

City of Santa Cruz

Service and Sphere of Influence Review

Adopted Version (February 7, 2024)

Local Agency Formation Commission of Santa Cruz County

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EXECUTIVE SUMMARY

Introduction

This Service and Sphere of Influence Review provides information about the services and boundaries of the City of Santa Cruz (“City”). This report will be used by the Local Agency Formation Commission to conduct a statutorily required review and update process. The Cortese-Knox-Hertzberg Act requires that the Commission conduct periodic reviews and updates of Spheres of Influence for all cities and special districts in Santa Cruz County (Government Code Section 56425). It also requires LAFCO to conduct a review of municipal services before adopting sphere updates (Government Code Section 56430). The City’s last service review was adopted on January 9, 2019.

The municipal service review process does not require LAFCO to initiate changes of organization based on service review conclusions or findings; it only requires that LAFCO make determinations regarding the delivery of public services in accordance with the provisions of Government Code Section 56430. However, LAFCO, local agencies, and the public may subsequently use these determinations and related analysis to consider whether to pursue changes in service delivery, government organization, or spheres of influence.

Service and sphere reviews are informational documents and are generally exempt from environmental review. LAFCO staff has conducted an environmental review of the City’s existing sphere of influence pursuant to the California Environmental Quality Act (CEQA) and determined that this report is exempt from CEQA. Such an exemption is due to the fact that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment (Section 15061[b][3]).

City Overview

The City of Santa Cruz was incorporated as a town in 1866 under the laws of the State of California. It later became a city in 1876 and operates as a charter city pursuant to the laws of the State of California. The city limits encompass approximately 12 square miles and has a population estimated at 64,000. The City provides an array of services, including but not limited to, water, parks and recreation, law enforcement, and fire protection. A full review of all services is covered within this report. A vicinity map, depicting the City’s current jurisdictional and water service area, is shown as **Figure 1** on page 5.

Sphere of Influence

Santa Cruz LAFCO adopted the City’s first sphere of influence on August 3, 1983. The current sphere includes areas outside the City’s jurisdictional boundary. The last sphere update in August 2022 expanded the sphere boundary to reflect the City’s water service area. LAFCO staff is recommending that the sphere boundary be reaffirmed, as shown in **Figure 9** on page 26.

Key Findings

The following are key findings of the 2024 Service and Sphere of Influence Review for the City of Santa Cruz:

1. The City provides multiple services to over 64,000 constituents.

Santa Cruz provides a full range of services including but not limited to police and fire protection, water, sewer, street construction and maintenance. In 2020, the City's population was estimated to be 64,000. LAFCO staff projects that the City's population will reach approximately 79,000 constituents by 2040.

2. The City provides water services beyond its jurisdictional boundary.

Santa Cruz currently provides water services to approximately 96,000 people within 27 square miles, most of which extends beyond the city limits. Santa Cruz offers five types of water services: Agriculture Water, Retail Potable Water, Wastewater (Sewer), Water Treatment, and Water Conservation. At present, it has approximately 25,000 connections through 300 miles of pipeline.

3. The City is financially stable.

Santa Cruz has an annual budget of approximately \$200 million. Overall, the City has experienced an annual surplus in the three of the last five fiscal years. Only two fiscal years ended with a slight deficit: FY 2017-18 (\$6 million) and FY 2019-20 (\$473,000). Audited financial statements from 2018 to 2022 indicate that the City's annual surplus ranged from approximately \$12 million to \$54 million. The rise in net position is due to increased investment in capital assets for governmental and business type activities. As of June 30, 2022, the City was operating with a net position of approximately \$400 million.

4. The City's fire department should explore ways to improve efficiencies.

The Commission's 2021 countywide fire report noted that the City's fire department was experiencing some financial constraints based on LAFCO's analysis and the City's audited financial statements from FY 2014-15 to FY 2019-20. LAFCO encourages Santa Cruz to explore cost-saving opportunities and ways to improve the overall delivery of services within and surrounding the City by collaborating with neighboring local agencies. LAFCO is willing to help with this effort.

5. The City has a transparent website.

Santa Cruz has a robust website with an assortment of useful information regarding each of their 14 city departments. The website is also embedded with recent news and announcements, including information on how to stay connected with the City. Based on LAFCO's assessment, the City's website met 17 out of the 18 transparency benchmarks evaluated in this service review. Overall, the City has an exceptionally transparent website.

6. The City's sphere of influence is larger than its jurisdictional boundary.

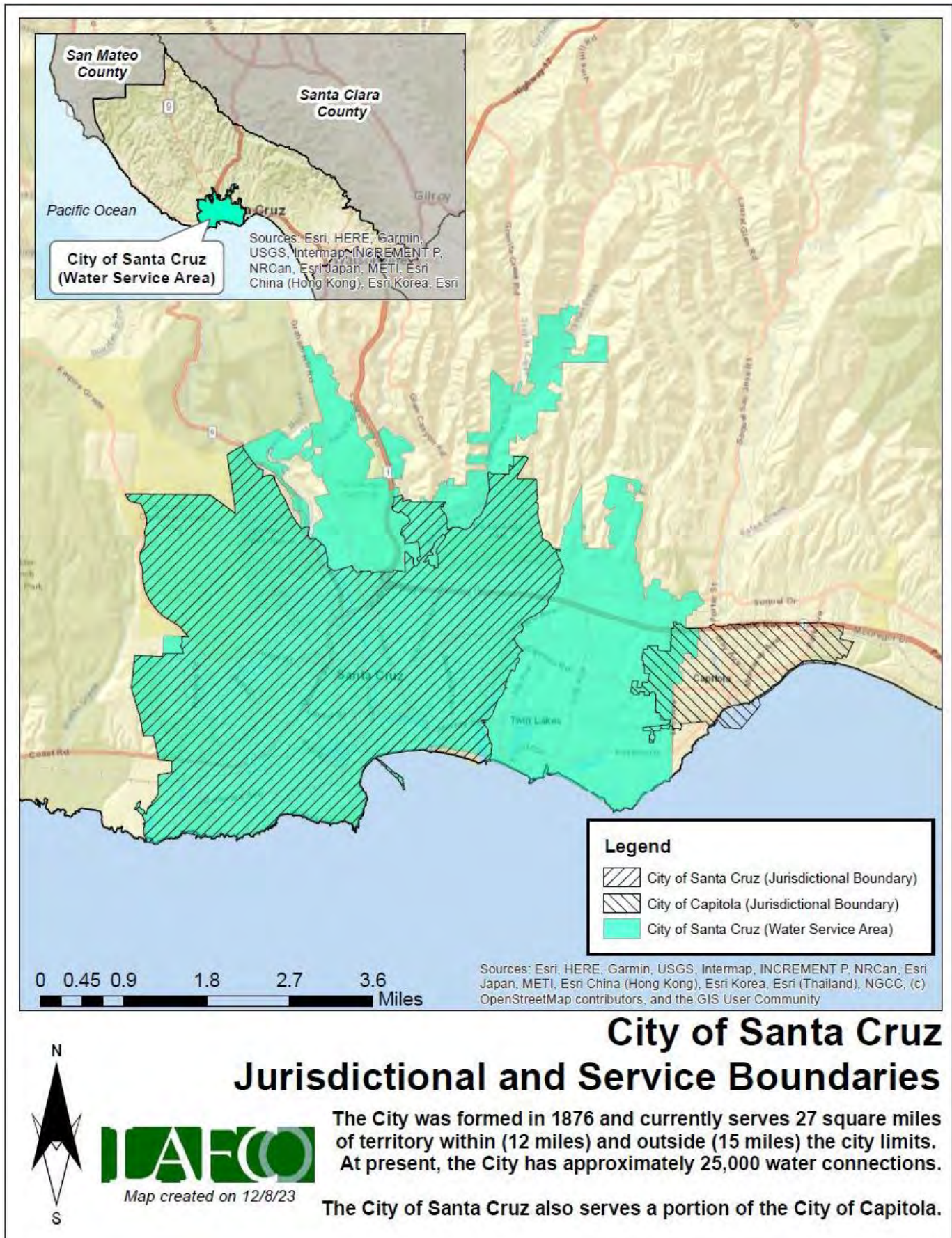
The original sphere boundary for Santa Cruz was established in August 1983. At present, the current sphere goes beyond City limits and includes 10,800 parcels totaling approximately 4,900 acres. The last sphere update occurred in August 2022 which expanded the sphere boundary to reflect the City's water service area. LAFCO staff is not recommending any changes to its existing sphere at this time.

Recommended Actions

Based on the analysis and findings in the 2024 Service and Sphere of Influence Review for the City of Santa Cruz, the Executive Officer recommends that the Commission:

1. Find, pursuant to Section 15061(b)(3) of the State CEQA Guidelines, that LAFCO determined that the sphere of influence review is not subject to the environmental impact evaluation process because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and the activity is not subject to CEQA;
2. Determine, pursuant to Government Code Section 56425, that LAFCO is required to develop and determine a sphere of influence for the City of Santa Cruz, and review and update, as necessary;
3. Determine, pursuant to Government Code Section 56430, that LAFCO is required to conduct a service review before, or in conjunction with an action to establish or update a sphere of influence; and
4. Adopt LAFCO Resolution (No. 2024-03) approving the 2024 Service and Sphere of Influence Review for the City of Santa Cruz with the following conditions:
 - a. Reaffirm the City's current sphere of influence;
 - b. Santa Cruz should continue coordinating with LAFCO to discuss and monitor the existing extraterritorial service agreements currently being served by the City;
 - c. Santa Cruz should explore shared services opportunities and other strategic partnerships with neighboring agencies, including but not limited to the Central Fire District. If the two agencies move forward with a feasibility study, staff encourages them to include LAFCO in the process; and
 - d. Direct the Executive Officer to distribute a copy of this adopted service and sphere review to the City of Santa Cruz and any other interested or affected agency identified in the service review.

Figure 1: Vicinity Map



CITY OVERVIEW

History & Background

The City of Santa Cruz was incorporated as a town in 1866 and as a city in 1876. At present, the city encompasses approximately 12 square miles with a population of approximately 64,000. The City is located on the northern part of the Monterey Bay approximately 74 miles south of San Francisco and 30 miles west of San Jose, as shown in the map on page 5. The City of Santa Cruz was founded in 1769 by Spanish explorer Don Gaspar de Portola, who, along with Father Junipero Serra, began land-based settlements in the area. Santa Cruz is the county seat for the County of Santa Cruz and is a charter city which operates under the provisions of a voter-approved charter.

Santa Cruz is home to the University of California, Santa Cruz which first opened in 1965 with 650 students. It now has a current enrollment level of approximately 17,000 undergraduate and 2,000 graduate students, and is the City's largest employer with approximately 8,000 employees. The main campus has over 2,000 acres overlooking the Monterey Bay National Marine Sanctuary. The City is also home to the historical Santa Cruz Beach Boardwalk and the Santa Cruz Warriors' basketball team from the NBA G League. Major industries include tourism, manufacturing, and technology. The City has experienced minimal growth since inception. **Appendix A** provides a timeline of all the boundary changes approved by LAFCO (37 boundary changes in total). The last LAFCO action involving the City was in November 2023 involving an extraterritorial service agreement to provide water services outside the city limits. At present, the City has a number of land use designations including single family residential, mixed-use village, community commercial, and open space. **Appendix B** provides the City's latest zoning map.

Services & Operations

The City of Santa Cruz provides a broad range of services including police and fire protection, construction and maintenance of streets, parks, flood control and other infrastructure, a wharf facility, a golf course, recreational and cultural activities including a performing arts center, economic development, and human services programs. It also operates municipal utilities for water, wastewater, storm water, and refuse in addition to enterprise operations for parking facilities. The water utility provided approximately 2.49 billion gallons of clean, safe water in 2022. Service extends beyond the municipal boundaries, increasing its total service population to approximately 98,000.

Santa Cruz has a total of 14 city departments. The following pages summarize the role and purpose of each department based on the information found on the City's website.

City Attorney

The City Attorney is appointed by the City Council and represents the City of Santa Cruz in all legal proceedings. Their role is to advise the City Council, City administrative staff, and City advisory bodies on a variety of legal matters. The City Attorney attends meetings of the City Council and frequently provides legal advice and opinions for items being considered by the Council. In addition, the City Attorney either prepares or approves legal content for proposed ordinances, resolutions, contracts, and other legal documents.

City Clerk

The City Clerk Administrator is appointed by the City Manager and is responsible to the City Council. The Clerk stewards and protects the democratic process, such as elections and access to official records, and is responsible for fulfilling the legal requirements as set forth in the City Charter, City codes, and State law. The City Clerk's Office has three divisions: (1) Operations, (2) Records, and (3) Elections.

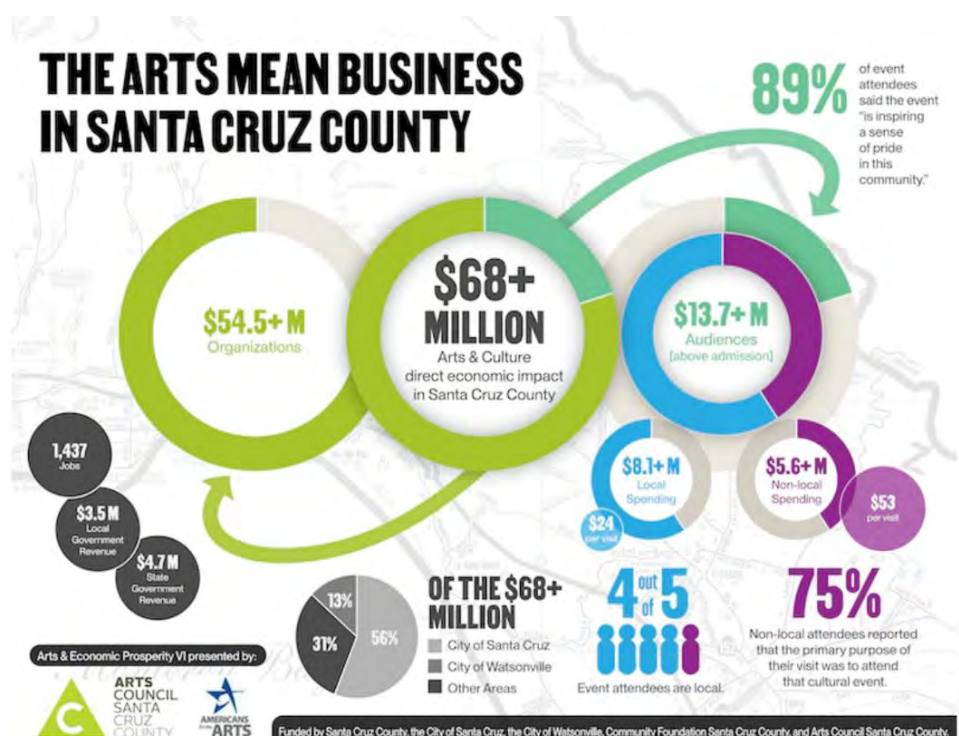
City Manager

The City Manager is appointed by and reports directly to the City Council. The City Manager is responsible for the overall administration of the City and for ensuring that the City Council policies are carried out. The duties of the City Manager include coordinating the work of all City departments and advising the City Council on matters relative to the operation of those departments; preparing the annual budget and administering the budget after it is adopted by Council; appointing all department heads (except the City Clerk and the City Attorney) and serving as the final administrative authority on personnel matters. The City Manager and their staff also handle special projects and Council assignments which do not fall within the jurisdiction of any other City department. The Community Relations Office and the Commission for the Prevention of Violence Against Women (CPVAW) are part of the City Manager's Office.

Economic Development & Housing

The Economic Development & Housing Department assists residents, businesses, and others with their efforts to grow within the City in a safe and orderly manner that respects the City's heritage, while also sustaining opportunities for present and future generations. Under this department, the City provides business services, identifies development projects, provides a latest Santa Cruz Wharf Master Plan, offers housing assistance information, and operates the City's Arts Commission. In 2023, the City released a study highlighting the economic impact from arts and culture. The Arts Council commissioned two additional studies locally, one for the City of Santa Cruz and one for the City of Watsonville.

The total economic impact figures included \$38 million in the City of Santa Cruz and less than \$9 million in the City of Watsonville.



Finance

The Finance Department provides chief financial support of and advises on financial matters for the City, including its Public Safety, Water, Refuse, Wastewater, Public Works, Parks & Recreation, and other key programs. It also provides contract support services for the Santa Cruz Public Libraries Joint Powers Authority, UCSC Fire, and supports the Successor Agency of the City of Santa Cruz (former Redevelopment Agency). The department is organized in five functional sections: (1) Accounting, Administration, Budgeting, and Reporting; (2) Accounts Payable and Payroll; (3) Purchasing and Applications Management; (4) Revenue and Treasury Compliance, Management, and Revenue Audits; and (5) Risk Management, Advanced Debt Collections, and Safety. A full analysis of the City's financial health is evaluated later in this report (refer to page 13).

Fire

The Santa Cruz Fire Department is charged with protecting the City residents. Additionally, Santa Cruz provides services around the city as part of mutual aid and auto aid agreements with neighboring fire agencies and the County. The City currently has four fire stations strategically located within the city limits. A detailed evaluation of the City's fire services was analyzed as part of LAFCO's Countywide Fire Protection Service & Sphere Review. A link to the 2021 report is available on LAFCO's website: https://santacruzlafco.org/wp-content/uploads/2021/11/Countywide-Fire-Service-Sphere-Review-10-13-21-Adopted-Version_.pdf

Human Resources

The Human Resources Department's purpose is to provide a connection between management and employees in an effort to enhance morale and productivity, limit job turnover, support a responsive and innovative workforce, as well as help the City deliver services in a fiscally sound and efficient manner. Specifically, Human Resources offers support services to city departments and employees, including recruitment, benefits, employee relations, equal employment opportunities, employee development, and volunteer opportunities. At present, the City has approximately 927 full-time employees.

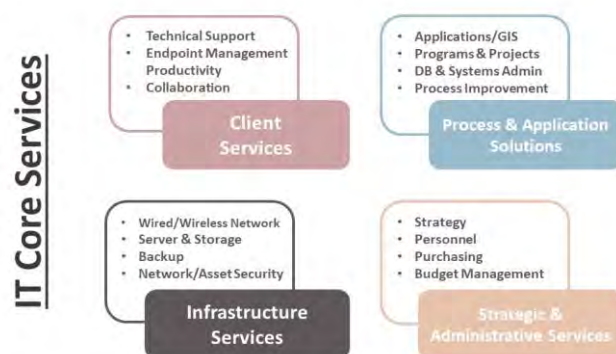
Information Technology

The Information Technology (IT) Department's mission is to efficiently deliver business-driven, quality technology solutions and services for the City of Santa Cruz staff and public. To this end, IT focuses on infrastructure, communications, business services (including Geographic Information Services), workplace services, relationship management, and administration services.

The IT Department's mission is "Cultivating Increased Connectivity of people, technology, and processes."

Library

The Santa Cruz Public Library offers a variety of information, materials, and services in a welcoming and trusted place where people come to gather, learn, and celebrate their



shared multi-cultural community. The City's library has been serving county residents since 1917. The Santa Cruz Public Library System serves the cities of Santa Cruz, Capitola, and Scotts Valley. It also serves all the unincorporated areas of the County. The Library operates ten branches across the county from La Selva Beach to Boulder Creek, a bookmobile, and provides outreach services for both children and seniors. The Santa Cruz Public Library System operates under the authority of a Library Joint Powers Board. The City of Santa Cruz provides some administrative services to the Library System. All Library workers are officially employees of the City, and the Director of Libraries is a City Department Head. However, the Library operates independently of the City Council. Its Board makes legislative decisions for the Library.

Parks & Recreation

The Santa Cruz Parks & Recreation Department develops and implements quality programs that encourage healthy lifestyles, preserve the City's heritage, provide recreational experiences, and strengthen community bonds. The department's mission is to provide quality public spaces and experiences that support community health, foster equity, and that help better steward the environment. The Parks and Recreation department is funded primarily through general fund revenue sources, such as property taxes, sales and use tax, and transient occupancy tax (TOT). In a typical year, the department generates enough revenue via program fees, permits, and other service charges to offset about one-third of its expenditure budget. In FY 2021-22, department activities were conservatively projected to bring in nearly \$4.2 million in revenues. The department also develops annual reports. The latest report (2022) is available on the City's website: <https://www.cityofsantacruz.com/home/showpublisheddocument/96557/638350405599070000>.

Planning & Community Development

The Planning and Community Development Department has five divisions: (1) Current Planning, (2) Advance Planning, (3) Code Compliance, (4) Building and Safety, and (5) Administration. The Department also supports the following advisory boards: Planning Commission, Historic Preservation Commission, Zoning Administrator, and Board of Building and Fire Appeals. Under this department, the City allows the public an opportunity to receive notification on development/housing projects, as shown in the image on the right. Under this department, the public can access information regarding planning, building and safety, code compliance, short-term rentals, and home inspections.

Planning & Community Development Department

NEWS

City of Santa Cruz Housing Element Meets Requirements for Certification

City of Santa Cruz's 6th Cycle Housing Element Update

FY 2023 Development Impact Fee Annual Reports for Childcare Impact Fee and Citywide Public Safety Impact Fee (Police & Fire) Fund Fiscal Year Ending June 30, 2023

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<input type="checkbox"/> 101 Felix Street - Significant Project	<input type="checkbox"/> 111 Ervitt Circle - Significant Project	<input type="checkbox"/> 119 Coral Street - Significant Project
<input type="checkbox"/> 126 Euclid Avenue - Significant Project	<input type="checkbox"/> 130 Center Street - Significant Project	<input type="checkbox"/> 150 Feltner Street - Large Project
<input type="checkbox"/> 160 West Cliff - Significant Project	<input type="checkbox"/> 1930 Cowan Street Extension - Significant Project	<input type="checkbox"/> 2025 N Pacific Ave
<input type="checkbox"/> 247 High Street	<input type="checkbox"/> 314 Jessie Street	<input type="checkbox"/> 3241 Ford Street (Cruz Hotel) - Significant Project
<input type="checkbox"/> 530 Front Street - Significant Project	<input type="checkbox"/> 831 Water St - Significant Project	<input type="checkbox"/> 908 Ocean Street - Significant Project
<input type="checkbox"/> Accessory Dwelling Units (ADUs)	<input type="checkbox"/> Bookkeeping	<input type="checkbox"/> Board of Building and Fire Appeals
<input type="checkbox"/> Building	<input type="checkbox"/> Canopies	<input type="checkbox"/> Community Meetings - Planning
<input type="checkbox"/> Development Projects	<input type="checkbox"/> Downtown Plan	<input type="checkbox"/> Environmental Review/Documents
<input type="checkbox"/> Green Building	<input type="checkbox"/> Historic Preservation Commission	<input type="checkbox"/> Homelessness
<input type="checkbox"/> Housing	<input type="checkbox"/> Large Development Project	<input type="checkbox"/> Local Coastal Program
<input type="checkbox"/> Medium Project	<input type="checkbox"/> Objective Standards	<input type="checkbox"/> Ordinance & Policy Updates

Police

The Santa Cruz Police Department is committed to providing public safety through engagement, education, enforcement, and professional development. A team of 133 employees, 102 budgeted sworn officers and 31 non-sworn civilian staff, serve the residents of Santa Cruz. The City is divided into five patrol beats: West, East, Beach, Central, and Downtown. The beats are designed to maximize coverage and provide efficient response to calls for service. The department has also identified five main priorities: (1) Downtown Safety, (2) Recruitment and Retention, (3) Mental Health Response, (4) Quality of Life Issues, and (5) Traffic Safety. Members of the department work diligently to meet the unique challenges of public safety in a city that plays host to a large tourist population, special events, and seasonal attractions.

Public Works

The Public Works Department provides the City of Santa Cruz with a variety of services including engineering design, traffic engineering and maintenance, storm water management, street maintenance, resource recovery management, waste reduction programs, wastewater system management, flood control and parking control.

- Engineering Division provides engineering design services and construction supervision, city surveying, maintenance of maps and records, special assessment district administration, and all other basic engineering inspections and services.
- Resource Recovery Operations includes Resource Recovery Collection which is responsible for refuse and recycling collection, street sweeping, and curbside recycling programs, and the Resource Recovery Facility which is responsible for the processing of recycled materials, household hazardous waste, and the operation and maintenance of the landfill.
- Operations: Fleet, Facilities, Homelessness Response, and Streets. The latter is responsible for constructing and maintaining City streets, sidewalks, and storm drains and flood control management duties, and traffic maintenance which maintains street markings, street signs, streetlights, and traffic signals.
- Transportation Engineering and Parking Division performs traffic engineering studies and projects, operates all downtown parking facilities, the wharf gate, and parking control.
- Wastewater Treatment Facility Division maintains and operates the Wastewater Treatment Facility and Wastewater and Storm Water Collections, responsible for operating and maintaining City wastewater pump station facilities, all wastewater collection lines and manholes in the wastewater system. Additionally, LAFCO developed a comprehensive analysis of the sanitation districts in Santa Cruz County in 2019. A link to the comprehensive sanitation report is available on LAFCO's website: <https://santacruzlafco.org/wp-content/uploads/2019/10/Comprehensive-Sanitation-Service-Sphere-Review-ADOPTED-VERSION.pdf>

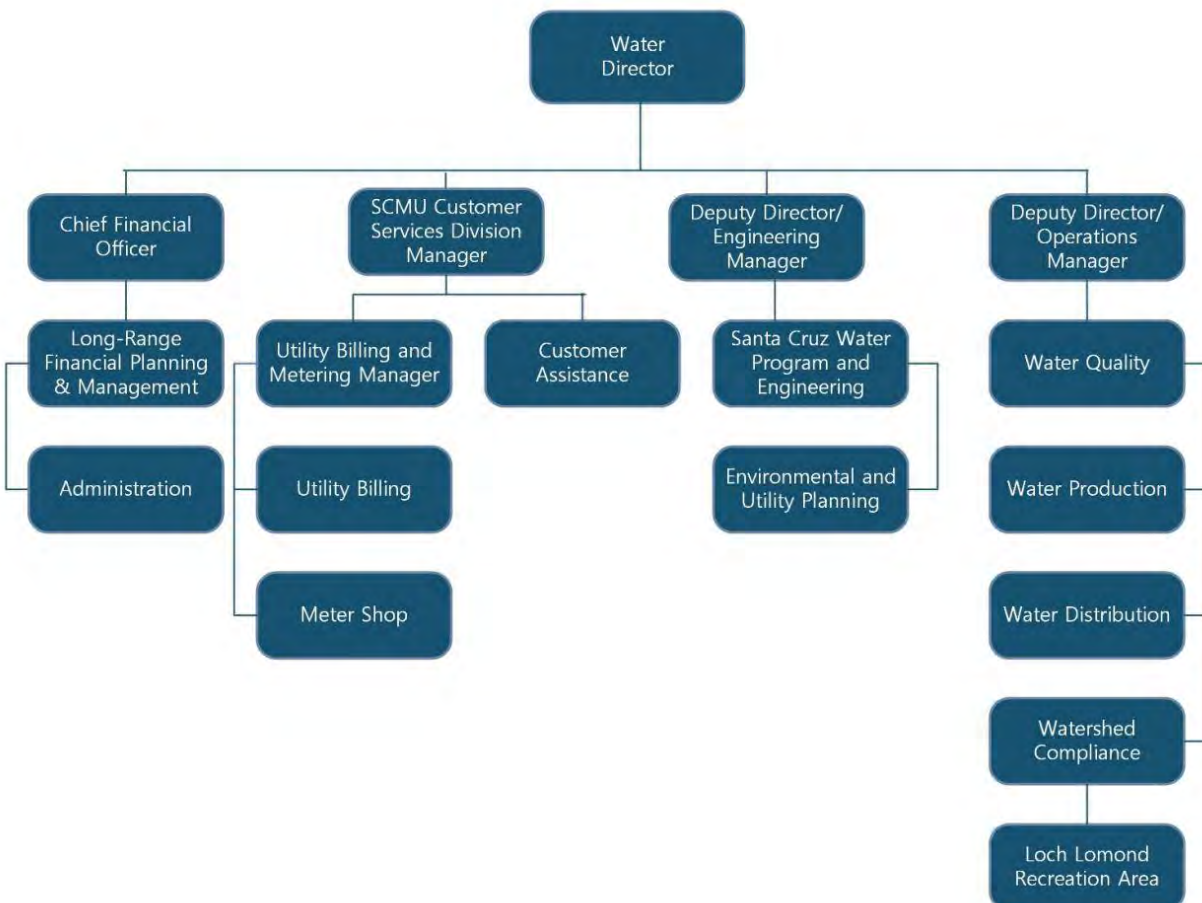
Water Service Area

The City's water service area encompasses nearly 27 square miles of territory including the entire City of Santa Cruz, adjoining unincorporated areas of Santa Cruz County, a small portion of the City of Capitola, and serves untreated water to coastal agricultural lands north of the City. There are approximately 28,000 connections within the City's water service area (totaling approximately 17,000 acres). Almost 100,000 people rely on the Santa Cruz Water Department for water service. The City operates a system that includes more than 300 miles of pipes to deliver water to customers, pumps, and lift stations where and when needed, and a water storage reservoir that captures the water supply before the City purifies and sends it their constituents.

A detailed evaluation of the City's water services was analyzed as part of LAFCO's Countywide Water Service & Sphere Review. A link to the 2022 report is available on LAFCO's website: <https://santacruzlafco.org/wp-content/uploads/2022/09/Countywide-Water-MSR-Adopted-Version.pdf>.

Governance Structure

The governing body for the Water Department is the City Council. The Director of the Water Department reports to the City Manager. A seven-member Water Commission advises the City Council on policy matters involving the operations and management of the water system. The following chart shows the water department's organizational structure.



Population and Growth

The Association of Bay Area Governments (ABAG) and the Association of Monterey Bay Area Governments (AMBAG) provide population projections for cities and counties in the Coastal Region. In general, the Coastal Region is anticipated to have a slow growth over the next twenty years. Based on staff's analysis, the population for the City of Santa Cruz in 2020 was estimated to be around 64,000. **Table 1** shows the City's anticipated population over the next twenty years. The City's average rate of change is 5.18%. Under this rate, projections indicate that the entire population of Santa Cruz will be approximately 79,000 by the year 2040. In addition, the City of Santa Cruz provides water to areas outside its jurisdictional boundary. The total population within the City's water service area is expected to reach approximately 113,000 by the year 2040.

Table 1: Projected Population

	2020	2025	2030	2035	2040	Change (%)
Santa Cruz County (unincorporated area)	136,891	137,896	139,105	140,356	141,645	0.86%
City of Santa Cruz	64,424	68,845	72,218	75,257	78,828	5.18%
City of Santa Cruz (Water Service Area)	96,168	101,964	106,072	109,193	112,853	4.09%

Source: AMBAG 2018 Regional Growth Forecast and the City's 2020 Urban Water Management Plan

Disadvantaged Unincorporated Communities

State law requires LAFCO to identify and describe all "disadvantaged unincorporated communities" (DUCs) located within or contiguous to existing spheres of influence for cities and special districts that provide fire protection, sewer, and/or water services. DUCs are defined as inhabited unincorporated areas within an annual median household income that is 80% or less than the statewide annual median household income. In 2020, the California statewide annual median household income was \$78,672, and 80% of that was \$62,938. LAFCO staff utilized the ArcGIS mapping program to locate potential DUCs in Santa Cruz County. Based on the criteria set forth by SB 244, staff's analysis indicates that there are no disadvantaged unincorporated communities within the City's sphere.

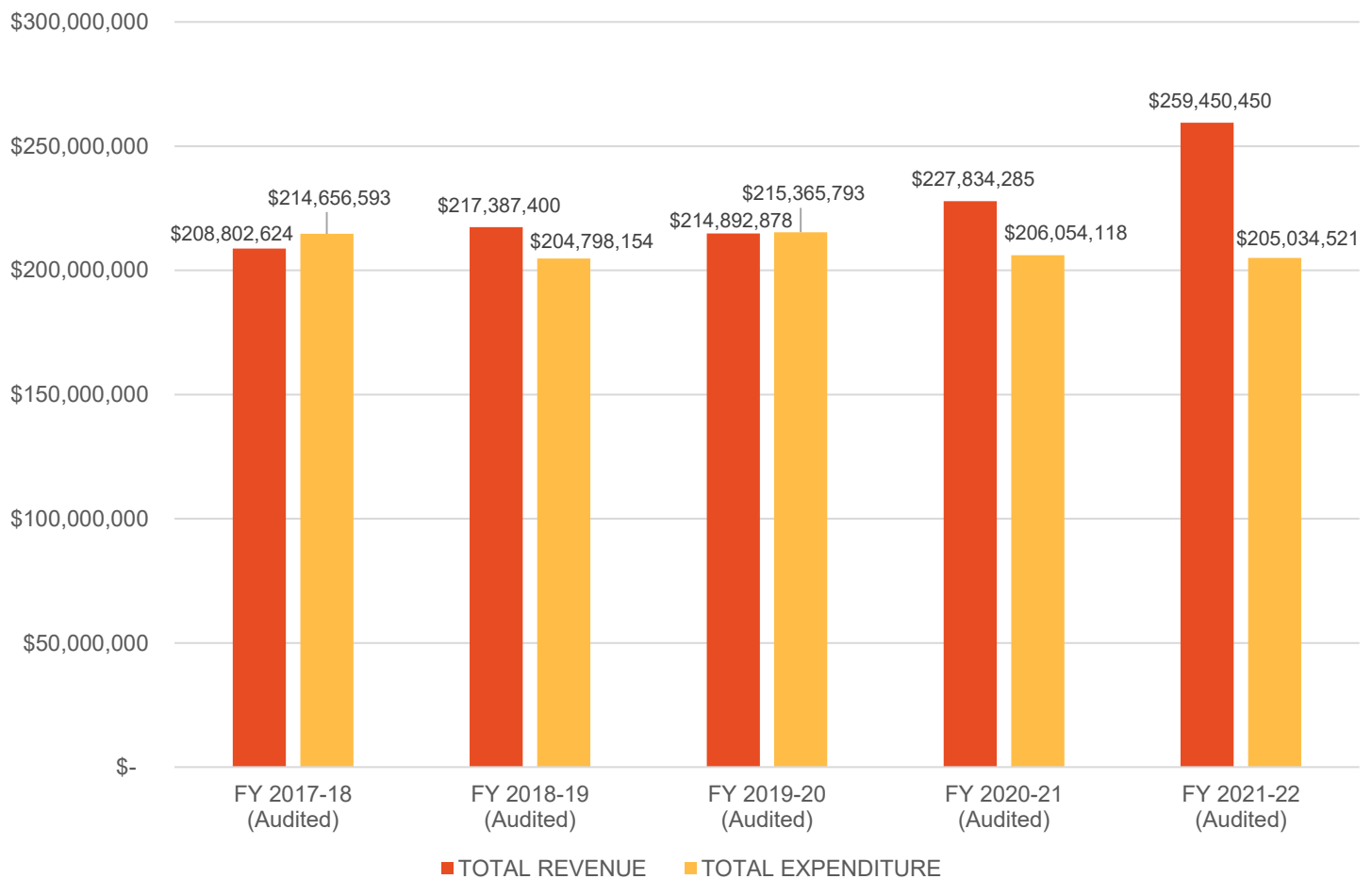


FINANCES

This section will highlight the City's financial performance during the most recent fiscal years. Fiscal Year 2021-22 is the latest audited financial statement available. LAFCO evaluated the City's financial health from 2017 to 2022. A comprehensive analysis of the City's financial performance during the past six years is shown in **Tables 4 and 5** on pages 17 and 18. LAFCO extracted the financial data from the City's Comprehensive Annual Financial Reports located on the City's website¹.

At the end of Fiscal Year 2021-22, total revenue collected was approximately \$259 million, representing a 14% increase from the previous year (\$228 million in FY 20-21). Total expenses for FY 2021-22 were approximately \$205 million, which decreased from the previous year by half a percent (\$206 million in FY 20-21). The City experienced an annual surplus in three of the last five fiscal years, as shown in **Figure 2**. LAFCO staff believes that the latest positive trend may continue based on the current management practices and the five-year performance but revenue growth is expected to slow since it was bolstered by one-time COVID relief grant money in FY 2021-22.

**Figure 2: Statement of Revenues & Expenditures
(FY 2017-18 to FY 2021-22)**

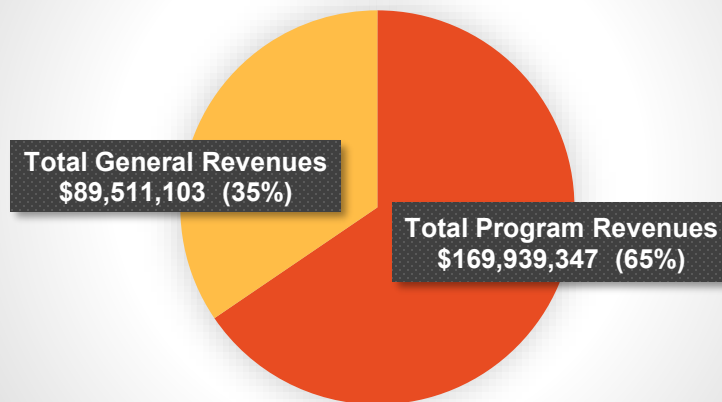


¹ CAFRS Webpage: <https://www.cityofsantacruz.com/government/city-departments/finance/financial-reports>

Revenues

The City provides various municipal services to the Santa Cruz community. The City's revenue stream can be categorized into two groups: Program Revenues and General Revenues. Program revenues include funds from charges for services (such as water and sewer), operating grants and contributions, and capital grants and contributions. General revenues include funds from various taxes (including property taxes), unrestricted investment earnings, and gains on sales of assets. **Figure 3** indicates that the majority of the City's revenue comes from program revenues. In FY 2021-22, charges for services (\$123 million; 47%) represented the highest revenue stream for the City.

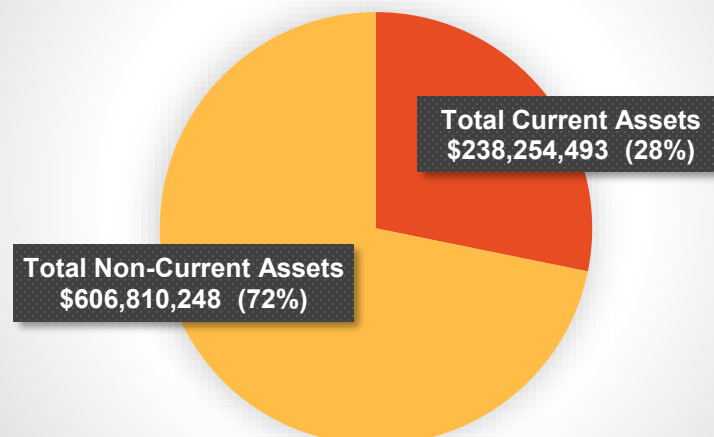
Figure 3: Revenue Breakdown (FY 21-22)



Assets

The City's financial assets are comprised of cash or items that will eventually be turned into cash. Land for resale and long-term investments are examples of items that will eventually be turned into cash. Santa Cruz has approximately \$845 million in total assets. Over 70% of the City's total assets are from non-current assets, such as land, buildings, and infrastructure. The remaining amount comes from current assets, such as cash & investments, as shown in **Figure 4**. In FY 2021-22, cash & investments (\$176 million; 21%) and capital assets including buildings & infrastructure (\$568 million; 67%) represented the highest assets for the City.

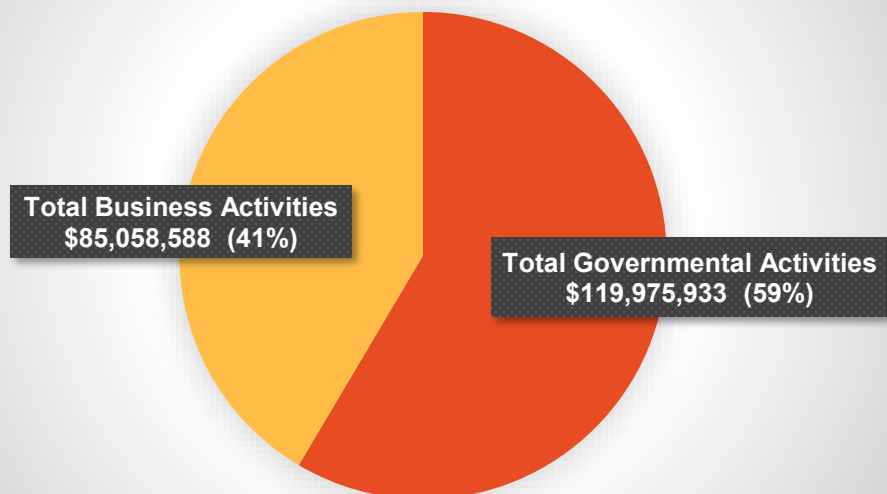
Figure 4: Total Assets (FY 21-22)



Expenditures

The City's expenses are split into two categories or "activities": Government and Business. Government activities for the City of Santa Cruz include general government, public safety, parks & recreation, library, public works, transit, community & economic development, and social services. The business-type activities of the City of Santa Cruz include water, sewer, refuse, parking, and storm water services. As **Figure 5** shows, Government Activities represent more than half of the City's total expenses during Fiscal Year 2021-22.

Figure 5: Expense Breakdown (FY 21-22)



Liabilities

The City's liabilities are financial obligations from past events or transactions. This can take the form of future payments to vendors, future provision of services, or future transfer of assets. Examples of liabilities include outstanding principal balances on bond issues, future costs for capital projects, or pension payments for retirees. Santa Cruz has approximately \$490 million in total liabilities, which can be categorized into three groups: (1) Current Liabilities, (2) Non-Current Liabilities, and (3) Deferred Inflows of Resources. A breakdown of the City's three main categories is shown in **Table 2**.

Table 2: Total Liabilities (FY 2021-22)

	Amount (\$)	Percentage (%)
Current Liabilities	\$49,806,050	10%
Non-Current Liabilities	\$339,705,176	70%
Deferred Inflows of Resources	<u>\$99,954,367</u>	<u>20%</u>
Total Liabilities	\$489,465,593	100%

Net Position

As of June 30, 2022, the total net position balance ended with approximately \$400 million. The following table highlights the fund balance from 2017 to 2022. As shown in **Table 3 and Figure 6**, the City's net position balance experienced an increase each year, excluding FY 2019-20. This healthy balance of \$400 million will be critical in the event that Santa Cruz encounters unintended expenses, major capital improvement projects, or emergency repairs.

Table 3: Net Position (2017 to 2022)

	FY 17-18 (Audited)	FY 18-19 (Audited)	FY 19-20 (Audited)	FY 20-21 (Audited)	FY 21-22 (Audited)
Beginning Balance	-	\$312,197,497	\$324,786,743	\$324,313,828	\$346,094,031
Ending Balance	\$312,197,497	\$324,786,743	\$324,313,828	\$346,094,031	\$400,509,960
Difference (\$)		\$12,589,246	\$(472,915)	\$21,780,203	\$54,415,929
Difference (%)		4.03%	-0.15%	6.72%	15.72%

Figure 6: Net Position from 2017 to 2022 (Ending Balance)



Table 4: Total Revenue & Expenditure (FY 2017-18 to FY 2021-22)

	FY 2017-18 (Audited)	FY 2018-19 (Audited)	FY 2019-20 (Audited)	FY 2020-21 (Audited)	FY 2021-22 (Audited)
REVENUE					
<u>Program Revenues</u>					
Charges for Services	\$ 119,426,176	\$ 121,932,519	\$ 117,251,857	\$ 120,151,072	\$ 123,046,409
Operating Grants & Contributions	\$ 5,783,243	\$ 6,631,615	\$ 10,723,824	\$ 9,916,766	\$ 8,917,751
Capital Grants & Contributions	\$ 8,697,888	\$ 5,032,786	\$ 6,041,232	\$ 13,972,656	\$ 37,975,187
Total Program Revenues	\$133,907,307	\$133,596,920	\$134,016,913	\$ 144,040,494	\$169,939,347
<u>General Revenues</u>					
Property Taxes	\$ 20,810,078	\$ 23,204,022	\$ 23,836,366	\$ 24,393,225	\$ 26,079,579
Sales & Use Taxes	\$ 17,400,320	\$ 21,860,332	\$ 21,376,655	\$ 23,578,620	\$ 27,223,493
Franchise Taxes	\$ 3,678,560	\$ 4,025,643	\$ 4,014,250	\$ 3,953,531	\$ 4,089,489
Transient Occupancy Taxes	\$ 10,185,738	\$ 10,985,786	\$ 8,035,134	\$ 9,121,782	\$ 12,066,476
Utility Users Taxes	\$ 11,568,654	\$ 11,517,468	\$ 11,459,173	\$ 11,600,692	\$ 12,264,890
Admissions Taxes	\$ 2,679,859	\$ 2,646,472	\$ 1,721,753	\$ 663,919	\$ 8,586,123
Other Taxes	\$ 6,930,592	\$ 6,219,024	\$ 6,911,076	\$ 7,696,545	\$ 2,131,088
Unrestricted Investment Earnings	\$ 1,009,243	\$ 3,299,182	\$ 3,514,079	\$ 2,675,923	\$ (2,987,682)
Gain (Loss) on Sales of Assets	\$ 632,273	\$ 32,551	\$ 7,479	\$ 109,554	\$ 57,647
Total General Revenues	\$ 74,895,317	\$ 83,790,480	\$ 80,875,965	\$ 83,793,791	\$ 89,511,103
TOTAL REVENUE	\$208,802,624	\$217,387,400	\$214,892,878	\$ 227,834,285	\$259,450,450
EXPENDITURE					
<u>Governmental Activities</u>					
General Government	\$ 19,350,479	\$ 20,614,327	\$ 20,322,085	\$ 23,476,418	\$ 21,935,750
Public Safety	\$ 51,394,586	\$ 56,513,231	\$ 57,811,196	\$ 54,785,622	\$ 53,197,958
Parks & Recreation	\$ 17,650,040	\$ 17,529,459	\$ 17,067,868	\$ 15,098,626	\$ 17,025,262
Library	\$ 1,559,242	\$ 1,553,115	\$ 1,474,896	\$ 1,888,881	\$ 213,503
Public Works	\$ 15,609,565	\$ 16,471,190	\$ 17,352,820	\$ 14,170,843	\$ 19,034,665
Transit	\$ 745,940	\$ 798,782	\$ 1,013,564	\$ 797,240	\$ 1,063,500
Community & Economic Development	\$ 10,516,746	\$ 4,185,767	\$ 6,268,475	\$ 4,199,540	\$ 4,112,247
Social Services	\$ 2,159,544	\$ 2,027,873	\$ 2,005,337	\$ 2,191,401	\$ 2,601,450
Interest & Fiscal Charges on Long-Term Debt	\$ 1,581,810	\$ 1,456,449	\$ 1,152,581	\$ 972,836	\$ 791,598
Total Governmental Activities	\$120,567,952	\$121,150,193	\$124,468,822	\$ 117,581,407	\$119,975,933
<u>Business-Type Activities</u>					
Water Services	\$ 33,284,532	\$ 36,562,160	\$ 37,405,164	\$ 38,078,715	\$ 36,703,987
Wastewater Services	\$ 21,785,697	\$ 20,933,694	\$ 24,170,115	\$ 23,392,966	\$ 21,004,203
Refuse Services	\$ 18,451,537	\$ 19,253,241	\$ 21,556,523	\$ 19,809,687	\$ 18,538,166
Parking Services	\$ 5,226,564	\$ 5,530,210	\$ 6,199,876	\$ 5,527,325	\$ 6,261,166
Storm Water Services	\$ 1,673,093	\$ 1,368,656	\$ 1,565,293	\$ 1,664,018	\$ 2,551,066
Loss from Impairment of Capital Assets	\$ 13,667,218	\$ -	\$ -	\$ -	\$ -
Total Business-Type Activities	\$ 94,088,641	\$ 83,647,961	\$ 90,896,971	\$ 88,472,711	\$ 85,058,588
TOTAL EXPENDITURE	\$214,656,593	\$204,798,154	\$215,365,793	\$ 206,054,118	\$205,034,521
SURPLUS / (DEFICIT)	\$ (5,853,969)	\$ 12,589,246	\$ (472,915)	\$ 21,780,167	\$ 54,415,929
NET POSITION					
Beginning Balance	\$ 318,051,466	\$ 312,197,497	\$ 324,786,743	\$ 324,313,864	\$ 346,094,031
Ending Balance	\$312,197,497	\$324,786,743	\$324,313,828	\$ 346,094,031	\$400,509,960

Table 5: Total Assets & Liabilities (FY 2017-18 to FY 2021-22)

	FY 2017-18 (Audited)	FY 2018-19 (Audited)	FY 2019-20 (Audited)	FY 2020-21 (Audited)	FY 2021-22 (Audited)
ASSETS					
Current Assets					
Cash & Investments	\$ 109,876,228	\$ 137,121,687	\$ 138,215,509	\$ 166,845,335	\$ 175,790,304
Restricted Cash & Investments	\$ 10,853,721	\$ 11,431,494	\$ 19,265,208	\$ 14,248,380	\$ 11,643,102
Interest Receivable	\$ 1,153,761	\$ 1,549,713	\$ 1,091,796	\$ 1,902,131	\$ 2,245,040
Taxes Receivable	\$ 7,375,291	\$ 9,176,591	\$ 7,977,055	\$ 9,142,057	\$ 11,254,895
Accounts Receivable - Net	\$ 13,216,270	\$ 12,492,827	\$ 12,650,143	\$ 17,120,731	\$ 20,118,126
Grants Receivable	\$ 62,630	\$ 1,276,123	\$ 6,055,625	\$ 4,654,533	\$ 5,492,439
Intergovernmental Receivables	\$ 3,275,523	\$ 500,227	\$ 1,820,921	\$ 785,930	\$ 4,886,322
Notes Receivable - Net	\$ 285,001	\$ 279,286	\$ 476,179	\$ 417,846	\$ 382,429
Loans Receivable - Net	\$ 7,980	\$ 4,200	\$ 1,920	\$ 1,920	\$ 11,465
Leases Receivable	\$ -	\$ -	\$ -	\$ -	\$ 1,330,883
Prepaid Items	\$ 7,325,232	\$ 4,256	\$ 1,217	\$ 790,762	\$ 4,439
Inventories	\$ 165,255	\$ 135,390	\$ 100,573	\$ 84,259	\$ 74,092
Deposits	\$ 2,965,452	\$ 2,996,858	\$ 2,982,500	\$ 4,243,587	\$ 5,020,957
Total Current Assets	\$156,562,344	\$176,968,652	\$190,638,646	\$220,237,471	\$238,254,493
Non-Current Assets					
Restricted Cash & Investments	\$ 5,487,270	\$ 1,037,322	\$ 1,052,524	\$ 2,036,320	\$ 1,053,461
Notes Receivable	\$ 14,988,297	\$ 14,695,044	\$ 14,021,040	\$ 15,497,060	\$ 15,232,066
Loans Receivable	\$ 2,579,724	\$ 2,576,439	\$ 2,576,181	\$ 2,575,104	\$ 2,863,684
Leases Receivable	\$ -	\$ -	\$ -	\$ -	\$ 19,591,573
Capital Assets					
Land	\$ 71,709,544	\$ 72,709,544	\$ 74,844,715	\$ 76,973,464	\$ 88,258,650
Land Improvements	\$ 24,435,348	\$ 27,039,080	\$ 27,299,680	\$ 28,193,423	\$ 35,168,296
Infrastructure	\$ 438,292,387	\$ 448,308,643	\$ 462,405,357	\$ 475,868,889	\$ 503,166,642
Buildings	\$ 222,832,554	\$ 226,568,700	\$ 226,914,219	\$ 232,786,485	\$ 232,821,485
Machinery & Equipment	\$ 68,578,603	\$ 23,447,648	\$ 72,583,366	\$ 79,284,770	\$ 81,690,055
Lease Improvements	\$ 553,846	\$ 47,854,238	\$ 615,943	\$ 615,943	\$ 643,239
Right-to-use leased assets	\$ -	\$ -	\$ -	\$ -	\$ 3,596,165
Intangibles	\$ 2,443,174	\$ 2,454,246	\$ 2,460,683	\$ 2,460,683	\$ 2,479,443
Software	\$ -	\$ -	\$ -	\$ -	\$ -
Construction in Progress	\$ 41,162,577	\$ 43,681,426	\$ 65,839,966	\$ 97,728,617	\$ 132,345,387
Less Accumulated Depreciation	\$ (443,731,992)	\$ (458,811,176)	\$ (475,570,638)	\$ (492,690,282)	\$ (512,099,898)
Total Non-Current Assets	\$449,331,332	\$451,561,154	\$475,043,036	\$521,330,476	\$606,810,248
TOTAL ASSETS	\$605,893,676	\$628,529,806	\$665,681,682	\$741,567,947	\$845,064,741
Deferred Outflows of Resources					
Deferred Charge on Refunding of Debt	\$ 1,442,169	\$ 1,281,867	\$ 1,121,566	\$ 961,236	\$ 814,787
Deferred Outflows Related to OPEB	\$ 1,038,185	\$ 964,741	\$ 3,284,963	\$ 4,193,255	\$ 6,352,156
Deferred Outflows Related to Pension	\$ 47,699,170	\$ 35,282,540	\$ 31,291,016	\$ 35,332,931	\$ 37,743,869
Total Deferred Outflows of Resources	\$ 50,179,524	\$ 37,529,148	\$ 35,697,545	\$ 40,487,422	\$ 44,910,812
TOTAL ASSETS & DEFERRED OUTFLOWS OF RESOURCES	\$656,073,200	\$666,058,954	\$701,379,227	\$782,055,369	\$889,975,553
LIABILITIES					
Current Liabilities					
Overdrafts	\$ -	\$ -	\$ -	\$ -	\$ 350,601
Accounts Payable & Other Current Liabilities	\$ 13,147,961	\$ 19,520,731	\$ 28,075,484	\$ 23,286,694	\$ 24,080,961
Interest Payable	\$ 796,710	\$ 787,582	\$ 1,013,218	\$ 1,147,878	\$ 1,452,170
Unearned Revenue	\$ 253,723	\$ 236,176	\$ 231,174	\$ 8,336,767	\$ 6,525,817
Deposits Payable	\$ 704,758	\$ 689,744	\$ 593,013	\$ 1,122,429	\$ 1,377,712
Claims & Judgments Payable	\$ 3,472,074	\$ 3,354,789	\$ 3,456,624	\$ 3,714,974	\$ 4,959,169
Compensated Absences Payable	\$ 3,425,064	\$ 3,564,455	\$ 4,198,261	\$ 4,640,972	\$ 4,628,359
Bonds, Notes, Loans, & Leases Payable Due in Less than 1 Yr	\$ 10,399,988	\$ 17,981,076	\$ 8,386,464	\$ 8,871,414	\$ 6,431,261
Total Current Liabilities	\$ 32,200,278	\$ 46,134,553	\$ 45,954,238	\$ 51,121,128	\$ 49,806,050
Non-Current Liabilities					
Claims & Judgments Payable	\$ 9,931,581	\$ 9,852,894	\$ 10,094,819	\$ 9,823,644	\$ 12,362,029
Compensated Absences Payable	\$ 1,755,751	\$ 1,739,009	\$ 2,099,129	\$ 2,320,487	\$ 2,314,178
Bonds, Notes, Loans, & Leases Payable Due in More than 1 Yr	\$ 79,139,097	\$ 69,041,576	\$ 86,720,728	\$ 130,309,844	\$ 167,070,401
Landfill Closure & Postclosure Costs	\$ 7,449,025	\$ 7,918,597	\$ 8,316,243	\$ 8,611,980	\$ 9,215,755
Total Other OPEB Liability	\$ 39,367,936	\$ 38,141,658	\$ 43,571,320	\$ 39,816,181	\$ 45,110,330
Net Pension Liability	\$ 170,132,291	\$ 159,846,743	\$ 170,977,491	\$ 183,545,438	\$ 103,632,483
Total Non-Current Liabilities	\$307,775,681	\$286,540,477	\$321,779,730	\$374,427,574	\$339,705,176
TOTAL LIABILITIES	\$339,975,959	\$332,675,030	\$367,733,968	\$425,548,702	\$389,511,226
Deferred Inflows of Resources					
Deferred Inflows to Leases	\$ -	\$ -	\$ -	\$ -	\$ 20,887,663
Deferred Inflows Related to Pensions	\$ 3,899,744	\$ 5,227,452	\$ 6,480,119	\$ 4,585,615	\$ 73,818,363
Deferred Inflows Related to OPEB	\$ -	\$ 3,369,729	\$ 2,851,312	\$ 5,827,048	\$ 5,248,341
Total Deferred Inflows of Resources	\$ 3,899,744	\$ 8,597,181	\$ 9,331,431	\$ 10,412,663	\$ 99,954,367
TOTAL LIABILITIES & DEFERRED INFLOWS OF RESOURCES	\$343,875,703	\$341,272,211	\$377,065,399	\$435,961,365	\$489,465,593
NET POSITION					
Net Investment in Capital Assets	\$ 359,743,916	\$ 366,386,600	\$ 385,142,330	\$ 400,190,206	\$ 415,704,998
Restricted for:					
Capital Projects	\$ 4,225,901	\$ 6,535,238	\$ 7,098,794	\$ 7,983,146	\$ 10,375,141
Debt Service	\$ 1,682,256	\$ 1,422,937	\$ 1,548,781	\$ 1,646,374	\$ 1,700,071
Public Safety	\$ 441,331	\$ 543,025	\$ 672,832	\$ 752,543	\$ 899,678
Parks & Recreation	\$ 1,283,774	\$ 1,717,380	\$ 1,836,974	\$ 2,781,331	\$ 3,119,374
Community & Economic Development	\$ 19,217,519	\$ 21,826,324	\$ 22,650,447	\$ 27,612,920	\$ 32,776,269
Retiree Benefits	\$ 10,250,072				
Unrestricted	\$ (84,647,272)	\$ (73,644,761)	\$ (94,636,330)	\$ (94,872,489)	\$ (64,065,571)
Total Net Position	\$312,197,497	\$324,786,743	\$324,313,828	\$346,094,031	\$400,509,960
TOTAL LIABILITIES, DEFERRED INFLOWS OF RESOURCES, & NET POSITION	\$656,073,200	\$666,058,954	\$701,379,227	\$782,055,396	\$889,975,553

GOVERNANCE

Legal Authority

The City of Santa Cruz operates under California Charter City Law (Article XI, section 3(a) of the California Constitution for the purpose of establishing and enforcing local ordinances in the Santa Cruz community. The California Constitution gives cities the power to become charter cities. The distinction between general law and charter cities is that charter cities have superseding authority over certain “municipal affairs.” Examples of municipal affairs include election matters, land use designations, and budgetary practices. Cities that have not adopted a charter are general law cities. General law cities are bound by the State’s general law, even with respect to municipal affairs. Based on LAFCO staff’s analysis, there are 482 cities in California – 361 or 75% are general law cities and 121 or 25% are charter cities.

Local Accountability & Structure

The City of Santa Cruz is governed by an elected seven-member City Council elected at-large. However, it is LAFCO’s understanding that the City is currently transitioning to a district-based election process. **Appendix C** shows the district boundaries once the transition is completed in 2024. At that time, each district will have conducted its next scheduled election and have its respective representative seated on the City Council. The Council is responsible for the establishment of policy relative to the City’s mission, goals, and operations. The Council has the authority to establish all laws and regulations with respect to municipal affairs, subject to limitations of the City Municipal Code as well as State and Federal legislation. **Table 6** is a list of the Council’s current composition:

Table 6: Santa Cruz City Council

Board Member	Term of Office
Mayor – Fred Keeley	First Elected: 2022 Current Term Ends: 2026
District 1 – Martine Watkins	First Elected: 2016 Current Term Ends: 2024
District 2 – Sonja Brunner	First Elected: 2020 Current Term Ends: 2024
District 3 – Shebreh Kalantari-Johnson	First Elected: 2020 Current Term Ends: 2024
District 4 – Scott Newsome	First Elected: 2022 Current Term Ends: 2026
District 5 – Sandy Brown	First Elected: 2016 Current Term Ends: 2024
District 6 – Renee Golder	First Elected: 2022 Current Term Ends: 2026

Footnote: Starting in 2022, the City will have six members elected by districts to four-year terms and a Mayor elected at-large to serve a four-year term

Board Meetings

The City Council typically meets on the second and fourth Tuesday of each month. The meeting dates are posted at city hall and on the City’s Website. Public meetings are typically held in the afternoon and evening.

Other Boards / Commissions

The City of Santa Cruz has a varying number of advisory bodies, each with distinct responsibilities. LAFCO has identified 16 different advisory boards, including but not limited to the Arts Commission, the Equal Employment Opportunity Committee, and the Water Commission. **Appendix D** provides a copy of the City's official handbook for "City Advisory Bodies."

Website Transparency

Recently, laws requiring more transparency for local governments have been adopted, including Senate Bill 929 for independent special districts. Since 2020, LAFCO has been analyzing agencies' websites as part of the service review process by evaluating various benchmarks. **Table 7** summarizes LAFCO's findings on whether the City's website is meeting the transparency benchmarks. At present, the City meets all benchmarks, excluding one. The only item that was not found in the City's website is LAFCO's adopted service reviews. Overall, the City has a transparent website filled with useful information and resources that are easily accessible.

Table 7: Website Transparency

Website Components	Status (Yes = ✓)
1. Names and Contract Information of Board Members	✓
2. Board Member Term Limits	✓
3. Names of Key Staff, including City Manager	✓
4. Contract Information for Staff	✓
5. Election / Appointment Procedure & Deadlines	✓
6. Board Meeting Schedule	✓
7. Mission Statement	✓
8. Description of City's Functions & Service Area	✓
9. Authorizing Statute / Enabling Act	✓
10. Adopted Annual Budgets	✓
11. Audited Financial Statements / Financial Audits	✓
12. Archive of Board Meeting Agendas & Minutes	✓
13. Policies & Procedures / Bylaws	✓
14. Home Page Link to Agendas / Meetings	✓
15. SB 272 – Compliance-Enterprise Catalogs	✓
16. Machine Readable / Searchable Agendas	✓
17. Recipients of Grant Funding or Assistance	✓
18. Link or Copies of LAFCO's Service & Sphere Reviews	-
Total Score	17 (94%)

Opportunities and Challenges

Santa Cruz has been a city for almost 150 years, and it has endured significant moments and events such as economic recessions and natural disasters. The City is now experiencing a new normal post-COVID and recent fires. Unanticipated occurrences place a considerable amount of strain on local agencies, including cities. While cities struggle to maintain the same level of service to their residents in the face of obstacles, there are also opportunities to be explored during these challenging times. The following sections detail opportunities that Santa Cruz can consider or incorporate to maximize efficiencies, increase strategic partnerships, and/or identify possible cost-savings for the residents.

Extraterritorial Service Agreements

The Cortese-Knox-Hertzberg Act (“LAFCO Law”) authorizes LAFCO to consider the extension of municipal services beyond the jurisdictional boundary of a local agency, where the subject territory is outside an agency’s service or sphere boundaries (Government Code Section 56133). The Commission has also adopted a policy to set clear standards for applying state and local laws governing the extension of services beyond the jurisdictional boundaries of a city or special district, which are known in Santa Cruz County as extraterritorial service agreements (“ESAs”).

At present, the City of Santa Cruz has six ESAs involving 67 parcels for a total of approximately 40 acres. The first ESA was approved in 2006 to provide water services to the Rolling Woods Mutual Water Company (22 acres; 62 parcels in total). The following five ESAs involved single parcels and were approved between 2006 to 2023 (ranging from 0.6 to 9.7 acres). **Figure 7** on page 22 shows the location of the active ESAs. As the map shows, 16 ESAs are located outside the City’s jurisdictional limits but within the City’s water service area. The last ESA was approved by LAFCO in November 2023 and involved one parcel (APN: 068-121-27). The subject parcel is within the City’s sphere boundary and substantially surrounded by the City, as shown in **Figure 8** on page 23. This ESA may be a candidate for future annexation, if desired by the landowner and supported by the City.

LAFCO Staff Recommendation: *Santa Cruz should continue coordinating with LAFCO to discuss and monitor the existing extraterritorial service agreements currently being served by the City.*

Figure 7: Active Extraterritorial Service Agreements

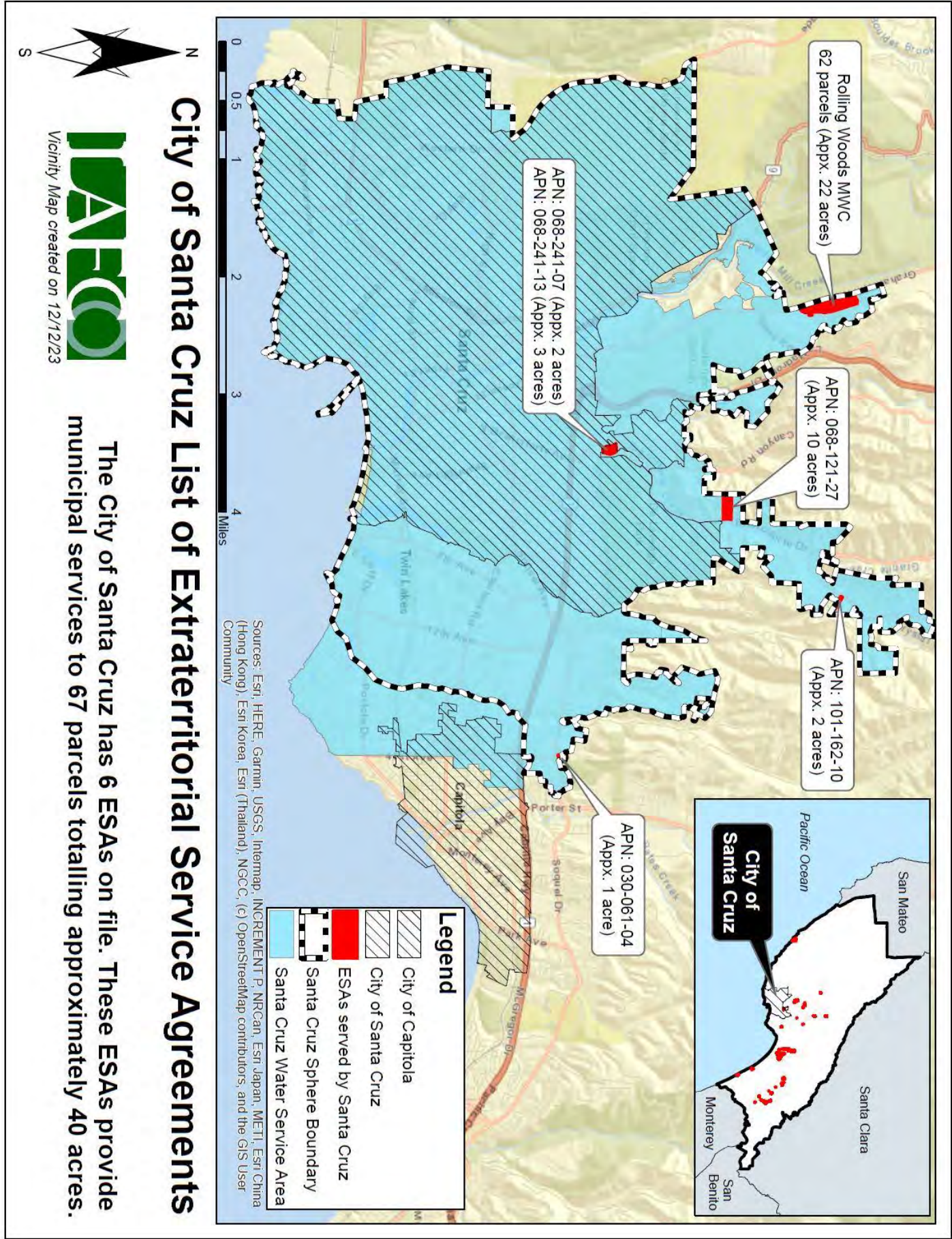
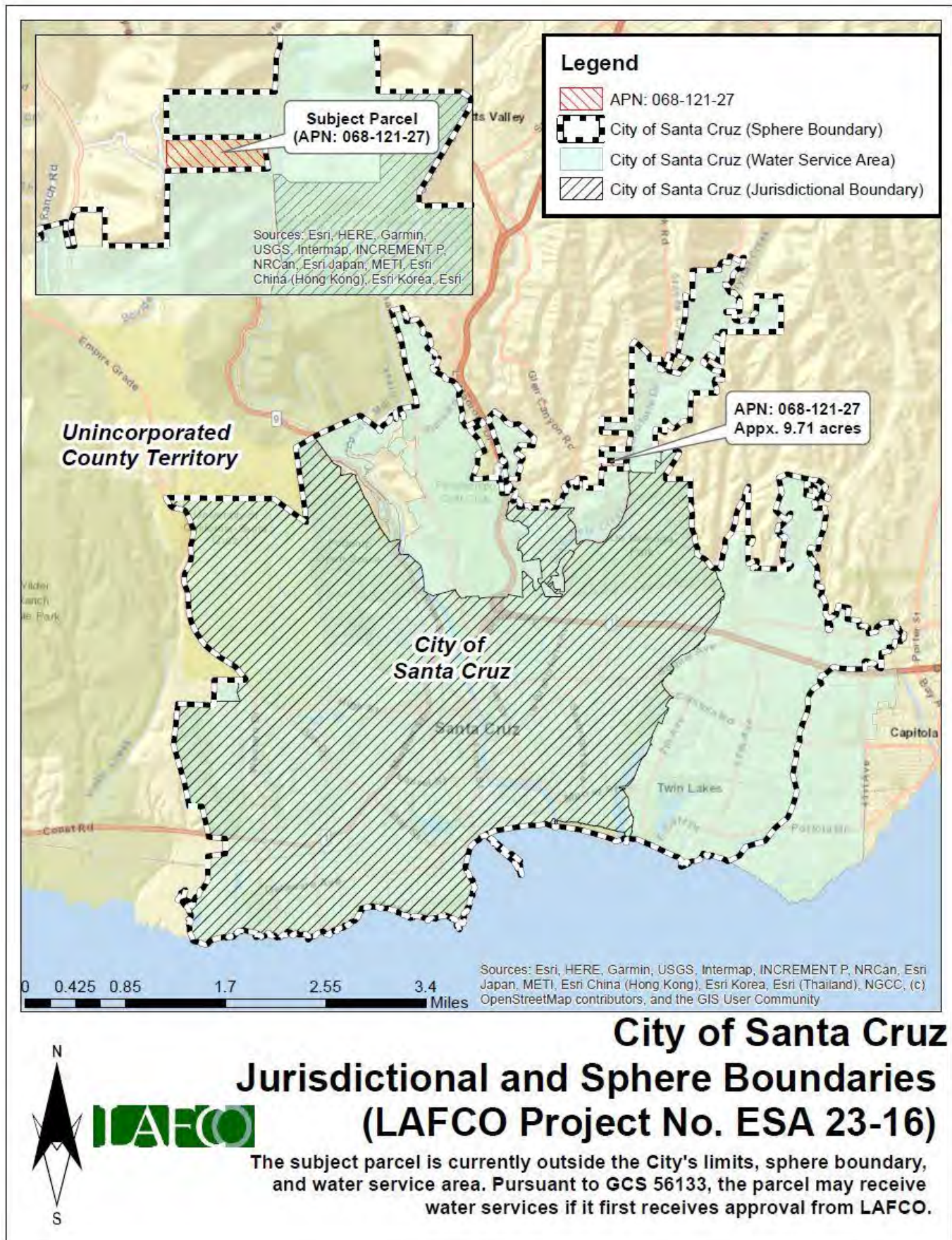


Figure 8: Most Recent Extraterritorial Service Agreement



While the City is fiscally stable, LAFCO is concerned about the long-term sustainability of the City's fire department. LAFCO's 2021 countywide fire report noted that the fire department ended each fiscal year, from FY 2014-15 to FY 2019-20, in a deficit. The deficit amount ranged from \$13 million to almost \$16 million. The City's latest financial statements indicate that FY 2020-21 will end with a \$13 million deficit. If that holds, the City will experience seven consecutive years where revenues collected were not enough to cover the annual expenses needed to provide fire protection and emergency services within the city limits. LAFCO encourages Santa Cruz to explore cost-saving opportunities and other ways to improve the overall delivery of services within and surrounding the City by collaborating with neighboring local agencies. Examples of joint efforts include creating joint powers authorities, sharing resources through contractual agreements, considering boundary changes (i.e., fire reorganizations), or simply sharing costs associated with joint procurements. Such coordination may address the ongoing fiscal constraints facing the City's fire department.

Latest Efforts

It is LAFCO's understanding that the City has been coordinating with the Central Fire District to explore possible shared services opportunities, including but not limited to reorganization. The two agencies held a meeting in September and invited LAFCO to discuss the development of a feasibility study and LAFCO's potential involvement with the request for proposal process. LAFCO staff supports the two agencies' efforts to explore ways to provide the best level of service to their constituents and encourages them to include LAFCO as a partner in these efforts.

LAFCO Staff Recommendation: Santa Cruz should explore shared services opportunities and other strategic partnerships with neighboring agencies, including but not limited to the Central Fire District. If the two agencies move forward with a feasibility study, staff encourages them to include LAFCO in the process, if possible.

Long-Term Plans

The purpose of long-term planning, such as strategic plans and capital improvement plans, are to identify and prioritize needs and project costs for planned improvements to the infrastructure that will serve the affected ratepayers in an efficient and cost-effective manner throughout the next five-plus years of growth and change. In 2023, the City adopted a five-year capital investment program, which identified over 40 different projects. Additionally, the City has developed over long-range plans including a Climate Action Plan² and a multi-year housing element update³. These efforts highlight the City's proactive leadership in climate, environmental protection, and smart growth.

LAFCO Staff Recommendation: Santa Cruz should provide an update to LAFCO during the 2025 calendar year summarizing the status of their housing and climate change resilience efforts.

² Climate Action Plan: <https://www.cityofsantacruz.com/government/city-departments/city-manager/climate-action-program/climate-action-plan>

³ Housing Element Update: <https://www.cityofsantacruz.com/government/city-departments/planning-and-community-development/long-range-policy-planning/general-plan/housing-element>

SPHERE OF INFLUENCE

Cortese-Knox-Hertzberg Act

City and special district spheres of influence define the probable physical boundaries and service area of a local agency, as determined by the Commission (Government Code Section 56076). The law requires that spheres be updated at least once every five years either concurrently or subsequent to the preparation of Municipal Service Reviews. Spheres are determined and amended solely at the discretion of the Commission. In determining the sphere of influence for each local agency, the Commission is required by Government Code Section 56425(e) to consider certain factors, as analyzed on page 26.

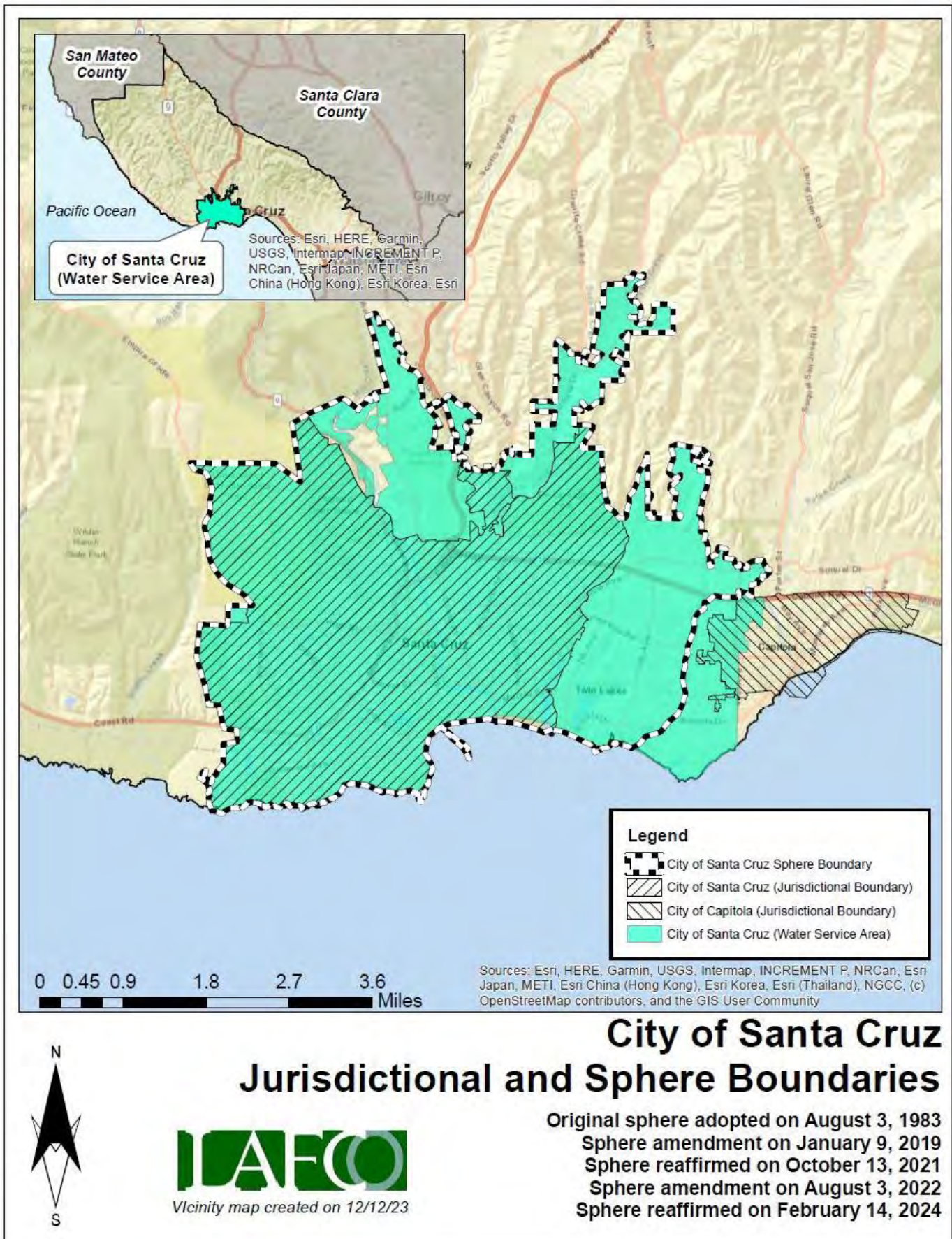
Current & Proposed Sphere Boundary

Santa Cruz LAFCO adopted the City's first sphere of influence on August 3, 1983. The current sphere includes areas outside the City's jurisdictional boundary. The current sphere goes beyond city limits and includes approximately 10,800 parcels. The last sphere update occurred in August 2022 which expanded the sphere boundary to reflect the City's water service area. While the initiation of any boundary change is not mandatorily required, it may be beneficial for the City to consider analyzing potential future annexation areas as part of their next general plan update or future strategic plan effort to prepare for future growth and/or service demand.

It is also important to note that further analysis would be required as part of any annexation application to determine whether the City is willing and capable of providing services to the annexation area(s). Such analysis would occur if annexation were to be pursued in the future based on the existing sphere and submitted plan. In the interim, LAFCO staff is recommending that the Commission reaffirm the existing sphere, as shown in **Figure 9** on page 26.



Figure 9: Proposed City Sphere Reaffirmation



CITY PROFILE SUMMARY

City of Santa Cruz	
Formation	California Charter City Law (Article XI, section 3(a) of the California Constitution)
City Council	Starting in 2022, six members, elected by districts to four-year terms, and a Mayor, elected at-large to serve a four-year term
Contact Person	Matt Huffaker, City Manager
Employees	Approximately 927 Full-Time Employees
City Area	City Limits: 12 square miles (8,200 acres) Water Service Area: 27 square miles (17,000 acres)
Sphere of Influence	Larger than the City (i.e., sphere boundary goes beyond existing City limits)
FY 2021-22 Audit	Total Revenue = \$259,450,450 Total Expenditure = \$205,034,521 Net Position (Ending Balance) = \$400,509,960
Contact Information	Mailing Address: 809 Center Street, Room 10, Santa Cruz, CA 95060 Phone Number: (831) 420-5010 Email Address: mhuffaker@santacruzca.gov Website: https://www.cityofsantacruz.com/home
Public Meetings	City Council meetings are typically held on the second and fourth Tuesday of each month in the afternoon.
Mission Statement	Varies (each city department has adopted their own vision and mission statements).

SERVICE AND SPHERE REVIEW DETERMINATIONS

The following service and sphere review determinations fulfill the requirements outlined in the Cortese-Knox-Hertzberg Act.

Service Provision Determinations

Government Code Section 56430 requires LAFCO to conduct a municipal service review before, or in conjunction with, an action to establish or update a sphere boundary. Written statements of determination must be prepared with respect to each of the following:

1. Growth and population projections for the affected area.

The City currently provides various municipal services to a population of approximately 64,000. Moderate growth is projected to occur for the next twenty years. LAFCO staff estimates that the entire population will reach 79,000 by 2040.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

LAFCO did not identify any DUCs within or contiguous to the City's sphere boundary based on the 2020 data used to conduct LAFCO's analysis.

3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.

The City General Plan within its jurisdictional limits designates areas for residential, commercial, and other city-related zoning.

4. Financial ability of agencies to provide services.

Santa Cruz is financially stable. Audited financial statements from Fiscal Years 2017-18 to 2021-22 indicate that the City has ended in a surplus in three of the last five fiscal years. As of June 30, 2022, the City is operating with a net position of approximately \$400 million.

5. Status of, and opportunities for, shared facilities.

LAFCO recommends that the City continue exploring collaborative efforts with neighboring agencies to improve efficiencies, including but not limited to fire protection services. Potential joint ventures may address the fire department's fiscal issues.

6. Accountability for community service needs, including governmental structure and operational efficiencies.

The City has a detailed and transparent website that provides in-depth information regarding the City's various departments.

7. Any other matter related to effective or efficient service delivery, as required by commission policy.

LAFCO recommends that the City consider analyzing the possible annexation of the existing extraterritorial service agreements and/or areas within their current sphere boundary as part of any future strategic plan and/or general plan update.

Sphere of Influence Determinations

Government Code Section 56425 requires LAFCO to periodically review and update spheres of influence in concert with conducting municipal service reviews. Spheres are used as regional planning tools to discourage urban sprawl and encourage orderly growth. Written statements of determination must be prepared with respect to each of the following:

1. The present and planned land uses in the area, including agricultural and open-space lands.

The present and planned land uses are based on the City's general plan which ranges from urban to rural uses. General plans anticipate growth centered on existing urban areas and the maintenance of open space, residential uses, and environmental protection. Planned land uses within the applicable general plans are a mix of urban and residential, public recreation, and open-space lands.

2. The present and probable need for public facilities and services in the area.

Santa Cruz has identified and prioritized its infrastructure needs in various projects. These projects are easily accessible on the City's website.

3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

Santa Cruz provides various types of municipal services, including but not limited to law enforcement and public works. Designated city departments are tasked to efficiently provide these public services to their constituents. The City's robust website provides detailed information about each of the 14 city departments.

4. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

Santa Cruz appoints its citizens on an array of boards, commissions, and committees to assist and advise in formulating policies. These advisory bodies provide feedback that may help the City make significant decisions. In total, the City has 16 boards, such as the Arts Commission, the Equal Employment Opportunity Committee, and the Water Commission.

5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

LAFCO did not identify any DUCs within or contiguous to the City's sphere boundary based on the 2020 data used to conduct LAFCO's analysis.

APPENDICES

Appendix A: Past Boundary Changes (1965 to Present)

Appendix B: City Zoning Map

Appendix C: City Districting Map (2022 Version)

Appendix D: Handbook for City Advisory Bodies (2023 Version)

Appendix E: Capital Investment Program (2023 to 2027)



APPENDIX A:

Past Boundary Changes (1965 to Present)

Project Number	Proposal Title	Action Date
50	University Annexation No. 1	5/19/1965
63	Sky Park Airport, Parcels 2, 3 & 4, Annexation	12/15/1965
96	Carbonera Annexation No. 2	9/21/1966
192	North Coast Annexation	1/21/1970
239	Sky Park Annexation	10/21/1970
240	Disposal Site Annexation	10/21/1970
257	Port District Annexation	2/17/1971
264	Branciforte Creek Annexation	3/17/1971
283	Carbonera Annexation	7/21/1971
285	Walti-Schilling Annexation	7/21/1971
298	Isbel Dr. Annexation	10/20/1971
314	Branciforte Annexation	3/15/1972
396	Hinds Annexation	8/14/1974
420	Isbel Dr. Annexation	5/7/1975
440	Santa Cruz Reorganization 1975	11/5/1975
476	Harbor Properties Annexation	3/2/1977
490	Ocean St. Ext. Annexation	5/4/1977
495	Isbel Dr. Annexation	6/1/1977
503	Perry Annexation	8/17/1977
527	Hansmann Reorganization	11/1/1978
550	Hidden Bay No. 2 et al. Reorganization	4/4/1979

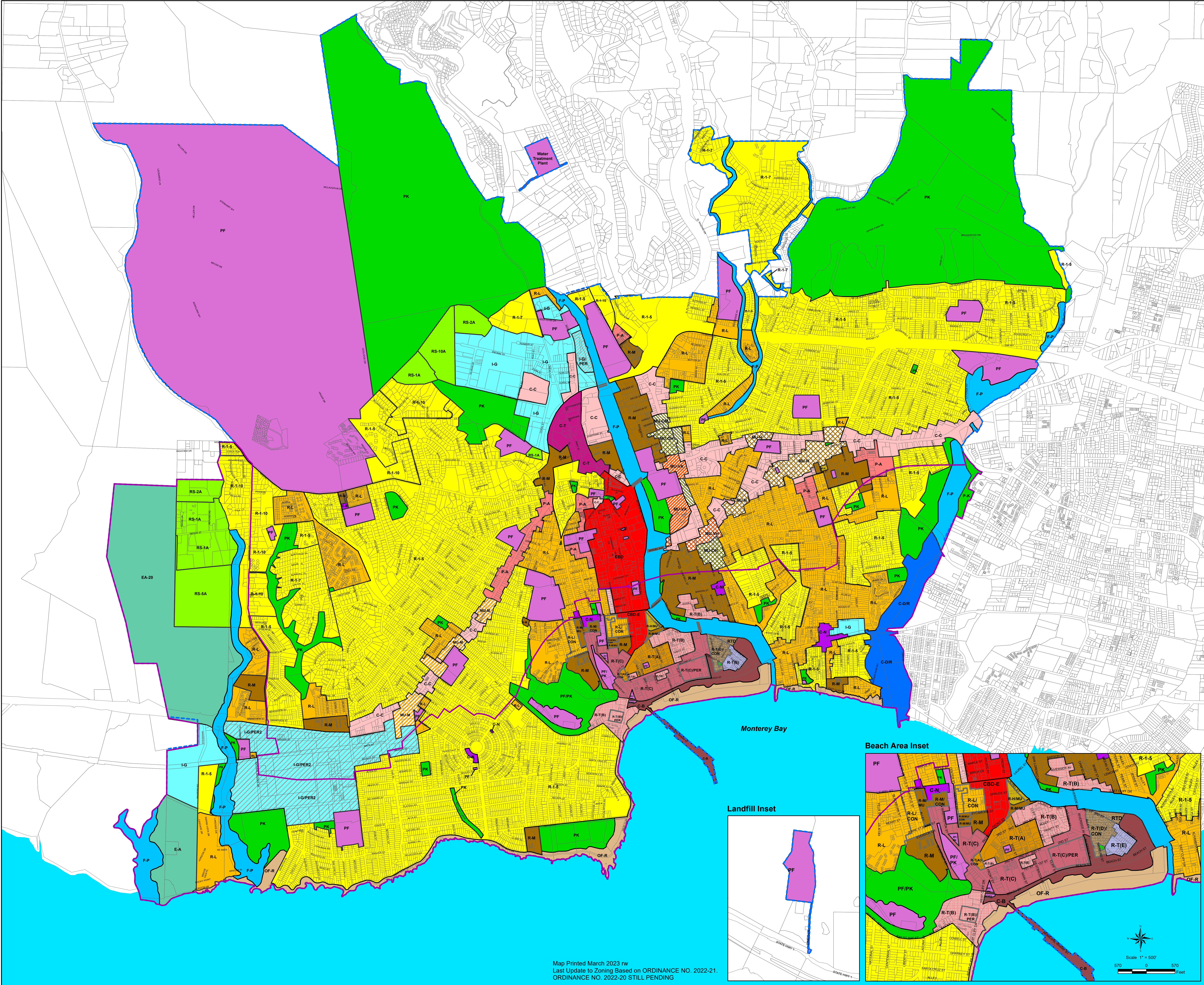
Project Number	Proposal Title	Action Date
559	Western Dr. Reorganization	8/8/1979
580	Crossing St. (Tait St.) Annexation to Santa Cruz City	12/3/1980
597	Sutphen St. Reorganization	4/1/1981
598	Younger Lagoon Reorganization	12/2/1981
621	City of Santa Cruz SOI	8/3/1983
735	Bartlett Way Reorganization	6/1/1988
740	Pogonip Reorganization	9/7/1988
740-A	SOI Amendment	9/7/1988
785-A	Meder St. / Van Deren Reorganization	12/9/1992
785-B	Meder St. / Van Deren Reorganization SC City SOI	12/9/1992
791	Skypark Reorganization	3/10/1994
910	Arana Gulch Reorganization	4/4/2007
911	Santa Cruz City Water Service Area	11/1/2006
946	3939 Soquel Dr. Extraterritorial Water Service from Santa Cruz City Water	4/3/2013
948	Extraterritorial Sewer Service to 240 Isabel from Santa Cruz City	8/7/2013
ESA 23-16	Branciforte Drive / Michael Greenspon Extraterritorial Service Agreement with the City of Santa Cruz	11/2/2023

APPENDIX B:

Zoning Map (as of March 2023)

City of Santa Cruz Zoning Districts Map

City of Santa Cruz
Planning Department
809 Center St., Room 206
Santa Cruz, CA 95060
Ph: 420-5100



--- Santa Cruz City Limit
Parcel Boundaries

Zoning Districts:

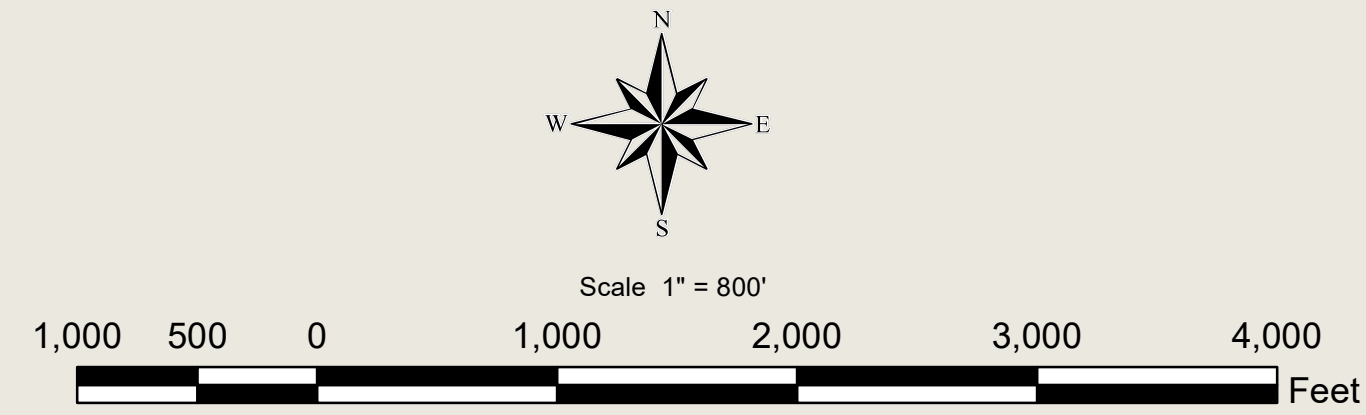
- C-B Beach Commercial
- CBD Central Business District
- CBD-E Subdistrict Lower Pacific Avenue
- C-C Community Commercial
- C-N Neighborhood Commercial
- C-T Thoroughfare Commercial
- C-D/R Coastal Dependent/Related
- E-A Exclusive Agricultural (EA-20)
- F-P Floodplain District
- I-G General Industrial
- I-G/PER & IG/PER2 General Industrial/Performance
- OF-R Ocean Front Recreational
- MU-M Mixed Use Medium Density
- MU-H Mixed Use High Density
- MU-OM Mixed Use Ocean Medium Density
- MU-OH Mixed Use Ocean High Density
- MU-VH Mixed Use Visitor High Density
- MU-VA Mixed Use Visitor Additional Height
- P-A Professional and Administrative Office
- PF Public Facilities
- PK Parks
- R-1 Single-Family Residence (R-1-5, R-1-7, R-1-10)
- R-L Multiple Residence - Low Density
- R-M Multiple Residence - Medium Density
- R-H Multiple Residence - High Density
- R-S Residential Suburban (RS-1A, RS-2A, RS-5A, RS-10A)
- R-T Tourist Residential (Subdistricts)
 - R-T (A) Medium Density Residential
 - R-T (B) Motel Residential
 - R-T (C) Beach Commercial
 - R-T (D) Beach Residential
 - R-T (E) Beach Medium/High Density Residential

Overlay Zones (partial list)

- CON Conservation Overlay
- PER Performance Overlay
- MU Mixed Use Overlay
- CZ-O Coastal Zone Overlay Boundary

The following Overlay Zones are not included on this map for clarity purposes. Please see "Zoning Overlays" map.

H-O Historic Overlay, SP-O Shoreline Protection Overlay, HD-O High-Density Overlay, FP-O Floodplain Overlay, WCD-O West Cliff Drive Overlay, MS-O Mission Street Overlay



Map Printed March 2023 rw
Last Update to Zoning Based on ORDINANCE NO. 2022-21.
ORDINANCE NO. 2022-20 STILL PENDING

APPENDIX C:

City Districting Map (2022 Version)

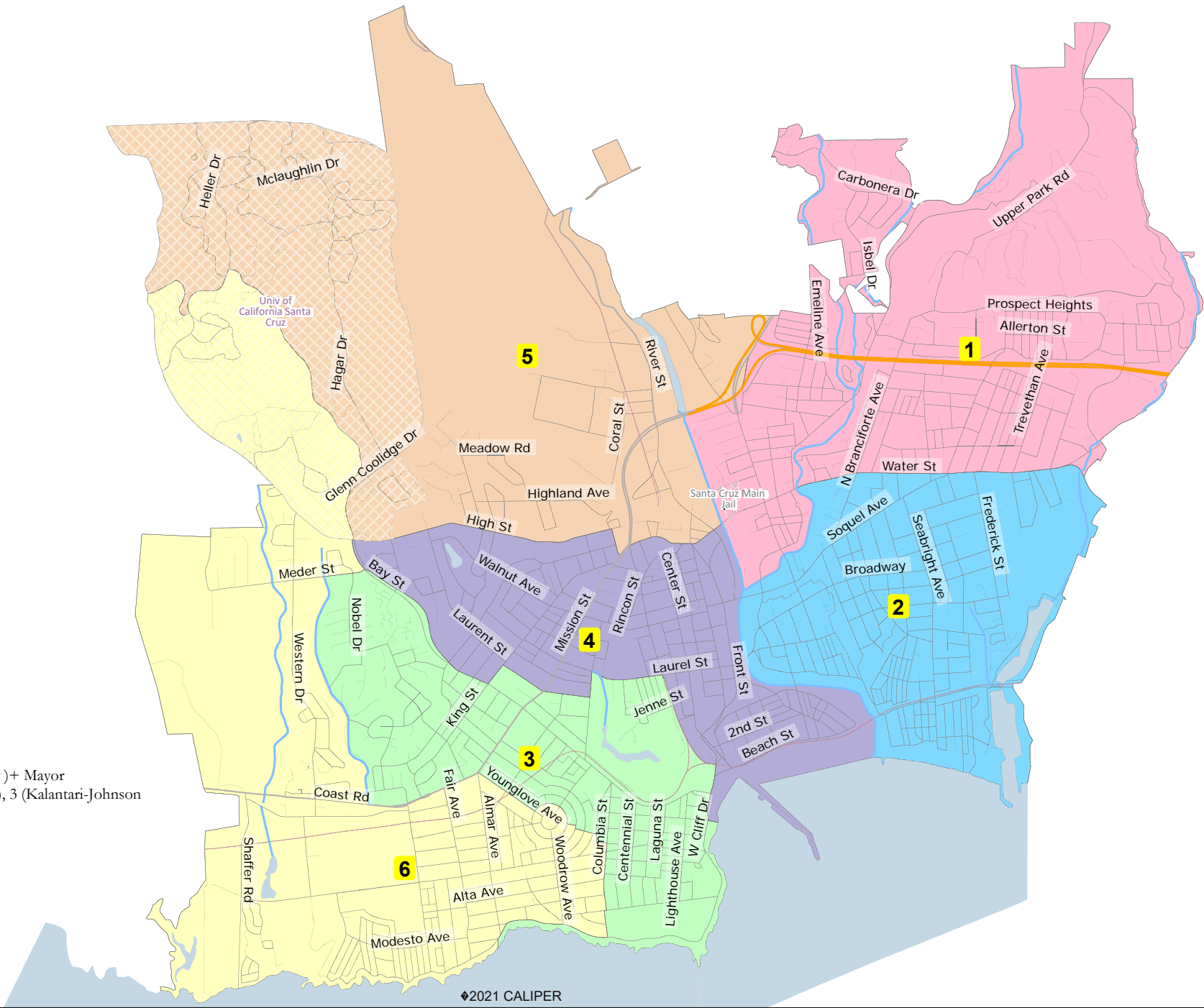
Santa Cruz
2022 Districting

Draft 602

Map layers

- NDC 602
- Census Block
- Landmark Area
- Landmark Point
- Water Area
- Railroad
- River
- Streets

Proposed Election Sequence:
2022: 4 (Cummins), 6 (Golder) + Mayor
2024: 1 (Watkins), 2 (Brunner), 3 (Kalantari-Johnson & Meyers) and 5 (Brown)



NDC 602								
District		1	2	3	4	5	6	Total
	Total Pop	10,855	10,691	10,442	10,285	10,269	10,551	63,093
	Deviation from ideal	339	175	-74	-231	-247	35	586
	% Deviation	3.22%	1.66%	-0.70%	-2.20%	-2.35%	0.33%	5.57%
Total Pop	% Hisp	22.5%	24%	18%	26%	33%	21%	24%
	% NH White	64%	63%	64%	57%	40%	58%	58%
	% NH Black	2%	2%	2%	3%	8%	4%	3%
	% Asian-American	7%	6%	12%	10%	16%	13%	11%
Citizen Voting Age Pop	Total	8,138	8,381	8,857	7,165	9,277	8,886	50,704
	% Hisp	13%	14%	14%	13%	24%	17%	16%
	% NH White	76%	77%	73%	74%	46%	67%	68%
	% NH Black	1%	1%	3%	4%	4%	1%	2%
	% Asian/Pac.Isl.	8%	4%	9%	6%	23%	12%	11%
Voter Registration (Nov 2020)	Total	7,880	7,508	7,160	6,619	3,682	6,453	39,302
	% Latino est.	13%	13%	12%	13%	14%	11%	13%
	% Spanish-Surnamed	13%	12%	11%	13%	13%	11%	12%
	% Asian-Surnamed	3%	2%	4%	4%	4%	4%	4%
	% Filipino-Surnamed	1%	1%	1%	1%	1%	1%	1%
	% NH White est.	82%	84%	82%	76%	75%	83%	81%
	% NH Black	1%	1%	2%	3%	4%	1%	2%
Voter Turnout (Nov 2020)	Total	6,912	6,437	6,146	5,456	2,603	5,469	33,023
	% Latino est.	12%	11%	11%	12%	13%	10%	11%
	% Spanish-Surnamed	11%	11%	11%	11%	12%	10%	11%
	% Asian-Surnamed	3%	2%	3%	4%	4%	4%	3%
	% Filipino-Surnamed	1%	1%	1%	1%	1%	1%	1%
	% NH White est.	84%	85%	83%	78%	78%	84%	82%
	% NH Black	1%	1%	2%	3%	4%	1%	2%
Voter Turnout (Nov 2018)	Total	5,662	5,192	4,998	4,289	2,784	4,680	27,605
	% Latino est.	9%	9%	11%	11%	16%	11%	11%
	% Spanish-Surnamed	9%	9%	10%	10%	15%	11%	10%
	% Asian-Surnamed	3%	2%	3%	4%	5%	3%	3%
	% Filipino-Surnamed	1%	1%	1%	1%	1%	1%	1%
	% NH White est.	86%	87%	83%	81%	72%	84%	83%
	% NH Black est.	1%	1%	2%	3%	4%	1%	2%
ACS Pop. Est.	Total	10,956	10,503	10,980	10,090	11,131	10,898	64,558
Age	age0-19	18%	14%	16%	21%	49%	27%	24%
	age20-60	59%	68%	63%	61%	43%	55%	58%
	age60plus	23%	18%	21%	18%	8%	18%	17%
Immigration	immigrants	15%	14%	15%	16%	15%	14%	15%
	naturalized	36%	44%	37%	31%	33%	44%	37%
Language spoken at home	english	78%	78%	81%	73%	60%	73%	74%
	spanish	14%	15%	11%	18%	17%	12%	14%
	asian-lang	5%	2%	5%	4%	15%	8%	7%
	other lang	3%	4%	4%	5%	8%	7%	5%
Language Fluency	Speaks Eng. "Less than Very Well"	9%	5%	5%	10%	5%	5%	6%
Education (among those age 25+)	hs-grad	38%	39%	31%	29%	28%	26%	33%
	bachelor	28%	26%	27%	26%	33%	32%	28%
	graduatedegree	20%	22%	31%	27%	26%	30%	26%
Child in Household	child-under18	26%	15%	19%	21%	22%	21%	20%
Pct of Pop. Age 16+	employed	63%	77%	64%	70%	46%	58%	62%
Household Income	income 0-25k	18%	22%	20%	30%	19%	22%	22%
	income 25-50k	11%	15%	15%	19%	10%	16%	15%
	income 50-75k	10%	13%	11%	12%	14%	9%	11%
	income 75-200k	41%	40%	38%	28%	36%	33%	36%
	income 200k-plus	20%	11%	16%	11%	21%	20%	15%
Housing Stats	single family	79%	60%	73%	47%	69%	72%	66%
	multi-family	21%	40%	27%	53%	31%	28%	34%
	rented	38%	66%	48%	65%	36%	50%	53%
	owned	62%	34%	52%	35%	64%	50%	47%
Total population data from the 2020 Decennial Census.								
Surname-based Voter Registration and Turnout data from the California Statewide Database.								
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2015-2019 American Community Survey and Special Tabulation 5-year data.								

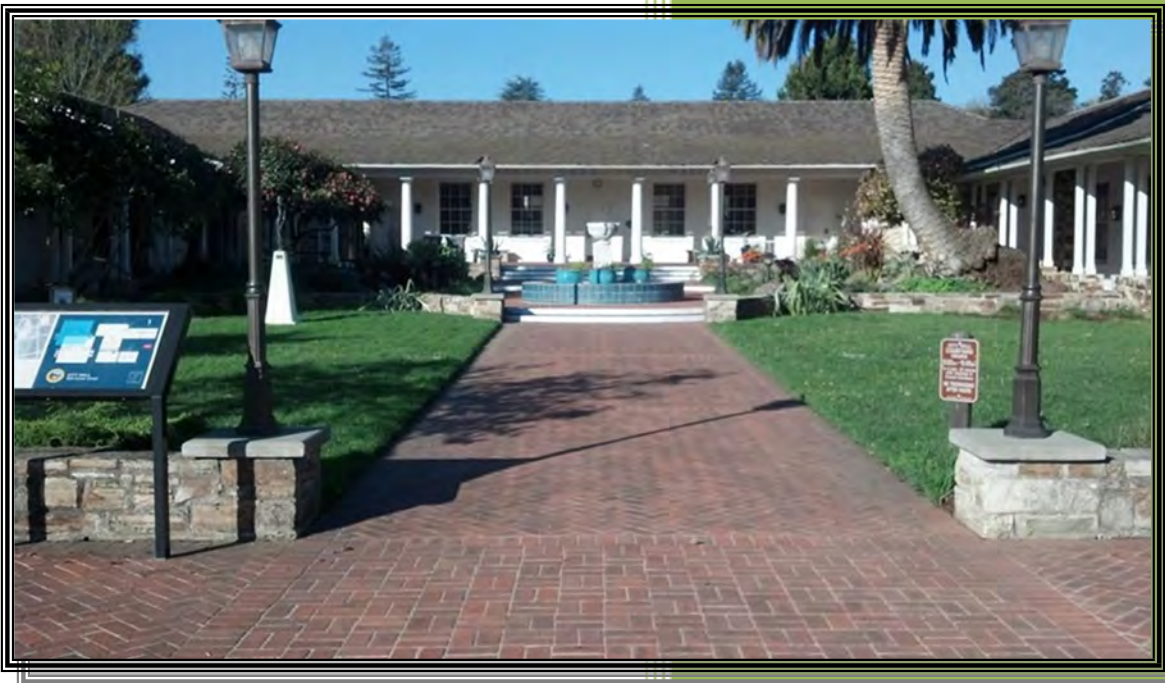
APPENDIX D:

Handbook for City Advisory Bodies (2023 Version)

City of Santa Cruz

Revised 2023

HANDBOOK FOR CITY ADVISORY BODIES



Prepared by the City Manager's
Department / City Clerk's Division

HANDBOOK FOR CITY ADVISORY BODIES



Prepared by the City Clerk's Department

City of Santa Cruz

Revised 2023

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Welcome and Orientation

Welcome and thank you for your interest to serve as a member of a City of Santa Cruz advisory body. Advisory bodies play an important role in City governance by assisting the City Council in addressing specific issues in detail, lending professional expertise, facilitating community decision-making, and serving as a primary conduit amongst citizens, City staff and departments, and the City Council.

The City of Santa Cruz has a varying number of advisory bodies, each with distinct responsibilities. As a new advisory body member, you should familiarize yourself with the documents governing your particular body: these may include City ordinances, City Council resolutions, advisory body bylaws, relevant element(s) of the General Plan, and other documents, all available from your staff liaison. Review of these documents will help you get a sense of what your responsibilities are and what they are not.

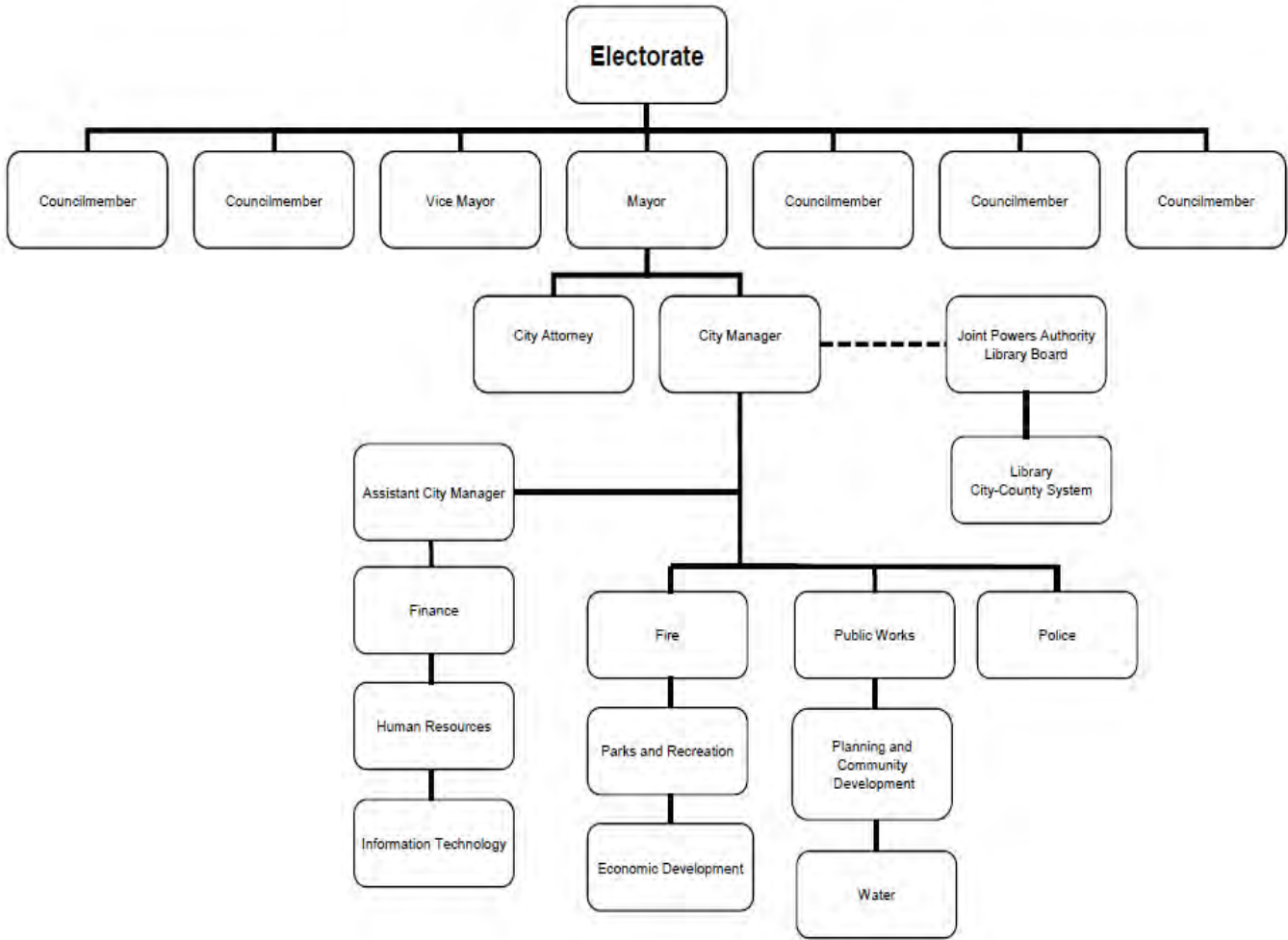
This Handbook is designed to serve as a reference for the basic protocols that apply generally to all City advisory bodies. Orientation is necessarily an active process. As a new member you may want to meet with the Chair of your advisory body to get a better sense of your role and the business of the body, as well as with the staff liaison assigned to the body. Along with familiarizing yourself with your advisory body's foundational documents, you may want to review agendas and minutes from recent meetings to see what current issues have been under consideration, as well as the advisory body's work program to familiarize yourself with current goals.

Learning your role and developing an effective voice takes time and familiarity. We hope this Handbook will assist you towards a satisfying and productive experience. Your participation is deeply appreciated by all around you—by the City Council, by City department staff, and by your community. The vitality and strength of our community is found in the willingness of people like you to serve.

For more information, please visit www.cityofsantacruz.com/advisorybodies.

Advisory Bodies by Departments	
Commission for the Prevention of Violence Against Women (CPVAW)	City Manager
Arts Commission	Economic Development and Housing
Parks and Recreation Commission	Parks and Recreation
Sister Cities	
Equal Employment Opportunity Committee (EEOC)	Human Resources
Board of Building and Fire Appeals	Planning
Historic Preservation Commission	
Planning Commission	
Downtown Commission	Public Works
Transportation and Public Works Commission	
Water Commission	Water

City of Santa Cruz Organization Chart



Introduction

PURPOSE FOR ADVISORY BODIES

Advisory bodies play an important role in City government by assisting and advising the City Council in formulating and implementing policy. Advisory bodies also develop recommendations and present supporting information to the City Council. Certain advisory bodies have the authority to make final decisions; these decisions may be appealed to the City Council.

Boards and commissions are established by ordinance, while committees and task forces are usually established by a motion or resolution to address particular projects or specific areas of concern. Task forces generally are given a defined period of time to accomplish their tasks.

HOW APPOINTMENTS ARE MADE

Applications

Any citizen interested in serving on an advisory body is invited to complete an application form and submit it to the City Clerk's Office. Applications remain on file for two years. When a vacancy occurs, it is publicized, and applications of persons interested in serving on the particular body are accepted. The applications are forwarded to the City Council for action. For boards with seven members, appointments will be done directly by each member of the Council. All others will be at-large appointments.

ELIGIBILITY REQUIREMENTS/QUALIFICATIONS

Unless otherwise specified, applicants are required to be residents and/or qualified electors of the City of Santa Cruz. Upon appointment, all new members are sworn in by the City Clerk's Division. For certain boards, commissions, and committees, members are required to file FPPC Statements of Economic Interests (Form 700) with the City Clerk.

TERM OF OFFICE

Unless otherwise specified, the term of office for members of boards, commissions, and committees is four years. The term of office for members of task forces is generally for the life of the task force. Members of permanent advisory bodies shall not serve more than two consecutive four-year terms. According to City Council Policy 5.1, members who have served six years or less at the time their terms expire are eligible for reappointment. After a member's second consecutive term expires, there must be at least a two-year break before that member may be appointed to the same advisory body.

The term of office of each board or commission member shall be four years, expiring on January 31st; provided, however, that if a replacement has not been appointed and qualified as of the January 31st expiration date, the board or commission member shall continue to serve until a successor has been appointed and qualified..."

Introduction cont'd

TERM OF OFFICE *cont'd*

According to City Council Policy 5.1, a member of a board, commission, or committee may not serve simultaneously on more than one board, commission, or committee. However, a member of a task force or committee with a sunset date of less than thirteen (13) months in the future may also serve on another board, commission, committee, or task force.

Other City Council policies which pertain to City advisory bodies appear in Sections 5.0 and 6.0 of the City Council Policy Manual, which is available in each City department, and on the City's website at www.cityofsantacruz.com/councilpolicies.

AUTHORIZING DOCUMENTS

The City Council approves the formation, composition, and responsibilities of all advisory bodies. Some advisory bodies, such as the Planning Commission, have responsibilities under State law. All advisory bodies operate under Council auspices and are responsible to the Council for compliance with the City Charter, City Council Policies, the Municipal Code, and the Brown Act (refer to page 35, Advisory Body Jurisdiction).

BYLAWS

Each advisory body's operations, procedures, and duties are established in adopted bylaws. Bylaws are reviewed by the City Attorney and approved by the City Council. Copies are saved on the main webpage of each commission.

MEMBERSHIP ROSTER

A complete listing of all City of Santa Cruz advisory bodies, along with the meeting days, times, locations, and the City departments responsible for staffing, is available in the City Clerk's Division. Membership rosters are available in the City Clerk's Division, and *are public record*. Please notify the advisory body staff liaison promptly of any changes in your address or other contact information. General membership information can be found online at <https://www.cityofsantacruz.com/government/city-of-santa-cruz-advisory-body-members>.

MEETING TIMES

City advisory bodies meet on a regular basis, usually monthly or bi-monthly. Meetings are open to the public. The calling of a special meeting, or the cancellation of any regular meeting, must be coordinated between the Chair and the staff liaison, and shall be subject to legal notice under the Brown Act. Advisory body members must also be notified in advance of the canceling or scheduling of any meetings.

Meetings

No business is transacted without a quorum. A member who is unable to attend a meeting is responsible for notifying the Chair or the staff liaison at the earliest possible time.

Chair and Vice Chair Election

Each advisory body elects a Chair and a Vice Chair annually, at a date specified in the bylaws.

Introduction *cont'd*

ATTENDANCE

For advisory bodies to function effectively and accomplish their goals, all members must be active participants. This means all members must be present at all meetings. Any member who is absent more than the number of excused or unexcused absences allowed by the applicable bylaws and City Council Policy 5.4 (refer to page 40) shall forfeit advisory body membership.

Meetings: Regular Meeting Protocol

AGENDA PREPARATION AND POSTING

Agendas for advisory body meetings shall be prepared by City staff in consultation with the Chair, following the standard agenda format approved by the City Council. Following is the standard advisory body agenda template, though it may vary by Commission:



Advisory Body Name Agenda
Regular Meeting
Time – Day, Date, Year
City Council Chambers, 809 Center Street

Call to Order

Roll Call

Presentation

Statements of Disqualification

Oral Communications – No action may be taken

Announcements – No action may be taken

The presiding officer may announce and set time limits at the beginning of each agenda item.

Approval of Minutes

Consent Agenda

Items Removed from the Consent Agenda

Public Hearings

Title---

Recommendation---

General Business

Title---

Recommendation---

Information Items – No action may be taken

Subcommittee/Advisory Body Oral Reports – No action may be taken

Items Initiated by Members for Future Agendas

Adjournment

At a.m./p.m., the _____ adjourned to the next regularly scheduled meeting on _____, [Year] at [Time] a.m./p.m. in Council Chambers.

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

Planning – Appeals must be received by the City Clerk Administrator within ten (10) calendar days following the date of the action from which such appeal is being taken. An appeal must be accompanied by a five hundred dollar (\$500) filing fee.

Other – Appeals must be received by the City Clerk Administrator within ten (10) calendar days following the date of the action from which such appeal is being taken. An appeal must be accompanied by a fifty dollar (\$50) filing fee. A one hundred dollar (\$100) filing fee is assessed for tree appeals.

Meetings: Regular Meeting Protocol *cont'd*

AGENDA PREPARATION AND POSTING *cont'd*

The *Title* and *Recommendation* of each item on the agenda shall be descriptive and understandable to the public.

The posted agenda also shall indicate when opportunity is provided for members of the public to address the advisory body.

If an advisory body member or City staff intends to bring up an item for discussion or action, the item must be included on the agenda. Members of advisory bodies may request that the Chair or the staff liaison place any item within the purview of the advisory body on a future agenda ([refer to City Council Policy 5.15](#)).

Discussion or action on items that are not included in the posted agenda may only occur in very limited circumstances. To discuss or act on an item *not* included in the posted agenda, an advisory body must:

- Determine that “the need to take action” arose after the agenda was posted, and that the action is required prior to the next meeting.
- Approve the determination by a vote of at least two-thirds of the members of the body or by a unanimous vote if less than two-thirds of the members are present.
- Move, second, and vote on the item once the determination is approved.
- Include that action in the meeting’s minutes along with a brief explanation of the circumstances stating the need for action and the reason the need arose after posting the agenda.
- In general, if members or staff knew of the need to act before posting the agenda and if the item was not included for reasons of scheduling convenience or oversight, members may not determine that the need arose after the agenda was posted.

Information items placed on an agenda may not be acted upon at the meeting. Any member may, however, request that the informational item be placed on a future agenda for action.

The agenda shall be posted at least 72-hours prior to any meeting in a place visible to the public.

Staff shall maintain a record of the agenda posting.

PREPARATION FOR MEETINGS

- Be prepared. Thoroughly review the agenda packet, including agenda reports, and any other materials *before* the meeting. The issues that come before advisory bodies are important to the community as a whole and demand your consistent attention. In agreeing to serve on an advisory body, you make a commitment to put in the time required to prepare fully for each meeting.
- Understand what action you are being called on to take regarding each particular agenda item.
- If you have questions regarding the agenda or agenda report, contact the Chair or your staff liaison before the meeting to clarify questions or request further information.

Meetings: Regular Meeting Protocol *cont'd*

PREPARATION FOR MEETINGS *cont'd*

- Know the responsibilities of your advisory body, as well as the limitations of your individual authority. As a member of an advisory body you will be asked to provide recommendations to the City Council about specific issues. Keep in mind that your appointment does not empower you to supervise City staff.
- Keep an open mind. An objective, balanced, and receptive approach will help you assess the facets of a given issue, and evaluate new ideas. When receiving written and oral public testimony it will be necessary to discern between fact and opinion, as well as between those concerns which are relevant and those which are secondary to the issue at hand. Keeping an open mind will make it easier for you to understand all sides of an issue before you make a judgment or take a position.
- Strive to appreciate differences in approach and point of view. Diversity of ideas sustains a thoughtful dialogue and a vibrant community. Likewise, take care to articulate your own ideas: remember that your individual voice is a critical part of the whole dialogue. Again, furthering common goals takes cooperation, flexibility, and a broad-based view of the public interest. If in doubt, return to the foundational documents to guide your understanding of the complexities of an issue.
- If you are unsure about something *during* the meeting, ask for clarification. On behalf of the public, your understanding of issues is important. Each advisory body has a City staff liaison to provide information to assist the members throughout the decision-making process.

DECORUM IN MEETINGS

Proceedings

- Start meetings on time. Keep the agenda in mind in order to give each item the appropriate amount of time.
- Announce at the start of a meeting if the order of agenda items is to be rearranged for convenience, for response to those attending only for certain items, or for better pacing of the agenda.
- Let the presiding officer run the meeting.
- Be fair, impartial, and respectful of the public, staff, and each other. Give your full attention when others speak.
- Learn to trust your own good judgment on decisions.
- Remember that people may be attending a meeting for the first time, and may be unfamiliar with your procedures. In your discussion, either avoid or explain technical terms or verbal shorthand.
- Listen to audience concerns. Don't engage in side conversations or otherwise be distracted during public testimony. The opportunity for public testimony is central to the strength of democracy, and is therefore encouraged. Active listening, however, does not mean engaging the public in debate. Your response is appropriately saved for after the public testimony is closed.
- Close the public testimony before you begin serious deliberation on an issue.
- Sometimes questions can most effectively focus discussion and direct decision-making. For example,

For staff:

- What is the history behind this item?
- What are the benefits and drawbacks?
- What other alternatives did you consider?

Meetings: Regular Meeting Protocol *cont'd*

DECORUM IN MEETINGS *cont'd*

For other advisory body members:

- What do you think about this item?
- What have you heard from the residents?
- What would it take for you to support this?

For the public (at a hearing):

- What are your concerns?
- How will this proposal affect you?
- What specific, constructive, alternatives can you recommend?

For yourself:

- What are we trying to accomplish?
 - What are the long-range interests of the community?
 - What guidance can be found in our foundational documents?
- Often you must balance multiple views, neither favoring nor ignoring one individual or group over another. Your obligation is to represent a broad-based view of the community's long-range interests.
 - Remember that your advisory body exists to take actions. It is not simply a discussion group or debating society.
 - Endeavor to end meetings at a reasonable hour. Short breaks may be helpful during long meetings. Extending the meeting beyond an appointed hour may be subjected to a vote when that hour nears.

Requirements

1. While the advisory body is in session, all persons shall preserve order and decorum. Any person disrupting the advisory body meeting shall be barred by the Chair or presiding officer from further attendance at said meeting unless permission for continued attendance is granted by a majority vote of the advisory body.
2. Every member of the public and every advisory body member desiring to speak shall address the Chair or presiding officer, and upon recognition by the Chair or presiding officer, should confine comments to the question under debate, avoiding all indecorous language and references to personalities and abiding by the following rules of civil debate.
 - a) We may disagree, but we will be respectful of one another;
 - b) All comments will be directed to the issue at hand;
 - c) Personal attacks should be avoided.
3. No persons other than advisory body members and necessary City staff are permitted on the dais.
4. No audio/visual recording devices may be left unattended at the speaker's lectern or elsewhere in the Council Chambers. Cell phones, beepers, and similar devices shall be turned off or inaudible in Council Chambers during advisory body meetings.

Meetings: Regular Meeting Protocol *cont'd*

DECORUM IN MEETINGS *cont'd*

Enforcement

If in attendance at the meeting, the chief of police (or representative) shall act as ex-officio sergeant-at-arms of the advisory body. The police chief shall carry out all orders and instructions of the Chair or presiding officer for the purpose of maintaining order and decorum inside and outside of the Council Chambers. If an immediate response is needed, staff shall call 9-1-1.

Persons who disrupt an advisory body meeting while in session are subject to arrest and prosecution. Upon instructions of the Chair or presiding officer it should be the duty of the sergeant-at-arms or any police officer present to eject from the Council Chambers any person in the audience who uses boisterous or profane language, or language tending to bring the advisory body or any advisory body member into contempt, or any person who interrupts and refuses to keep quiet or take a seat when ordered to do so by the Chair or presiding officer or otherwise disrupts the proceedings of the advisory body meeting.

Announcements

The Chair, presiding officer, or an advisory body member may make announcements of general interest to other advisory body members or members of the public. These announcements may include, but not be limited to, meeting schedule information, meetings of general community interest, or other general information. No written material will be presented, no recommendations will be made, and no actions will be taken, although the advisory body may direct staff to report back with regard to an item that is the subject for future discussion at a regular or special meeting.

Continued Meetings (if necessary)

If an advisory body meeting is continued to consider unfinished business, a notice of continuance will be posted within 24 hours. Oral Communications will be heard once, not in each session of the continued meeting. Members of the public will be allowed to comment on continued agenda items at one session, but not a second time at a continued session.

ROLE OF THE CHAIR OR PRESIDING OFFICER

The Chair (or in the Chair's absence, the Vice Chair) shall be the presiding officer of the advisory body. In the absence of the presiding officer and the Vice Chair, the advisory body clerk or facilitating staff liaison shall call the advisory body meeting to order, whereupon a temporary presiding officer shall be elected by the members of the advisory body who are present. Upon the arrival of the presiding officer or the Vice Chair, the temporary presiding officer shall relinquish as presiding officer upon the conclusion of the item of business then pending before the advisory body.

Meetings: Regular Meeting Protocol *cont'd*

ROLE OF THE CHAIR OR PRESIDING OFFICER *cont'd*

The presiding officer shall preserve strict order and decorum at all meetings of the advisory body, announce the advisory body's decisions on all subjects, decide all questions of order in accordance with the procedural rules for motions and debate, and announce the advisory body's vote on all actions or direct the clerk or staff liaison to do so. If there is an appeal to a decision of the presiding officer, the advisory body as a whole shall decide the question by majority vote. Any advisory body member, with the exception of the Chair or presiding officer, may move to appeal a decision of the presiding officer. If the appeal motion is seconded by another advisory body member, the advisory body shall vote on the appeal. If the appeal motion is not seconded, the Chair or presiding officer's decision shall stand. The Chair or presiding officer's name shall be called last on any question in voting.

Responsibilities of Chair or Presiding Officer

- Ensure that the public understands the nature of the issues being discussed (for example, reason for discussion, process to be followed, opportunities for public input, and timeline for decision). The Chair or presiding officer is responsible for ensuring the effectiveness of the group process.
- Keep discussions focused on the issue at hand. A good Chair or presiding officer balances moving the discussion forward with involving all of the advisory body members and allowing for adequate public participation.
- Solicit opinions from advisory body members. Encourage evaluation of new, tentative, or incomplete ideas. Discourage overly dominant advisory body members from having disproportionate control over the discussion.
- Protect advisory body members, staff, and the public from personal attacks.
- Provide structure for addressing complicated issues.
- For major items, delay analysis and action until the full range of alternatives is on the table.
- Attempt to reach decisions expeditiously on action items. At those times when action would be premature, guide discussion toward a timeline or framework for responsible action.

PROCEDURAL RULES FOR MOTIONS AND DEBATES

Chair or Presiding Officer

The Chair or (presiding officer) may debate and may second motions, but may not make a motion and is subject to the limitations of debate that are imposed on all members and, except for making motions, shall not be deprived of any of the rights and privileges of a member.

Advisory Body Members

Every advisory body member desiring to speak shall address the presiding officer, and upon recognition, shall confine comments to the question under debate, avoiding all indecorous language and references to personalities and abiding by the following rules of civil debate herein stated. A member, once recognized, shall not be interrupted except according to rules of parliamentary procedure (e.g., for a point of order, parliamentary inquiry, or appeal of procedural ruling). In addressing the issue under consideration, an advisory body member shall be guided by the following principles:

Meetings: Regular Meeting Protocol *cont'd*

PROCEDURAL RULES FOR MOTIONS AND DEBATES *cont'd*

- a) We may disagree, but we will be respectful of one another;
- b) All comments will be directed to the issue at hand;
- c) Personal attacks should be avoided.

Point of Order

Any advisory body member, with the exception of the Chair or presiding officer, may call for a point of order to bring to the attention of the advisory body a violation of these rules, an omission, a mistake, or an error in procedure, and to secure a ruling from the Chair or presiding officer on the question raised. The point of order shall be raised immediately after the violation, omission, mistake or error in procedure has been committed. An advisory body member who wishes to call for a point of order may interrupt an advisory body member who has the floor at the time but shall not explain the basis for his or her point of order until subsequently recognized by the Chair or presiding officer. The Chair or presiding officer, in his or her discretion, may allow the advisory body member who was interrupted to conclude his or her remarks before ruling on the point of order. A point of order is not debatable; however, the Chair or presiding officer may consult City staff before ruling on the point of order.

Regular Motion

Any advisory body member, with the exception of the Chair or presiding officer, may make a regular motion. A regular motion is debatable.

Motion to Amend/Substitute Motion

Any advisory body member, with the exception of the Chair or presiding officer, may make a motion to amend a regular motion or a motion to substitute a new motion for a regular motion. A motion to amend and a substitute motion are both debatable. If the nature of the motion is in question, the Chair or presiding officer shall decide whether the motion is a motion to amend (which seeks to retain but modify a regular motion) or a substitute motion (which seeks to replace a regular motion with a new and different motion). If the motion to amend or substitute motion is seconded, the advisory body shall first vote on whether to accept the motion. If the advisory body votes to accept the motion, the advisory body shall then vote on the amended motion or substitute motion. If the advisory body votes not to accept the motion, the advisory body shall then vote on the original motion.

Friendly Amendment

Any advisory body member including the Chair or presiding officer may ask the moving advisory body member to authorize a friendly amendment to a motion on the floor. If acceptable to both the moving advisory body member and seconding advisory body member, the motion shall thereafter proceed as amended. If not acceptable to the moving advisory body member or seconding advisory body member, the advisory body member who requested the friendly amendment may thereafter make a motion to amend. The Chair or presiding officer shall decide whether or not to allow debate or limit debate on a proposed friendly amendment.

Meetings: Regular Meeting Protocol cont'd

PROCEDURAL RULES FOR MOTIONS AND DEBATES cont'd

Request/Motion to Divide the Question

The Chair or presiding officer may, at his or her discretion, divide the motion into multiple questions after a motion has been made and seconded. Any advisory body member may request that the presiding officer divide the motion into multiple questions after a motion has been made and seconded. If, upon request, the presiding officer declines to divide the question, any advisory body member may make a motion to divide the question. The Chair or presiding officer shall decide whether or not to allow debate or limit debate on a motion to divide the question. When dividing the question, the Chair or presiding officer or the requesting or moving advisory body member shall clearly state each question to be the subject of a separate advisory body vote.

Motion to Limit Consideration

Any advisory body member, with the exception of the Chair or presiding officer, may make a motion to limit consideration (public comment and/or advisory body debate) on an item to a specific period of time. The motion shall specify the period of time to which consideration shall be limited. The Chair or presiding officer shall decide whether or not to allow debate or limit debate on a motion to limit debate. The Chair or presiding officer, in the interest of accomplishing the advisory body's business in a reasonably timely manner, may assign time limits to agenda items prior to or during the advisory body's consideration of those agenda items.

Motion to Call the Question

Any advisory body member, with the exception of the Chair or presiding officer, may make a motion to call the question. If adopted, the motion requires that all discussion of the item under consideration be halted immediately without further discussion and that the item be immediately put to a vote of the advisory body. A motion to call the question is not debatable.

Motion to Reconsider

A motion to reconsider any action taken by the advisory body may be made only on the same day that the action was taken. The motion may be made either immediately during the same session, or at a recessed or adjourned session on the same day. With the exception of the Chair or presiding officer, the motion may be made only by an advisory body member who previously voted in the majority on the item which is the subject of reconsideration. A motion to reconsider is debatable.

Motion to Rescind

Any advisory body member, with the exception of the Chair or presiding officer, may make a motion to rescind a prior advisory body action. An advisory body action may not be rescinded on the same day the action was taken, but may be rescinded at any subsequent meeting of the advisory body. Action taken pursuant to a resolution may only be rescinded by resolution. Actions taken by motion may be rescinded by motion. A motion to rescind is debatable.

Meetings: Regular Meeting Protocol *cont'd*

PROCEDURAL RULES FOR MOTIONS AND DEBATES *cont'd*

Motion to Rescind *cont'd*

Except in the case of an emergency or where the advisory body makes the necessary findings and adds the item to the agenda as a late item in accordance with Brown Act requirements, a request to rescind a prior action of the advisory body, not already agendized for that meeting, will not be acted upon at the same meeting at which the request is presented but will be continued to the next meeting to permit notification of interested persons. Nothing in this rule shall be construed as limiting the authority of the advisory body from again considering at a future advisory body meeting an item it had considered and acted upon at a prior advisory body meeting and thereafter taking action upon that item at variance with the prior advisory body action or which supersedes the prior advisory body action.

Motion to Suspend the Rules

Any advisory body member, with the exception of the Chair or presiding officer, may make a motion to suspend the rules. The moving advisory body member shall identify the rule to be suspended if the motion is adopted and specify the action proposed to be taken during the rule's suspension. The motion shall require the affirmative vote of two-thirds of the advisory body members present for passage. A motion to suspend the rules is debatable.

Multiple Motions

A maximum of three motions may be pending at any given time during an advisory body meeting. Subsequent motions shall be rejected by the Chair or presiding officer until less than three motions are pending. When two or three motions are pending, the last pending motion made shall be the first motion voted on by the advisory body. For example, if a regular motion and a motion to amend are simultaneously pending, the vote on the motion to amend shall be taken first and the vote on the regular motion shall be taken second.

By way of further example, if a regular motion is followed by a substitute motion which, in turn, is followed by a motion to table (refer to page 23, Motion to Table), the vote on the motion to table shall be taken first, followed by the vote on the substitute motion and then, if necessary, followed by the vote on the regular motion.

ADDRESSING THE ADVISORY BODY AFTER A MOTION IS MADE

After a motion is made by the advisory body, no person shall address the advisory body except upon the request of a member of the Advisory Body through the Chair or presiding officer.

ADVISORY BODY ACTION

Any vote of the advisory body may be by voice vote. A roll call vote will be taken if any member of the advisory body requests it, either prior or subsequent to any vote.

Meetings: Regular Meeting Protocol *cont'd*

ADVISORY BODY ACTION *cont'd*

Other matters or subjects requiring action by the advisory body must be sponsored by a member of the advisory body, by motion duly made and seconded. Debate shall not be permitted on a motion until it is seconded and until the motion has been restated by the Chair or presiding officer, advisory body clerk, or staff liaison. After the vote has been called, there will be no further discussion or debate, except that members of the advisory body may be permitted by the Chair or presiding officer to explain their votes.

Disqualifications

Section 607 of the City Charter states that “All members present at any meeting must vote unless disqualified, in which case the disqualification shall be publicly declared and a record thereof made.”

The Political Reform Act of 1974, Section 87100 states that “no public official at any level of state or local government shall make, participate in making or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest.”

The City of Santa Cruz has adopted a Conflict of Interest Code, and Section 8 of that Code states that “No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect distinguishable from its effect on the public...”

The City Attorney is available to help advisory body members decide if they should declare disqualification on any issue. There may be instances where financial conflict of interest is not the issue, and again, the City Attorney will provide guidance in determining whether an advisory body member should disqualify him/herself from acting on the item. In these instances advisory body members should use the phrase, “...to avoid the appearance of impropriety.”

Voting

Any advisory body member, with the exception of the Chair or presiding officer, may make a motion. Any advisory body member including the Chair or presiding officer may second a motion. Any motion which is not seconded by an advisory body member shall die for lack of a second. With the exception of a motion to suspend the rules, which requires a two-thirds affirmative vote for passage, any motion shall pass if a majority of present advisory body members vote in favor of the motion. Any motion shall fail if a majority of present advisory body members vote in opposition to the motion or if there is a tie vote on the motion by present advisory body members. A resolution shall require four affirmative advisory body votes for adoption.

Meetings: Regular Meeting Protocol *cont'd*

ADVISORY BODY ACTION *cont'd*

Voting Required

1. Minute Orders

Administrative matters may be acted upon by minute order. These actions may be taken by motion and, unless subject to bylaws, Charter, statutory or Constitutional requirements, shall be deemed passed upon receiving a majority vote of all advisory body members present.

Tie Vote

If a tie vote should occur on any matter before the advisory body, the tie vote shall be resolved as follows:

1. Disqualification

A tie vote resulting from a disqualification of one or more advisory body members, with no advisory body members absent and no vacancies on the advisory body shall constitute a defeat of the motion.

2. Absence

A tie vote during the absence of one or more advisory body member, or when there is a vacancy on the advisory body shall cause the item to be automatically continued (typically to the next meeting); except that as to matters on which action must be taken on a date prior to the next meeting, a tie vote shall constitute a denial of the requested action.

Successive Tie Votes

A tie vote at the next regularly scheduled advisory body meeting on a matter which has been continued as a result of a tie vote constitutes a defeat of the motion.

Motion to Table

Any advisory body member, with the exception of the Chair or presiding officer, may make a motion to table. If adopted, the motion requires that all discussion of the item under consideration at the time of the motion be halted immediately without further discussion. The motion may or may not include a specific time at which the advisory body will resume consideration of the item. However, a motion which does not include a specific resumption time shall not be construed as precluding the advisory body's ability to resume consideration of the item at any future advisory body meeting. A motion to table is not debatable.

Meetings: Regular Meeting Protocol *cont'd*

ADVISORY BODY ACTION *cont'd*

Motion to Adjourn

Any advisory body member, with the exception of the Chair or presiding officer, may make a motion to adjourn. If adopted, the motion requires the advisory body to immediately cease its meeting and to adjourn to the next regularly scheduled or specially scheduled advisory body meeting. A motion to adjourn is not debatable.

Motion to Fix the Time to Adjourn

Any advisory body member, with the exception of the Chair or presiding officer, may make a motion to fix the time to adjourn. The moving advisory body member shall specifically state the hour at which the advisory body meeting shall immediately cease if the motion is adopted. If adopted, the motion requires the advisory body to immediately cease its meeting at the appointed hour and to adjourn to the next regularly scheduled or specially scheduled advisory body meeting. The Chair or presiding officer shall decide whether or not to allow debate or limit debate on a motion to fix the time to adjourn. Nothing in this rule shall be construed as prohibiting the advisory body from adjourning its meeting prior to the hour specified in the motion should the advisory body complete its business prior to the appointed hour.

Motion to Recess

Any advisory body member, with the exception of the Chair or presiding officer, may make a motion to recess. The moving advisory body member shall specifically state the length of time of the recess if the motion is adopted. If adopted, the motion requires the advisory body to immediately recess its meeting for the specified period of time. A motion to recess is not debatable. Nothing in this rule shall be construed as prohibiting the Chair or presiding officer from recessing an advisory body meeting from time to time as deemed appropriate by the Chair or presiding officer.

Preparing Motions

Advisory body meetings usually are conducted according to parliamentary procedure. The Chair or presiding officer directs the meeting, and his/her rulings must be followed unless they are overruled by the body.

The standard bylaws Article XI – Voting - Section 1. Statements of Disqualification reads “Section 607 of the City Charter states that “...All members present at any meeting must vote unless disqualified, in which case the disqualification shall be publicly declared and a record thereof made.” No member may abstain from voting on any item, except on the approval of the minutes, when that member was absent.”

When a member wishes to propose an action on a particular item on the posted agenda for the advisory body to consider, the member makes a motion. A motion goes through the following steps:

1. The member asks to be recognized by the Chair or presiding officer.
2. After being recognized, the member makes the motion: “*I move that we...*”
3. Another member seconds the motion: “*I second the motion.*”

Meetings: Regular Meeting Protocol cont'd

ADVISORY BODY ACTION cont'd

Preparing Motions cont'd

4. The Chair or presiding officer restates the motion and asks for discussion on the motion.
5. When the Chair or presiding officer determines that there has been enough discussion, the debate may be closed with: *"I call the question."* or *"Is there any further discussion?"*
6. If no one asks for permission to speak, the Chair or presiding officer then puts the question to a vote: *"All those in favor say aye. All those opposed say nay."* The Chair or presiding officer should restate the motion prior to the vote to ensure the motion is clearly understood by all. Any member may request a roll call vote on a motion.
7. After the vote, the Chair or presiding officer announces the decision: *"The motion carries unanimously," "The motion carries four to three (list individual members)," or "The motion has failed" (list individual members' votes).*

Some common motions include:

1. Delay Consideration: *I move to continue the item until* (date specific, or date uncertain).
2. End Discussion: A motion to table an item is not subject to debate and must be voted on immediately.
3. Close Debate: *I call for the question...*
4. Limit or Extend Debate: *I move to limit or extend debate to...*
5. Request More Study: *I move to refer this to staff or (committee) for further study.*
6. Amend a Motion: *I move to amend by...* If the amendment is accepted by the maker and seconder of the main motion, then it's considered a "friendly amendment" and no separate vote is required. If it is not accepted, then a separate vote to amend the main motion is required. The amendment must be voted on before the main motion.
7. Adopt a Staff Recommendation: *I move to adopt staff's recommendation to...*
8. Deny Staff Recommendation: *I move to deny staff's recommendation to...*
9. Modify Motion: *I move to adopt the recommendation with the following modifications: ...*

Properly phrasing a motion can be difficult and corrections may be necessary before it is acted upon. Until the Chair or presiding officer states the motion, the member making the motion may rephrase or withdraw it. Only motions that are voted on will appear in the minutes.

Members may wish to write out difficult motions. If a motion gets too complicated, call a recess and have staff assist with the wording.

It is best to avoid including more than one proposal in the same motion. This is especially important when advisory body members are likely to disagree.

Any member may ask the Chair or presiding officer to divide a motion. If others do not object, the Chair or presiding officer may proceed to treat each proposal as a separate motion.

Meetings: Regular Meeting Protocol *cont'd*

ADDRESSING THE ADVISORY BODY FROM THE FLOOR

Securing Permission to Speak

Any persons desiring to address the advisory body shall follow the procedures specified in the agenda and shall first secure permission from the Chair or presiding officer. Remarks should be directed to the matter being considered.

Individuals

Persons addressing the advisory body should, but are not required to, give their name in an audible tone of voice for the record and sign their name on the sign-up sheet provided for that purpose. Unless further time is granted by the Chair or presiding officer, the time limit shall be as stated in the agenda and/or as directed by the Chair or presiding officer. All remarks shall be addressed to the advisory body as a whole and not to any individual member. Without the permission of the Chair or presiding officer only advisory body members and the person addressing the advisory body shall be permitted to enter into any discussion.

Each advisory body member may recognize a member or members of the public for additional time or move additional time for public discussion. The Chair or presiding officer may at his/her discretion increase or decrease public comment time for more than or less than 3 minutes.

Spokesperson for Group Presentations

Organized groups that wish to make a presentation longer than the time allowed for in the agenda must contact the advisory body clerk, staff liaison, or the Chair prior to the meeting.

An individual who wishes additional time to speak on an agenda item on behalf of an organization or group (group speaker) must contact the Chair prior to the meeting to request the additional time. In return, the group speaker should encourage other group members to avoid extensive repeat comments. Additional time to speak will not be granted if a group speaker is making a request while the advisory body meeting is in session.

Oral Communications

Community members may address the advisory body about any matter not on the agenda during Oral Communications. The Chair or presiding officer determines when Oral Communications will commence. **Speakers will be invited up to the lectern by the Chair or presiding officer and are asked to keep comments to three minutes or less**, and encouraged to state name and community of residence. Up to 30 minutes will be allocated for Oral Communications. The Chair or presiding officer may shorten individual comment to less than three minutes in order to hear from all individuals who wish to offer comments during the thirty-minute Oral Communications period. Note that in the absence of an emergency, California law prohibits the advisory body from discussing or taking immediate action on comments offered in Oral Communications.

Meetings: Regular Meeting Protocol *cont'd*

ADDRESSING THE ADVISORY BODY FROM THE FLOOR *cont'd*

Oral Communications *cont'd*

1. Presentations will ordinarily be limited to THREE MINUTES.
2. Priority will be given to individuals who did not speak at the previous advisory body meeting's Oral Communications.
3. Individuals may not speak more than once during Oral Communications.
4. All speakers must address the entire advisory body and will not be permitted to engage in dialogue.
5. The advisory body may not take action on Oral Communications, but may direct that the issue discussed be agendized for a future meeting.

Speakers are encouraged and requested, but not required, to sign their name on the sign-up sheet placed near the speaker's stand so that their names may be accurately recorded in the minutes of the meeting.

Time limits may be increased or decreased at the Chair or presiding officer's discretion, subject to the approval of the advisory body.

Generally, matters presented as Oral Communications which require further investigation or information shall be referred to staff, and if the advisory body determines that action is required, the item may be placed on a future agenda.

Speaker Timer at Lectern

Speakers must be aware of the public speaker timer at the lectern. Speakers will be given a specific amount of time to address the advisory body. The timer will show green for speaking, yellow at a 30-second wrap-up, and red when time has ended.

Public Hearings

Interested persons or their authorized representatives may address the advisory body in regard to public hearing matters under consideration.

Time limits may be increased or decreased at the Chair or presiding officer's discretion, subject to the approval of the advisory body.

Meetings: Regular Meeting Protocol *cont'd*

PREPARATION OF MINUTES

Method of Keeping Minutes

The minutes of the advisory body shall be kept by the clerk or staff liaison and shall be recorded in a file kept for that purpose, with a record of each particular type of business transacted by the advisory body set off in paragraphs with subheadings. The clerk or staff liaison shall be required to make a record only of such business as was actually passed by a vote of the advisory body and shall not be required to make a verbatim transcript of the proceedings. A record shall be made of the names of persons addressing the advisory body, the title of the subject to which their remarks related, and whether they spoke in support of or in opposition to such matter.

Remarks of Members Entered in Minutes

An advisory body member may request, through the Chair or presiding officer, the privilege of having an abstract of that member's statements on any subject under consideration by the advisory body entered in the minutes. If the advisory body consents, such statements shall be entered in the minutes.

Synopsis of Debate Entered in Minutes

The clerk or staff liaison may be directed by the Chair or presiding officer, with the consent of the advisory body, to enter in the minutes a synopsis of the discussion on any question coming regularly before the advisory body.

Delivery of Minutes

As soon as possible after each advisory body meeting, the clerk or staff liaison shall cause a copy of the minutes to be forwarded to each advisory body member, typically delivered with the agenda packet for the next regularly scheduled advisory body meeting.

APPROVAL OF MINUTES

The minutes of the preceding advisory body meeting may be approved without reading, provided that the clerk or staff liaison has previously furnished each member of the advisory body with a copy of the minutes and that a majority of the advisory body has not requested such a reading.

CORRECTION OF MINUTES

When an advisory body member wishes to correct the minutes, he/she shall contact the clerk or staff liaison in advance of the meeting with the correction. The clerk or staff liaison will then verify the correction by listening to the recording of the advisory body meeting. Upon verification of an error in the minutes, the clerk or staff liaison will provide the corrections to the advisory body in advance of the meeting. If time constraints prevent this procedure, the advisory body shall continue the approval of the minutes to the next meeting, and direct the clerk or staff liaison to verify the error.

Advisory Body Role and Relationships

WORK PROGRAM

A work program is an advisory body's plan and statement of goals for the year, prepared in cooperation with staff. It identifies important problems, challenges, and opportunities, offers a jointly developed plan to address these over the course of the year, and furthers a sense of shared purpose and responsibility among advisory body members. An adopted and published work program will:

- Establish viable short-range objectives that further the long-range goals of the advisory body.
- Provide group direction, and keep the advisory body on course.
- Provide a basis for measuring accomplishment.
- Assist in the allocation of time, energy, and resources.
- Promote continuity of action, and help keep the big picture focused.

For example, a work program may include community outreach activity, a plan for addressing critical community issues, an education component, or any other tasks the advisory body identifies as key work challenges for the upcoming year.

CITY COUNCIL-ADVISORY BODY RELATIONSHIP

The primary purpose of all advisory bodies is to provide judicious advice to the City Council, the elected policy-making body of the City. The advisory body's role can include hearing public testimony on the Council's behalf, building community consensus for proposals or projects, reviewing written material, facilitating study of critical issues, guiding the implementation of new or regulating established programs, assessing the alternatives regarding issues of community concern, and ultimately forwarding recommendations to the City Council for consideration. There are times when the advisory body's recommendation will not be sustained or will be modified by the City Council. It is important to recognize this not as a rejection of the integrity of the recommendation, but as an inevitable part of the process of community decision-making.

Throughout this process, the form and formality of the relationship between advisory body members and councilmembers will vary. Some advisory body members will have regular contact with individual councilmembers, while others may serve solely in the group context. This relationship will depend on your advisory body as much as on you and the Council. For example, there are times when the Chair or presiding officer may address the City Council formally on behalf of the advisory body, and other times when an advisory body member may meet with a councilmember individually. At all times it is important to aim for clarity and mutual respect for the different responsibilities and roles.

STAFF-ADVISORY BODY RELATIONSHIP

The relationship of the advisory body and staff is an active, continuous, and nuanced one. Both advisory body and staff are motivated by the shared goal of furthering the City's best interests. Yet while the goal is shared, there are times when the approach and responsibility toward implementing the goal are significantly different. Some things that one body can do, the other cannot. Sometimes staff may wish to accomplish a specific goal, but due to the constraints of their employment, they may not readily be able to advance their ideas. Likewise, the advisory body recognizes obligations to fulfill larger objectives that staff, in their demanding workloads, may sometimes overlook.

Advisory Body Role and Relationships *cont'd*

STAFF-ADVISORY BODY RELATIONSHIP *cont'd*

Because the distinctions in responsibility are not always explicit, cultivating a balanced understanding of your role is essential. The interaction need never be adversarial, but rather can promote respect for different perspectives, and appreciation for each other's strengths.

In order to recognize the range of roles and responsibilities, some of the issues to clarify are:

1. What are the reporting relationships? Does the staff liaison report directly to the advisory body, or to the department supervisor, or to both?
2. How is direction given? Can a study be directed to the staff from an advisory body or must it be given through an administrator or elected body?
3. How are staff proposals and recommendations handled? The staff must strive to provide the advisory body with its best professional judgment, and this should be continuously encouraged.
4. How are disputes between advisory body members and staff handled? Proper lines of communication should be established beforehand to deal with problems.

STAFF RESPONSIBILITIES

Important staff responsibilities include:

- Being informed about the latest developments in their field.
- Providing background and expressing views to the advisory body on important issues.
- Providing administrative support, including agenda preparation and taking of minutes at meetings.
- Maintaining a professional position on all topics.
- Assisting the advisory body to stay on track and focused.
- Interpreting City Council, City department, and relevant state, federal, and international actions and policies.
- Making sure the intent of the advisory body is not lost after a decision.
- Developing a rapport with the Chair and advisory body members.
- Alerting advisory body members of possible detrimental actions.
- Presenting advisory body recommendations to the City Council.

In the event that the recommendation of staff and the recommendation of the advisory body differ regarding a given issue, both recommendations should be presented to the City Council. Staff and the advisory body will decide together how to handle presentation of the alternatives to the City Council. The format may vary. For example, both staff and the advisory body can each present a report. Or, staff can present both alternatives, with the advisory body Chair or chosen member delegate present to answer Council questions. When there is a significant minority opinion, it can also be brought to the attention of the City Council, either as a separate report, or as testimony from an advisory body member.

Additionally, the agenda report shall include a section called analysis, which may include partially or wholly, the pros, cons, and foreseeable consequences of the recommendation(s), if any. In the event that staff and the advisory body disagree, an analysis of both recommendations shall be included.

Advisory Body Role and Relationships cont'd

STAFF RESPONSIBILITIES cont'd

Regardless of the approach chosen, every effort should be made by staff to include the *approved* advisory body minutes of the relevant meeting(s) as part of the City Council agenda report.

CITY CLERK

The City Clerk oversees and manages the advisory bodies. The City Clerk's Division accepts and maintains applications, processes appointments, updates membership rosters, bylaws, informational booklets, and yearly attendance records. The City Clerk is also a resource with respect to the Brown Act, agenda processing, and meeting procedural questions. The City Clerk is the filing officer for FPPC Statements of Economic Interests (Form 700), and any other required filings as identified by the City Council and by the State.

CITY ATTORNEY

The City Attorney is a resource for understanding compliance with the Brown Act, for agenda legality issues, meeting process questions, bylaws review, and conflict of interest determinations.

Legal Matters

THE BROWN ACT

City of Santa Cruz advisory bodies are subject to State law governing open meetings and records. The California law governing open meetings is found in the California Code, Government Code Sections 54950-54962. It is popularly referred to as the "Brown Act." The general intent is that advisory bodies act openly and that their records be open to the public.

Exemptions may exist and each body should orient new members on what, if any, exemptions exist for their meetings and records.

Further information concerning the Brown Act and its application to City advisory bodies may be found in [City Council Policy 5.11](#). The full text of the Brown Act can be found on the Internet at: [Codes Display Text](#). <https://Leginfo.legislature.ca.gov>.

Meeting Types

The Brown Act recognizes two types of meetings: regular and special. Regular meetings are held at the time and place specified in the bylaws or are meetings which have been "adjourned to" and are referred to as adjourned regular meetings. Special meetings may be held at a different time or place to discuss issues that cannot be accommodated on regular meeting agendas but must still comply with noticing requirements.

Advisory body staff is responsible for identifying the type of meeting and posting all notices, including the agenda, notice of adjournment, and cancellation of meetings.

Legal Matters cont'd

THE BROWN ACT cont'd

Regular Meetings

The Brown Act requires each legislative body to set the time for regular meetings by ordinance, resolution, bylaws, or whatever specifies the conduct of that body's business. Traditionally, this has been the bylaws of the advisory bodies. The City Council approves all changes in bylaws, including the change of scheduled meeting dates, places, and times.

Under City Council policy, meetings are generally held at the City Hall complex or at other City facilities. Meetings may be held outside City facilities when City space is not available. Neighborhood meetings will be held outside City facilities.

The Brown Act generally requires boards and commissions to conduct public meetings. A "meeting" is considered to take place any time that a quorum of the advisory body gathers to discuss that body's business; the Brown Act prohibits a quorum from meeting privately. To this end, the Brown Act specifically prohibits "any use of direct communication, personal intermediaries or technological devices...employed by a majority of the members of the legislative body to develop a collective concurrence as to action to be taken on an item by the members of the legislative body." Hence the prohibition extends not only to personal contacts of the advisory body members among themselves outside the public meeting context but also prohibits "serial" meetings whereby information is ultimately exchanged among a quorum of advisory body members whether or not simultaneously in one another's presence.

E-mail Communications between Advisory Body Members

Because e-mail communications can ultimately lead to the exchange of information intended to, or which may, create collective concurrence among a quorum of advisory body members, e-mail communications between advisory body members relative to advisory body business should be avoided to reduce the likelihood of a Brown Act violation. While three members of a seven-member board, for example, may appropriately communicate with one another by way of e-mail, the "forwarding" of such an e-mail message on to a fourth member would result in a Brown Act violation.

Adjournment or Continuance

A legislative body may adjourn or continue any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the adjournment or continuance notice. A copy of the adjournment or continuance notice shall be conspicuously posted on or near the door where the meeting was held within twenty-four (24) hours after the time of adjournment or continuance. If the matter is continued to a time less than twenty-four (24) hours after the adjournment, a copy of the continuance notice shall be posted immediately following the meeting that was continued.

Legal Matters cont'd

THE BROWN ACT *cont'd*

Subcommittees

Standing Committees

City Council Policy 5.12 defines a standing subcommittee as a body that shall exist for more than six months and is formed with less than a quorum of an advisory body with a specific charge. Council must approve the establishment of a standing committee, and standing committees must meet the requirements of the Brown Act, including noticing and posting of agendas.

"Less-Than-a-Quorum, Ad-Hoc Committee Exception"

Most boards, commissions, committees, and task forces can create ad-hoc committees consisting of less than a quorum of their members to deal with specific issues. Such ad-hoc committees are not required to comply with the noticing and open meeting requirements of the Brown Act if they exist for less than six months. This is often referred to as the "less-than-a-quorum exception."

The "less-than-a-quorum exception" generally does not apply when two or more advisory bodies each appoint less than a quorum of their members to meet on a particular subject and develop a joint recommendation.

CONFLICT OF INTEREST

Recusing Yourself

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

The City Attorney is available to help advisory body members decide if they should declare a disqualification on any issue. There may be instances where financial conflict of interest is not the issue, and again, the City Attorney will provide guidance in determining whether an advisory body member should disqualify him/herself from acting on the item. In these instances, members should recuse themselves from a vote using the phrase, "*...to avoid the appearance of impropriety.*"

In addition, advisory body members may be required by the City's Conflict of Interest Code to declare personal financial information by filing a Statement of Economic Interests Form 700. Those advisory bodies whose members are required to do so are indicated by an asterisk after the advisory body title on the advisory body application. Upon appointment, the City Clerk Administrator shall provide the advisory body member with the information necessary for filing.

Legal Matters cont'd

CONFLICT OF INTEREST cont'd

Communications with the Public Outside of Meetings

Members of those advisory bodies which act in quasi-judicial capacity (i.e., review permit applications or hear appeals) may be prohibited from communicating about certain agenda items with members of the public outside of public meetings. Members of these advisory bodies should consult their respective advisory body bylaws or the City Attorney to ascertain whether such a prohibition exists.

Advisory Body Jurisdiction

The role of an advisory body member is different from that of a private citizen in that ideas expressed and decisions made must be supported by those documents which guide our City. An individual advisory body member is not simply present to voice a personal opinion, but is responsible to exercise discretion within the limitations of the General Plan and the other relevant guiding documents. In other words, the advisory body member offers a citizen's interpretation of the values, goals, and procedures defined by, and bases decisions on, these underlying principles and documents.

While all of the advisory bodies are responsible to further the goals of the Municipal Code and General Plan, other specific guidance for each body may be different:

- **Arts Commission:** Serves the City Council as policy advisors and proponents for a vibrant cultural environment in Santa Cruz, helps guide implementation of City Arts programs, oversees the Public Art Program pursuant to Chapter 12.80 of the City's Municipal Code, advocates for public art and cultural activities that enhance the identity and enjoyment of our city, and encourages community collaborations that help the City achieve its cultural goals as outlined in the General Plan.
- **Board of Building and Fire Appeals:** The Board of Building Appeals interprets the current adopted editions of the Uniform Building Code, the Uniform Plumbing and Mechanical Codes, and the National Electric Code, with State modifications, that make up the California Building Codes, as modified to fit local conditions by the Santa Cruz City Council.
- **Commission for the Prevention of Violence Against Women:** As established by Ordinance 81-29, the Commission works, via a community-oriented model, to make ending violence against women the highest priority in the City of Santa Cruz; to ensure collaboration with other public and private agencies to support existing programs and support the development of new programs as needed; to facilitate meaningful citizen participation in the work of the Commission; to continue to work with law enforcement to develop strategies for the successful prosecution and conviction of the crimes of violence against women.

Advisory Body Jurisdiction cont'd

- **Downtown Commission:** As established by Ordinance No. 83-11, encourages the vitality of the downtown by working with the Downtown Parking District, the Business Improvement District, and the Downtown Management Corporation; by providing recommendations regarding the Parking Fund; and by referring to the Master Transportation Study, the Downtown Recovery Plan, the ROMA Report, the San Lorenzo River Urban Design Plan, the Downtown Parking Study 2000, the Downtown Santa Cruz Parking Consolidation Study, as well as those ordinances in the Santa Cruz Municipal Code that are relevant to downtown issues.
- **Equal Employment Opportunity Committee (EEOC):** The purpose of the Committee is to serve as a communication channel between City employees, the community, the City Manager, and the Equal Employment Opportunity Coordinator on Equal Opportunity Employment concerns. It acts in an advisory capacity to the City Council in all matters pertaining to Equal Opportunity Employment. The Committee prepares an annual report which is presented to the City Council. The Committee identifies concerns relating to equal employment opportunities, develops programs which further equal employment opportunities, and makes recommendations to the City Council and the City Manager about such equal employment opportunity concerns.
- **Historic Preservation Commission:** Implements the Cultural Resources Element of the General Plan; interprets and applies Chapter 24.08/Parts 10 and 11 (Historic Alteration and Historic Demolition Permits), Chapter 24.12/Part 5 (Historic Preservation), and Chapter 24.10/Part 22 (Historic Overlay District) of the Zoning Ordinance, as summarized on Table 24.04.130 of Title 24 of Santa Cruz Municipal Code; reviews permits for compliance with the California Environmental Quality Act (CEQA) as relative to historic and cultural resources; as a State-Certified Local Government, applies the Secretary of Interior Standards for rehabilitation of historic buildings; refers to State Historic Preservation Office (SHPO) resources as needed; provides recommendations regarding proposed legislation that has impact on local historic resources, including specific area plans; and oversees the updating of the Historic Building Survey.
- **Parks and Recreation Commission:** Implements the Parks and Recreation Element of the General Plan, including program recommendations for parks and recreation facilities, including the Civic Auditorium, Loudon Nelson Community Center, the Natural History Museum, the Teen Center, the Municipal Wharf; coordinates review and management of the various park plans, including the Parks Master Plan, the DeLaveaga Park Master Plan, the DeLaveaga Golf Course Long Range Master Plan, Pogonip Final Master Plan, Moore Creek Corridor Access and Management Plan, Neary Lagoon Management Plan; oversees the Street Tree Ordinance, the Heritage Tree Ordinance, and reviews the Parks and Recreation Department's annual budget.

Advisory Body Jurisdiction *cont'd*

- **Planning Commission:** Implements the goals of the General Plan; interprets and applies the Zoning Ordinance (Title 24 of the Santa Cruz Municipal Code) and the Subdivision Ordinance (Title 23); reviews projects and land use plans for compliance with the General Plan, with the California Environmental Quality Act (CEQA), with the Local Coastal Program as incorporated in the General Plan, and with specific area plans, including Beach/South of Laurel Area Plan, Downtown Recovery Plan, Moore Creek Corridor Access and Management Plan, Neary Lagoon Management Plan, San Lorenzo River Plan, Seabright Area Plan, Lighthouse Field Plan, Western Drive Master Plan, Depot Site Master Plan, Mission Street Corridor Plan, West Cliff Drive Design Guidelines, Citywide Creeks and Wetlands Management Plan (in process) and the Ocean Street Master Plan (in process); considers and recommends revisions to the General Plan and the Zoning Ordinance.
- **Sister Cities Committee:** Governed by their bylaws, approved by the City Council, and by the bylaws and other regulatory documents of Sister Cities International.
- **Transportation and Public Works Commission:** Reviews public works projects for compliance with the Santa Cruz Municipal Code, the federal Clean Water Act, the 1990 California Ocean Plan, the Central Coast Water Quality Control Plan, Division 26 of the Health and Safety Code (CA), and Title 40 Code of Federal Regulations, as well as those goals and regulations of local, State, and federal agencies pertaining to public works projects, including the State Water Resources Board, the California Integrated Waste Management Board, the California Department of Fish and Game, the California Department of Transportation, the Monterey Bay Unified Air Pollution Control District, the Monterey Bay National Marine Sanctuary, the U.S. Corps of Engineers, the National Marine Fisheries Service, the Federal Highway Administration, the U.S. Environmental Protection Agency, and the Public Utilities Commission, and reviews annual Schedule of Capital Improvement Plans; works to implement the Circulation Element of the General Plan; refers to the City of Santa Cruz Bicycle Transportation Plan, the Master Transportation Study, the Regional Transportation Plan (RTP), the Santa Cruz County 2000 Regional Transportation Improvement Program, and specific area and neighborhood plans as relevant to transportation and circulation issues; and addresses community needs and researches new approaches that would further the City's circulation, transportation, and parking goals.
- **Water Commission:** Established by Resolution No. NS-22 in 1948, and reestablished by Ordinance No. 87-10 in 1987, the Water Commission advises the Council in all matters pertaining to the Santa Cruz Water System and its maintenance and management. The Commission also makes studies of long range plans for securing sources of domestic water supply for the city and reports to the City Council its conclusions and recommendations for the improvement and extension of water systems, including sources, storage, transmission and distribution of water to consumers.

Council Policies

COUNCIL POLICY 5.1

POLICY TITLE TERMS OF OFFICE, APPOINTMENT, SIMULTANEOUS SERVICE:

I. Boards, Commissions, Committees

II. Task Forces — Term

POLICY STATEMENT:

I. BOARDS, COMMISSIONS, COMMITTEES (not applicable to task forces*):

1. Members shall not serve simultaneously on more than one board, commission or committee. However, a member may be appointed to an additional advisory body as a representative of the board, commission or committee on which the member serves. A member of a task force or committee with a sunset clause of less than 13 months may also serve on an additional advisory committee. An alternate to any advisory body shall be considered as a full member and cannot simultaneously serve as a full member on any other board, commission or committee.
 2. Members shall not serve more than two full consecutive terms on the same advisory body. Generally, the term of office for members of boards, commissions and committees is four years. Those members who have served six years or less at the time their terms expire are eligible for reappointment.
 3. After a member's (second full consecutive) term expires, there must be at least a two-year break before that member can be appointed to the same advisory body, unless term limits are otherwise specified in the bylaws.
 4. Eligible members of boards, commissions and committees shall be asked if they are interested in being reappointed.
 5. Unless specifically exempted (or otherwise specified) by statute, charter, enabling ordinance or resolution, those eligible to serve on city advisory bodies shall be residents of the city, and must meet any requirements specific to the advisory body for which they are seeking appointment. In most cases, appointees are required to be registered voters who reside within the city.
 6. Council reserves the right to set aside the conditions listed above when it determines that due to exceptional qualifications or unusual circumstances, the continued presence of any member of an advisory board, commission or committee is of direct and immediate importance to the public interest.
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Council Policies *cont'd*

TERMS OF OFFICE, APPOINTMENT, SIMULTANEOUS SERVICE COUNCIL POLICY 5.1

7. Council reserves the right to remove any member of a board, commission or committee at any time.

NOTE: See policy 5.2 regarding appointment of city employees.

II. TASK FORCES:

1. The term/duration of a task force will be two years unless otherwise specified by the Council.

AUTHORIZATION: Council Policy Manual Update of November 17, 1998
Revised – October 10, 2000
Revised – October 14, 2003
Revised by Resolution No. NS-30,168 on June 27, 2023

Council Policies *cont'd*

COUNCIL POLICY 5.4

POLICY TITLE ATTENDANCE POLICY AND LEAVES OF ABSENCE FOR CITY
ADVISORY BODIES

POLICY STATEMENT:

This policy pertains to all meetings of advisory bodies.

The Mayor, Councilmembers, and the chairperson of each permanent city advisory body shall receive annual attendance reports prepared in the City Clerk's Department. Absences will be identified as "with notification" or "without notification." An absence is considered as "with notification" if the member notifies the chairperson or the staff prior to the meeting. If there has been no prior notification, the absence is considered "without notification." It is important to notify staff of any absences for the purposes of determining a quorum. Advisory body members are expected to attend meetings regularly.

Members who serve on advisory bodies which are scheduled to meet more than once monthly are allowed six absences per year.

Members who serve on advisory bodies which are scheduled to meet seven to twelve times per year are allowed three absences per year.

Members who serve on advisory bodies which meet six or less times per year are allowed one absence per year.

It is the responsibility of staff of an advisory body to bring serious attendance issues to the attention of the City Clerk prior to reaching the limit, if possible. City Clerk will inform the Mayor of the excessive absences. If either through study of the annual attendance report or through other channels, the Mayor learns that a member has more than the allowable number of absences, the Mayor may notify the member or chairperson, that action may be initiated by Council to remove the member from the advisory body. The Mayor may choose to postpone or withhold notification to Council in unusual circumstances: for example, if the member is actively performing work for the advisory body outside of the regular meetings or is involved in subcommittee work.

Council Policies *cont'd*

ATTENDANCE POLICY AND LEAVES OF ABSENCE FOR CITY ADVISORY BODIES **COUNCIL POLICY 5.4**

Leaves of Absence for City Advisory Body Members

Except under the most unusual circumstances, extended leaves of absence for members of City advisory bodies will not be allowed. Exceptions to this rule may be granted only by City Council.

AUTHORIZATION: Council Policy Manual Update of November 17, 1998
Revised September 9, 2003
Revised September 23, 2003
Revised by Resolution No. NS-30,168 on June 27, 2023

Council Policies *cont'd*

COUNCIL POLICY 5.11

POLICY TITLE: OPEN MEETING REGULATIONS (BROWN ACT) CITY ADVISORY BODIES

POLICY STATEMENT:

This policy is established to comply with amendments to Government Code § 54950 et seq. (the Ralph M. Brown Act). The law requires local agencies to post an agenda prior to each meeting of the legislative body (and advisory bodies), requires local agencies to provide an opportunity for the public to address the legislative body, generally prohibits the legislative body from acting on items not appearing on the agenda, and authorizes bringing suit to void certain actions taken in violation of the Brown Act. This legislative bill applies to every local legislative body including all advisory bodies and standing subcommittees.

Stated below are procedures to be followed:

1. An agenda for each regular board, commission, committee, task force or standing subcommittee (see Policy 5.12) meeting and each adjourned regular meeting will be posted outside the on the bulletin board outside Council Chambers, in the enclosed bulletin board located on Church Street, and on the City's website at least 72 hours prior to the meeting. The agenda shall be accessible through a prominent, direct link posted on the City's primary website homepage. A record of the postings will be maintained by the department and it will include a declaration of the time and place of each posting. Notice of any special meeting of an advisory body will be posted at least 24 hours prior to the meeting; such notice will specify the business to be transacted. A record of posting will be maintained as noted above.
2. The agenda will bear a brief general description of each item of business to be transacted or discussed at the meeting. The description will be reasonably calculated to inform the public of the general nature of the subject matter of the item so that the public may seek further information on items of interest.
3. If an advisory body member or staff intends to bring up an item for discussion or action it is to be included on the posted agenda unless the item qualifies as an exception as outlined in a) and b) below. The existing definition of "action taken" which is found in Government Code § 54952.6 will be used in determining the effect of the regulations. In that Government Code Section "action taken" is defined as "a collective decision made by a majority of the members of a legislative body, a collective commitment or promise by a majority of the members of a legislative body to make a positive or a negative decision, or an actual vote by a majority of the members of a legislative body when sitting as a body or entity, upon a motion, proposal, resolution, order or ordinance." Action may be taken on items not appearing on the posted agenda under the following circumstances:

Council Policies *cont'd*

POLICY 5.11 (continued)

- (a) The advisory body makes a determination that "the need to take action" arose after the agenda was posted. This determination requires the affirmative votes of at least two-thirds of the members or a unanimous vote if less than two-thirds of the members are present. If the advisory body is able to make such determination, a motion will be made, seconded, and voted upon and that action, along with a brief explanation of the circumstances, will be included in the minutes of that meeting. The brief explanation will state the need for action and the reason that the need arose after the agenda was posted. In general, if either the members or staff knew of the need for action before the agenda was posted and it was not included on the agenda for reasons of scheduling convenience or oversight, the members could not properly determine that the need arose after the agenda was posted.
- (b) The advisory body determines that an emergency situation exists. A motion would be made, seconded, and the vote taken and that action, along with a brief explanation of the emergency, would be included in the minutes of that meeting. This determination requires the affirmative vote of a majority of the members.

Council-appointed city advisory bodies shall provide an opportunity at some point during each meeting for public oral input on matters of public concern which are not listed on the posted agenda.

As to matters brought up by members of the public during oral communications (if any), any such publicly raised matter may be placed on a specific agenda as appropriate. It is the intent of this section of this policy to defer action on any item brought up by members of the public during oral communications while providing a procedure for responding to the public.

- 4. The advisory body will allow for public comment on agenda items. At the beginning of each agenda section, the audience will be given an opportunity to indicate the need to comment on any items on that section of the agenda. The advisory body may encourage brevity and set time limits on speakers and indicate such limits on the agenda.
- 5. The Brown Act authorizes the attendance of non-subcommittee members at subcommittee meetings provided that they attend only as observers.
- 6. Should an action of an advisory body be challenged on the basis of alleged Brown Act violation, the complaint must make a demand on the city to cure or correct the allegedly improper action. Any action to cure or correct must be filed within 30 days from the date of the action taken. The City Clerk is then responsible for expeditiously notifying the affected department and/or advisory body secretary and the city manager and City Attorney that such claim has been filed.

AUTHORIZATION: Council Policy Manual Update of November 17, 1998
Revised by Resolution No. NS-30,168 on June 27, 2023

Council Policies *cont'd*

COUNCIL POLICY 5.12

POLICY TITLE: ADVISORY BODY STANDING SUBCOMMITTEES

POLICY STATEMENT:

The City Council recognizes that use of temporary and standing subcommittees is an appropriate way to focus and accomplish the work of advisory bodies.

For purposes of this policy, the term advisory body shall include boards and commissions, committees, and task forces established by the City Council.

Standing Subcommittees

A standing subcommittee shall be defined as a body made up of less than a quorum of an advisory body with a specific charge that shall be in existence for more than six months.

Standing subcommittees must comply with the Brown Act.

Standing subcommittees will be staffed to ensure, at a minimum, compliance with the Ralph M. Brown Act.

Council approval must be obtained by an advisory body to establish a standing subcommittee within six months of its establishment.

Fiscal and workload impacts of staffing will be considered by advisory bodies when recommending creation of standing subcommittees and by Council when granting approval.

Temporary Subcommittees

A temporary subcommittee shall be defined as a body made up of less than a quorum of an advisory body with a specific charge that shall be in existence for less than six months.

Temporary subcommittees are not bound by the Brown Act.

Staffing of temporary subcommittees is at the discretion of the department head.

AUTHORIZATION: Council Policy Manual Update of November 17, 1998

Council Policies *cont'd*

COUNCIL POLICY 5.15

POLICY TITLE RESPONSIBILITY AND AUTHORITY OF CHAIR TO PREPARE
ADVISORY BODY AGENDA

POLICY STATEMENT:

Each duly elected Chair of any City advisory body shall have the authority to place an item on the advisory body agenda, within the specific charge of the advisory body, as approved by Council. The Chair shall have the responsibility for providing a written report on that item. If there is no written material, the Chair shall have the responsibility for providing specific title and recommendation language for the agenda, so that any interested party will understand what is before the advisory body.

The Chair shall also have the authority and responsibility to work with staff to review all agendas to ensure suitable work flow by the advisory body. If an issue arises regarding the appropriateness of that item, it shall be referred to the Mayor who shall make the final determination.

AUTHORIZATION: Motion
Revised November 13, 2001

Council Policies cont'd

City of Santa Cruz
Administrative Procedure Order
Section II, #1B (Effective April 2017; Revised October 2020)

II-1B

TO: Department Heads

SUBJECT: RESPECTFUL WORKPLACE CONDUCT

PURPOSE

The City of Santa Cruz is committed to maintaining and promoting a respectful work environment. Council Policy 25.2 (*Discrimination and Harassment Policy*), Administrative Procedure Order II-1A (*Discrimination/Harassment Policy Implementation and Complaint Procedure*), and this Administrative Procedure Order establish behavioral and workplace standards to support a culture of collaboration, inclusion, and productivity.

POLICY

It is the intent of the City of Santa Cruz that all employees, volunteers, Councilmembers, Commissioners, customers, contractors, and visitors to the City's worksites or places where City work is conducted enjoy a positive, respectful, and productive work environment free from behavior, actions, or language constituting a violation of this Respectful Workplace Conduct Policy. Such conduct may include, but is not limited to, the following as perceived by a reasonable person: repeated infliction of verbal, written, or social media abuse such as the use of derogatory remarks, epithets, or insults; physical conduct that is threatening, intimidating, bullying, or humiliating; or the sabotage or undermining of a person's work performance. Incorporated by reference in this policy is the amendment to §12950.1 of the California Government Code created by Assembly Bill 2053 (effective January 1, 2015) adding to the supervisory training requirement the subject matter "prevention of abusive conduct."

Employees found to have participated in actions constituting a violation of this policy shall be subject to disciplinary action up to and including termination. Volunteers found to have participated in actions constituting a violation of this policy may be subject to termination of their volunteer relationship with the City. If a complaint involves the conduct of a contractor, Human Resources will inform the contractor of the behavior and request prompt, appropriate action. The City reserves the right to prohibit a contractor's individual employee(s) from entering City-owned property/premises. Councilmembers and Commissioners found to have participated in actions constituting a violation of this policy shall be subject to the "Code of Ethics and Conduct for Elected and Appointed Officials" found in the City Council Policy Manual (<https://www.cityofsantacruz.com/government/city-council/council-policy-manual>). Customers and other visitors who engage in conduct in violation of this policy are subject to action on the part of the City intended to stop the conduct and protect others. Executives, managers, and supervisors who know or should know of conduct in violation of this policy and who fail to report such behavior or fail to take prompt, appropriate action when such conduct is observed or reported may be subject to disciplinary action up to and including termination.

In implementing the policy, the rights of free speech and association shall be accommodated in a manner consistent with applicable Federal and State law and in a manner consistent with the intent of the policy.

Council Policies cont'd

All employees, volunteers, contractors, Councilmembers and Commissioners shall receive a copy of this policy when they receive Council Policy 25.2 (*Discrimination and Harassment Policy*) and Administrative Procedure Order II-1A (*Discrimination/Harassment Policy Implementation and Complaint Procedure*) and City sponsored or approved training.

I Definition

Disrespectful Conduct: Any one or all of the following as perceived by a reasonable person:

- 1) Use of language that is intended to be, or perceived by a reasonable person to be, demeaning, berating, humiliating, threatening, bullying, offensive, insulting, slanderous, or malicious rumor-spreading;
- 2) Conduct that a reasonable person would find disruptive, abusive, threatening, intimidating, aggressive, or insubordinate;
- 3) Acts to undermine or interfere with a person's work performance.
- 4) Disagreements, conflicts, and differences of opinion are valid so long as professionalism can be maintained. Healthy arguments can be conducive to positive outcomes. This policy does not seek prohibit that behavior.
- 5) A single act shall not constitute disrespectful conduct unless especially severe and egregious.

II Responsibilities

- a. **Employees, Volunteers, Councilmembers, Commissioners, Customers, Contractors, and Visitors:** All persons are required to behave respectfully and to refrain from disrespectful behaviors, and are expected to:
 - Recognize when they or others are being subjected to disrespectful conduct and not condone or ignore it;
 - Bring the situation to the attention of a supervisor or the next person in the chain of command, department director, or Human Resources Department, or where physical safety is concerned, contact emergency services (9-1-1);
 - Understand that someone's intent does not excuse otherwise disrespectful conduct and/or relieve them from being held accountable for their actions; and
 - Address, if possible, inappropriate behavior directly with the person engaging in such conduct in a professional and non-confrontational manner.
- b. **Executives, Managers, and Supervisors:** Executives, managers, and supervisors are responsible for demonstrating respectful personal behavior towards all coworkers and visitors, as well as to set an example of respectful behavior as a model for City employees, volunteers, and visitors. In addition to this responsibility and the expectations listed above, executives, managers, and supervisors are expected to:
 - Maintain a level of awareness with their staff sufficient to know if disrespectful behavior is occurring;

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- Maintain a level of open communication with their staff that encourages them to report instances of disrespectful behavior that have occurred;
- Encourage the reporting of instances of disrespectful behavior by making this policy known to all employees;
- Promptly address all observed disrespectful behavior;
- Take reports and complaints of disrespectful behavior seriously and, if deemed appropriate following consultation with their immediate supervisor, attempt to independently confirm whether or not the reported behavior occurred or is occurring, without divulging the identity of the reporting party;
- Promptly report complaints to a supervisor, the department director, and Human Resources Department.

III. Retaliation

The City maintains a strict stance of no tolerance for retaliation against anyone for bringing a complaint or participating in an investigation. Under no circumstances will anyone be disciplined, demoted, or otherwise retaliated against for reporting, disclosing, or bringing a Respectful Workplace Conduct complaint to the attention of the City. Employees found to have participated in retaliatory action in contravention of this policy shall, therefore, be subject to disciplinary action up to and including termination. Councilmembers and Commissioners found to have participated in retaliatory action in contravention of this policy will be subject to the "Code of Ethics and Conduct for Elected and Appointed Officials."

- a. Anyone who believes they have been retaliated against because they filed a complaint, participated in an investigation, or reported observing a violation of the Respectful Workplace Conduct Policy should report this behavior to their supervisor, department director, or Human Resources Department.
- b. Complaints of retaliation will be investigated promptly.

PROCEDURE

I. Filing a Respectful Workplace Conduct Complaint

Any person who observes or perceives they have been subjected to conduct by another person believed to be a violation of this policy may initiate the complaint process by notifying their immediate supervisor, department director, or Human Resources Department.

- a. Complaints may be submitted to an employee's immediate supervisor, any supervisor or manager within or outside the department, the department director, or Human Resources Department within thirty (30) days of the date the alleged action occurred. Any City of Santa Cruz supervisor, manager, or department director who receives a complaint shall notify an appropriate supervisor/manager/director and Human Resources upon receipt of the complaint.
- b. If a complainant wishes to file the complaint in person and receive assistance, they may contact the Human Resources Department to schedule an appointment.
- c. Complaints should include the following information (it is recommended but not required to use the attached "Respectful Workplace Conduct Complaint Form" or the current Human Resources electronic reporting system):

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- The name, address, and telephone number of the complainant.
- Contact information of any person who may have knowledge of the incident.
- The specific disrespectful practice(s) or incident(s) that have occurred, including retaliation.
- The names of any persons thought to be responsible for the disrespectful behavior.
- The remedy the complainant is seeking as a result of the complaint.
- The name, address, and telephone number of the complainant's representative, if any.

II. Investigation

After reviewing the information contained in the complaint, the staff member who received the complaint within the department of the complainant will, in consultation with their immediate supervisor, determine if the complaint can be resolved within the department or if there is sufficient complexity to warrant a formal investigation. If so determined, the department director will be consulted and the Human Resources Department will coordinate and conduct (or delegate responsibility for coordinating and conducting) an investigation. The investigation will proceed within the following guidelines:

- a. Steps will be taken to ensure employees, Councilmembers, Commissioners, and volunteers are protected from further violations.
- b. To the extent possible, it is the intention of the City to protect the confidentiality of any person who contacts the City for the purposes of seeking information, assistance, or counseling regarding this Policy. Information given to the City in the course of an internal investigation is not confidential. The City will not release information except as required by Public Records laws or the requirements of an investigation.
- c. All parties are expected to cooperate with the investigation and are required to keep information regarding the investigation confidential. Failure to cooperate or maintain confidentiality could result in disciplinary action up to and including termination, or in the case of a Councilmember or Commissioner they will be subject to the "Code of Ethics and Conduct for Elected and Appointed Officials."
- d. Employees, Councilmembers, Commissioners, contractors or volunteers who are the subject of an investigation into actions constituting a possible violation of this policy may request to have representation. The right to representation may be required for members of the Police and Fire bargaining units.
- e. The complainant, the person subject to the investigation, and all witnesses will be informed that retaliating against a person for making a complaint and/or participating in an investigation will not be tolerated and could result in disciplinary action up to and including termination.

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III. Resolution of the Complaint

If a complaint is substantiated, the person subject to the investigation will be notified of the appropriate disciplinary action that will be taken. In the case of a Councilmember or Commissioner refer to the "Code of Ethics and Conduct for Elected and Appointed Officials."

- a. The complainant will be notified if any part of a complaint is substantiated and if action has been taken. The complainant will not be told the details of the action, including discipline.
- b. Both the complainant and the person subject to the investigation will be notified if a complaint is not substantiated.

IV. Withdrawal of Complaint

The complaint or any part of the complaint may be withdrawn at any time by the complainant; however, the request for such withdrawal must be in writing and state the reasons for the request. The Human Resources Department will review the request for withdrawal in order to determine whether or not it was the result of restraint, interference, coercion, discrimination, retaliation, or reprisal. An investigation may still proceed if a complaint is withdrawn.

V. Records

All records of complaints and investigations, whether substantiated, unsubstantiated, or withdrawn, will be maintained by the Human Resources Department, and subject to the Public Records laws.

Only documentation of disciplinary action imposed as a result of a sustained complaint is maintained in the employee's personnel file.

DEFINITIONS OF TERMINOLOGY

Abusive Conduct: Conduct of an employer, employee, volunteer, contractor, Councilmember, or Commissioner in the workplace or on social media, undertaken with malice that a reasonable person would find hostile or offensive and unrelated to an employer's legitimate business interests. Abusive conduct may include repeated infliction of written or verbal abuse, including the use of social media, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the sabotage or undermining of a person's work performance. A single act shall not constitute abusive conduct, unless especially severe and egregious.

Aggressive: Demonstrating unduly forceful behavior.

Bullying: Conduct, either direct or indirect, that harms one or more individuals, not limited to behaviors that cause physical harm. Bullying may be verbal (including oral and written language as well as the use of social media) or nonverbal, may involve a real or perceived imbalance of power, and often includes behaviors described above as *Abusive Conduct*.

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Derogatory: Behavior that is disparaging or belittling in attitude that aims to detract or diminish.

Disrespectful Conduct:

- 1) Use of language that is intended to be, or would be perceived by a reasonable person to be, demeaning, berating, humiliating, threatening, rude, bullying, offensive, insulting, slanderous, or malicious rumor-spreading;
- 2) Conduct that a reasonable person would find disruptive, abusive, threatening, intimidating, aggressive, or insubordinate;
- 3) Acts to undermine or interfere with an employee's work performance. A single act shall not constitute disrespectful conduct, unless especially severe and egregious.

Epithet: A word or phrase meant to characterize a person or thing, particularly in a negative or derogatory manner.

Humiliate: To disgrace, belittle, or make another appear foolish.

Insolent: Speaking or behaving in a way that is disrespectful or insulting.

Insult: To use offensive or disrespectful epithets towards others.

Intimidate: To behave in a manner that would cause a reasonable person to fear physical or emotional damage or harm.

Malice: A willful and conscious disregard of the feelings, rights, or safety of others.

Respectful Conduct: Behavior that expresses consideration of others' identities, viewpoints, and beliefs; restraint from behaviors that would be considered disrespectful conduct.

Retaliation: Verbal, nonverbal, or physical conduct or actions including the use of social media intended to injure or harm someone as a response to an action taken or perceived to have been taken; revenge.

Sabotage: The deliberate undermining of a person's work performance.

Threatening: Acting in a deliberately frightening quality or manner.

EXAMPLES OF BEHAVIORS

I. Examples of Respectful Behavior:

Every person is expected to abide by these values and standards of respectful interpersonal behavior, communication, and professionalism:

- We respect and value the contributions of all members of our community;
- We listen first and take responsibility for all our behaviors, including all verbal and nonverbal actions;
- We treat coworkers and others with respect, civility, and courtesy;
- We work honestly, effectively, and collegially;

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- We respond promptly, courteously, and appropriately to requests for assistance or information;
- We use conflict management skills, together with respectful and courteous verbal communication, to effectively manage disagreements;
- We encourage and support all coworkers and others in developing their individual conflict management skills and talents;
- We have an open and cooperative approach in dealings with employees, councilmembers, commissioners and volunteers recognizing and embracing individual differences;
- We recognize that differing social and cultural standards may mean that behavior that is acceptable to some may be perceived as unacceptable or unreasonable to others;
- We abide by all applicable rules, regulations, and policies and address any dissatisfaction with, or violation of, policies and procedures through appropriate channels;
- We demonstrate commitment to a culture where all coworkers cooperate and collaborate in using best practices to achieve positive work-related outcomes; and
- We are responsible stewards of resources and human assets to achieve excellence and innovation in the service to our community.

II. Examples of Disrespectful Behavior

Every person is expected to refrain from exhibiting disrespectful behavior. Examples of disrespectful behavior can include, but are not limited to, the following:

- Use of threatening or abusive language, or language that is intended to be, or is perceived by others to be, demeaning, berating, humiliating, or offensive;
- Intentionally ignoring someone, picking on an individual or group, or bullying;
- Making threats of violence, retribution, or financial harm; shouting or engaging in other speech, conduct, or behaviors that are reasonably perceived by others to represent intimidation;
- Using racial or ethnic slurs; demonstrating racial, gender, sexual orientation, or cultural bias (see also: 1) City Council of Santa Cruz Policy 25.2 (*Discrimination and Harassment Policy*), and 2) Administrative Procedure Order II-1A, (*Discrimination/Harassment Policy Implementation and Complaint Procedure*));
- Making or telling jokes that are intended to be or that are reasonably perceived by others to be derogatory, crude, or offensive; teasing, name-calling, insulting, ridiculing, or making someone the brunt of pranks or practical jokes;
- Using sarcasm or cynicism directed as a personal attack on others;
- Spreading malicious rumors or gossip;
- Throwing instruments, tools, office equipment, or other items as an expression of anger, criticism, or threat, or in an otherwise disrespectful or abusive manner;
- Making comments or engaging in behavior that is untruthful or directed as a dishonest personal attack on the professional or personal conduct of others;
- Retaliation;
- Sabotage; and
- Insubordination: Not submitting to authority; being disobedient to proper direction from an organizational superior, including, but not limited to, refusal to do an assigned job, refusal to render assistance, refusal to work overtime when mandatory, insolent response to a work order, or unreasonable delay in carrying out an assignment.

Advisory Body History

The history of advisory bodies in the City of Santa Cruz has reflected the course and changing needs of City governance.

The establishment of civil authority began in 1797 with Spain's founding of Branciforte (East Santa Cruz), which became one of California's three existing townships. The birthplace of Californian democracy, Branciforte held the state's first elections in 1802, and three years later was the first community to call for the closing of the mission system and California's independence from Spain. Following statehood in 1850, Santa Cruz County was established that same year, governed by a mayor and a four-member City Common Council. Issues of infrastructure (such as roads, water, and sanitation) and education were handled by temporary advisory committees. Incorporated in 1866, Santa Cruz received its first charter as a City in 1876. The five original City departments were: Public Affairs; Revenue & Finance; Public Health & Safety; Public Works; and Streets & Parks.

In 1905, after East Santa Cruz (Branciforte) annexed itself to the City, the combined jurisdictions voted for a new charter designating a mayor and seven-member City Council with both executive and administrative powers. A committee, formed at the turn of the century to establish the first City-owned water utility (a process which took several decades), led ultimately to a permanent Water Commission in 1948. Meanwhile, in 1901 De Laveaga Heights was given to the City for a park; the Park Advisory Committee formed to develop the land and its use was so successful that it was made permanent in 1918 as the Parks Department. After World War II, during which De Laveaga served as a military base, a Recreation Commission was created to stimulate park activities, and in 1948 the commission and department were unified to create the Parks and Recreation Department. During this period, other committees were formed: in 1903, the committee created to improve the waterfront appearance for President Theodore Roosevelt's visit went on to establish more permanent improvements such as the Boardwalk, Fleet Park, and San Lorenzo River restoration. A committee formed in 1925 to establish a public auditorium succeeded in 1940 with the Civic Auditorium.

The onset of the Great Depression saw hard-pressed property owners replace local businesses with chain stores. The Planning Commission was formed in 1930 to promote community interests; two years later, the commission helped facilitate New Deal redevelopment.

In 1948 the City adopted a new City Charter which established a Council/manager form of government with a mayor and six Councilmembers setting City policy, and a City Manager as chief administrator of those policies. This charter, with amendments, is still used today. Among other things, it sets provisions for City-appointed boards and commissions.

After the devastating downtown flood of 1955, an extensive redevelopment program was launched to create levees along the San Lorenzo River, along with plans to level much of downtown for highways, shopping centers, and high rise building development. Public opposition crystallized in the Pacific Garden Mall Committee in 1963, which led in 1968 to the restoration of the downtown as an open-air mall and a National Historic District (a designation unfortunately rescinded after over half the historic buildings were lost or destroyed following the Loma Prieta earthquake in 1989). Further landmark protections were sought, leading to the establishment of the Historic Preservation Commission in 1974. In anticipation of the 1976 national bicentennial, the Town Clock Plaza Committee oversaw the rebuilding of the 1874 town clock as a permanent park and monument. In 1977, the Arts Commission was established to allocate public funds to improve the City's cultural climate for visual and performing arts, with the Public Art Committee created in 1998, and funded through Two-Percent-For-The-Arts Capital Improvement Program (CIP) money.

Throughout the 1980s, advisory bodies grew in importance to promote greater public participation in civic affairs. The demolitions following the Loma Prieta earthquake of 1989 led to a decade of redevelopment, conducted through temporary master plan committees (notably, Vision Santa Cruz) covering nearly every part of town.

APPENDIX E:

Capital Investment Program (2023 to 2027)



CITY OF SANTA CRUZ

California

FY 2023 Capital Investment Program

July 1, 2022 - June 30, 2023



Guide to the Adopted Capital Investment Program

FY 2023 – FY 2027 Budget

Capital Investment Program

The City faces an ongoing challenge to meet its capital needs with limited resources. The preparation and adoption of the Capital Investment Program (CIP) is an important part of the City's planning process to identify and meet those needs. It is a multi-year schedule of projects with their associated costs and proposed funding sources. The CIP represents the best efforts to allocate available resources toward projects that provide the most benefit for the people of Santa Cruz. It also highlights areas where funding is deficient.

Generally, projects in the CIP are relatively large-dollar amount, nonrecurring outlays and are for the purpose of constructing, purchasing, improving, replacing or restoring assets with multi-year useful life. In addition, certain special projects and activities are included.

The CIP includes proposed projects for the next five fiscal years. It also describes projects that will be carried over from the current fiscal year. The first year of the CIP is, by and large, incorporated into and adopted with the annual budget.

Financing

The two basic methods to fund the CIP projects are (1) pay-as-you-go, which requires use of current revenues or cash on hand; and (2) pay-as-you-use, which uses debt financing to spread acquisition costs over the period of time the City plans to use a capital asset. Funds dedicated to pay-as-you-go include a share of transient occupancy taxes, grants, parks facilities taxes and fees, traffic impact and other development fees, and user fees in the enterprise funds. Both of these funding methods are useful, depending on the nature of the projects.

Using the CIP

The Capital Investment Program is divided into five sections:

- Climate Action Plan and Climate Action Plan Update
- General Fund CIP funding priority criteria
- Projects that are unfunded in fiscal years 2023-2027
- Maps of existing projects
- New and existing projects

Climate Action Plan and Climate Action Plan Update

The Climate Action Plan (CAP) adopted in 2012 specifies the greenhouse gas emissions targets and sectorally specific milestones as well as 254 measures to reach those targets and milestones by 2020. The CAP 2020 has now sunset and the Climate Action Plan 2030 development is underway. The Climate Adaptation Plan Update (CAPU) was adopted in 2018 and is an appendix to the Local Hazard Mitigation Plan (2018). It includes 44 prioritized measures to adapt the City to the impacts of climate change. Since 2015, the City's Sustainability Team has evaluated the adopted Capital Improvements Program (CIP) projects to identify those that implement the CAP and CAPU. The CAP and CAPU implementation CIP project lists are included in the front of the budget to give City leaders and decision-makers more information in considering the adopted budget. City staff may also reference these lists in preparing Health in All Policies agenda report language.

Projects

This section provides information on adopted capital investments over the next 5 years. It is organized by primary fund or funding source and function. Within each subsection, projects are arranged alphabetically.

Each project is identified by a project name and number (if previously assigned), and a project description/justification. It also includes a total project cost estimate. If applicable, the project cost estimate is reduced by additional outside funding sources, to arrive at a “net expenditure”. This is the net amount that must be funded by the primary funding source of the fund. This information is provided for each of the periods displayed:

- **“Prior Years”** Shows the total amount that has been spent on the project in prior years up to the end of the last fiscal year.
- **“2022 Budget”** Shows the total amount appropriated for the current fiscal year.
- **“2022 Estimated”** Shows the total amount of the FY 2022 funding that will be spent on the project, including what has been spent or encumbered and what will be carried forward into FY 2023.
- **“2023 Adopted”, “FY 2024 Estimated”, “FY 2025 Estimated”, “FY 2026 Estimated”, and “FY 2027 Estimated”** Each individual column shows the adopted (year 2022 only) and the future estimated funding required for the project for each identified fiscal year.
- **“Total 2023 - 2027”** Shows the total adopted funding required for the projects in FY 2023, and the total estimated funding required for FY 2024, FY 2025, FY 2026, and FY 2027.

At the end of each section is a summary of total project costs, funding sources, and net project costs for capital projects, maintenance and other projects, and a combined total for the fund(s).

General Fund CIP funding priority criteria

Over the past several years, the General Fund budget has not had the resources required to fund a capital program. As a budget balancing strategy, General Funded projects have mostly been deferred or alternative funding sources pursued.

This year, new project requests were reviewed and prioritized based on several factors including consistency with the Council's Re-Envision Santa Cruz recovery strategy. The various dimensions of evaluation included: fiscal sustainability and project funding availability; projects located in the Downtown and other business sectors; infrastructure: asset condition, maintenance and longevity; regulatory or mandatory requirements; and project readiness.

Projects ranking high in priority based on the above criteria are identified as Priority 1, and are identified in the project description as such. As funding becomes available, the City Manager will fund from the prioritized list as needed.

Unfunded Projects

The Unfunded Projects section includes those projects in Priority 1 as described above, and projects in Priority 2 that will be proposed once funding is identified, and staff resources are available.

Fund Balance Projections

This section includes a Five-year projection of sources, uses and fund balances for each fund included in the CIP. An overview of the impact of projected revenue and expenditures on fund balances over time can be seen in these tables. Fund balance projections for the following funds are included in the "Fund Balance Projection" section of the CIP. The following table identifies funding sources for each fund:

Fund	Primary Funding Source	Major Project Types
Governmental:		
Capital Improvement Fund-General	Grants, share of transient occupancy tax, General Fund subsidy	Storm drains, transportation, government, buildings, parks, playgrounds, wharf, sidewalks, utility undergrounding, and lighting
Capital Improvement Fund - Arterial Streets and Roads Fund	Grants, City Public Trust Fund, General Fund	Transportation
Information Technology Fund	General Fund, Enterprise Fund	Information Technology applications and infrastructure
Clean Rivers, Beaches, and Ocean Tax Fund	Tax assessments	Environmental, education
Community Development Block Grant (CDBG) Fund	Grants	Housing and Community Development
Gas Tax Fund	State gasoline tax	Transportation
2016 Transportation Measure D	Sales tax	Transportation

Fund	Primary Funding Source	Major Project Types
Parks and Recreation Fee Fund	Subdivision developer impact fees	Parks, playgrounds, community centers, and other Parks and Recreation facilities
Parks and Recreation Facility Tax Fund	Residential construction excise tax	Parks, playgrounds, community centers, and other Parks and Recreation facilities
RDA/SA-Redevelopment Obligation Retirement Fund	Property Tax	Successor Agency Funds
RDA/SA - Low/Mod Income Housing Funds	Property Tax	Affordable Housing Construction
RDA/SA-Capital Projects Fund	Property Tax	Street improvements, property rehabilitation, economic development, and other capital improvements
RDA/SA-Capital Projects-Admin	Property Tax	Administrative Costs of Successor Agency.
RDA/SA-Capital Projects-Del Mar Theater	Property Tax	Property management, maintenance and capital improvements to the Del Mar
SA City Low/Mod Income Housing Funds	Property Tax	Housing and Community Development
Federal American rescue plan funding	Grants	Homelessness Response
CA14 Homelessness Action Plan	Grants	Homelessness Response

Enterprise:

Water Fund	User Fees	Water system infrastructure
Water Fund - SDC	User Fees	Water system Development
Wastewater Fund	User Fees	Wastewater system infrastructure
Refuse Fund	User Fees	Sanitation, recycling and landfill infrastructure
Parking Fund	User Fees	Downtown parking district facilities, including parking lots and structures
Storm Water Fund	Storm water fees	Flood control facilities
Storm Water Overlay Fund	Storm water fees	Flood control facilities

Projects that support the Climate Action Plan

Project Name	Project #	New/Existing
125 Coral Street Navigation Center*	c102301	new
Bay Drive Protected Bike Lanes and Pedestrian Path	c402301	new
Chestnut Park Basketball Court Resurfacing*	c302303	new
Fire Department Chipper*	c212312	new
Grant Park - Basketball Court Renovation*	c302307	new
Infield Irrigation at DeLaveaga Park Ballfields	c302306	new
Lower Pacific Avenue Medians*	c302310	new
North Coast System Phase 4	c702303	new
Study of Recreational Facility Maintenance Needs*	c302301	new
Tyrrell Park - Pathway, Stage Area and Pedestrian Safety Improvements	c302309	new
University Terrace Park - Basketball Court and Tennis Court Renovation	c302308	new
Vegetation Management Tools/Heavy Equipment*	c212313	new
Tyrrell Park - Pathway, Stage Area and Pedestrian Safety Improvements	c302309	new
Un-Signalized Crossing Improvement Project	c402215	existing
Advance Dilemma Zone Detection and Retroreflective Signal Back Plate Upgrades	c402216	existing
Garfield Park Renovation	c302235	existing
Ocean View Park Redesign	c302236	existing
Harvey West Park Infrastructure Improvements	c302238	existing
Pacific Station North	c512201	existing
Pacific Station South	c512202	existing
Harvey West Pool - Pool Lighting, Controls, and Cleaning Systems Replacement and Updates	c302102	existing
Trail Across 135 Dubois Easement	c302104	existing
Grant Park - Restroom Plumbing Upgrade	c302105	existing
Irrigation System Improvements	c302122	existing
Civic Roof Repair*	c302140	existing
Trails Study	c301908	existing
Bay High Intersection Improvements	c401103	existing
MB Sanctuary Scenic Trail (Rail Trail) Segment 7	c401413	existing
Citywide Traffic Signal Controller Upgrade	c401602	existing
MB Sanctuary Scenic Trail (Rail Trail) Segments 8 & 9	c401804	existing
Swanton Blvd Multi Use Trail Connector	c401805	existing
Market Street Bike lanes and Sidewalk	c401806	existing
Downtown Bike Locker Replacement Program	c401812	existing
Downtown Intersection Improvements	c401903	existing
Delaware - Swift Intersection Improvements	c401904	existing
Bay - West Cliff Intersection Improvements	c401905	existing
Project Name	Project #	New/Existing

Landfill Master Plan Development	c401909	existing
San Lorenzo River Walk Lighting	c401910	existing
Mission Street Improvement Plan	c402001	existing
Murray Street Bridge Seismic Retrofit and Barrier Rail	c409321	existing
Farmers Market Structure*	c511901	existing
Advanced Metering Infrastructure	c701603	existing
Recycled Water	c701611	existing
Recycled Water- SDC	c701612	existing
Public Facilities –Maintenance - CEC	m609195	existing

*This project implements the Climate Action Plan only if it is explicitly designed or specified with sustainability features.

Projects that support the Climate Adaption Plan Update

Project Name	Project #	New/Existing
DeLaveaga Park - Branciforte Creek Trail Culvert Repair	c302304	new
Escalona Avenue Storm Drain Pipe replacement	c402302	new
Fire Boat	c212303	new
Fire Department Chipper	c212312	new
Fire Engine Ladder (Pierce Tiller 100')	c212202	new
Fire Engine Type I Pierce Pumper (1)	c212315	new
Fire Engine Type I Pierce Pumper (1)	c212316	new
Fire Station #1 & Fire Admin Replacement*	c212311	new
Fire Station #2 Replacement*	c212310	new
Fire Station #3 Front Driveway*	c212307	new
Fire Station #3 Rear Expansion*	c212306	new
Fire Station #5*	c212314	new
Fire Station 2 Rear Expansion*	c212302	new
Fire Stations Paging System*	c212301	new
Lower Pacific Avenue Medians*	c302310	new
North Coast System Phase 4	c702303	new
Santa Cruz Regional Public Safety Training Center	c212305	new
Station #3 Sewer Line Clean Out	c212309	new
Wharf - Redesign South Landing*	c302302	new
Pacific Station North*	c512201	existing
ASR - Mid County Existing Infrastructure	c702101	existing
ASR - Mid County New Wells	c702102	existing
ASR - Santa Margarita Groundwater Basin	c702103	existing
ASR - New Pipelines	c702104	existing
Newell Creek Pipeline Felton/Graham Hill WTP	c702105	existing
Newell Creek Pipeline Felton/Loch Lomond WTP	c702106	existing
Union/Locust Building Generator	c702107	existing
N. Coast Repair Ph4 Des and Construction	c702108	existing
N. Coast Repair Ph5 Des and Construction	c702109	existing
FEMA Certification of San Lorenzo River	c402109	existing
San Lorenzo Park Redesign	c301907	existing
Garfield Park Irrigation	c301911	existing
Bethany Curve Park Improvements	c301915	existing
Wharf Commons Surfacing Improvements	C302228	existing
Mission Hill Utility Undergrounding	c401004	existing
San Lorenzo River Pump Station #2	c401207	existing
Riverside Ave Utility Underground Phase II	c401208	existing
Pogonip Creek Sedimentation Removal	c401306	existing
Trevethan Storm Drain Project - Phase 1	c401307	existing

Project Name	Project #	New/Existing
Branciforte Creek Channel Repair and Maintenance	c401313	existing
San Lorenzo River Levee Storm Drain Maintenance	c401314	existing
State Route 1 Bridge Replacement	c401402	existing
West Cliff Drive Revetment Repair	c401501	existing
Chestnut Street Storm Drain Replacement	c401505	existing
Bay Drive Storm Damage Repair	c401507	existing
Catch Basin Replacement Program	c401610	existing
Wastewater Treatment Facility Infrastructure and Major Equipment	c401706	existing
Downtown SLR Drainage System Assessment	c401707	existing
CMP Storm Drain Pipe Replacement	c401709	existing
Curtis Street Storm Drain Phase II	c401802	existing
Soquel/Pine Storm Drain	c402002	existing
Murray Street Bridge Seismic Retrofit	c409321	existing
SLR Flood Control Environ Rest Project	c409512	existing
Jesse Street Marsh	c409669	existing
San Lorenzo River Lagoon Management Program	c601403	existing
Main Replacements- Engineering Section	c700002	existing
Main Replacements- Distribution Section	c701507	existing
ASR and In-Lieu Feasibility Study	c701609	existing
Aquifer Storage and Recovery	c701610	existing
Recycled Water Feasibility Study	c701611	existing
Recycled Water	c701612	existing
Newell Creek Pipeline Rehab/Replacement	c701701	existing
Water Supply Augmentation	c701705	existing
N Coast System Major Diversion Rehab	c701802	existing
Main Replacements- Eng Section- Transmission	c709833	existing
West Cliff Drive Multi-use Path Pavement Rehabilitation	m400819	existing
West Cliff Stair Repair at Indicators	m401402	existing
Nearby Lagoon Park Rehab-Maint. (Annual)	m409668	existing
Public Facilities - Maintenance	m609195	existing

*This project will implement the Climate Adaptation Plan depending on which resiliency measures are integrated into a green design approach or are considered to enhance existing resiliency benefits.