

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



**JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA**

Regular Meeting

January 12, 2010

1:30 P.M.                      CLOSED LITIGATION SESSION, COURTYARD CONFERENCE  
ROOM

3:00 P.M.                      CONSENT, GENERAL BUSINESS, PUBLIC HEARINGS, AND  
MATTERS OF PUBLIC INTEREST, COUNCIL CHAMBERS

**NOTE:** There will be no 7:00 p.m. Session.

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

Council meetings are cablecast on Comcast Channel 25.

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

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

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

## Closed Litigation Session

1:30 PM

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

### Referral to Closed Session

1. Referral to Closed Session - 49-A Municipal Wharf, APN 005-651-012. (ED)

Motion to approve a referral to closed session 1) the potential sale of the business known as Carniglia's located at 49-A Municipal Wharf and 2) the potential assignment of the existing lease for a limited term and/or the execution of a new lease for the purpose of instructing the Director of Economic Development concerning the assignment and terms of a new lease, or both.

### Closed Litigation Session

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

49A Wharf Lease Negotiations (Carniglia's)  
APN: 005-651-012  
Bonnie Lipscomb--Negotiator

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

Significant exposure of City to Litigation (Government Code §54956.9(b))  
(3 cases)

3 cases to be discussed.

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

1. Greiner v. City of Santa Cruz, United States District Court Case No. C07-02523-RS.
2. People v. Bradley Kellma, Santa Cruz Superior Court Case No. CV151944.

**Closed Litigation Session (continued)**

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

1. Claimant: Carol E. Meilicke
2. Claimant: Patricia Kathleen Miller

Claims Against: City of Santa Cruz

F. Labor Negotiations (Government Code §54956.6).

Lisa Sullivan—Negotiator

- Employee Organizations —
1. IAFF - Firefighters
  2. Fire Management
  3. Police Management
  4. Police Officers' Association
  5. SEIU – All Units
  6. Operating Engineers - Supervisors
  7. Operating Engineers – Managers

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

**Joint City Council/Redevelopment Agency  
3:00 PM**

- \* Call to Order
- \* Roll Call
- \* Pledge of Allegiance
- \* Spotlight on City Services - Greenhouse Gas Inventory Update
- \* Introduction of New Employee
- \* Presiding Officer's Announcements
- \* Statements of Disqualification
- \* Additions and Deletions
- \* Joint City Council/Redevelopment Agency Oral Communications - 30 Minutes

**Consent Agenda**

2. Minutes of the December 8, 2009 Regular City Council Meeting. (CC)  
Motion to approve as submitted.
  
3. Minutes of the December 8, 2009 Regular Redevelopment Agency Meeting. (CC)  
Motion to approve as submitted.
  
4. Educational Revenue Augmentation Fund (ERAF). (ED)  
Redevelopment Agency motion directing the Executive Director to pay \$3,746,760 from Agency funds on or before May 10, 2010 to the County Auditor for deposit into the State Supplemental Educational Revenue Augmentation Fund.  
  
Redevelopment Agency resolution appropriating funds and amending the Fiscal Year (FY) 2010 budget in the amount of \$3,746,760 from the Merged and Eastside Project Area Debt Service Funds.

**Consent Agenda (continued)**

5. Tannery Arts Center – National Endowment of the Humanities Grant Application.  
(ED)

Redevelopment Agency resolution authorizing the Executive Director, or her designee, to apply for a grant in an amount not to exceed \$51,901 from the National Endowment of the Humanities to fund Historic Interpretative Exhibits which are being created as part of the rehabilitation of the Tannery's historic buildings and to execute any and all documents, in a form approved by the City Attorney, necessary to accept the grant.

6. U. S. Department of Commerce, Economic Development Administration (EDA), American Recovery and Reinvestment Act (ARRA) Grant - Budget Adjustment.  
(ED)

Redevelopment Agency resolution appropriating funds and amending the FY 2010 budget in the amount of \$4,766,250 for the EDA ARRA grant for the Digital Media Center at the Tannery and \$430,805 for project costs which are not grant eligible.

7. Placement of Proceeds from Sale of 913 Cedar Street into Public Trust Fund.  
(FN)

Motion to direct staff to place the proceeds from the sale of the property at 913 Cedar Street into the Public Trust Fund.

8. Annual Financial Reports for FY 2009. (FN/ED/RDA)

Motion to authorize the Finance Director to file the Comprehensive Annual Financial Report and Single Audit Report for Fiscal Year 2009.

Motion to authorize the Agency Executive Director to file the Redevelopment Agency Financial Report for Fiscal Year 2009.

9. Liability Claims Filed Against City of Santa Cruz. (HR)

Motion to reject liability claims a) Carol E. Meilicke and b) Patricia Kathleen Miller, based upon staff investigation.

**Consent Agenda (continued)**

10. Naming of Field 1 "Rich Young Field" and Installation of a Memorial Plaque at Harvey West Park. (PK)

Motion to authorize the naming of Field 1 "Rich Young Field" and authorize the placement of a memorial plaque in honor of Mr. Young at the "Little League Field" at Harvey West Park.

11. Approving and Appointing Representatives to Other Agencies and Groups and Council Committees and Task Forces. (CN)

Motion to appoint or nominate representatives to other agencies and groups and Council committees and task forces as presented.

**End Consent Agenda**

**General Business**

12. Statewide Park Development and Community Revitalization Act of 2008 (Proposition 84) Property Selection. (PK)

Motion to select the preferred property for acquisition and development of a neighborhood park to be submitted for the Statewide Park Development and Community Revitalization Act of 2008 (Statewide Park Program) Prop 84:

- 1) Beach Flats neighborhood; or
- 2) Lower Ocean Neighborhood.

13. Loch Lomond Recreation Area – Changes for 2010 Season. (WT)

Introduction of an ordinance for publication amending the Santa Cruz Municipal Code Chapter 16. 05, changing the name from Recreational Use of the Loch Lomond Reservoir to Loch Lomond Recreation Area; and 16.05.030 Places and Times to change the schedule and hours of operation; and 16.05.100 General Regulations concerning (c) pets; and (e) trees, shrubs and other plants.

Resolution amending the Loch Lomond Recreation Area Fee Schedule to increase the Boat Storage Fee to \$200 per season, and rescinding Resolution No. NS-28,075 in its entirety.

**General Business (continued)**

14. Resolution Establishing the Interest Rate for Residential Rental Property Security Deposits. (ED)

Resolution establishing the interest rate for residential security deposits at 0.10% and rescinding Resolution No. NS-27,997.

**Public Hearing**

15. Authorization to Participate in a Renewable Energy Assessment District Program. (PL)

Resolution authorizing the City of Santa Cruz to join the CaliforniaFIRST Program.

Resolution authorizing Sacramento County to serve as the Lead Collaborative Entity to apply for California Energy Commission SEP grant funds.

**General Business**

16. Council Meeting Calendar.

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

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

18. Council Memberships in City Groups and Outside Agencies.

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

**Adjournment** — The Redevelopment Agency will adjourn from the regularly scheduled meeting of January 12, 2010 to the next regularly scheduled meeting on January 26, 2010, for a closed litigation session at 1:30 p.m., in the Courtyard Conference Room, followed by open sessions at the approximate hours of 3:00 p.m. and 7:00 p.m. in Council Chambers.

**Adjournment** — The City Council will adjourn from the regularly scheduled meeting of January 12, 2010 to a Special Meeting on January 19, 2010 in the City Council Chambers for Advisory Body Interviews. The next regularly scheduled meeting will be on January 26, 2010, for a closed litigation session at 1:30 p.m., in the Courtyard Conference Room, followed by open sessions at the approximate hour of 3:00 p.m. and 7:00 p.m. in Council Chambers.

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

### 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
Commission for the Prevention of Violence Against Women	One (1) vacancy; Councilmember Robinson's nomination
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 three (3) 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 – JANUARY 12, 2010  
**INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS**  
 (Copies available in the Central Branch Library at the Reference Desk)

City Clerk	Resignation of Kristen Joy Collins from the Sister Cities Committee - 12/1/09 (CCFYI 107)  Resignation of Bob Campbell from the Commission for the Prevention of Violence Against Women - 12/7/09 (CCFYI 108)  Resignation of Brad Brereton from the San Lorenzo River Committee - 12/8/09 (CCFYI 109)  2009 Advisory Body Attendance Reports - 12/17/09 (CCFYI 110)
City Manager	Monthly Camping Incident and Homeless Shelter Attendance Reports - 12/16/09 (CMFYI 133)
Economic Development Department	Agency Annual Financial and Audit Report for FY 2009 - 12/21/09 (EDFYI 032)
Finance Department	Portfolio Management Report – Unpooled Cash and Investments as of September 30, 2009 - 12/7/09 (FNFYI 126)  September 2009 Portfolio Management Report – Pooled Cash and Investments - 12/8/09 (FNFYI 127)  October 2009 Portfolio Management Report – Pooled Cash and Investments - 12/8/09 (FNFYI 128)

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(continued)

Finance Department (continued)	November 2009 Portfolio Management Report – Pooled Cash and Investments - 12/9/09 (FNFYI 129)
Library	Report on Getting Library Cards to all Santa Cruz Children - 12/2/09 (LBFYI 001)
Water Department	San Lorenzo River Water Quality and Habitat Protection Riparian Conservation Easement - 12/1/09 (WTFYI 035)

ADDENDUM TO CITY COUNCIL AGENDA – JANUARY 12, 2010

**MAYOR’S PROCLAMATIONS**

1. Proclaiming Monday, December 14, 2009 as “Gary Strachan Day” and encouraging all citizens to join in expressing heartfelt appreciation for his dedicated championing of the natural world and wishing him well in his retirement.
2. Proclaiming December 13, 2009 as “Santa Cruz Public Instrumental Music Educators Day” and encouraging all citizens to join in recognizing jazz musicians of all ages, jazz venues, audiences, and the dedicated volunteers and contributors to jazz organizations and the vital role that they play to enrich the cultural life of our community.
3. Proclaiming December 31, 2009 as “Martin ‘Willie’ Brandt Day” and encouraging all his coworkers and citizens to join in expressing heartfelt appreciation for his eighteen years of dedicated and exemplary service to the Santa Cruz Police Department and the City of Santa Cruz and wishing him well in his retirement.
4. Proclaiming December 12, 2009 as “Brad Goodwin Day” and encouraging all his coworkers and citizens to join in expressing heartfelt appreciation for his eighteen years of dedicated and exemplary service to the Santa Cruz Police Department and the City of Santa Cruz and wishing him well in his retirement.
5. Proclaiming December 17, 2009 as “Fred Martinez Day” and encouraging all citizens and his coworkers to join in wishing him well in his retirement and expressing heartfelt appreciation for his numerous contributions and years of service to the City and citizens of Santa Cruz.
6. Proclaiming the month of January 2010 as “National Blood Donor Month” and urging all citizens in good health to donate regularly; urging all civic and service organizations and businesses, if they have not already done so, to form blood donor groups to provide blood for others; and urging all citizens to pay tribute to those among us who donate for others in need.