when the request is received.

-----Original Message-----

From: Mary Ann Clare [<mailto:clareross49@gmail.com>]  
Sent: Sunday, June 21, 2020 10:32 PM  
To: Bonnie Bush <[bbush@cityofsantacruz.com](mailto:bbush@cityofsantacruz.com)>  
Subject: Library Decision

Letter to The City Council for the June 23rd Meeting.

I strongly support the mixed -use option for the new library. Although I do not live within the city limits of Santa Cruz I am frequently in the city. I use the main branch very often for research. Prior to the Covid-19 stay at home order I did most of my shopping there.

What I like about the mixed-use option is it would be larger and would allow for more than 19,600 items there than the remodeled old library. Additionally, the mixed- use option would offer more parking spaces. I have often found it is hard to find parking spaces. I believe the mixed-use option would give us 400 parking spaces compared to around 250 spaces for the old remodeled choice. My third reason for wanting the mixed-use option is that there would be 60 to 120 affordable housing units included. Everyone knows how desperately Santa Cruz needs more affordable housing units.

I urge you to vote in favor of the mixed-use option for our new library.

Thank You,  
Mary Ann Clare  
225 Mount Hermon Road Space 131  
Scotts Valley, CA 95066

## Rosemary Balsley

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**From:** Bonnie Bush  
**Sent:** Monday, June 22, 2020 7:32 AM  
**To:** City Council  
**Subject:** FW: Answers to Recent Library Plan Survey

Bonnie Bush, CMC  
City Clerk Administrator  
City of Santa Cruz  
831-420-5035

Public Records Requests may be submitted online via the Public Records Request form, by email to [bwillman@cityofsantacruz.com](mailto:bwillman@cityofsantacruz.com), or by hard copy form available at the City Clerk's Office located at 809 Center Street, Room 9, Santa Cruz, CA 95060.

Please note: Public Record Act Requests submitted via email, fax, USPS, or dropoff after 5:00 p.m. on a business day, Saturdays, Sundays, or holidays will be processed as received on the next open business day. The 10-day response period begins when the request is received.

-----Original Message-----

From: William Kingsley [mailto:[kingsley@cruzio.com](mailto:kingsley@cruzio.com)]  
Sent: Monday, June 22, 2020 7:27 AM  
To: Bonnie Bush <[bbush@cityofsantacruz.com](mailto:bbush@cityofsantacruz.com)>  
Cc: Justin Cummings <[cummings4citycouncil@gmail.com](mailto:cummings4citycouncil@gmail.com)>  
Subject: Answers to Recent Library Plan Survey

My Answers to Recent Library Plan Survey:

Yes, the library should be a 'stand-alone' project, not a means for the developers to be off-the-hook for providing parking located on their building sites. The voters never approved an additional parking garage and/or housing as part of the library. My advice, put to project be fore the voters!

A parking garage. Really! How is more housing and more parking an environmentally sound proposal?

The biggest risk I see is more loss of respect for our city's management emblematic of the complete lack of transparency regarding the garage/library project. I think we can have a remodeled quality city library on the location that it presently sits.

I really doubt Measure S (the library improvement bond) would have passed if the voters were told it would include a parking garage and moving the downtown library. Aside from the parking benefits for developers (see above) all the the rest of the so-called community benefits on the list would be met with a stand-alone library as well.

The library bond was not about affordable housing, Measure H was. Measure H failed mostly because it was a poorly written bill and home/business owners don't feel an obligation to provide affordable housing.

William Kingsley

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This email has been checked for viruses by Avast antivirus software.

<https://www.avast.com/antivirus>

## **Rosemary Balsley**

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**From:** Craig Wilson <crwilson1225@icloud.com>  
**Sent:** Monday, June 22, 2020 7:54 AM  
**To:** City Council  
**Subject:** Downtown Library

Council members,

Please do not approve a mixed-use library building. I, and many others, voted yes for Measure S funds to improve libraries, not to support a garage or housing initiative.

Thank you

Craig Wilson  
Soquel

## **Rosemary Balsley**

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**From:** Dominic Boitano <DBoitano@robsonhomes.com>  
**Sent:** Monday, June 22, 2020 8:55 AM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

Please support the development of a mixed-use library and affordable housing project downtown. I am an avid user of downtown Santa Cruz, and this plan makes a lot of sense.

Thank you,

Dominic Boitano

## Rosemary Balsley

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**From:** Kathy Haber <dannynor@cruzio.com>  
**Sent:** Monday, June 22, 2020 8:58 AM  
**To:** City Council  
**Subject:** Library renovation

City Councilmembers;

I write in support of NOT building the parking garage/library. No serious consideration has been given to a genuine renovation of the existing building. All planning energy has been expanded on the combo because it is the darling of city staff, especially Martin Bernal. Hire a new city manager and start all over.

Kathy Haber  
Shelter Lagoon Dr, Santa Cruz

## Rosemary Balsley

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**From:** Gena Krupa <ginangarcia@gmail.com>  
**Sent:** Monday, June 22, 2020 9:05 AM  
**To:** City Council  
**Subject:** Support of a mixed-use Downtown Library building

Dear Members of the Santa Cruz City Council,

I am writing to ask you to vote in support of a new Downtown Library as part of the proposed mixed-use building! This is an investment that will benefit our environment, our housing situation, and library users across the City and County.

I have personal experience with the Downtown Library falling apart over the years. Measure S money will not go very far to remodel and we will lose much needed space. The mixed-use building will set the library and our community up for success in the future.

Downtown Library needs a fresh start, so please, help us get there.

Regards,

Gina Garcia

## Rosemary Balsley

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**From:** Sarah B <sarahwildheart@gmail.com>  
**Sent:** Monday, June 22, 2020 9:57 AM  
**To:** City Council  
**Subject:** What happens with the current Library?

Good Morning,

I have been reviewing the city website about the Library project and I have a preliminary understanding of what happens with parking, the farmers market and the placement of a new Library. What I do not have any understanding of is What HAPPENS WITH THE OLD LIBRARY BUILDING? Is this building just to remain as a decrepit fossil of the past that is a permanent eyesore in our downtown area?

Although I understand the need to update the library building, I am not in support of wasting it. Additionally, How is the permanent Farmers Market space used the rest of the week? Does it also provide parking? Is it a common space that will be maintained with restrooms and regular city maintenance that includes cleaning or will it be used by homeless people who will have a covered place to congregate?

These are questions that must be considered as we move forward with this project and although parking is important the quality of all these spaces with long term sustainability is more important.

Sarah Baumgart

## Rosemary Balsley

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**From:** Barbara Lawrence <barjlawrence@gmail.com>  
**Sent:** Monday, June 22, 2020 10:15 AM  
**To:** City Council  
**Subject:** Downtown parking

### **Please do not conflate providing library services with parking!**

The voters in Santa Cruz, including me, voted for bond funding to renovate and improve our existing downtown library. When the city was asking for our “Yes” vote on those bonds, there was no suggestion that our downtown library site would be abandoned, and no suggestion that the city would use the library bond money to build a parking structure. This was not what I voted for.

### *Living Gracefully with the Car*

All over the world, cities have found ways to provide everyone with access to a car when they need one, without letting cars ruin neighborhoods. We must accommodate the car, but let’s do it gracefully. That means **managing the supply of parking** to make sure that cars don’t overwhelm the capacity of the streets. We can use the market to allocate spaces for cars, instead of giving away parking “free.” And we can design streets so cars can move efficiently, while still creating a good environment for the pedestrian.

Many people need a car for just a few trips each week. But if they own a car, they tend to use it far more than they have to, creating traffic congestion and occupying parking spaces. Car-sharing organizations and taxicabs make it possible for people to enjoy the benefits of car use without the burdens of car ownership. The beauty of these car “for hire” solutions is that when you’re not actually using the car, you don’t have to pay for it. Individuals save money, and fewer people compete for parking. The cab system should be expanded and Car-Share locations spread throughout the city.

From [LivableCity.org](http://LivableCity.org)

Barbara Lawrence  
[barjlawrence@gmail.com](mailto:barjlawrence@gmail.com)  
831.251.5522

## Rosemary Balsley

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**From:** Bob Morgan <robertmorgan@baymoon.com>  
**Sent:** Monday, June 22, 2020 10:20 AM  
**To:** City Council  
**Subject:** Library Comments

Dear City Council Members,

Every Santa Cruz resident who voted for Measure S feels the mixed-use project is a betrayal of their trust. Measure S did not pose the possibility of a library, a garage, housing and retail on Parking Lot 4. Backed by conceptual drawings and detailed explanations in the Library Master Facilities Plan published in 2014, voters rightly expected Measure S funds be used to rebuild the library at its current location. Group 4 produced the 2014-2023 plan. If the Measure had defined the Lot 4 project, voters would not have supported it in the City of Santa Cruz; it is very likely Measure S would not have been approved County-wide.

Proponents of rebuilding the current library and those who want to build anew on Lot 4 represent two competing visions for Downtown Santa Cruz. Maintaining Lot 4 and enhancing its space, shaded by heritage magnolias, gives Santa Cruz an opportunity to create a vibrant public green space, a Commons for all, that will retain Cedar Street's "village character" that the 2017 City General Plan stipulates. At the same time rebuilding the current library will elevate the Civic Center, bounded by a reconstructed library, City Hall and The Civic Auditorium.

The proposed project is fraught with problems and does not represent the will of the people:

- The new library will require the selling of air rights to a developer in order to finance its planned library -- this calls into question the number of affordable and market-rate units built. It elides over the type of affordable units--Seniors, family, Downtown employee and the income levels required to qualify for the housing.
- Diane Alfaro, manager of Mid Pen, an affordable housing developer, cites many uncertainties in financing affordable housing in a recent Podcast # 79 (6/22) from *Santa Cruz Local*, including extremely competitive grants the City is touting as accessible: "There's so much need out there that there's really no way to build something without a local

commitment and other funds." Of course, in the wake of the pandemic, Santa Cruz is facing drastic reductions in revenues, jeopardizing any funds to support housing.

- Building affordable units to recoup air rights to build a library is ethically questionable as well as something that grant funders will find not the best use of grant funds.
- The inclusion of a 400-car garage has not been justified. New legislation, AB1763, allows .5 parking spaces per affordable units. 135 spaces will be lost. These numbers do not add up.
- Moving two very successful and iconic Santa Cruz favorites, which attract many out of town visitors, The Farmers' Market and the Antique Faire, will now occupy a much less desirable location on Front Street. As Nesh Dillon has said, the market will be move to one of the ..."other lots Downtown that just aren't as appealing" (#79).
- Public opinion has overwhelmingly come out against the proposal and in favor of rebuilding the current library. Letters to the City Council posted on the Subcommittee website provide bountiful evidence of voter sentiment opposing the project.

Recently, I received an email appeal from Martín Gómez, President of Friends of the Library. As a long-standing Friend of the Library, I, unequivocally, oppose the proposal on Lot 4 and affirm my support for rebuilding the current library at its location.

I hope the Council considers my request to honor the voters of Measure S and rebuild the library with the Jayson Architect plans.

Thank you for your work for Santa Cruz residents.

Respectfully,

Bob Morgan

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## Rosemary Balsley

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**From:** Conor O'Brien <conorjobrien90@gmail.com>  
**Sent:** Monday, June 22, 2020 10:36 AM  
**To:** City Council  
**Subject:** Library/Public Parking

Hello Council Members,

I am a long time resident of downtown Santa Cruz and a public high school teacher. I am proud of my town and the quality of life offered here, but there is much to be improved. Improved is the key word; I see no reason to construct a new library at Cedar and Lincoln, when we could simply renovate the library we already have on Church Street. The Carnegie library on Church Street has a rich history that should be embraced and celebrated, not discarded and replaced.

I urge the council to renovate the existing library on Church Street and to invest in affordable housing immediately. We are in dire need of housing for our homeless residents, especially given new threats to the health of our community. Do not waste your money on a redundant library and expanded parking that our residents do not need. Spend it on bettering the lives of those in need instead.

Sincerely,  
Conor O'Brien

## Rosemary Balsley

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**From:** Batya Kagan <lchaim@jps.net>  
**Sent:** Monday, June 22, 2020 10:57 AM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** Parking Garage/ Library controversy

Dear Members of the City Council,

This controversy over the parking garage on Lot 4 seems small in the scheme of things but it is important for a number of reasons:

1. Climate Change - this project goes against the City Climate Change plan that your staff worked many long hours to draft. Citizens spent many long hours in meetings to help craft this as well.
2. Taxpayer money- the city spent good taxpayer money on a study about parking - and some of that money was directed to presenting the outcome of that study to the City Council which never happened.
3. Measure S money was allocated for renovation of the Library at it's present location. How is it democratic to not use the money the way the voters had approved of?
4. 90% of the letters you have received have been against this project. How can you represent your community and vote for this project?
5. How can you remove heritage trees once again, when it is not necessary? We have so many other options including renovating the library where it stands.

I would love a response to these concerns, however, even better I would love to know you have chosen to listen to your constituency.

Please do not approve a resolution to proceed with planning for relocating the Library to Lot 4.

Thank you for your service ... I hope to democracy.

Batya Kagan  
Santa Cruz, CA

## Rosemary Balsley

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**From:** Christine Labagh <clabagh@hotmail.com>  
**Sent:** Monday, June 22, 2020 11:28 AM  
**To:** City Council  
**Subject:** Keep the city library in its current location

Dear City Council,

I am writing in support of keeping the library in its current location. I would like to see the current library renovated and an increase in the book and audiobook collection. I would also like the library to stop being a defacto homeless shelter. The current location is just fine. Please do not move to the last open space in downtown. The city does not need a monster garage. The city resources and money would be better spent leaving the library where it is and renovating it.

Thank you,  
Christine Mantua

Sent from my iPad

## Rosemary Balsley

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**From:** Amanda Kippen <singleuseplanet@gmail.com>  
**Sent:** Monday, June 22, 2020 11:50 AM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the development of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library.

I was encouraged to learn that the mixed use library would not displace the farmers market, but rather that the market would move near New Leaf, closer to an existing parking lot structure and to an area where it would be given a permanent home. I appreciate that this project provides much needed affordable housing options and provides space for even more to be built at the current library's site, taking advantage of existing space for the highest use while supporting sustainable transportation. I understand that opponents of the project do not appreciate the parking space component of the project. Speaking on behalf of my own, personal beliefs around sustainability and environmental efforts, we are not *yet* a car-free community, and some people do not have the luxury or privilege to live within (safe) biking distance of their places of work. Oftentime environmentalists can live in a fantasy land (I've been there!), where everyone already has access and resources to make the most sustainable choices in their daily life (and nobody drives a car and therefore no parking needs to exist), but that is an elitist viewpoint, and one that is simply not true. It is crucial that we make progress on sustainable transportation while not leaving the most marginalized members of our community behind, and, as such, a project like this makes the most sense.

Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

Thank you,  
Rachel Kippen

## Rosemary Balsley

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**From:** lbeyea@cruzio.com  
**Sent:** Monday, June 22, 2020 12:04 PM  
**To:** City Council  
**Subject:** General Agenda Item 1 - Downtown Library Subcommittee Recommendations

Dear Mayor and Council Members:

I am writing to register my opposition to committing City funds to a new structure in the location of Lot #4, and to convey my dismay at the factually-challenged recommendations of the Downtown Library Subcommittee.

1. An additional parking structure downtown is not needed, and cannot be justified based on demand or on potential future parking revenues. I urge you to follow through with receiving a presentation from your consultant, Nelson-Nygaard, on the parking demand study, so that you have a better understanding of real future parking demand.
2. The Library can be rebuilt in its existing location. Furthermore, the library can achieve its dream list of features with a relatively small subsidy from the City's parking budget or other funds for only \$5-10 million. The library can even have an expanded footprint by eliminating on-street parking on one or more sides and pushing the building perimeter and sidewalks out toward the existing street(s).
3. Lot 4 and its trees are best preserved as public open space, and would benefit from additional hardscape and landscape renovation to enhance the area as a downtown commons. Lot 4 can continue to provide parking capacity and can also serve as a host site not just for the Farmer's Market, Antiques Fair, and Nopales Festival, but for many other cultural, musical, and civic events.
4. More affordable housing is a good thing, but complicating its prospects by tying it to a parking structure that could cost the City as much as \$80 million is an irresponsible and fiscally inefficient way to provide it.

We need a strong downtown. This project will weaken our downtown. Parking is a valuable resource for improving auto accessibility, but oversupplying parking in a space-constrained area like a downtown can fragment the built environment, creating a less desirable place to work, live, visit, and walk around. Building more parking than the market demands increases the cost of development and relegates land that could support jobs, housing, and tax-generating uses to the storage of vehicles.

Please reject the Subcommittee's recommendation and adopt a more rational and straightforward approach to parking planning, provision of affordable housing, and support of a new downtown library.

Len Beyea  
Santa Cruz

## Rosemary Balsley

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**From:** Judy Pisano <judypisano.campbell@gmail.com>  
**Sent:** Monday, June 22, 2020 12:06 PM  
**To:** City Council  
**Subject:** New Library

I do not support taking Lot 4 for a new library complex - with garage and housing.

I support the use of Lot 4 for an outdoor common area, with room for the Farmers Market and space for gatherings during the week.

I support remodeling and rebuilding the library at its current location.

Judith Pisano  
190 Walnut Avenue  
Santa Cruz 95060

## Rosemary Balsley

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**From:** Fleur Williams <fleurwilliams@gmail.com>  
**Sent:** Monday, June 22, 2020 12:54 PM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay “air rights” in order to subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

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**From:** Alyssa Barnes <alyssalaurenbarnes@gmail.com>  
**Sent:** Monday, June 22, 2020 1:08 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** Save Lot 4 Farmers' Market! Keep the Library at the Civic Center!

Please add my voice to the hundreds of people who have already contacted you.

I want the City Council to honor the campaigning for Measure S, which focused on improving the Library at the Civic Center, where it's been for 116 years.

Please do not approve a resolution to proceed with planning for relocating the Library to Lot 4, dislocating the Farmers' Market to an inferior location, sacrificing 10 Heritage trees, and destroying the possibility of having a Downtown Commons at the heart of downtown.

Your support on this matter means a lot. I am a longtime resident of Santa Cruz and I use the library extensively. I firmly believe that the location it is at now is a good and sustainable location.

Thank you for all your work as community advocates. Please hear this desire.

Sincerely,

Alyssa Barnes

Santa Cruz resident since 1988

Downtown homeowner

## Rosemary Balsley

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**From:** julie thayer <jathayer@ucsc.edu>  
**Sent:** Monday, June 22, 2020 1:15 PM  
**To:** City Council  
**Subject:** please no library in a parking garage

Dear City Council,

Please don't put our library in a parking garage. The library is good where it is. It is important to me because I really love reading. I try to go to the library as often as possible, and I like to look at the fish and check out books. I like to read by the window, so there is sunlight. If you put our library in a parking garage, it would probably be dark and smelly because of the cars on top. I most likely wouldn't want to go there.

Also, if you build the parking garage, you would have to move the Farmer's Market. I like the Farmer's Market where it is because it is in a really sunny spot. If you build the parking garage, you would cut down trees. That would be HORRIBLE. Why would you destroy beautiful old trees that help make oxygen? The trees are very special to me because I climb them almost every time I go to the market and sit in them to watch the world go by.

Maybe you can rebuild the library where it is and still make money. You don't have to build a parking garage. My mom and I bike to downtown, and Santa Cruz already has too many parking garages.

Sincerely,  
Camila, age 11

## Rosemary Balsley

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**From:** A.K.Herrick <akh275@yahoo.com>  
**Sent:** Monday, June 22, 2020 1:17 PM  
**To:** City Council  
**Subject:** Please reject library/garage mixed use proposal!

Dear City Council Members,

I can't believe the proposal to combine our library with a parking garage has stayed alive this long. I grew up in Santa Cruz going to the downtown and Branciforte branches of the library. Those two, as well as the Aptos branch which is near my work, remain the branches I patronize now, and the ones my children use. The last thing I would want to do is hang out at library buried under a concrete behemoth. I find the proposed structure so unappealing and am at a complete loss to understand why this has garnered any support beyond the contingent who wants to fund parking by taking advantage of library bond money.

We should be discouraging car use, not promoting it by providing more parking. Not only does our planet's health require a reduction in use of cars, I find the newer garages downtown unsafe, and won't park in the garages on Cedar & Locust or Front & Soquel. As I understand it, parking rates will also increase to help fund this monster. So we discourage families from window shopping downtown due to the price of parking, and make the few family friendly attractions downtown unappealing by razing them (farmer's market) and burying them under concrete (library). Sounds like a lose/lose situation all around.

The farmer's market is a draw to downtown. Having it shaded under the large heritage magnolia trees adds to the attraction. Keep the library where it is, next to City Hall and the Civic. Improve on the farmer's market as an open air space in downtown. We don't need more 5+ story structures downtown, creating concrete canyons. If you absolutely feel you must abandon the current library site, then put in a two story library and a plaza for open air events like the farmer's market at ground level at the proposed site. We'd hopefully get a light and airy library and maintain open space at street level for festivals and markets, and even save the heritage trees.

I feel that the council is trying to shove this down the throats of the local populace because they don't want to lose the library bond money to subsidize parking. I'm not sure we need the parking. I do know we need the open space to keep downtown people-friendly. I feel that the best option all along has been to rehab the library where it is. If the city feels we desperately need more parking, then figure out how to finance parking and affordable housing on their own merits, and in a way that doesn't take out the heart of downtown. Perhaps the lot between Cedar and Center, next to Calvary Episcopal church, can be used for underground parking with two or three stories of affordable housing on top? I don't personally know anyone outside of city government who is in favor of the proposed garage/library chimera that takes away our farmer's market and gives us a concrete monument to cars.

Please, please, please, do not approve this plan! Your constituents don't want it. Downtown SC becomes less attractive and people-friendly with it. And our planet definitely doesn't need it.

Sincerely,  
Aukjen Kalai Herrick



## **Rosemary Balsley**

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**From:** Judi Grunstra <judiriva@hotmail.com>  
**Sent:** Monday, June 22, 2020 1:52 PM  
**To:** Susan Nemitz; City Council  
**Subject:** Library lovers rallied on June 17 2020

Good afternoon, There was no press coverage at our rally last week because media was covering the funeral of Sgt. Gutzwiller.

At least 60 residents showed up to rally for the downtown library being rebuilt where it stands and then walked to Lot 4, to rally across the street from the Farmer's Market. Here are some photos:

<https://dontburythelibrary.weebly.com/rally.html>

<https://downtowncommonsadvocates.weebly.com/rally.html>

This could also be included in the JPA's next meeting packet, since they receive rather exhaustive press coverage of anything remotely to do with the library.

Thank you.

Judi Grunstra

## Rosemary Balsley

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**From:** annie kelley <anniechi108@yahoo.com>  
**Sent:** Monday, June 22, 2020 2:04 PM  
**To:** City Council  
**Subject:** IN FAVOR of a DOWNTOWN COMMONS and renovated Library at the Civic Center  
**Attachments:** IN FAVOR of a DOWNTOWN COMMONS and renovated Downtown Library at the Civic Center.pdf

**Dear Santa Cruz City Council members...** [I appreciate how much each one of you cares for our shared city, and how much time, energy, and committed work you give on behalf of all of us here in Santa Cruz!]

**Recently I've been picturing a huge chunk of our Santa Cruz Downtown SKY being taken away by a huge square multi-level concrete parking garage, and grieving the potential loss of that sky, plus the large trees and community Farmer's Market beneath it.**

I strongly believe that for the health and well being of ourselves, our families, and our amazing community, **we should preserve that particular open public space for creation of a Downtown Commons.**

I feel that **replacement of such a precious resource of urban open space would be wasted** on a concrete monolith, and to move our Public Library Central Branch to become any part of such a structure **would be a very significant mistake for our future, and our children's futures.** [If a larger footprint is needed for adequate space in a renovated Downtown Library building, perhaps Center Street could be eliminated for that one block, so the library could expand somewhat in that direction...forming another open air plaza with City Hall and the Civic Auditorium. ..]

Extensive USDA research "offers **a compelling case for maintaining and expanding nature-based outdoor environments in cities and bringing people closer to nature**"...with specific proven **benefits to:** 1.."Physical health 2..Active living 3..Mental health 4..Stress reduction 5..Social health, cohesion, and resilience."

Landscape Architects also tell us that "**communities can promote human health and well-being by encouraging the development of environments that offer rich social, economic, and environmental benefits.**"

**Big THANKS for your serious consideration.**

love and blessings, metta and prayers...and safe travels to us ALL  
annie kelley

842 walnut ave, santa cruz, ca 95060-3439  
home/voicemail 831-427-2303, mobile/text 831-818-4372  
**salaam shalom peace pax paz pace shantih barish mir frieden paix...  
& eace-pay**

**IN FAVOR of a DOWNTOWN COMMONS and renovated Downtown Library at the Civic Center  
Monday, June 22, 2020**

**Dear Santa Cruz City Council members...** [I appreciate how much each one of you cares for our shared city, and how much time, energy, and committed work you give on behalf of all of us here in Santa Cruz!]

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**Big THANKS for your serious consideration.**

love and blessings, metta and prayers...and safe travels to us ALL  
**annie kelley**

842 walnut ave, santa cruz, ca 95060-3439

## **Rosemary Balsley**

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**From:** Cafe Delmarette <cafedelmarette@gmail.com>  
**Sent:** Monday, June 22, 2020 2:21 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** Save Lot 4 Farmers' Market! Keep the Library at the Civic Center!

We work & operate the Cafe Delmarette and do not want a parking / library structure on the Lincoln, Cedar , Cathcart area. Please find a way to make a structure work at the present location. Thank you very much.

## Rosemary Balsley

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**From:** Chris Moran <irisfarm1012@gmail.com>  
**Sent:** Monday, June 22, 2020 2:39 PM  
**To:** City Council  
**Subject:** [CAUTION: Verify Sender Before Opening!] NO to the "Mix Use Library."  
**Attachments:** Library remodel.doc

June 22, 2020

City Council of Santa Cruz

**RE: Opposition to a Mix Use Downtown Library**

As a child I used to sit on the huge steps of the old Carnegie Santa Cruz Library. I learned to love and respect books, media and libraries. Later I worked in the Administration offices of the current downtown main branch. Through the years this has been is the traditional Santa Cruz library site.

Santa Cruz is considering a bizarre “mix use” library, apartment and parking fiasco. I can’t think of a worse combination. Mixing cars and books is as appetizing as brown gravy on watermelon—it doesn’t work. How much time and money has the City spent on this bad idea? Santa Cruz is caving to the car. We are deligating our library to the basement of a parking garage surrounded by cars and apartments. Throw in a pizza parlor.

I want to promote a society where thoughts, ideas and education are honored. Find somewhere else to build a parking garage--like the parking lot next to the red church. The upstairs area of our current library is under-utilized. Make the whole structure available to the public. Repurpose the employee lunchroom, eliminate the underused meeting room, clean out the storage--give our current library a big facelift, then leave it alone.

Christine Moran  
10310 California Drive  
Ben Lomond, CA 95005

Irisfarm1012@gmail.com

## Rosemary Balsley

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**From:** Robin Aronson <robinski@cruzio.com>  
**Sent:** Monday, June 22, 2020 3:05 PM  
**To:** City Council  
**Subject:** Please re-build the downtown library

Hello Santa Cruz City Council,

I'm writing to urge you to re-build the library in its current location. I am against the building of the proposed 6-story, mixed-use structure on Parking Lot 4, and the relocation of the library to this new structure.

**Please do not agree to spend many millions of dollars on this project.** It is not needed. Renovate the existing library!

Thanks for your consideration of my point of view,

Robin Aronson, Ph.D., citizen of Santa Cruz

## Rosemary Balsley

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**From:** Lysa <lysat@cruzio.com>  
**Sent:** Monday, June 22, 2020 3:49 PM  
**To:** City Council  
**Subject:** Library remodel project

Dear SC City Council,

I first wrote to you to express my disapproval for the library moving to the current Farmers market site, including a parking garage and housing in the new building, in June 2018. When I voted for Measure S this is not the project I thought I was voting for.

I object to the plan to move the main library to the new site at the bottom of a parking structure, also moving the Downtown Farmers market. We do not need to encourage more cars coming to downtown. We do need more low income housing, I do not believe this project will result in fulfilling that need.

The bottom of a parking structure is not an appropriate place for the main library. Please look at what other, even smaller cities have done with their main libraries. Ashland Or has a beautiful main library using both the old structure and modern building to create a community space that serves all parts of their community.

Both the Downtown Farmers Market and Main library are local institutions that should be focal points of our community. Tourists visit our Farmer's market downtown. A public institution as important as the main library should be in a location that communicates respect and reverence, not the bottom of a parking structure. Please consider having the remodel of the library happen at its current site.

Sincerely,  
Lysa Tabachnick

## Rosemary Balsley

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**From:** John R Hall <jrhall103@mac.com>  
**Sent:** Monday, June 22, 2020 3:54 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Just for the record, I join the many others who oppose the urban planning debacle that the proposed mixed-use project would be.

Affordable housing can and should be built elsewhere downtown.

A very good library can be reconstructed to build out the civic center.

A parking garage is not needed, and a waste of millions of \$\$\$.

A downtown commons will be an anchor for downtown businesses, restaurants, and community life.

Please do the right thing!

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic

center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

John Hall

## **Rosemary Balsley**

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**From:** allyn romanow <allyn.romanow@gmail.com>  
**Sent:** Monday, June 22, 2020 3:57 PM  
**To:** City Council  
**Subject:** Library

PLEASE do NOT move the site of the library to a mixed-use facility!!!!

The library is the heart of a community, and we can accomplish the expansion goals by staying where it is now.

thank you-  
Allyn Romanow

## **Rosemary Balsley**

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**From:** Diane Sipkin <sipkind@gmail.com>  
**Sent:** Monday, June 22, 2020 4:02 PM  
**To:** City Council  
**Subject:** Favor new library

Dear City Council members,

I am writing this letter to express my opinion re the downtown Santa Cruz library decision. I am strongly in favor of building a brand new structure on Cedar Street with parking and affordable housing. I think this is the plan that benefits the most people and will truly enhance our downtown and community. This is a great opportunity to address the affordable housing crisis and the need for more downtown parking, while building a state of the art library - instead of attempting to modernize a very dated structure.

Thank you,

Diane Sipkin  
Westside Santa Cruz

## Rosemary Balsley

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**From:** Jeremy Britton <jeremybritton@gmail.com>  
**Sent:** Monday, June 22, 2020 4:03 PM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center!

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay “air rights” in order subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

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**Jeremy Britton**  
Former Head of Design, Looker  
[jeremybritton.me](http://jeremybritton.me)  
(831) 325-6792

*All cards on the table,  
face up, all the time.*

## Rosemary Balsley

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**From:** Ron Pomerantz <hectic@cruzio.com>  
**Sent:** Monday, June 22, 2020 4:12 PM  
**To:** City Council  
**Subject:** 6-23-20 Council Agenda Item #1: Recommendation to Proceed with the Mixed Use Downtown Library Project

Good afternoon Mayor and Council members.

I write you in strong opposition to the Library Garage project.

The deceptive agenda item title is indicative of a staff driven agenda, with Council member Matthews pulling the strings behind the scenes even though she must recuse herself from any votes due to her financial conflict of interest. The agenda item title "Recommendation to Proceed with the Mixed Use Downtown Library Project" is a complete cover up of the true intention. The agenda item is really a "Recommendation to Proceed with the Mixed Use **Garage** Project." Staff has been trying for nearly 2 decades to build a parking structure on the Farmers Market site. After the Library Bond passed, the main branch library remodel turned into a carrot to try to get a new library into the parking garage. When this plan failed, "100" unit low-income housing (now 50 units are proposed in the staff report) was thrown in to sweeten the pie some more. However there are no real plans to make low income housing a reality, only staff's word.

The current site of the main library is the perfect civic location and worthy of a 21st Century library. Fix it up with the bond money as intended by the voters. Show that the City is serious and can build very affordable housing on the site of the old Tampicos, now. See the affordable housing scheme for what it is, a pie-in-the-sky plan to put some sort of affordable housing, aka cubicles, inside a parking garage. Let the parking garage stand or fall on it's own merits. I would argue an ugly concrete expensive 6-level massive 300 space car parking structure in the heart of the downtown isn't what Santa Cruz needs or wants. Ask Santa Monica City what happened when parking fees were unable to pay back the loan--- hint, the General Fund is paying. Encouraging single car use is so 20th century and environmentally detrimental. At least wait until a post-COVID19 world emerges.

At your Tuesday meeting take 3 separate votes: 1. Library? 2. Affordable housing? 3. Parking garage? Each gets a thumbs up or thumbs down.

Your vote on these major issues will have significant effects on our future.

Thank you for on and all your time and thoughtful consideration.

Ron Pomerantz

## Rosemary Balsley

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**From:** Anika Tabachnick <anika.tabachnick@gmail.com>  
**Sent:** Monday, June 22, 2020 4:19 PM  
**To:** City Council  
**Subject:** Library Remodel

Dear City Council Members,

As someone born and raised in Santa Cruz I wanted to express my disapproval for the library moving to the current Farmers Market site as well as the proposal of a parking garage as part of this development.

I believe that the location of the current downtown library is suited to the need of the community, though it could obviously benefit from a remodel. Both the library and farmers market are vital to the ambiance and atmosphere of downtown, making it a gathering place for residents of Santa Cruz county both young and old. The farmers market also functions as a tourist attraction, bringing visitors into our downtown not only to have dinner or see a movie but to experience our culture, community, and unique local agriculture. No other location currently available could centrally meet these needs.

On top of this, I believe that putting the library at the bottom of a mixed-used building and parking garage is disrespectful and clear oversight of the needs of the community. We do not need more parking, we need better public transportation, support for biking, and low-income housing not as an afterthought to make development more attractive but as a necessity.

I would fully support a remodel of the library in its current location, which would enhance a current community asset without any detriment to another

Sincerely,  
Anika Tabachnick

## **Rosemary Balsley**

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**From:** Nancy Lenz <nanlenz@cruzio.com>  
**Sent:** Monday, June 22, 2020 4:20 PM  
**To:** City Council  
**Subject:** Long time Children's Librarian supports NEW larger library

As a long-time Children's Librarian in Berkeley Public and in an Oakland K-12 school, I strongly support a NEW library with separate children's room entrance and spaces for current technology.

The Jason Architects proposed revision of the OLD library does not have a separate children's entrance. It has large windows that might cause bird deaths, cold whether chills, need for more air conditioning on hot days. None of the Jason Architects Libraries that I saw online pictured the extensive use of computers and laptops which I see when I visit libraries today. A beautiful building is not as important as a useful building.

Listen to the Library staff. Give them a library that can serve the public where ever it is located.

Nancy S Lenz  
230 Pilkington Ave. Apt. B  
Santa Cruz, CA 95062

## Rosemary Balsley

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**From:** Elise Casby <casinberk@yahoo.com>  
**Sent:** Monday, June 22, 2020 4:29 PM  
**To:** City Council  
**Cc:** Elise Casby; Justin Cummings; Sandy Brown; Katherine Beiers  
**Subject:** Reconstruct the library at Current Site

Monday, June 22, 2020

4:30 pm

Dear Santa Cruz city council members, and other city groups and people,

The public voted for a plan to remodel and reconstruct an existent library structure where it is, in the civic center, in downtown Santa Cruz. That is exactly how it was, "sold" to us by Council member Cynthia Matthews, in the promotional network here.

Sad and even tragic, this library swindle led by these dominators, Cynthia Matthews and her close associates in city government, Martin Bernal, Donna Meyers, and other staff, city officials and department heads, in city government and sadly, in the library administration here in Santa Cruz. These people truly believe, as they have become accustomed to their far right successes, that in their relentless pursuit of more concentrated power in our city government here in Santa Cruz, and as they have largely attained it so far, they are above fair, honest, and truthful dealings. I use the word, "corrupt" here because the entire swindle of the public as they have misused Measure S, to do, in order to get built their, "Taj-garage" as Stephen Kessler called it, is only one of the bigger swindles this group and their close associates who now permeate city hall and city government here have foisted upon a largely misled public.

I have closely observed them, in city council meetings, and other committee meetings and government proceedings for the past seven years, at the downtown library, in their promotional literature and as much as possible, investigated their behind the scenes dealings. I have sources, and I've had time to do this for the past seven years. They are not much better than Frank Rizzo, the violent, racist mayor of Philadelphia, who I read about constantly when I was growing up on the East Coast. How sad Santa Cruz has become with these people at the helm. We can barely save one heritage tree from their ruthless anti-environmentalist-grip, nor have we been able to save many of the lives of a great many human beings who grew up here, and are now homeless and have been for many, many years.

These people with their corrupt, self serving morality, are all about what they personally want, regardless of the majority of the public's wishes (as it is and would be without being swayed by well-funded propaganda campaigns, and hand-picked staff hired to endlessly promote their deceptive and tricky, sophisticated slick efforts to get what they want), and they want the library-garage swindle to pass. These people verbally and financially abuse the public, in the endless promotional literature, in campaigns, like Measure S and the Recall, in the local papers, in their public speech, at city council meetings, and behind the scenes conniving and plotting using deceptive and machinations and campaigns, such as the recent Recall.

They have lied and lied and misused the women's sexual harassment issue, even taking over the Commission for the Prevention of Violence Against Women (in 2019), for the explicit goal of achieving false premises for the further advancement of their deceptive recall campaign efforts, after over a year of deep plans to unseat our fairly elected progressive members. All of this terrible harm to the great majority of our people who live and/or now only work here in Santa Cruz, and the democratic processes and public interest, Cynthia Matthews deliberately pursued and with an intense and focused effort.

This subversion of many of our fair, legal, democratic and governmental processes, Cynthia Matthews pursued (and continues to pursue), in an underhanded, behind the scenes effort with her close political ally, Donna Meyers. Both of these politicians are falsely represented in local media as liberals and centrists. Whereas they are more accurately understood as far-right leaning Neoliberals, who attempt, rather successfully to appear as more centrist, and use mostly social issues and the support of the Sentinel and the Santa Cruz Good Times, to appear so "liberal". These two far right

reactionaries have been fully supported by Martine Watkins, in pursuit of what they want, which is to serve themselves and the interests of their close friends and associates, the wealthy, those of high status who support the speculative real estate and related interests of big corporate out of town money and especially developer money and mostly white persons of high status. This library garage scheme which gets ever trickier as they add on some, "affordable housing" to further it's approval is just one of the projects they are pursuing in order to turn Santa Cruz into a popular, seaside mecca for the rich. Of course, these corrupt politicians would allow those who work in retail and the hospitality industry to serve these supremacists and their rich friends, to come here to work and to visit and vacation here when these less well to do could manage to save up enough money up to do so.

Cynthia and her group are also working to do away with as much public transportation as she and her political friends can possibly manage to cut. By this I specifically am talking about busses, because they generally don't like to offer the public, public transportation. They favor cars, and the fossil fuel driven economy. These three politicians, Matthews, Meyers and Watkins, are all extremely reactionary. Just look at what they really do and vote for while they "serve" on city council. Unfortunately, most of the public in Santa Cruz don't actually know what these three council members who are so destructive of fair political practices, actually do.

In the language of domestic violence, which is a sound linguistics to use in this case, it is more than simple political bullying, that these people engage in. It is a pattern of domination and abuse, and key to it is the element of secrecy and keeping the public, "in the dark". These three politicians should be considered and known as "dominators". They are abusive of the truth.

Their abuse of the truth is not abstract, as it results in the actual harm of real, alive human beings, and other species, our air, our water, and our culture of diversity and inclusion. Many of the activists and engaged citizens, who work in this city and in the county for the public interest can barely believe what they are witnessing as these three politicians, in cooperation with the city managers office and other offices in city government, keep the swindles going. Even though they see it, these people who work for the public interests are disgusted by the behind the scenes plotting and conniving and the corruption of our democracy that they (we), are witnessing, daily, weekly and with every year.

When you watch city council meetings closely, the swindles can become very apparent, as long as you know how to analyze the verbiage, the tricky presentations, and as long as you can see through the professional veneer these people are very slick at producing. These people disdain our public interests for the most part, except where their monied associates, or friends in high positions of status, or colleagues in lucrative real estate and property interests are involved- then they get crackin' with their plans for lucrative deals for their friends and out of town, corporate developers. They've already gone a far way and with a few more cracks of the whip, they'll control all of downtown and Santa Cruz, for a long time to come. I think this corrupt contingent of plotters in our city government, led by Cynthia Matthews want to build the taj-garage on the farmer's market site, in part, because these far right economic idealogues want to serve up a crushing disappointment to the environmental activists who go to the farmer's market every week.

Of course, these political operatives in the Matthews cabal do, "like" other politicians and a few others with like minded reactionary politics. These people have dominated most of the staff and the volunteers at the library, and all over the city, they ruthlessly and immorally pursue their supremacist ends. I am not strictly referring to matters of race when I use the work "supremacist", here. Sara Schulman wrote the book on this, called, "Conflict is Not Abuse". The main operative and power broker in this deal is probably, long time Council member, Cynthia Matthews who owns property very near to the proposed five story library-garage site. She has long worked to rid downtown of people experiencing homelessness and worked to shape the downtown to suit her personal interests and predilections.

She wants to get rid of the counter-cultural elements that drive the environmental movement and everything else that is truly progressive in Santa Cruz, I have observed and found out through scores of one on one interviews and research over the past seven years. We progressive are the same people who are in solidarity or at least more tolerant of the people experiencing homelessness, and often we are, "them"- the homeless. We are certainly the environmentalists and labor activists. Ms. Matthews, and the people she has hired into her group, such as Susan Nemitz, and Vivian Rogers, and Donna Meyers and Martin Bernal, Anthony Condotti, and their associates want the homeless and the progressives, gone, at least gone from Santa Cruz. They want the Taj-garage to shape the downtown in their image.

Although they mostly do all this cheating and conniving in the public halls and offices of government and behind the scenes in their venues of privilege, lately they are more and more emboldened to do it more openly, as with the deceptive Recall campaign. Although they are seemingly "polite" and function within the domain of city rule, and city government, and they *seem* civil, (and they do like to use this term to oppress others, especially people who turn out for city council meetings and public comment periods that used to be offered to the actual public)- their civility is only at the very surface and mostly is engaged conduct a politics that is anything but inclusive, let only fair.

Sadly and truthfully, they are absolutely not civil, if "civil" means being respectful of fair a democratic process. Since they are clearly not defenders of the public right to know the truth of what one is voting on and the truth in general, civil rights and fairness, truth about library plans, honesty, and transparent representation, actually following civil rights laws, strictures, and the constitution, and not engaging in a politics of racism and other forms of cheating, bad faith and supremacy. They cheat on numbers and statistics, (Dettle), and join hate groups online, as does Andy Mills, in his social media engagements that engage in deragoatory and prejudiced speech against people experiencing homelessness. These far-right, in actuality-economic ideologues and supremacists, do all of these corrupt and unfair practices, while engaging, enforcing, voting, passing and approving of supremacist policies of exploitation of those who are financially (at the moment at least), less fortunate people living in the city, like renters and single working mothers, and other people of the less well paid working class, as well as the very, very impoverished, and most people of color.

These corrupt Neoliberal exploiters, Matthews, Meyers, Watkins, and Bernal, and Condotti and other city department heads and library heads of staff, actively disdain all "others", in their behind the scenes dealings that brought us to this place in the swindle about the downtown library. All the while, in secret, and in their policies, and court actions and policing, they bully the vulnerable, like renters and people experiencing homelessness, people with mental illnesses, and others, workers and also bus riders, bus drivers, and people with disabilities, environmentalists and the general public. Did you know that the Metro is once again, just, "no longer servicing" key important bus lines? This, "policy", was just, "announced" in a flier set out on the busses recently.

Covid-19 is their excuse, now, after we are starting to open up, partially. Some of us will no longer have any transportation to the doctor's office or the social services offices, nor the mental health offices at hphp or the Emeline Complex. "They", the elites and the board members of METRO, recently decided this while we were all sheltering in place. Surprise! The 91X bus has been deleted too. Too bad for all of us who need an efficient bus to Watsonville, or from Watsonville to come to work in Santa Cruz. Cynthia recently joined the Metro board and her goal is to thoroughly increase her property values and her other supremacist interests by completely eradicating working class people and anyone who is less than rich from living here. The citizens who use the # 4 line that takes people to the public services and departments located at the Emeline complex, and hphp and the Housing Matters, and Coral Street campuses, out to the Harvey West park area, are all being left out of transportation. Many of the people who use these services need wheelchairs and have challenges with mobility. This is called, by social justice activists, "Abuse of Power in Times of National Emergency".

This continued domination of the people, that these in the Matthew's political group and the Bernal-Condotti-Dettle-Lipscomb city hall, and the Nemitz-Rogers Library downtown and wider system, have extensively constructed through verbal lies to the public as well as written promotional false statements and tricks and behind the scenes machinations, such as hiring just the right staff to see the deal through, like Vivien Rogers, who construed to deconstruct the volunteer organization at the library called, "Friends of the Library", which is still barely surviving, and Susan Nemitz, hired to steer the "deal" of the five story library garage through to completion, has been underway with a forceful underhanded campaign for at least about the past five years or more. These politicians use fierce promotional tactics. But though they are fierce, to the untrained eye, they are barely detectible, they are slick and seem unpolitical, such as the, "Downtown Forward" literature that is places in the downtown library in the, Friend's Bookstore, and in other spots. These people are continually misusing our public resources every step of the way, to the point of acting with violence to the truth and to the public interest, even right in front of our faces at "community meetings" with Jayson Architects, as they work hard to bias the enire, "community engagement process". How sad that the Sentinel is basically in a habit of aiding and abetting these ruthless people in government. Actually, the Sentinel is totally in bed with these politicians. It appears, if you read the articles closely, that the Santa Cruz Good Times is also in the same political bed with these entrenched politicians so adept at fooling the pubic. When you no longer have a truly objective, fourth estate, the damage that can be done to the public trust and the public interest in a town like Santa Cruz is extensive, indeed.

This relentless and continued assault on our more regular people, and our environment, the harm that has come to those who are usually more guileless, such as many of our older folks who volunteered at the "Friends" as it (was) or is (?) called, for example. For those who don't have the free time to investigate and struggle with these politicians who are so well off and well situated, to perform their swindles, while on their jobs, getting paid, while people such as renters in the City of Santa Cruz, and workers in the middle range brackets who make under \$100,000, (one hundred thousand a year) or those struggling to live here who make far less income per year, folks in the lower income brackets, the animals, sea life and wildlife here, it is a domination that is actually severely harmful and to fight it is draining, and takes extraordinary amounts of time and energy just to put up a resistance movement, let alone to actually get these dominators out of office.

For the most part it is us, the "others" who are less conniving and not in agreement with this supremacist politics, who are getting the short end of this swindle of the public with what we thought was going to be a remodel of our current downtown library what's become the taj-garage. We are being forced to struggle against the bait and switch plan instead of the original plan as it seemed to be, that is, Measure S, as espoused by Cynthia all over the pages of the Sentinel and the GT

and other media about the ballot measure, which we thought, as we read, in the Sentinel and other papers, such as the Good Times, that it was a remodel to replace an aging system and building. Susan Nemitz informed me, when I asked about, "the switch", that is, the other "secret" plan for an entirely new library on the site of the current farmer's market, and how could the taj-garage promoters get away with it legally? Nemitz answered, "it was in the fine print".

It is important to the cause of truth and fair and democratic processes that you, City Council members stop further attempts to swindle the public and keep shoving the library-garage plan on the site of the current farmer's market, with the beautiful and important heritage trees living there, and the plans you have to harm downtown commons down our throats. We want the current public gathering space that is currently the farmer's market, to be kept exactly where it is, with the heritage trees left in-tact. We, the wider community would like a better plan than this library garage that you are attempting to shackle us with, that you have made us take up lots and lots of time to build an opposition too, because you are so very, very arrogant and deem yourself above fair dealings and you disdain an environmentally sound plan for a library, even in a time of needing urgent solutions for sustainability in a time of climate change. The majority of the public here does not want the taj-garage. Please back off of this swindle!

The swindle that some Council members, have not participated in, Council members, Sandy Brown, Katherine Beiers, have not had anything to do with the shady, corrupt, underhanded strong-arming and forcing onto the public and our lands, this disastrous reactionary plan. The "swindle" first became noticeable not to the public at large, but to a small number of environmental sustainability activists shortly after the public voted for what we all thought was a pretty straightforward ballot measure, Measure S, and which seemed fairly benign as far as we could tell and some of us did, "read the fine print". Too many of us, I suppose, did not or understand, "the fine print". Or maybe it was so fine, it wasn't there.

Interestingly, Council member Matthews did so much promoting of Measure S as a wholesome, straight forward attempt at "repairing" an aging library system, even I bought it, a little, although I know that Ms. Matthews is not particularly interested in democracy nor is she a truth defender. So, I was skeptical because I am skeptical of anything Ms. Matthews says, after watching her closely in her dealings in city government. But she is very, very clever, and a lot goes on in Santa Cruz behind the scenes. In fact, Cynthia Matthews is cold, colder and frigid when it comes to really caring about anyone outside of her circle of people with status, real estate owners, and corporate developers, and her circle of well to do, white feminist interests. Her backing of the vicious recall of two fairly elected city council members and many other votes and things she has done, (which I have not enumerated or listed here in this letter/email), unmask her unmistakably. She is, I believe, terrible threat to public welfare, and the public interest, especially when it comes to climate change and environmental degradation, people experiencing homelessness, including homeless women and children, renters and people who have only a low income who depend on public services more for survival and to conduct essential living tasks. She is the number one power-broker of all things supremacist, and she has been the chief plotter, I believe although, Martine Bernal may be a close second to Cynthia, as the promotional arm of all things reactionary in terms of forcing a downtown taj-garage plan on the people of Santa Cruz. We need to speak more plainly about the corruption of our city government and stop the swindle of the people. Do not vote to approve the downtown library five story library garage plan on the site of the current farmer's market. Do remodel the current downtown library where it is currently located.

Sincerely, and with the public interest in mind,

Elise Casby, Santa Cruz community activist

## Rosemary Balsley

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**From:** Ruckus Lee <ruckuslee57@gmail.com>  
**Sent:** Monday, June 22, 2020 4:41 PM  
**To:** City Council  
**Subject:** How many casualties are acceptable to each of you?

Do the City of Santa Cruz council members intend to support the construction —within an active fault zone— of a high-load, multi-level parking garage over/adjacent the largest proposed public library branch in this County system, primarily dedicated to children and teens?

No engineer or architect can design an “earthquake-proof” structure. That concept does not exist in reality, despite its common usage. They design toward the *goal* of “earthquake-resistance” to minimize lateral movement, but they cannot guarantee that any structure they design will be habitable... or standing... after every earthquake.

They can cite a low probability of failure based on statistical analyses but earthquakes are unique and unpredictable.

And there are other variables, including the inherent faulty construction practices and materials that may not be discovered until after sufficient successive ground movement has occurred to expose them.

Rehabilitating a stand-alone public library branch after one of those inevitable earthquakes will be easier and cheaper than resurrecting it from under a high-load, multi-level parking garage that shares structural elements with that branch. Adding affordable housing does not make that prospect easier or cheaper.

"Earthquake design is a fuzzy proposition. You can't ask an engineer to guarantee that a building will never collapse in an earthquake. That is not fair, and that is not the deal that society has made with the construction world. You can ask that it will behave as well as possible, meeting at least the code requirements. Even that's a heavy responsibility." Leonard Joseph, Principal, Seismic Performance-Based Design, Thornton Tomasetti.

## Rosemary Balsley

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**From:** Paige Davis <paigeradavis@gmail.com>  
**Sent:** Monday, June 22, 2020 8:28 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

I was born and raised in Santa Cruz, and I cannot urge you enough to choose the Jayson Architecture option for reconstruction of the Downtown Library. Growing up here, I hate to think that years from now, I'll be telling my own children about the Farmers' Market that used to be at the heart of Downtown, and the public library that was once important enough to sit on its own. Please keep these community oriented and needed resources available to us and our children!

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Paige Davis  
Born-and-raised resident of the city of Santa Cruz

## Rosemary Balsley

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**From:** camila davis <camila.davis.drift@gmail.com>  
**Sent:** Monday, June 22, 2020 8:42 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

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Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Camila Davis

## Rosemary Balsley

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**From:** Cory <cory@baymoon.com>  
**Sent:** Monday, June 22, 2020 9:50 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

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For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sent from my iPhone

## Rosemary Balsley

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**From:** Kerstin Ahlgren Breidenthal <kerstinahlgren@gmail.com>  
**Sent:** Monday, June 22, 2020 10:39 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com; Justin Cummings; Donna Meyers; Katherine Beiers; Sandy Brown; Renee Golder; Cynthia Mathews; Martine Watkins  
**Subject:** Remodel the Downtown Branch of the SCPL

Dear Mayor and Councilmembers:

Please reconsider adding a large parking lot downtown at a time when we need to lessen our reliance on vehicles.

The voters in Santa Cruz, including me, voted for bond funding to renovate and improve our existing downtown library. When the city was asking us to vote on those bonds, there was no hint or mention that our downtown library site would be abandoned and a new facility built, and no mention that the city would use the library bond money to supplement the building of a parking garage.

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking.

Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.

Please remain focused on renovating our existing library - not earmarking funds for other special interest project.

Thank you.  
Best,  
Kerstin Breidenthal  
95062

## Rosemary Balsley

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**From:** lisa ekström <ekstromdesign@gmail.com>  
**Sent:** Tuesday, June 23, 2020 1:21 AM  
**To:** City Council  
**Subject:** Rebuilding our downtown library and rebuilding trust

Dear Mayor and City Council Members,

Trust in local government is at stake in the decision over rebuilding our downtown library.

I believe we all want an updated and improved library that serves our community well. We all strongly agree that we need more affordable housing. We all want to feel our votes and our voices matter.

Please remember that our votes in support of Measure S weren't about affordable housing, or parking, or even moving the library.

We feel a lack of trust in local government after this bait and switch regarding our vote for the Measure S funds.

We feel a lack of trust now when we hear that "public input" will be an important part of any process. Earlier when I heard that, I thought we had a voice. But by now, when I hear council members or city staff promise "public input," I have no confidence in that. I've seen our voices disregarded and severely limited, especially recently where public meetings have unnecessarily had a limit of less than 130 attendees. That's incredibly troubling for democracy, and again for trust in our local government.

I've included just 6 examples of this disregarding and limiting of public input:

1. In 2017, the Downtown Library Building Program RFQ required "Community Engagement: Plan and design a series of meetings (minimum of three) to engage citizens and stakeholders in meaningful dialogues. Use this process to guide final designs and documents." None of these three required meetings were conducted by the firm awarded the contract, Noll and Tam.
2. In the document "Past Library Project Outreach", it mentions DLAC's 12 meetings at which the public was invited to attend and share their comments. This may have technically been true, but even motivated library users had a challenging time finding information or announcements about these meetings. I knew someone who was working at the downtown library who didn't know about the DLAC meetings for several months. Those who were able to track down the meeting info then found the opportunity for public dialogue only once, at the one community meeting held on December 3rd, 2017. I was at that meeting and at least 80% of the 92 people attending were either outright against putting the library in a new structure including a parking garage, or had serious questions about it that were not answered. No preparation had been made at that meeting to record audio or video of the public input. It was not convincing that the DLAC was interested in what we had to say. Apparently there were 210 emails received by the DLAC but I've not been able to find them.
3. The Survey that the DLAC created "to facilitate community input" received 2,273 responses, but nowhere in the survey was there a question about potentially moving the library to a parking garage / mixed-use structure. Even with no mention of that option, 88 people wrote in that they were opposed to that idea. In the DLAC's summary of survey responses, the chart of most-frequently cited comments for the open-ended question shows that "Don't move/No garage" was more than or equal

to “Natural Light,” “Classes/Programs,” “Children/Teens,” and “Technology.” There were also people who completed the survey who had never heard that this library move was being considered, and when they later learned of it they were incredulous.

4. The DLAC finally made its unanimous decision in favor of building a new library as part of a parking garage structure — even after a large majority of public input had clearly voiced disagreement with that plan. In the DLAC’s Recommendation, they acknowledged three recurring themes during the public process: “First, people spoke and emailed about their opposition to a new parking garage being built downtown. Secondly, people desired to preserve the existing library and the current traditional services.” (Thirdly, people wanted to keep space in the library dedicated to genealogy.) In spite of this consistent opposition from the public, the DLAC did not explain how they took any of this into account in their decision.

5. From the Supporting Materials for the City Council and Library Subcommittee Meetings, I’ve read hundreds of emails received from the public over the last year and a half. Out of those batches of emails, the percentage that are opposed to a new parking garage / mixed use building on Lot 4 have consistently been at least 75% and sometimes more than 90%. (That’s not counting repeated emails.) The emails opposed to the enormous new building on Lot 4 have included many concerns: support for the library, questions of financial feasibility, our city’s Climate Action Plan goals, the value of Farmers’ Market in its current location, city planning (or the lack thereof), changes in parking and transportation, equity, public space and a downtown commons, affordable housing, Health in All Policies, preserving heritage trees and increasing the urban tree canopy, needs of downtown business owners, attracting tourism, the unique character of our downtown, our Civic Center, possible corruption in our local government’s process, unnecessary and irresponsible risk, troubling timing, serving our underserved, voters’ intentions in approving Measure S, architectural preferences, and the impossible-to-foresee impact of the pandemic.

Downtown Forward’s rebuttal to those opposed to the mixed-use option characterizes the opposition as mostly being about parking and the environment. Both the environmental and parking issues are absolutely worthy of sober consideration. Still, anyone who’s actually read the hundreds of emails in opposition knows that the concerns and criticisms expressed are myriad. Large numbers of community members took the time to sincerely communicate their thoughts about the fate of the library, downtown, and Lot 4. They need to be heard, not misrepresented or dismissed.

6. At meetings, the DLAC, City Manager, and city staff have made multiple presentations and have had the advantage of the lion’s share of time to present their case. For years, they’ve persistently presented the case in support of building the new parking garage structure. Again, any alternative options have been painted as intrinsically inferior since the beginning, when they’ve been mentioned at all. In contrast, at those same meetings, community voices who have championed options other than a new parking garage have had one to two minutes to speak. Those representing a group have had slightly more time. For example, Downtown Commons Advocates has had 4 minutes to speak on three occasions and one “office hours meeting” with the subcommittee of approximately 15 minutes.

Please remember that you hear from the City Manager and city staff every day; it’s to be expected in the course of doing your jobs. There naturally tends to be an echo chamber effect. But because of that, it’s also your job to make the extra effort to hear from all of us who aren’t in the city government: your constituents, your fellow community members. We’re far more numerous but it’s far more difficult for us to be heard.

Please remember that the City Manager and city staff are at work presenting their agenda to you every day. I know that they work hard and want the best for our town too. Maybe you presume that they’ve presented you with balanced facts but the views we community members have been bringing up this

whole time are either missing or very hard to find at all in the city's reports. Reviewing documents about the city's preferred "Mixed Use Library Project," it's easy to see that it was decided long ago that this project should happen. The fact that the public has been overwhelmingly against this plan appears to have been more inconvenient to the city than anything else. It doesn't appear that any genuine consideration has ever been given to our issues, except to use them to modify the plans and PR for the parking garage to make it more palatable.

Meanwhile, we're at work every day at jobs that usually don't include meeting with you and presenting our serious concerns to you. But that means that the hours we've poured into writing emails, attending meetings and hoping to be heard, reading reports, talking with neighbors, making signs, making calls — those hours have all been scraped together out of overstuffed days of work, school, and family commitments. We've managed to find and give those hours because it's THAT important to us. We feel that strongly about it. We're here to participate in democracy with you.

Please don't disregard us. Please choose to start the process to renovate and renew the downtown library at the Civic Center, prioritize affordable housing on other city lots, and give the Farmers' Market a far-better permanent home in its current location as part of a future Downtown Commons for Santa Cruz.

Many thanks for your work and consideration.

Lisa Ekström

## Rosemary Balsley

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**From:** j ward <jward1andonly@yahoo.com>  
**Sent:** Tuesday, June 23, 2020 7:39 AM  
**To:** City Council  
**Subject:** vote no on garage/library please

Dear Council member,

Please vote no on the library-parking garage. I am a strong library patron and volunteer but I don't support (and won't go into) a parking garage and library combo. It is so far from what was represented when we voted on Measure S.. If the funds are misappropriated in this way that will lead us, the public, to question supporting all future city bond measures for what they might truly be hiding. I went to several of the library presentations and they were all unfairly skewed in language and financial representation to point only toward the garage option. No one ever answered our questions about how much it would cost just to fix the furnace and the elevator. If the library administration believes so strongly in a parking garage library why is there 'not enough room' for their administrative offices? One of the reasons our present library has provided for growing needs was that the administration gave up their space for past expansion. If the new library doesn't have room for this buffer of administrative space, then it won't have this option for future expansion. Why does the new library plan start off with built-in obsolescence like this? Since we haven't been able to obtain honest answers, the council needs to get unbiased answers to these questions before a final vote. If it comes to a vote on the garage/library, it should then go for a ballot vote to the public since the library has only made a pretense of letting us have a say in things. This was not what we were led to believe the funds were going for.

Thank you for your time,  
J. Ward

## **Rosemary Balsley**

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**From:** John Meyers <johnmeyerssc@yahoo.com>  
**Sent:** Tuesday, June 23, 2020 8:32 AM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members, Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff! Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the development of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library. Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

## Rosemary Balsley

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**From:** Hugh Fowler <hfowler2@gmail.com>  
**Sent:** Tuesday, June 23, 2020 9:37 AM  
**To:** City Council  
**Subject:** Don't Bury the Library

Santa Cruz Councilmembers:

Please vote NO on the proposal to build 400 parking spaces, tons of cement, and bury the existing site for the Farmers' Market. The reasons are as follows:

- 1) This goes against the Downtown Parking Study by Nelson/Nygaard which concluded another parking garage was not needed. More importantly, allocating city funds to up to 400 parking spaces is environmentally reckless; we should be moving toward reducing carbon emissions, not encouraging them.
- 2) The voters approved funds for Measure S years ago to renovate/remodel the existing library. No where in that measure was the City Council given permission to allocate these funds to help build a parking garage. If you think taxpayers want to use those funds to build a garage, put it on the November ballot -- I'm sure you can find a way to do this if you want to know what taxpayers really want.
- 3) The proposal will replace the last large public space downtown with a massive six-story cement monstrosity. It will be unattractive for the supposed residents and unappealing for the library users. And it is likely we will not need the 400 parking places in another couple of years.
- 4) A remodeled/renovated library should remain at the current location, across the street from the City Hall and the Municipal Auditorium. A much better library can be built within a reasonable budget, as previous consultants have outlined.

Thank you, Hugh Fowler

## Rosemary Balsley

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**From:** dlane@cruzio.com  
**Sent:** Tuesday, June 23, 2020 9:41 AM  
**To:** Katherine Beiers; Sandy Brown; Martine Watkins; Justin Cummings; Donna Meyers; Renee Golder; City Council  
**Cc:** downtowncommonsadvocates@gmail.com  
**Subject:** PLEASE DO NOT CHOOSE the old library renovation - Housing and a great library

Dear Mayor Cummings and Councilmembers,  
(with apologies for my partial theft of someone else's form letter)

Please DO NOT choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Use parking lot 4 as the site of a great new library AND the site of homes for scores of local workers and families AND parking for multiple purposes including replacement of parking lost at the Red Church lot when housing is created there. The Farmers' Market can have a permanent home at a location that is less suitable for a library and housing and parking facility but equally suitable for the market and public uses.

- Reconstruction of the Library at the current site will be MORE costly than a library in a mixed-use structure because there will be substantial temporary siting costs and a requirement that the main library move TWICE in the space of two years. And the temporary site will mean minimal library services for our youth and community for TWO YEARS.
- and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking needs in a downtown with SUBSTANTIALLY MORE HIGHER DENSITY RENTAL HOUSING AND AFFORDABLE HOUSING a moderate amount of parking in the new mixed use building.
- Affordable housing can best be built in mixed use projects on public land where some infrastructure costs can be shared among uses. THE LOT 4 SITE would be and excellent example of this approach.
- LET'S STOP PRETENDING THAT A FLAT, PAVED PARKING LOT IS a "precious jewel" in our downtown and recognize that a great library and scores of homes for people with modest incomes are the real GOLD we can achieve.

Let's also stop pretending that our downtown will be successful if we simply lose hundreds of parking spaces while not providing adequate alternatives.

LET'S ALSO STOP PRETENDING THAT CONTINUING TO CHOSE FLAT PARKING LOTS OVER AFFORDABLE HOUSING IS A GREEN choice. Continuing to require local workers to live 10 or 25 miles away from work contributes to our carbon footprint. It is also an affront to social justice.

For these reasons and more, implementing the mixed use proposal on lot 4 is the wisest choice. Ten, twenty, thirty years from now, citizens WILL THANK YOU for building a mixed use project that provided for the PEOPLE OF THIS COMMUNITY. A better library, a permanent Farmers' Market on a new site, and new affordable apartments on this site (and nearby) will be symbols of the heart and soul of our community and our City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Don Lane

## Rosemary Balsley

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**From:** Susan Bruijnes <sbruijnes@gmail.com>  
**Sent:** Tuesday, June 23, 2020 10:16 AM  
**To:** City Council  
**Subject:** Vote for new library

Hello,

I am writing to ask everyone on the City Council to vote in favor of the new library combined with needed housing and parking. I am convinced by having read arguments in favor and against building the new library, that this is the best way to create a leading-edge library facility that can serve Santa Cruz into the future AND provide needed downtown housing AND replace parking that is slated to be eliminated elsewhere downtown. Putting money into the existing, out-of-date library building will not result in the same benefits to the community, nor will the end result be an excellent library.

Please vote for the new library.

Thank you,  
Susan Bruijnes  
515 Van Ness Avenue  
Santa Cruz

## Rosemary Balsley

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**From:** Derek Timm <dtimm@montalvohomes.com>  
**Sent:** Tuesday, June 23, 2020 10:22 AM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Mayor and Santa Cruz City Council Members,

As a former President of the SV Friends of the Public Library, I can attest what a wonderful addition the new library in Scotts Valley has been for our community. It will have the same amazing impact on downtown Santa Cruz, and to make it the center of a mixed use and affordable housing project- is very forward thinking. As a business owner in Santa Cruz, this investment downtown will continue the progress that is being made in making downtown an attractive destination for people of all ages in the community. Be BOLD!

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff! Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

Sincerely,

Derek Timm

## Rosemary Balsley

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**From:** Jean Brocklebank <jeanbean@baymoon.com>  
**Sent:** Tuesday, June 23, 2020 10:23 AM  
**To:** City Council  
**Subject:** Current tally of public opposition to mixed-use and support for Jayson stand alone library

Dear Mayor and Council Members ~

As of 6/23 (today) at 8:23 am, there are now a total of **523** individuals added to the tally. I discounted close to 10 letters because they were either equivocal or second letters sent by the same individual.

Of **523** letters to Council so far:

**420** oppose mixed use and support renovation (Jayson proposal)

**130** support mixed-use

For now, the public record shows *major opposition to a library in a mixed use structure*, as well as *opposition to the parking garage concept on Lot 4*, with support for the renovation alternative more than three times greater than support for the mixed-use concept.

The public trust in government is at stake and someone needs to flag this situation tonite.

If it was 50/50 it would be considered controversial. With **more than 3 - 1 opposed** it is a **mandate** from the community to stop the mixed-use project and proceed with renovation of the downtown library. At least the library is funded, albeit short of making it as good as can be. But once chosen the community will get behind the renovation with exhaustive fundraising. It will also get behind affordable housing for as many places (except Lot 4) as can be found and developed in the downtown area.

Sincerely,  
Jean Brocklebank  
[Low income resident in low income housing]

## Rosemary Balsley

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**From:** Beverly Jennings <bevjenn@cruzio.com>  
**Sent:** Tuesday, June 23, 2020 10:31 AM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Sent from my iPhone

## Rosemary Balsley

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**From:** MICHELE IGNOFFO <jmsdculver@sbcglobal.net>  
**Sent:** Tuesday, June 23, 2020 10:39 AM  
**To:** City Council  
**Subject:** Remodel existing library

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking.

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay “air rights” in order to subsidize the library’s construction budget.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Michele Ignoffo

## **Rosemary Balsley**

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**From:** ANNE MITCHELL <ammscpa@aol.com>  
**Sent:** Tuesday, June 23, 2020 12:16 PM  
**To:** City Council  
**Subject:** LIBRARY - KEEP AT CIVIC CENTER

a GARAGE IS NOT NECESSARY - NOW PRIORITY IS CLIMATE CRISIS

Affordable housing can be built accomodating less market rate and lower affordability without the garage.

The Downtown Commons supports many small business opportunities.

I Support JAYSON ARCHITECTS Plan

## Rosemary Balsley

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**From:** karen simmons <treetopmama@hotmail.com>  
**Sent:** Tuesday, June 23, 2020 12:21 PM  
**To:** City Council  
**Subject:** vote on garage library

It is obvious the public is not in favor of moving the library from its present location. How and why the library became entangled in a web of good intentions turned awful is open to a book to be written. The fact remains that the idea of adding it to a garage by staff has not been accepted by the greater community. I talked to people once a week for at least twelve weeks at the farmers market, and yes perhaps that was a bit of speaking to the choir. The difference is the choir was at full volume and clear in its message to say no to moving the library and the Farmer's Market to accommodate a 600 + parking space garage. Adding affordable housing in the eleventh hour was a jaw dropper. Who is against affordable housing?? Why on lot 4, when plenty of space has been available for years downtown? Why is the Nelson-Nygaard parking report never brought in front of the city council among others, that clearly state there is no need for a behemoth parking garage? It seems incredulous in the time of Covid 19 that Santa Cruz assumes money will be available in a few months time to move this forward.

We call on your leadership now to stand for what the public is clearly saying, **renew, rebuild, redo the library at its current location. Please do not shatter the concept forever of a civic commons.** 116 years of the library, city hall, and the civic auditorium working together to set energy for our city is priceless and cannot be replaced. I met a 92 year old woman who came to our pop-up demonstration of over 60 people standing for the library and farmers market. She told me her mother was the head librarian when this building was constructed. She did not want her work to be forgotten, and there was a reason they did not move it then. It is part of a triangle that will be forever weakened and damaged when the library is pulled out. Hard work and voices of the past are now thrown by the wayside. I implore you again to vote no on this project that does not reflect the values and priorities of the people. We look to a positive future when Downtown Commons and many groups work with the city to create a downtown as a place the people will love and protect. That is definitely not a library in a box, anywhere USA multiuse project. Letters are 3-1 against it.

Thanks for your hard work.

## Rosemary Balsley

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**From:** Patricia Bowers <patriciabowers2010@att.net>  
**Sent:** Tuesday, June 23, 2020 12:25 PM  
**To:** City Council  
**Subject:** Library

Dear Council Members,

Please keep the library where it is. It makes sense for a town center to have the library at its current location. It makes sense to save money. It makes sense to have an open space for a downtown gathering spot. Please vote for keeping the library where it is.

Thank you,  
Patricia Bowers  
Santa Cruz

## Rosemary Balsley

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**From:** John Hall <jrhall103@mac.com>  
**Sent:** Tuesday, June 23, 2020 12:31 PM  
**To:** City Council  
**Subject:** Op-ed about Library issue  
**Attachments:** JohnHall-Library,CommonsOpEd20200617.pdf

Dear Mayor Cummings and Councilmembers:

Because of the Sentinel's reduced opinion-page publishing, they did not publish this op-ed that the Editor encouraged me to submit. So, I am providing it to you directly.

With many thanks for your work and your consideration,

John Hall

John Hall

[Essay: "Time, culture, and Covid-19"](#)  
[jrhall103@mac.com](mailto:jrhall103@mac.com)

## **The Library, a Downtown Commons, and the Future**

**By John Hall**

On Tuesday, June 23<sup>rd</sup>, the City Council is making a fundamental choice about Santa Cruz's future: whether to reconstruct the Downtown Library at the Civic Center, where it has been for 116 years, or place it on the ground floor of a 6-story parking garage on Lot 4, the present site of the Downtown Farmers' Market.

Putting the Downtown Library in a parking garage was never mentioned during the 2016 Measure S bond campaign to improve libraries. That bait-and-switch came later. As public opposition grew, project proponents folded affordable housing into the mix. Now, at the eleventh hour, moving ahead with a pandemic-era \$100 million mixed-use project based on unreliable funding has suddenly become a matter of social justice. And building a parking garage is an environmental plus. Really? Proponents seem to stretch virtuous Orwellian newspeak.

Meanwhile, the project itself has become a scapegoat to atone for central failures of city government – failure to deal with our housing crisis, failure to create a homeless navigation center, failure to create a vibrant downtown for businesses and the community, failure to require developers' big-box projects to provide their fair shares of affordable housing and required parking. Perversely, because city planning has failed Santa Cruz, Santa Cruz must build another failure.

We face two alternative futures. In one, an out-of-scale box takes up all of Lot 4, eliminating ten Heritage trees and relocating the Downtown Farmers' Market from its sunny afternoon site to a smaller, inferior location lacking good parking access, behind Pizza My Heart. The Library itself gains the aesthetic appeal of an airport terminal concourse and creates more dead streetscape at the heart of downtown. It also costs more to build than to completely renovate the existing Library at the Civic Center.

Any increased library size would be funded by selling "air rights" (spaces on upper floors), thereby either increasing the cost of affordable housing units or requiring inclusion of "market-rate" (expensive) housing units in a supposedly public building. Add in spending tens of millions of dollars for a parking garage that parking experts say is unneeded. Imagine the latest Swenson project on Pacific but even bigger, filling Lot 4, looming over Cedar Street. Say goodbye to the village character of that part of town.

There is an alternative. We can have a stand-alone Downtown Library at the Civic Center, where it belongs, with its main entrance moved to face City Hall, with adjacent parking, with outdoor spaces serving the children's library and the community room. Its efficient floor plan will eliminate currently wasted library space, keep operating costs down, and provide as much public user space as we have now. This will be a library for the 21<sup>st</sup> century and a civic investment in our community.

But it is not just about the Library at the Civic Center. When the Library is reconstructed there, we can build affordable housing on other city-owned lots downtown. And increased housing density will make having public space to anchor downtown businesses and social life all the more important.

We can finally build the permanent pavilion for the Farmers' Market where it belongs, on Cedar Street. And we can create a Downtown Commons for all there, a

place for the Antique Faire, for public events and concerts, for meeting old friends and making new ones – the green space that Downtown Santa Cruz lacks.

We should follow the good examples of Central Park in Davis, with its thriving farmers' market, and Healdsburg and Paso Robles, with their town squares ringed by restaurants, cafés, and businesses. With a corridor between Pacific Avenue and the Library at the Civic Center, with a Downtown Commons, we will “broaden” walkable downtown out from its present narrow axis, Pacific Avenue. We will make Downtown Santa Cruz into a real place – for us and our visitors. We will reverse Joni Mitchell – unpaving the parking lot to create a little more paradise.

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*John Hall is the convener of Downtown Commons Advocates,  
downtowncommonsadvocates.weebly.com/action.*

## Rosemary Balsley

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**From:** Andrew Etringer <andrew.etringer@gmail.com>  
**Sent:** Tuesday, June 23, 2020 12:42 PM  
**To:** City Council  
**Subject:** Please choose the Jayson Architecture Downtown Library at the Civic Center!

Dear Mayor, Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- I am concerned about adding parking spaces for cars. Cars are going out of style, and there are already too many parking spots. I dream of a largely carless downtown Santa Cruz one day. This is a great step toward that dream.

Future generations will appreciate this decision for a better civic center, a permanent Farmers' Market, and a Downtown Commons. It will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## **Rosemary Balsley**

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**From:** Amy Mandell <mandellaj7@gmail.com>  
**Sent:** Tuesday, June 23, 2020 1:09 PM  
**To:** City Council  
**Subject:** Downtown Commons

Hello There,

I'm writing in support of creating a Downtown Commons with the Farmer's Market in parking lot 4, and opposed to moving the existing library to that parking lot. Please keep the library where it is.

Thank You,

Amy Mandell  
138 Blaine St, Apt A  
Santa Cruz, CA 95060  
831-566-8692

## Rosemary Balsley

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**From:** Marcia Lipsenthal <mlips@cruzio.com>  
**Sent:** Tuesday, June 23, 2020 1:20 PM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers,

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons! Although I live in Bonny Doon, the unincorporated part of the county, downtown Santa Cruz is where I go to shop, or go to restaurants or movies, and importantly, to use the library. I fervently believe that Santa Cruz needs subsidized housing; the place to put it is not in a giant box of a building in downtown. In fact, NOTHING ought to be constructed to look like a giant box of a building, be it housing, or retail, or a parking garage. For all the money you are planning to spend on a parking garage, you could expand public transportation into electric vans that patrol the streets a lot more frequently than our current buses, and eliminate the need for more parking downtown.

Please consider the human need for a central green space, where the Farmer's Market can thrive, children can play, adults can meet their neighbors. The residents of downtown who we are building apartments for, along both Pacific and Front Streets, need a vibrant, green, town center more than they need a parking garage.

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Marcia Lipsenthal  
2850 Smith Grade  
Santa Cruz, CA 95060  
831 251-5147

## Rosemary Balsley

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**From:** John Hall <jrhall103@mac.com>  
**Sent:** Tuesday, June 23, 2020 1:23 PM  
**Subject:** Pop-up commons last Sunday: no mixed-use project on Lot 4!

<https://www.flickr.com/photos/bruce-korb/albums/72157714808390101>

Dear Mayor Cummings and Councilmembers:

We need a commons on Lot 4, not a gargantuan 6-story monolith! Take a look at the photos. Please notices the trees....

John Hall

John Hall

[Essay: "Time, culture, and Covid-19"](#)  
[jrhall103@mac.com](mailto:jrhall103@mac.com)

## Rosemary Balsley

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**From:** Steve Coulter <sjcoulte@ucsc.edu>  
**Sent:** Tuesday, June 23, 2020 1:36 PM  
**To:** City Council  
**Subject:** Keep the library where it is! Save the Farmer's Market!

Dear Mayor Cummings and Councilmembers,

I will be watching your vote on this issue at the City Council meeting tonight.

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay "air rights" in order to subsidize the library's construction budget.
- Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Steve Coulter  
Writing Program Lecturer  
University of California, Santa Cruz

## **Rosemary Balsley**

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**From:** kris reyes <krisreyes74@yahoo.com>  
**Sent:** Tuesday, June 23, 2020 1:52 PM  
**To:** City Council  
**Subject:** Please Support Mixed Use Library Project

Dear City Councilmembers,

Please vote to support the mixed use library project at tonight's City Council meeting. This important project is essential to the recovery effort of our community and will provide a modern library for current and future generations.

This project has undergone considerable review and community engagement. Now more than ever your support is needed for thoughtful and quality economic development.

Kris Reyes  
831-332-6966 cell

## Rosemary Balsley

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**From:** Stacy Nagel <snagel@google.com>  
**Sent:** Tuesday, June 23, 2020 2:34 PM  
**To:** City Council  
**Subject:** Support a Mixed Use Library and Affordable Housing

Dear Santa Cruz City Council Members,

Please support the development of a mixed-use library and affordable housing project on Lot 4 because it would create the best possible library, provide housing for our community's most vulnerable residents, and would help us consolidate parking in downtown. Not only is this vision endorsed by a plurality of organizations focused on social justice and quality of life, like Affordable Housing Now and Santa Cruz Community Health, but it is also supported by library advocates and staff!

Building a mixed use project with housing is also the most sustainable option because having housing for service workers located close to where they work and near public transit (SC Metro) is smart and environmentally conscious urban planning. Building this facility in partnership with the parking district also facilitates the development of inefficient surface parking lots throughout downtown, and the old library site, all of which could be developed into even more affordable housing. We can also use funds from the parking district to support a vibrant downtown by investing them into multiple uses, like housing and a new library.

Please support this project as it is a once in a generation opportunity to leave a lasting legacy of equity and education in our community!

Thank you,  
Stacy Nagel

## Rosemary Balsley

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**From:** greg fontanini <gfvelo@fastmail.com>  
**Sent:** Tuesday, June 23, 2020 3:04 PM  
**To:** City Council  
**Subject:** No parking garage

Dear Mayor Cummings and Councilmembers,

I am a frequent visitor to Santa Cruz and, if the character of the city is maintained and enhanced, would like to transfer my residence there. Please do not turn the city into another cookie-cutter concrete/cars/traffic replica of virtually every other city/neighborhood in the US. Constructing a large parking lot in the middle of town is the least creative urban planning move imaginable! Please preserve and enhance the city's unique qualities and patrimony and put it on a positive trajectory for the future. Thanks, Greg

## Rosemary Balsley

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**From:** edwin frey <edwinfrey@hotmail.com>  
**Sent:** Tuesday, June 23, 2020 3:52 PM  
**To:** City Council  
**Subject:** Proposed library/parking garage////////

Dear Council Members, Please consider the purpose behind excluding Cynthia Matthews' vote -- denying all influence on the part of a financially-interested member. It appears that she has been lobbying many people to support the project, including possibly other Council Members and people who would be trying to influence other Council Members. I respectfully suggest that, before you vote on the project, you require Ms. Matthews to submit a sworn affidavit setting out all such lobbying efforts in as much detail as she can muster. Otherwise you will fail to practice due process in law-making. Ed Frey

## Rosemary Balsley

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**From:** Barry Flower <biflower7@skyhighway.com>  
**Sent:** Tuesday, June 23, 2020 4:00 PM  
**To:** City Council  
**Subject:** Don't Bury The Library

I support the Downtown Commons Advocates in "Don't Bury The Library."

We want to reconstruct & renovate the Main Downtown Library on Church Street; establish the lot #4 site for a 'Downtown Commons' as a permanent city open space for the people, so we can finally build the a permanent pavilion for the Farmer's Market, where it belongs, off Cedar Street (between Cathcart and Lincoln). The Downtown Commons would be for people, for public events, concerts, impromptu theater, a place to grab healthy eats and beverages; for meeting friends and making new ones - that 'green place" with mature magnolias retained, lawns planted with nice re-landscaping-that Downtown Santa Cruz lacks. The 'Downtown Commons' would be a very popular new magnetic spot in the center of town, centrally located, surrounded by existing businesses for locals and visitors to flock to; meet and relax downtown in the open sunshine.

Sincerely,

Barry Flower

## Rosemary Balsley

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**From:** maleah welsh <maleahoreo1@gmail.com>  
**Sent:** Tuesday, June 23, 2020 5:02 PM  
**To:** City Council  
**Subject:** Choose the Jayson Architecture Downtown Library at the Civic Center

Dear Mayor Cummings and Councilmembers, Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons! • Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center. • Parking demand does not justify building an economically risky parking garage. • Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that a mixed-use project pay “air rights” in order to subsidize the library’s construction budget. • Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons. For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council. Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz! I grew up in santa cruz and have slowly seen more and more big buildings be put in place. We need to focus on expanding community space and keeping our historic trees and structures that make santa cruz santa cruz!

- Maleah Welsh

## Rosemary Balsley

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**From:** Nancy Kashap <nkashap@yahoo.com>  
**Sent:** Tuesday, June 23, 2020 5:07 PM  
**To:** City Council; downtowncommonsadvocates@gmail.com  
**Subject:** Keep the Library at the Civic Center!

Please add my voice to the hundreds of people who have already contacted you.

I want the City Council to honor the campaigning for Measure S, which focused on improving the Library at the Civil Center, where it's been for 116 years.

Go ahead with the plans for renovation and renewal of the public library at its present site. This will be a part of a downtown revival at a time of economic distress.

I urge you to vote for a free standing reconstructed library and not another ugly multi-level parking garage as the monument by which you will be remembered.

And, as a byproduct - keep the lively Farmers Market in a preserved open space. Upgrade that space to a downtown commons!

Nancy Kashap

Sent from my iPad

## Rosemary Balsley

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**From:** Natalie Dean <natgdean@gmail.com>  
**Sent:** Tuesday, June 23, 2020 6:06 PM  
**To:** City Council  
**Subject:** Parking and police vs. public space and safety

Dear Councilmembers,

I'm a lifelong Santa Cruz resident and am energized by two local movements gaining steam right now. I am concerned that the City Council is moving in the wrong direction on two urgent issues: the library garage project and the sustained funding and support of a punitive and ineffective police force.

You have the choice to **protect public space** in the form of Lot 4 as a central downtown Commons and prioritize affordable housing without attaching it to an already widely hated, soon-to-be-obsolete parking garage. Vibrant public spaces enhance public safety and wellbeing, and Lot 4 has space and charm and potential that would be slow, if not impossible, to find/replicate somewhere else downtown. The current location for the library situates it in a civic corridor; renovating it in place is the only sensible choice during an unprecedented budget shortfall.

Public safety is also ensured by compassionate, science-driven support for all people, not constant and disproportionate harassment and punishment. It is more urgent than ever that we invest in our communities of color and growing houseless population in the form of truly affordable, permanent housing, free healthcare and addiction resources, and unarmed emergency response. It is unconscionable that police are in schools, that SCPD continually criminalizes homelessness and mental illness, and that Black and brown residents are disproportionately victimized. We've seen the failure of policing to enhance public safety or solve social ills not just all over the country but in our own community - even Andy Mills recognizes that the police should not be handling all of society's problems. The answer is not to continue to give the police more money - not now and not when the economy picks up again, either. **The time is now to invest in our marginalized and vulnerable citizens** and end the cycles of incarceration, poverty, and violence that police *by design* perpetuate. Police reform has never worked to end this cycle. I am asking you to **cut SCPD's budget by 50% at the next budget meeting and invest in compassionate, proven alternatives** that uplift and support marginalized people, not punish them. We need an unarmed crisis intervention program, immediate permanent housing for the homeless, non-punitive mental health and addiction treatment resources, and so much more.

Thank you,

Natalie Dean

## Rosemary Balsley

---

**From:** robin <compass.compassion@gmail.com>  
**Sent:** Tuesday, June 23, 2020 6:33 PM  
**To:** City Council  
**Subject:** PLEASE approve only this plan or variation upon this plan  
**Attachments:** Library.jpeg.tiff

Dear Council Members,

I am aligned with the statements put forth in communication you have received from Gary Patton. We are a coalition of deeply concerned and participatory long-time residents of Santa Cruz.

I have attached the information of the plan I support. Please consider rejection of non-climate sensible overdevelopment and ANY unneeded planning or construction that the library committee has apparently already 'approved'.

Thank you,

Robin Atwood

Santa Cruz resident since 1982

# Time to say YES!

Adopt Jayson Architecture's proposal for a rebuilt, renewed downtown library with outdoor spaces and adjacent parking.

Preserve and enhance the Farmers' Market where it is.

Transform a parking lot into a beautiful public space for community — an open-air Downtown Commons including a walkable downtown.

Save our heritage trees, promote clean air and the environment.

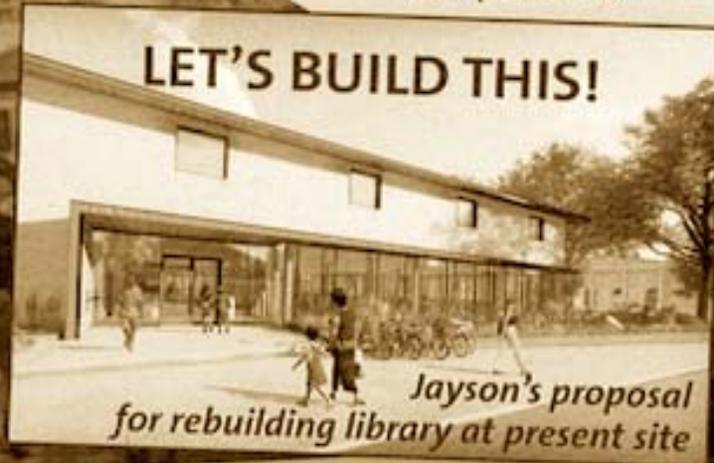
Practice conservative fiscal responsibility in recession-era City budgeting.

Build affordable housing on other nearby city-owned properties downtown.

## TAKE ACTION NOW!

- Visit [downtowncommonsadvocates.weebly.com/action](http://downtowncommonsadvocates.weebly.com/action) for a link, or,
- Email [citycouncil@cityofsantacruz.com](mailto:citycouncil@cityofsantacruz.com)
- Ask to keep the Library where it is and create a Downtown Commons with the Farmers' Market on parking lot 4.

## LET'S BUILD THIS!



Jayson's proposal for rebuilding library at present site

## LEARN MORE:

- [downtowncommonsadvocates.weebly.com](http://downtowncommonsadvocates.weebly.com)
- [sierraclub.org/ventana/santa-cruz](http://sierraclub.org/ventana/santa-cruz)

EMAIL: [downtowncommonsadvocates@gmail.com](mailto:downtowncommonsadvocates@gmail.com)

SPONSORS: Downtown Commons Advocates, Sierra Club Santa Cruz County, Santa Cruz Climate Action Network, Campaign for Sustainable Transportation, Extinction Rebellion Santa Cruz, Youth for Climate Justice, Sunrise Santa Cruz, Santa Cruz Permaculture

## **Rosemary Balsley**

---

**From:** Sylvia Caras <Sylvia.Caras@gmail.com>  
**Sent:** Tuesday, June 23, 2020 7:00 PM  
**To:** City Council  
**Subject:** Downtown Library Project

There's nothing 21st century about encouraging traffic and cars. Scrounging for funding by mixing the main library with parking and apartments is misguided. Forfeit the opportunity for a \$27 million bond. Start over with another measure, city only, main library only, in an adequate amount to do the job properly. \$60 million. That would be in the public interest.

Sylvia Caras  
Main library patron

## Rosemary Balsley

---

**From:** Walker Doven <wdoven@gmail.com>  
**Sent:** Tuesday, June 23, 2020 7:07 PM  
**To:** +downtowncommonsadvocates@gmail.com; City Council  
**Subject:** For the Library at the Civic Center!

Dear Mayor and Councilmembers:

My name is Walker Doven and I was born and raised in Santa Cruz.

Im writing to ask you to please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons! • Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center. • Parking demand does not justify building an economically risky parking garage. • Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that that each unit in a mixed-use project pay "air rights" in order subsidize the library's construction budget. • Don't take away the Downtown Farmers' Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons. For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers' Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council. Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Thank you.  
Best,  
Walker

## Rosemary Balsley

---

**From:** Walker Doven <wdoven@gmail.com>  
**Sent:** Tuesday, June 23, 2020 7:09 PM  
**To:** City Council  
**Subject:** Parking Garage

Dear Mayor and Councilmembers:

My name is Walker Doven and I was born and raised in Santa Cruz.

Im writing to ask you to please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons! • Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center. • Parking demand does not justify building an economically risky parking garage. • Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that that each unit in a mixed-use project pay “air rights” in order subsidize the library’s construction budget. • Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons. For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council. Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

Thank you.

Best,  
Walker

Sent from my iPhone

## Rosemary Balsley

---

**From:** Lynne Rondelle <heartinthegarden@gmail.com>  
**Sent:** Tuesday, June 23, 2020 7:12 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay “air rights” in order subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!

## Rosemary Balsley

---

**From:** Lynne Rondelle <heartinthegarden@gmail.com>  
**Sent:** Tuesday, June 23, 2020 7:56 PM  
**To:** City Council; +downtowncommonsadvocates@gmail.com  
**Subject:** For the Library at the Civic Center!

Don't it always seem to go,  
That you don't know what you've got 'til it's gone?  
They paved paradise  
And put up a parking lot  
-- Joni Mitchell

Dear Mayor and Councilmembers:

I feel betrayed by our city council saying that this is going to be affordable housing....for whom and at what actual rental price.

This building is an atrocity. My family and I no longer go downtown due to the empty shadow creating structures with urine and trash everywhere. This city is turning into the worst of urban dysfunction.

The cost of this will exceed the 27 million budget and I believe all of you know this.

We will lose our heritage trees and the only reason my family and I go downtown...the farmers market.

Please choose the Jayson Architecture option for reconstruction of the Downtown Library at the Civic Center, with adjacent parking. Keep parking lot 4 as the site of a permanent Farmers' Market and future Downtown Commons!

- Reconstruction of the Library will be no more expensive than a library in a mixed-use garage, and a first-class, free-standing iconic Downtown Library will be an important anchor for the Civic Center.
- Parking demand does not justify building an economically risky parking garage.
- Affordable housing can be built as easily on other city-owned lots, and it is unfair to drive up affordable housing costs by requiring that each unit in a mixed-use project pay “air rights” in order to subsidize the library’s construction budget.
- Don’t take away the Downtown Farmers’ Market from lot 4, with its Heritage trees: it is the best location for the market and the much-needed public space of a Downtown Commons.

For these reasons and more, implementing the Jayson Architecture proposal is the wisest choice. Ten, twenty, thirty years from now, citizens will not thank you for building a big-box mixed use project. A better civic center, a permanent Farmers’ Market, and a Downtown Commons will be the heart and soul of the community and permanent monuments to your efforts as the City Council.

Thank you for your work and your consideration of my views. Please do the right thing for the long-term future of Santa Cruz!



# Downtown Library Subcommittee Recommendation

1.909



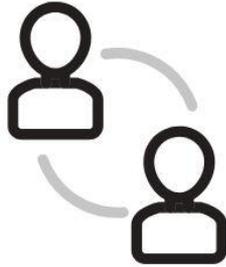
# Overview: Subcommittee Process

1.910



**2,200+**

*Project  
Webpage  
Views*



**27**

*Office Hours  
with Stakeholder  
Groups*



**7**

*Community  
Meetings &  
Presentations*



**404**

*Survey  
Response*

- + City Council
- City Council Subcommittees
- + Community Programs Committee
- + Public Safety Committee
- + Water Supply Advisory Committee
- + Charter Amendment Committee
- Downtown Library
- Community Advisory Committee on Homelessness (CACOH)
- + Advisory Bodies
- City of Santa Cruz Advisory Body Members
- City Calendar
- + City Charter, Codes, and Policies
- + City Departments
- City Office Hours
- City Newscam
- + Meetings and Agendas
- + About Us

Government > City Council > Subcommittees >

## Downtown Library Council Subcommittee



### About:

On May 14th 2019, the Santa Cruz City Council voted to put a hold on the decision regarding how to proceed with a Downtown Library Mixed Use Project, and approved formation of a Council Subcommittee to investigate library project alternatives, in collaboration with Library staff and the interested community.

[Watch the May 14th Council meeting here](#) and read the [agenda report here](#).

### Subcommittee Work Plan:

The Council Subcommittee is still working on the work plan. Below is a tentative outline of meeting dates for the subcommittee. A meeting recap will be available here following each meeting.

### Subcommittee Recommendation:

The Council Subcommittee will return to the full council with their [recommendations](#) on June 22nd at 6:30 pm.

DATE/TIME	DETAILS	RECAP
6/19/19, 4pm	Discussion of Library Needs. Meeting will include a presentation from DLAC and discussion with community stakeholder groups. More information available <a href="#">here</a> . <a href="#">Recap Available Here</a>	<a href="#">View Meeting Recap &amp; Audio</a>
Canceled: 7/23/19	Meeting Canceled due to scheduling conflicts.	
8/7/19	This will be an internal meeting focused on financing. The subcommittee will be looking at the various potential project funding sources: Measure S, Parking Funds, Affordable Housing Funding, and Homelessness Funding.  Note: this meeting was changed from August 6th. <a href="#">Recap Available Here</a>	<a href="#">View Meeting Report Out.</a>
	Discussion of Downtown Parking District. Community	

Font Size: [Share & Bookmark](#) Print

### Subcommittee Members

- Mayor Cummings [email](#)
- Vice Mayor Mayer [email](#)
- Councilmember Brown [email](#)

### Subcommittee Staff

- Amanda Rotella, Principal Management Analyst [email](#)

### Related Documents/Past Council Meetings

- DLAC Final Report
- Library Facilities Master Plan
- Measure S Ballot Language
- 12/6/16 Council Mtg
  - [Watch the Mtg](#)
  - [Read the Staff Report](#)
- 6/12/18 Council Study Session
  - [Watch the Mtg](#)
  - [Read the Staff Report](#)
- 6/19/18 Study Session
  - [Watch the Meeting](#)
  - [Read the Staff Report](#)
  - [Read the City Commission Agenda Report](#)
- 9/11/18 Council Mtg
  - [Watch the Meeting](#)
  - [Read the Staff Report](#)

### Subcommittee Documents

- RFP for Renovation of Existing Library, D & A for RFP
- [RFP Responses](#) (Renovation Assessment)
- Email Communications (as of 7.1.19)
- Email Communications (7.1.19 to 7.14.19)
- Email Communications (9.20.19 to 11.11.19)
- Stakeholder Materials from June 24th Office Hours
- Information on homeless services at the Downtown Library
- RFP for Downtown Library Mixed Use Cost Assessment
- [RFP Responses](#) (Mixed-use Assessment)
- [Renovation Cost Assessment Report](#) (Jason Architecture)
- Mixed-use Costs Assessment Report (Group 4)
  - [Volume 1](#)
  - [Volume 2](#)
- Email Communications (11.1.19 to 6.10.20)
- Email Communication (6.11.20 to 6.14.20)

# Stakeholder & Community Engagement

Affordable Housing Now

Downtown Commons Advocates

Santa Cruz County Chamber

Antique Faire

Downtown Forward

Santa Cruz Works

Campaign for Sensible Transportation

Downtown Library Advisory Committee

Santa Cruz Youth for Climate Justice

Carpenters Union 505/605

Downtown Management Corporation

SC Climate Action Network

1.912  
Coastal Watershed Council

Friends of the Library

SCC Business Council

Community Bridges

Genealogical Society of Santa Cruz

Sierra Club

COPA, Housing Team

Library Advisory Commission

Small Business Development Center

Dientes

Monterey Bay Economic Partnership

Smart Solutions to Homelessness

Don't Bury the Library

Non-profit Housing Association of N. CA

UCSC Student Union Assembly

Downtown Association

Nueva Vista

Visit Santa Cruz County

Downtown Branch Libraries

Santa Cruz Community Health Center

Volunteer Center

# Cost Assessments

## Renovation Cost Assessment (completed by Jayson Architecture)



SANTA CRUZ DOWNTOWN LIBRARY  
RENOVATION COST ASSESSMENT  
FINAL REPORT

November 22<sup>nd</sup>, 2019

## Mixed-Use Cost Assessment (completed by Group 4 Architecture)



VOLUME

SANTA CRUZ DOWNTOWN LIBRARY  
MIXED-USE PROJECT COST ASSESSMENT  
FINAL REPORT

May 29<sup>th</sup>, 2020

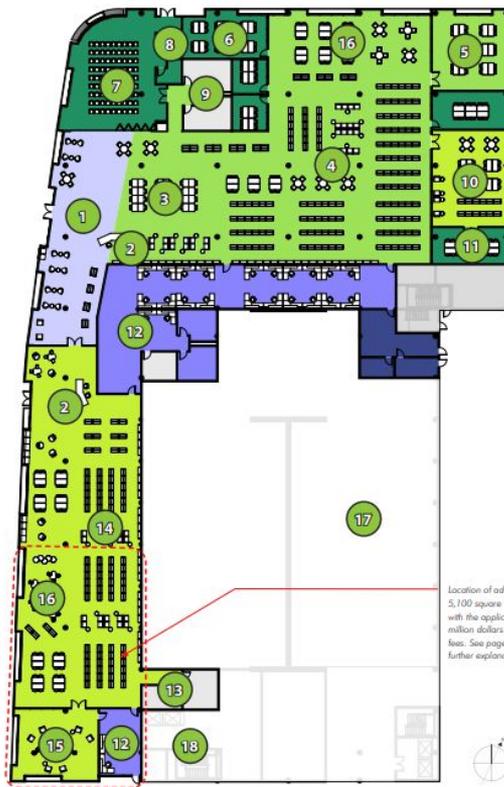
SC  
PL

# *Programmatic Goals*

- Quiet Space
- Dedicated Children's Space
- Dedicated Teen Space
- Study, Tutoring, and Small Group Space
- Dedicated Library Parking
- Flexible Community Rooms
- Dedicate CA & Local History Collections
- Print Collections
- Makerspace
- Adult Services
- Genealogy Resources
- Sufficient Bathroom Facilities

# Programmatic Goals

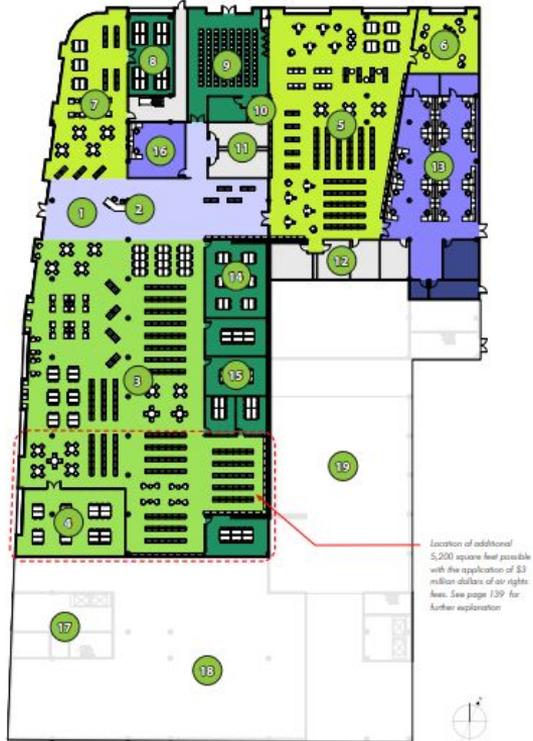
## OPTION D



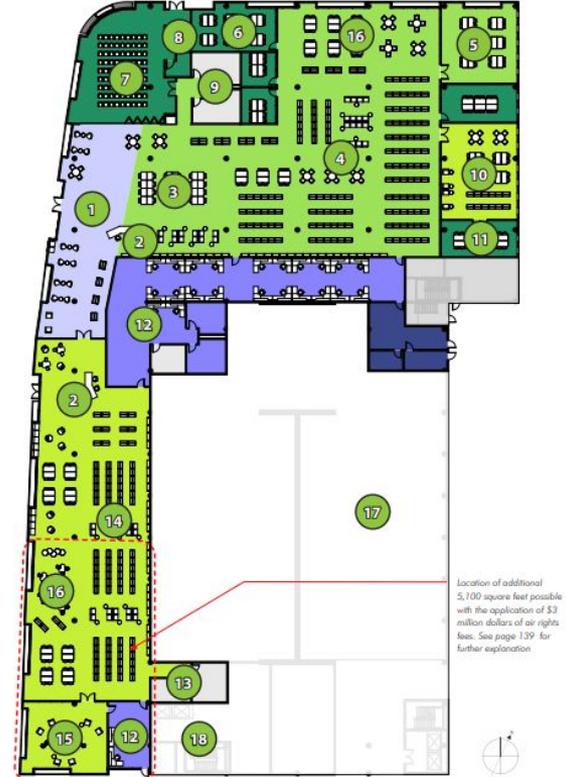
- 1 LOBBY/MARKETPLACE
- 2 CIRCULATION DESK
- 3 COMPUTERS
- 4 ADULT COLLECTIONS
- 5 GENEALOGY
- 6 ADULT LIFE SKILLS
- 7 COMMUNITY ROOM
- 8 COMMUNITY ROOM KITCHEN
- 9 PUBLIC RESTROOMS
- 10 TEEN COLLECTIONS
- 11 MAKER SPACE
- 12 STAFF
- 13 CHILDREN'S RESTROOMS
- 14 CHILDREN'S COLLECTION
- 15 CHILDREN'S STORYTIME
- 16 SEATING
- 17 PARKING STRUCTURE
- 18 HOUSING LOBBY

# Programmatic Goals

## OPTION C



## OPTION D



# *Community Benefits*

- Increases Affordable Housing Downtown
- Increases Shared Parking in the Parking District
- Supports Visitors to the Downtown
- Durability/Lifespan
- Impacts to Farmer's Market & Antique Faire
- Supports Public Art
- Proximity to the Civic Center
- Proximity to businesses

# *Meets City Goals & Plans*

- Climate Action Plan
- Downtown Plan
- General Plan
- Library Facilities Master Plan
- Housing Blueprint Subcommittee Recommendations
- Parking District Long Term Operational Goals

# Evaluation Matrix

1.919

LIBRARY PROJECT EVALUATION MATRIX				
LIBRARY (Including needs identified by DLAC process)	Renovation	Option C (housing & parking above)	Option D (housing above)	Notes
Improves site lines	-	+	□	
outside area	+	-	-	
Unmanaged exterior spaces	-	□	□	
Expandability	+	-	□	Renovation: Additional building could be built on parking lot. Mixed Use: could expand into commercial space
Computer Wifi & printing Areas - increase tech access & training	+	+	+	
Quiet Space	-	+	+	Renovation: See Jayson Report
Dedicated Children's space	+	+	+	
Study, tutoring, small group space	-	+	+	Renovation: See Jayson Report
Dedicated Library parking	+	+	+	
Flexible community rooms	+	+	+	
Dedicated teen space	+	+	+	
Dedicated California & Local History Collections	-	+	+	Renovation: See Jayson Report
Art & Exhibit Space	+	+	+	
Print Collections	-	+	+	Renovation: See Jayson Report
Outdoor Patio/reading space	-	-	-	Renovation: Outdoor space would require additional funding
Used Book Store	+	+	+	
Creation/makerspace	+	+	+	
cafe	-	-	-	
Adult services - genealogy	-	+	+	Renovation: See Jayson Report
Adult Service - life literacy & resources referral	-	+	+	Renovation: See Jayson Report
Library feel (infrastructure maximizes sound proofing; minimizes exposed wires and plumbing, natural light, etc.)	-	□	+	Renovation doesn't have sound proofing & has exposed ceiling. Mixed Use Option D has a skylight and no parking above
Library functionality (ability to separate user groups, separate entrances, improved space layout)	□	+	+	Mixed Use: separate entrances for kids wing
Sufficient bathroom facilities (bathrooms on every floor, sufficient stalls per floor, & 2 children's bathrooms)	-	+	+	Renovation: extra funds are needed for multi-use bathroom stalls
Creation of outdoor community space	+	-	-	
Total square feet	-	□	□	
Physical Accessibility (ADA)	□	+	+	renovation: two stories & requires elevator access

# Subcommittee Recommendation

The Downtown Library Subcommittee recommends that the City Council reaffirm the programmatic goals established by the Downtown Library Advisory Committee (DLAC), and take action on the following:

1. Conceptually approve, subject to appropriate environmental review and the required permit process, and give direction to staff to proceed with the design and development of a mixed-use project on parking lot 4 (located at Cathcart, Cedar, and Lincoln Streets) by adopting a resolution with the follow provisions
  1. relocate the Downtown library into a mixed use project on lot 4;
  2. include an affordable housing project containing a minimum of 50 low-income dwelling units with the discretionary permit applications for the affordable housing component of the project to be submitted no later than the start of construction of the library;
  3. include a parking garage with no more than 400 parking spaces, which will provide the required number of parking spaces for library users, affordable housing units and replacement public parking spaces in the downtown area; and
  4. restrict the total height of the building not exceed the height of the University Town Center development or, if this isn't possible, the development at 1010 Pacific.

# Subcommittee Recommendation

2. Authorize staff to proceed with selection of an owner’s representative to manage the overall project implementation and a competitive RFP/RFQ process for selection of a Design-Build project team.
3. Direct staff to work with selected owner’s representative and Design-Build team to initiate a community outreach process on project design, based off of the preliminary “Option D” concept developed by Group 4 and to return to Council with preliminary project design options for consideration.
4. Prior to the start of construction of the mixed-use project, initiate a public process to consider reuse options of the current library site, including affordable housing, a community commons and other public uses.
5. Direct staff to provide a report to City Council at the earliest possible time, but no later than three months, containing:
  1. Detailed financial information regarding each component of the mixed-use project;
  2. A work program and timeline for implementing the affordable housing units, library, and parking garage to include a public engagement process; and
  3. General schematics showing the integration of the library, housing, parking, and commercial use components.
6. Direct Staff to reengage with the Farmer’s Market and move forward with Council direction from June 12<sup>th</sup>, 2018 to execute an agreement and develop a design for a permanent downtown Farmer’s Market on parking lot 7 (located at the corner of Cathcart and Front Streets).

# Subcommittee Recommendation

1.922



6/23, 2020

## INFORMATION REPORT

DATE: June 10, 2020

TO: City Council  
DEPARTMENT: Water  
SUBJECT: Loch Lomond Reservoir Oxygen Diffuser System - Award of Contracts

APPROVED:

DATE: 06-10-20

The Water Department is in the process of replacing the aeration system in Loch Lomond Reservoir. As described below in more detail, reiterating portions of prior City Council reports, this has required lake modeling, design and installation of a new aeration system, and rental of a liquid oxygen storage tank with periodic deliveries. This work was conducted under three separate contracts, the last of which was authorized by City Council at their December 10, 2019 meeting. The purpose of this Information Report is to clarify the vendor the City is currently under contract with for the rental of the liquid oxygen storage tank and deliveries, as the vendor authorized by City Council pulled out of contract negotiations.

The Loch Lomond Reservoir is owned and operated by the City of Santa Cruz Water Department.

As is common in raw water reservoirs, Loch Lomond experiences periodic occurrences of algae blooms and occasional taste and odor issues resulting from water quality fluctuations such as low levels of dissolved oxygen. A common practice to address these issues and manage lake water quality is to operate an aeration system in the reservoir that provides oxygen to the deeper levels of the lake to improve taste/odor, reduce treatment costs, and improve overall lake quality. Since 1985 the City has operated an aeration system that supplies compressed air to diffusers located at a depth of approximately 100 feet below the lake surface. In recent years, the current system has undergone extensive repairs, many of which require commercial divers and specialized equipment.

In fall 2016, the Water Department solicited for professional assistance in managing the lake to optimize water quality. In 2017, the City contracted with McCord Environmental, Inc. to review historic information about reservoir performance and management under the existing aeration system, explore aeration system replacement options, and provide a planning-level design and construction cost estimate of the recommended alternative. The results of the McCord work indicated that the current aeration system is incapable of meeting the overall lake oxygen demand during periods of algae blooms, summer months and/or times of drought. McCord

WTFYI 079

recommended a more contemporary system that includes delivery of pure oxygen on a periodic basis that would replace the existing on-site compressed air system. The implementation of the new oxygenation system requires two final steps: deployment of the physical components of the aeration system within the reservoir with operational features on the dam, and an ongoing contract for delivery of liquid oxygen on a periodic basis.

With respect to the delivery of liquid oxygen, the Water Department publically advertised a Request for Proposals on July 31, 2019 for liquid oxygen delivery and tank rental services and received three proposals by the August 26, 2019 deadline. Proposals were reviewed by staff and rated based upon fee schedule/pricing, vendor qualifications, lease terms, and training, support, and technical assistance. Airgas LLC was found to provide the best overall proposal with an average score of 89. However, following a period of negotiations between the City Attorney and Airgas LLC, agreeable lease terms with Airgas LLC could not be reached. As a result, staff recommended that the contract be awarded to the second-highest scoring proposal, Air Products and Chemicals Inc., with an average score of 87 and agreeable lease terms.

At the December 10, 2019 City Council meeting, Council authorized the City Manager to execute and agreement with Air Products and Chemical Inc. of Allentown, PA for Liquid Oxygen Deliver and Tank Rental service. However, subsequent to that authorization and before execution of the contract Air Products and Chemical Inc. withdrew from contract negotiations

Staff has now reached an agreement with Airgas LLC and is under contract for tank rental and delivery of liquid oxygen. Formal Council approval is not required as an informal bid process was followed. Council approval was sought previously in the interest of transparency because Air Products was not the highest scoring vendor.

Submitted by:



Rosemary Menard  
Water Director

Attachments:  
Airgas Agreement



April 6, 2020

City of Santa Cruz  
Water Engineering  
Mr. Taylor Kihoi  
212 Locust St., Ste C  
Santa Cruz, CA 95060

Dear Mr. Kihoi,

I would like to take this opportunity to thank you for your confidence in Airgas USA LLC by awarding us your business. Enclosed within you will find a fully executed copy of the Product Sale Agreement and Safety Data Sheet.

Airgas is committed to providing quality service to our customers and to serve your industrial gas needs both safely and efficiently. We ask that you please make sure that a copy of this information is distributed to those departments and/or persons directly involved with this product and processing of invoices.

For product deliveries, please contact our National Logistics Center at (800) 323-1970. For Service issues, please contact our Field service Group at (800) 527-4374.

Should you have any questions about our products, services or additional gas applications, please contact your Bulk Specialist, Antonio Lao, at (916) 207-5761.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Whitton", written over a white background.

Matthew B. Whitton  
President-NCN Region

## PRODUCT SALE AGREEMENT

Airgas USA, LLC, with offices at 6790 Florin Perkins Rd. Ste 300, Sacramento, CA 95828 ("Seller"), and City of Santa Cruz, with offices at 212 Locust St Ste C, Santa Cruz, CA 95060 ("Buyer"), for and in consideration of the mutual promises and covenants set forth herein and intending to be legally bound thereby, agree as follows:

1. **REQUIREMENTS:** (a) Buyer shall buy from Seller, and Seller shall sell to Buyer, Buyer's total present and future requirements of industrial, specialty, and/or medical gases, in gaseous and/or liquid form ("Product(s)"). Products shall be for Buyer's use at listed location(s) and at any relocated, expanded, or new Buyer location(s) (collectively, "Buyer Locations"), in suitable containers including, without limitation, cylinders, liquid containers and/or bulk (including mini and micro bulk), and including on-site generation equipment, upon the terms and conditions set forth in this Agreement, including, without limitation, any rider, exhibit or amendment to this Agreement. The Products covered by this Agreement shall also include Buyer's requirements of (i) welding consumables and equipment, safety products and services, and related supplies as may be designated in any rider, exhibit or amendment hereto, and (ii) any products used by Buyer in substitution for any of the Products described herein. (b) The Products shall be for Buyer's own use, and not for resale, unless the parties execute a resale addendum. Buyer shall not transfill Products from any gas or liquid storage vessels or other equipment ("Equipment") or cylinders provided by Seller into other containers unless the parties execute a transfill addendum.

2. **TERM:** This Agreement shall be effective as of March 30, 2020 ("Effective Date"). The initial term shall be five years ("Initial Term") measured from the latest of (a) the Effective Date, (b) the date of first delivery of Product by Seller hereunder to the last storage vessel installed at any Buyer Location, or (c) in the event Buyer is contractually bound and prohibited from buying Products under this Agreement by any prior agreement, the date of the earliest expiration or earlier termination of such prior agreement. Thereafter, this Agreement shall automatically renew for successive renewal terms (a "Renewal Term") equal in length to the Initial Term unless terminated at the end of (i) the Initial Term or (ii) any Renewal Term, as the case may be, upon not less than twelve months' prior written notice by either party, given in accordance with Section 22 herein. The Initial Term and any Renewal Terms shall be the "Term". If any Equipment is modified, relocated, replaced, substituted or Seller provides additional Equipment to meet Buyer's gas requirements, then a new Term equal in length to the Initial Term shall commence upon the date of first delivery of Product into the modified, relocated, replacement, substituted or additional Equipment.

3. **PRICING AND PAYMENT TERMS:** The Product prices, Rental Fees and Facility Fees (which are referred to individually and collectively as the "Price(s)") and related charges ("Charges") are set forth on riders to this Agreement and Exhibit 1. Buyer shall make payment in full by cash, check, wire transfer or CTX formatted ACH by the thirtieth day following the date of invoice. Continued open account credit is subject to Seller's assessment of Buyer's financial condition and ability to pay. In the event Buyer fails to make any payment when and as due, Seller may, at Seller's option, exercise any one or more of the following (in addition to any other remedies available to Seller) after providing Buyer at least ten (10) days after notice from Seller to cure the late payment: (a) cease all Product deliveries; (b) require Buyer, as a condition of receiving deliveries, to prepay for such deliveries and pay past due amounts as specified by Seller; and/or (c) remove any Equipment, cylinders and/or other containers provided by Seller and terminate, in whole or in part, this Agreement.

4. **RENTAL/FACILITY FEES:** Seller shall maintain records of cylinder deliveries and returns hereunder and shall charge Buyer rental at the rates in the attached rider ("Rental Fee"). In the event that any Equipment is installed by Seller or its representative at Buyer's facility for storage of Product, Buyer shall pay to Seller, for the availability of said Equipment for use hereunder, a fee computed by Seller for each item of Equipment so installed ("Facility Fee").

5. **BULK SITE REQUIREMENTS; ACCESS:** Buyer shall promptly furnish an accessible, secure location ("Site") for Seller's Equipment at each of its facilities at which Products are required to enable suitable delivery and storage of such Products, including all foundations, bollards, lighting, fences, pipes and other preparation and equipment required for the safe delivery and distribution of Product(s) to and from the Site. Buyer shall also provide at the Site, at Buyer's cost, all electricity or other utilities, including, if necessary, phone lines, as well as all licenses and permits required in connection with use of the Site. Buyer shall begin to pay Facility Fees in the event that Buyer is unable to provide the Site within thirty days after Seller notifies Buyer that Equipment is ready for installation. Authorized representatives of Buyer, Seller and/or Seller's representatives shall have access at all times to the Site, but Buyer shall deny access to all others.

6. **INSTALLATION:** Equipment provided by Seller shall be installed and maintained in good repair and operation by Seller. Buyer may provide its own equipment in which event Seller shall have no obligation to maintain the same. Buyer shall have no ownership interest in the Equipment installed at the Site by Seller and shall keep same free of any and all liens or claims of any kind. Seller may execute and record in the name of both parties UCC statements evidencing Seller's ownership of the Equipment. Buyer will pay any applicable UCC statement filing charge. Buyer shall pay Seller's freight charges for delivery of the Equipment to Buyer's Location, and Seller's crane and rigging costs associated with the Equipment installation. Buyer shall be responsible and liable for payment of, or, if Seller makes payment, shall reimburse Seller for, all costs arising out of Site conditions requiring additional labor or other costs, except where such conditions are caused by the sole negligence or willful misconduct of Seller. Buyer shall maintain adequate fire and extended coverage insurance on the Equipment, with loss payable to Seller. Buyer shall not alter, adjust or repair any Equipment installed by Seller at the Site. Buyer shall be responsible for any loss of, or damage to, such Equipment unless arising as a direct result of Seller's sole negligence or willful misconduct. Seller shall not be liable for any delay in installation of any Equipment. Except as provided in Section 15, Buyer shall not permit Equipment furnished hereunder to be filled with any product not furnished by Seller. Buyer shall reimburse Seller for labor, parts and materials as the result of any service call made by Seller or Seller's representative, except for the standard preventative maintenance service as defined by Seller's standard maintenance guidelines.

7. **EQUIPMENT CHANGE:** If in the sole judgment of Seller any Equipment installed by Seller shall become inadequate, including, without limitation, because of a substantial change in Buyer's requirements of Product, Seller shall have the right to substitute a different size or type of Equipment, with reasonable advance notice to Buyer. The Facility Fee shall be appropriately adjusted by Seller to account for the substitution and Seller will provide written notice to Buyer of the new Facility Fee. This Agreement will cover all mode changes, including but not limited to: cylinders to liquid containers, liquid containers to bulk storage vessels, bulk storage vessels to on-site generation, or any combination of the preceding.

8. **REMOVAL:** (a) Seller shall have the right to remove any Equipment installed by it within ninety days after the expiration or termination of this Agreement. Buyer's obligation with respect to loss of, or damage to Equipment shall remain in full force and effect until Seller effects such removal. (b) Buyer may request Seller to remove any of its Equipment from the Site prior to the end of the Term by making a written request to Seller for Equipment removal and paying to Seller, upon the issuance of an invoice, (i) a pro-rata share of Seller's cost of installing such Equipment which reflects the balance of the Term of this Agreement that is unexpired as of the date of such removal and (ii) the estimated costs associated with the removal of the Equipment and shipping costs to the closest service center of Seller (collectively, "Removal Fee"). Seller will reimburse Buyer for any estimated amounts paid over actual costs following completion of the removal and shipment. No such removal shall affect Buyer's obligation to purchase its requirements for Products from Seller. (c) At the end of the Term, Buyer shall pay a Removal Fee, unless the Agreement is terminated by Seller or due to Seller's material breach of this Agreement. If Buyer fails to pay the Removal Fee within terms, at Seller's option, this Agreement may be extended for a period of one year from the proposed termination date in the written notice ("Removal Term Extension"). If the Removal Fee is not paid within the Removal Term Extension, Seller shall have the option to extend this Agreement again as permitted in this Section.

9. **DELIVERIES:** (a) Bulk storage Sites shall be accessible for delivery twenty-four hours per day, seven days a week. (b) Seller or its representatives shall make deliveries of all other Product(s) on regular business days between the hours of 8:00 a.m. and 5:00 p.m. or at other hours upon agreement of the parties. Buyer shall pay all additional expenses incurred by Seller as a result of deliveries requested by Buyer at other hours or any other special delivery. (c) Deliveries made during a strike or other labor disturbance affecting Buyer shall be at Seller's sole option. If Seller does deliver during a strike or labor disturbance, then, notwithstanding anything to the contrary contained in this Agreement, Buyer assumes the entire risk and agrees to indemnify Seller from and against all costs, damages and losses arising out of any such delivery. (d) Seller may refuse to deliver Product(s) to any Buyer Location if Seller reasonably believes that such Buyer Location is unsafe or violates any applicable law or regulation, and Seller shall not be liable for such refusal to deliver. (e) Title and risk of loss of the Products shall pass to Buyer, (i) in the case of bulk Products upon delivery into the storage vessel, and (ii) for all other Products upon delivery to Buyer's Location. (f) Buyer shall monitor Product levels and give Seller reasonable, advance notice of changes in Buyer's Product volume and/or patterns of use. (g) With respect to bulk Product sold hereunder, Seller may, at its sole option, but is not obligated to, make any delivery of less than seventy-five percent of the capacity of the storage vessel. If Buyer's actual volume decreases below eighty-five percent or increases above one hundred and twenty percent of the Buyer provided Estimated Monthly Volumes for three consecutive months, Seller may adjust the Price. (h) Deliveries of Product shall be measured by Seller using the method typically used by Seller for the type of delivery made.

10. **WARRANTY:** Seller warrants that, at the time of delivery, all gas Products furnished hereunder will comply with Compressed Gas Association (CGA) guidelines. Any other Products sold by Seller will conform to Seller's or manufacturer's standard specifications. Seller makes no warranty with respect to non-gas Products manufactured by others, but will, on request, to the extent permitted, pass on to Buyer any applicable manufacturer's warranty. Seller warrants that the services shall be performed in a good and workmanlike manner: **EXCEPT FOR THE WARRANTIES DISCUSSED HEREIN, SELLER SPECIFICALLY DISCLAIMS ANY OTHER EXPRESS OR IMPLIED STANDARDS, GUARANTEES, OR WARRANTIES, INCLUDING ANY WARRANTIES OF MERCHANTABILITY, OF FITNESS FOR A PARTICULAR PURPOSE AND ANY WARRANTIES THAT MAY BE ALLEGED TO ARISE AS A RESULT OF CUSTOM OR USAGE. THE PARTIES AGREE THAT THIS AGREEMENT DOES NOT INCLUDE ANY SERVICES FOR TECHNICAL ADVICE PROVIDED BY SELLER TO BUYER AND THAT SELLER MAKES NO WARRANTIES OF ANY KIND FOR ANY TECHNICAL ADVICE PROVIDED BY SELLER TO BUYER AND ASSUMES NO OBLIGATION OR LIABILITY FOR ANY SUCH TECHNICAL ADVICE WITH REFERENCE TO THE USE OF PRODUCTS OR RESULTS WHICH MAY BE OBTAINED THEREFROM, AND ALL SUCH ADVICE IF GIVEN AND ACCEPTED IS AT BUYER'S SOLE RISK.**

11. **REMEDIES; LIMITATION OF LIABILITY: NEITHER SELLER NOR SELLER'S SUPPLIERS OF PRODUCTS ("SELLER'S SUPPLIERS") SHALL BE LIABLE FOR INDIRECT, SPECIAL, INCIDENTAL, CONSEQUENTIAL AND/OR PUNITIVE DAMAGES EXCEPT WHERE PROHIBITED BY CALIFORNIA CIVIL CODE SECTION 1668. SELLER'S SOLE LIABILITY AND BUYER'S SOLE REMEDY FOR ANY DAMAGES CAUSED BY DELIVERY OF NON-CONFORMING PRODUCTS AND/OR SELLER'S FAILURE TO DELIVER PRODUCTS SHALL BE LIMITED TO, AT SELLER'S OPTION, THE REFUND OF THE PURCHASE PRICE OR REPLACEMENT OF THE PRODUCT OR SERVICE IN QUESTION. EXCEPT WHERE PROHIBITED BY CALIFORNIA CIVIL CODE SECTION 1668, SELLER'S SOLE LIABILITY AND BUYER'S SOLE REMEDY DURING THE TERM OF THIS AGREEMENT FOR ALL OTHER CLAIMS, LOSSES, OR DAMAGES ARISING UNDER OR IN ANY WAY RELATED TO THIS AGREEMENT OR ITS PERFORMANCE HEREUNDER SHALL BE LIMITED TO \$25,000 PER OCCURRENCE AND \$150,000 AGGREGATE. EXCEPT WHERE PROHIBITED BY CALIFORNIA CIVIL CODE SECTION 1668, THE LIMITATIONS ON AND EXCLUSIONS OF SELLER'S LIABILITY FOR DIRECT DAMAGES AS SET FORTH ABOVE SHALL NOT APPLY IF AND TO THE EXTENT A CLAIM, LOSS OR LIABILITY IS CAUSED BY SELLER'S GROSS NEGLIGENCE, WILLFUL MISCONDUCT, OR FRAUD. IN SUCH EVENT, SELLER'S SOLE LIABILITY AND CUSTOMER'S SOLE REMEDY FOR DIRECT DAMAGES SHALL BE LIMITED TO \$50,000 PER OCCURRENCE AND \$300,000 FOR THE ENTIRE TERM OF THE AGREEMENT. THE LIMITATIONS CONTAINED IN THIS SECTION SHALL APPLY REGARDLESS OF WHETHER THE CLAIM FOR DAMAGES IS BASED ON BREACH OF CONTRACT, BREACH OF WARRANTY, TORT OR OTHERWISE, AND SHALL APPLY EVEN WHERE SUCH DAMAGES ARE CAUSED IN WHOLE OR IN PART, BY THE NEGLIGENCE, OR ACTS AND OMISSIONS OF THE PARTY CLAIMING DAMAGES OR THE PARTY FROM WHOM DAMAGES ARE SOUGHT, EXCEPT WHERE PROHIBITED BY CALIFORNIA CIVIL CODE SECTION 1668. THESE LIMITATIONS PROVIDED IN THIS SECTION SHALL NOT APPLY TO EITHER PARTY'S INDEMNIFICATION OBLIGATIONS SET FORTH IN THIS AGREEMENT. ALL CLAIMS BY BUYER HAVING ANYTHING TO DO WITH THE SUBJECT MATTER OF THIS AGREEMENT SHALL BE MADE IN WRITING WITHIN ONE HUNDRED AND TWENTY DAYS AFTER THE EVENT GIVING RISE TO SUCH CLAIM AND FAILURE OF BUYER TO GIVE SUCH NOTICE SHALL CONSTITUTE A COMPLETE WAIVER BY BUYER OF ANY SUCH CLAIMS AND DEFENSE FOR SELLER AGAINST ANY SUCH CLAIMS. AS USED IN THIS SECTION, THE TERM "BUYER" AND "SELLER" SHALL INCLUDE NOT ONLY THE PARTY TO THIS AGREEMENT BUT ALSO ALL OF ITS AFFILIATES. THE PROVISIONS GOVERNING REMEDIES, LIMITATIONS OF LIABILITY AND INDEMNITY SET FORTH IN THIS AGREEMENT SHALL SURVIVE EXPIRATION, TERMINATION, OR CANCELLATION OF THIS AGREEMENT.**

12. **INDEMNITY.** (a) Buyer shall hold harmless, indemnify and defend Seller, its officers, officials, employees and agents, from Losses arising from, in connection with or related to third party Claims, but only in proportion to and to the extent the Claims were caused by Buyer's negligent or intentional acts or omissions. (b) Seller shall hold harmless, indemnify and defend Buyer, its officers, officials, employees and agents from Losses arising from, in connection with or related to third party Claims but only in proportion to and to the extent the Claims were caused by Seller's negligent or intentional acts or omissions. (c) For purposes of this section, the following definitions apply: "Losses" means any injury (including death), loss, or damage to the person or property of any third party (including employees of either party) third party. "Claims" means all lawsuits, judgments, administrative rulings or decisions, claims, arbitration awards, arising from, in connection with or related to this Agreement.

13. **INSURANCE.** Seller agrees to carry at its own expense (a) Commercial General Liability insurance \$1,000,000 combined single limit per occurrence, \$2,000,000 aggregate and Automobile Liability insurance covering all owned, hired and non-owned vehicles in the amount of \$1,000,000 combined single limit each occurrence for damage or loss or personal injury, death or property damage occurring in connection with services rendered by Seller, or Seller's ownership, rental, subrental, maintenance or operation of any equipment or vehicle of any kind and (b) sudden and accidental pollution coverage, as included in its Commercial General Liability policy. All such insurance shall: (a) be obtained from insurance companies with an A.M. Best's rating of at least VI A-; (b) include Buyer as an additional insured, up to the policy limits specified herein, but only with respect to those matters for which Seller is obligated to indemnify Buyer under the terms of this Agreement and only to the extent of Seller's said indemnity obligation; (c) include a cross-liability clause; (d) provide a waiver of subrogation in favor of the Buyer, up to the policy limits specified herein, but only with respect to those matters for which Seller is obligated to indemnify Buyer under the terms of this Agreement and only to the extent of Seller's said indemnification obligation; (d) be primary and without contribution from Buyer or its insurance carrier(s); and (e) require the insurance carrier to provide Buyer at least 30 days advance written notice of cancellation, expiration or material modification of such insurance. Seller shall provide written evidence of the insurance required hereunder from time to time, as requested by Buyer.

14. **CUSTOM ORDERS/INVENTORY:** If Seller has ordered, manufactured or had manufactured for Buyer any custom or special order goods, including, by way of example only and not limitation, specialty gas blends or mixes, customized safety goods, or specialized Equipment, the expiration or early termination of this Agreement shall not relieve Buyer of its obligation to purchase and pay for all such goods.

15. **EXCUSE OF PERFORMANCE:** Neither party shall be liable for failure to perform if prevented by circumstances beyond its reasonable control. Notwithstanding the foregoing, Buyer shall be obligated to make payments under this Agreement unless Buyer uses all efforts that are lawful and within Buyer's official discretion, to secure the appropriate funds for the payment, but is unable to do so, except that Seller shall retain its rights under Section 3 (Pricing and Payment Terms) if Buyer is unable to make payments. If Seller is unable to supply Products to Buyer, then Buyer may obtain replacement products from other sources and place them in the Equipment (if any) or, in the case of all other Products, use them at Buyer's Location(s) for that period of time during which Seller is unable to supply Buyer. This right is subject to Seller's prior written consent, which shall not be unreasonably withheld. During this period, if Buyer uses replacement products from other sources and places them in the Equipment, Buyer shall ensure that Equipment is not damaged and shall compensate Seller if any damages occur and hold Seller harmless for damage or injury, except where damage or injury is caused by improper installation of Equipment by Seller or a defect in the Equipment directly caused by Seller.

16. **ALLOCATION:** If sufficient Product is not available from Seller's normal source of supply for any reason, Seller may allocate Product among its own requirements and its customers. Seller will make reasonable efforts to obtain additional Product from other sources of the same quality provided Buyer shall pay all additional costs, if any associated with such Product. Allocation in regard to this Section will completely satisfy and discharge Seller's supply obligations and Seller will, therefore, not be deemed to be in breach of such obligations.

17. **TAXES:** Prices are exclusive of any amount of federal, state and/or local excise, sales, use, property, retailer's occupation, gross receipts or similar taxes which may be imposed upon this transaction. Buyer shall pay all such taxes, including taxes on any Equipment, except Seller's income tax, either directly to the relevant taxing authority or as collected by Seller. In the event that Buyer claims exemption, full or partial, from such taxes, a properly completed exemption certificate with a list of the applicable exempt purchases, which will be acceptable to the appropriate taxing authorities, must be provided. Buyer will provide the applicable exemption certificate for each Buyer Location. Should such certificate be found invalid, Buyer agrees to bear the burden of any interest and penalties assessed.

18. **PRICE CHANGES:** (a) Seller shall have the right to revise any of the Prices up to five percent in a given calendar year for any one or more of the Products by written notice to Buyer. (b) In the event that Seller increases Prices by an amount greater than five percent in a given calendar year, such increase shall become effective fifteen days after written notice is given to Buyer. If within fifteen days of receiving such notice, Buyer furnishes Seller with a copy of a bona fide firm written offer to sell such Product of the same quantities, of the same quality under similar circumstances at prices lower than such revised Prices, Seller shall have fifteen days within which to, at Seller's sole option, either meet the lower price, exclusive of surcharges, hazmat or regulatory compliance fees, or revert to Seller's Price in effect before the price increase. If Seller agrees to meet such lower price, or reverts to Seller's Price in effect before the price increase, then Seller shall have the right, at its option, to extend the Term for a period of time equal to the Initial Term or the term of the competitive written offer. If Seller does not exercise its option to meet the competitive price or revert to Seller's previous Price, Buyer may terminate this Agreement as to the Product in question by giving Seller thirty days' written notice of such termination. (c) Buyer's rights under this Section shall not apply to any Price increase arising as a result in whole or part of compliance by Seller or its suppliers with federal, state, or municipal taxes, or government agency required audits or other regulations. (d) The adjustments in Sections 8, 10, 16 and Exhibit 1 are not subject to the Price Change provisions as outlined above.

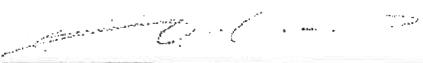
19. **COMPLIANCE; SDS:** Buyer shall instruct its employees and agents to comply, and at all times Buyer shall comply, with all applicable federal, state and local statutes, regulations and laws regarding the safe handling, transportation, purchase and use of the Products, including without limitation all relevant reporting obligations under the Emergency Planning and Community Right-To-Know Act, the Occupational Safety and Health Act, and applicable regulations thereunder, and the Foreign Corrupt Practices Act of 1977, as well as any applicable licenses and consents required by such statutes, regulations, laws and regulations, which licenses and consents shall be obtained by Buyer. Buyer acknowledges and agrees that Seller has provided Buyer with all relevant Safety Data Sheets (SDS). Additional SDSs and copies are available: (i) at the local Airgas branch; (ii) by calling 919-368-8518; or (iii) by logging on to [www.airgas.com/sds-search](http://www.airgas.com/sds-search). Buyer understands that the Products must not be used without first consulting the SDS.

20. **BUYER'S RESPONSIBILITIES:** Products are sold on the condition that they be handled, used and disposed of in conformance with recognized industry and professional standards, including those related to the protection of human health and the environment. Buyer acknowledges that there are hazards associated with the use of the Products, that it understands such hazards, and that it is the responsibility of Buyer to warn and protect all those under Buyer's control that are exposed to such hazards. It is Buyer's responsibility to ensure that: (i) the installation and/or use of the Products complies with all applicable laws, codes or regulations for the relevant jurisdiction; (ii) the Products are safe for the intended use; and (iii) the Products are handled in a safe and professional manner. Buyer shall have the sole responsibility for determining the suitability of any of Seller's Products for the use contemplated by Buyer. After delivery of Products to Buyer pursuant to this Agreement, Buyer assumes all risk and liability arising out of the presence, storage, transport or use of the Products, unless otherwise provided herein.

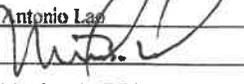
21. **GOVERNING LAW; DISPUTE RESOLUTION; CLASS ACTION AND TRIAL BY JURY WAIVER:** This Agreement shall be governed by and construed in accordance with the substantive law of the State of California, without regard to its conflict of laws principles. Prior to either party filing a lawsuit, except to prevent the running of any applicable statute of limitations, all disputes and claims regarding this Agreement shall be submitted to non-binding mediation. If the parties cannot agree on a mediator, one will be selected pursuant to American Arbitration Association rules. **BOTH PARTIES HERETO HEREBY WAIVE ALL RIGHT OR ENTITLEMENT TO TRIAL BY JURY IN CONNECTION WITH ANY DISPUTE THAT ARISES OUT OF OR RELATES IN ANY WAY HERETO OR TO PRODUCT SUPPLIED HEREUNDER.** Any Claim must be brought in the respective party's individual capacity, and not as a plaintiff or class member in any purported class, collective, representative, multiple plaintiff, or similar proceeding ("Class Action"). The parties expressly waive any ability to maintain any Class Action in any forum.

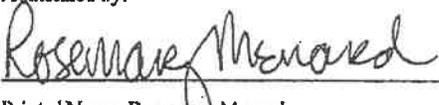
22. **NOTICES:** Unless otherwise provided herein, all notices shall be in writing, addressed to the intended recipient at the address on the first page hereof or such other address as the recipient may provide, and given via the following methods: hand delivered, sent by overnight courier providing proof of delivery, or sent by email to an address provided by the recipient for such purpose, and shall be deemed to have been given on the date such notice is hand delivered or sent, as applicable. Notices of excuse of performance, allocation, adjustments to Prices or Charges (including any special charges) provided hereunder may also be sent by U.S. Mail and shall be deemed to have been given two business days after being deposited with the United States Postal Service, if sent by U.S. mail. Notwithstanding the foregoing, a notice of termination under Section 2 or 18 hereof must be given by certified mail or overnight courier providing proof of delivery.

23. **MISCELLANEOUS:** (a) Buyer represents that Buyer is contractually free to enter into this Agreement and to perform hereunder and shall indemnify and defend Seller against all damages Seller may suffer if Buyer's representation is not correct. (b) The invalidity or unenforceability of any provision of this Agreement under the laws of any state in which this Agreement is in effect shall not affect the validity or enforceability of any other provision of this Agreement. (c) Buyer shall not require waiver or release of any personal right or execution of any document that conflicts with this Agreement or provides for additional obligations of the parties from Seller's employees, subcontractors or representatives in connection with Seller's entry onto the premises of Buyer and Buyer agrees that no such release, waiver or document shall be binding, if executed by Seller's employee, subcontractor or representative. (d) The waiver by either party of any of its rights under this Agreement shall not be construed as constituting a precedent. (e) Buyer must receive Seller's consent to assign this Agreement. This Agreement shall inure to the benefit of Seller and Buyer and their respective successors and assigns. If Buyer transfers a material part of its assets and/or its operations at any Buyer Location or its stock to a third party, Buyer shall require the third party to accept an assignment of this Agreement, as it relates to any applicable Buyer Location or Product, in form and content acceptable to Seller. (f) This Agreement and materials marked "Confidential" will be kept confidential by the parties hereto. (g) Buyer represents and warrants that this Agreement has been duly and validly authorized, executed, and delivered. (h) This Agreement may be executed in counterparts, each of which shall be an original and both of which taken together shall constitute the same instrument. Transmission by facsimile, email or other form of electronic transmission of an executed counterpart of this Agreement shall be deemed to constitute due and sufficient delivery of such counterpart and legal, valid and binding execution by such party. (i) As a part of the consideration for this Agreement, the applicable provisions of Section 12 (Remedies; Limitation of Liability) shall extend to and be enforceable by and for the benefit of Seller's Suppliers. (j) This Agreement with any riders, exhibits and/or amendments represents the entire agreement between Seller and Buyer in relation to the sale of Products. Amendments to this Agreement shall be in writing and no acceptance by Seller of any purchase order, acknowledgment, or other document specifying different and/or additional terms or conditions shall be effective.

City of Santa Cruz (Buyer)  
 Approved as to Form by:  
  
 Printed Name: Anthony Condotti  
 Title: City Attorney Date: 03/27/2020

AIRGAS USA, LLC (Seller)

Submitted By: Antonio Lao  
 Accepted By:   
 Printed Name: Matthew B. Whitton  
 Title: President, NCN Region Date: 4/9/2020

City of Santa Cruz (Buyer)  
 Authorized by:  
  
 Printed Name: Rosemary Menard  
 Title: Water Director Date: 3/27/2020

City of Santa Cruz (Buyer)  
 For City of Santa Cruz, a municipal Corporation:  
  
 Printed Name: Mart In Bernal  
 Title: City Manager Date: 4-1-2020



an Air Liquide company

EXHIBIT 1 OF PRODUCT SALE AGREEMENT

TO: The Product Sale Agreement ("Agreement") between Airgas USA, LLC ("Seller") and City of Santa Cruz ("Buyer") with an Effective Date of March 30, 2020

Bulk Recurring Charges

Table with 2 columns: Description and Price. Includes Standard Delivery Charge, Standard Medical Delivery Charge, Hazmat Charge, Medical Charge, and Insurance Charge.

Services & Miscellaneous

Table with 2 columns: Description and Price. Includes Telemetry with reorder service, Dry Ice Transport Container/Box Usage Fee, Equipment Installation/Removal, and various inspection services.

Delivery

Table with 2 columns: Description and Price. Includes Canceled Delivery or Undeliverable Site, Delivery Vehicle Delayed at Customer, Duplicate Copy of Invoice, and Rush Delivery.

Analytical Services / Certificate of Analysis

Table with 2 columns: Description and Price. Lists analytical services for Liquid Oxygen, Liquid Nitrogen, Liquid Argon, Liquid Hydrogen, and Liquid CO2.

Buyer shall pay Seller's scheduled applicable Charges, as well as, other special charges (including charges in the event of any (i) extraordinary, emergency or other unanticipated increases in the cost of manufacturing, supplying or distributing Product, except such charges caused by the sole negligence or willful misconduct of Seller, and/or (ii) additional costs arising or resulting from Product shortages) that Seller may assess.

\* Pricing varies based on specific customer requirements \*\* Add \$50 for the inclusion of Moisture Analysis
Some Services may require a separate Service Agreement. Some Services may not be available at all locations. Lot/Trailer is an analysis of a specific truck load.

Initials-Buyer

Initials-Seller



## Bulk Gases Rider

Rider to the Agreement entered into between City of Santa Cruz (Buyer) and Airgas USA, LLC (Seller), with an Effective Date of March 30, 2020

Buyer's Location(s): Loch Lomond Reservoir

<u>Product</u>	<u>Estimated Monthly Volume</u>	<u>Unit of Measure</u>	<u>Price/Unit</u>	<u>Equipment</u>	<u>Monthly Facility Fee*</u>
Bulk-Liquid Oxygen	416,000	SCF	\$0.76/100 scf	6,000 Gallon Tank	\$ 1250.00

\*Including delivery and hazmat

**Buyer's Product Consumption:** Buyer states it uses and consumes oxygen Product as follows:

Product Use:	Gas	Liquid
Delivery Pressure at Battery Limit:	70   psig	N/A   psig
Maximum Delivery Pressure (based on Buyer's components and piping):	110   psig	N/A   psig
Continuous Flow Rate:	750   SCF/Hour	N/A   SCF/Hour
Peak Flow Rate:	2,160   SCF/Hour for   24   hour(s)	N/A   SCF/Hour for   N/A   hour(s)
Minimum Time Between Peak Flow Rates (hour):	1 x   per day	N/A   per day
Product Usage Pattern (hour/day, days/week):	126,000   SCFH per week	N/A   SCFH per day/week

Buyer acknowledges exceeding the Continuous Flow Rate or Peak Flow Rate may result in a hazardous low temperature condition, which could cause piping or other equipment to fail. Buyer assumes all risks arising out of using Product in excess of the Continuous Flow Rate or the Peak Flow Rate provided herein, except where caused by the sole negligence or willful misconduct of Seller.

**Obligations Relating to the Equipment:**

- (a) Except to the extent set forth in Section 6 of the Agreement, Seller shall, at its expense and in compliance with all applicable Laws, codes and industry standards:
  - (i) Install at the Site, on a foundation that is provided by Buyer and acceptable to Seller, in terms of its location and structure, Equipment as described in Section 6 of the Agreement and connect the Equipment to piping installed by Buyer;
  - (ii) Perform standard preventative maintenance service on the Equipment consistent with maintenance guidelines as defined by Seller according to Seller's then current maintenance standards;
  - (iii) At Buyer's request, provide site layout and foundation design drawings and specifications based on 2500 pounds per square foot (PSF) of soil load-bearing capacity; and
  - (iv) Indemnify and hold harmless the Buyer against any claims in any way related to any professional engineering errors or omissions by Seller in relation to the Equipment and/or foundation design, or any errors or omissions by Seller in installation of the Equipment.
- (b) Buyer shall provide, install, and maintain at its expense, prior to Seller's installation of the Equipment and throughout the term of the Agreement (which shall conform to all minimum specifications provided by Seller):

- (v) A site in a location acceptable to Seller for the Equipment, in a NON-Classified Hazardous Location as per the NFPA's National Electric Code and IEC's (International Electrotechnical Commission) definition of Hazardous Locations.
- (vi) A reinforced concrete foundation or equivalent built to the specifications and layout provided by Seller;
- (vii) A piping system and related utilities and apparatus conforming to all applicable codes and laws for safe handling and receipt of the Product from the Equipment at tie-in points specified by Seller (the "Distribution Line"); and
- (viii) Indemnify and hold harmless Seller against any claims related to any construction defects of the concrete foundation caused by Buyer's negligent or intentional acts or omissions, and/or deviations from Seller's design drawings and specifications.

Buyer acknowledges that Seller is relying on Buyer's Product consumption as described above in selecting and installing the Equipment.

\*All Products not listed but purchased by Buyer from Seller under the Agreement will be priced at market level, including Facility Fees.

City of Santa Cruz (Buyer)

Approved as to Form by:

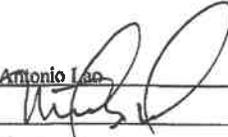


Printed Name: Anthony Condotti

Title: City Attorney Date: 03/27/2020

AIRGAS USA, LLC (Seller)

Submitted By: Antonio Lee

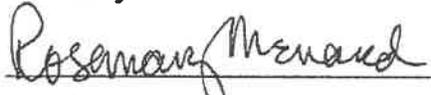
Accepted By: 

Printed Name: Matthew B. Whitton

Title: President, NCN Region Date: 4/9/2020

City of Santa Cruz (Buyer)

Authorized by:

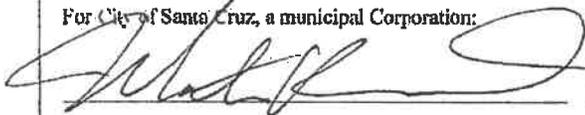


Printed Name: Rosemary Mcnard

Title: Water Director Date: 3/27/2020

City of Santa Cruz (Buyer)

For City of Santa Cruz, a municipal Corporation:



Printed Name: Matt in Bernal

Title: City Manager Date: 4/11/2020