

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



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

Regular Meeting

November 24, 2009

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

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

Council meetings are cablecast on Comcast Channel 25.

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

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

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

Closed Litigation Session

1:30 PM

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

A. Real Property (Government Code §54956.8).

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

B. Labor Negotiations (Government Code §54956.6).

Lisa Sullivan—Negotiator
Employee Organizations—

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

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

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

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

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

Claims Against: City of Santa Cruz

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

Joint City Council/Redevelopment Agency

3:00 PM

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

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

Consent Agenda

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

Consent Agenda (continued)

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

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

5. Sister Cities Committee Bylaws Revisions. (PK)

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

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

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

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

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

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

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

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

Consent Agenda (continued)

9. Miscellaneous Service Fees. (WT)

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

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

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

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

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

End Consent Agenda

General Business

12. Acceptance of Hawaiian Princes Plaque. (PK)

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

Public Hearing

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

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

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

General Business

14. Mayor/Councilmember Compensation. (CM)

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

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

or

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

or

Motion to maintain the existing ordinance and current pay rates.

15. Council Meeting Calendar.

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

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

17. Council Memberships in City Groups and Outside Agencies.

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

City Council Meeting

7:00 PM

* Call to Order

* Roll Call

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

General Business

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

18. Election of the Mayor.

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

19. Election of the Vice Mayor.

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

Public Hearing

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

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

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

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

Advisory Body Appointments

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

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

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

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

City Council Agenda Legislative History Addendum

No information was submitted.

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

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

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

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

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

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

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