

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



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

Regular Meeting

January 26, 2010

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| 1:00 P.M. | CITY COUNCIL PHOTO SHOOT, COUNCIL CHAMBERS |
| 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 evening 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. 49-B Municipal Wharf – Olita’s Cantina and Grille Lease Extension. (ED)

Motion to approve a referral to closed session: 1) the extension of an existing lease for a limited term; and 2) the provision of instructions to the Director of Economic Development regarding the terms of a new lease.

Closed Litigation Session

A. Real Property (Government Code §54956.8).

1. 49A Wharf Lease Negotiations
(Olita’s Lease Extension Negotiations)
APN: 005-661-01
Bonnie Lipscomb—Negotiator
2. Soquel Avenue (North Bay Ford - easement)
1900, 1912, and 1926 Soquel Avenue (Portions of each)
(Dennis DeMontigny and Kamaljit Sokhon—Owners)
Bonnie Lipscomb; Ceil Cirillo—City Negotiators
Assessor’s Parcel Numbers 001-051-14; 011-052-37; 001-052-17

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

1. Claimant: Susan Jane Beach
2. Claimant: Allysha Ann Leonard
Claims Against: City of Santa Cruz

C. Labor Negotiations (Government Code §54956.6).

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

Closed Litigation Session (continued)

D. Public Employee Performance Evaluation (Government Code §549567).

City Council's performance evaluation of City Manager.

An oral report will be presented in the 3:00 p.m. Session (item 26).

Joint City Council/Redevelopment Agency

3:00 PM

- * Call to Order
- * Roll Call
- * Pledge of Allegiance
- * Presentation – Thirty-Year Service Pin to Terry Tompkins, Deputy Water Director/Operations Manager
- * Presentation - Mayor's Proclamation Recognizing January as National Blood Donor Month – American Red Cross
- * Presentation - Mayor's Proclamation in Recognition of Deputy Chief of Police Patty Sapone's Retirement
- * Presiding Officer's Announcements
- * Statements of Disqualification
- * Additions and Deletions
- * Joint City Council/Redevelopment Agency Oral Communications - 30 Minutes

Consent Agenda

2. Citywide Wayfinding Study - Approval to Proceed. (ED)

Motion to authorize the Executive Director to proceed with a Citywide Wayfinding Study.

3. Tannery Arts Center – Authorization to Apply for Grant Funding from the California Cultural and Historical Endowment. (ED)

Redevelopment Agency resolution authorizing the Executive Director to apply for a grant in an amount up to \$500,000 from the California Cultural and Historical Endowment for the Tannery Arts Center Project and to execute any and all documents, in a form approved by the City Attorney, necessary to accept the grant.

Consent Agenda (continued)4. Liability Claims Filed Against City of Santa Cruz. (HR)

Motion to reject liability claims a) Susan Jane Beach and b) Allysha Ann Leonard, based upon staff investigation.

5. Stormwater Fund for Arana Gulch Watershed Alliance - Budget Adjustment. (PW)

Resolution amending the FY 2010 budget to appropriate funds in the amount of \$9,000 from the Stormwater Fund, to fund a portion of the executive director's salary for the Arana Gulch Watershed Alliance.

6. Beltz Well 11 Siting Study – Contract Amendment No. 3. (WT)

Motion to authorize the City Manager to execute Contract Amendment No. 3 with Hopkins Groundwater Consultants, Inc. in the amount of \$22,580 for additional costs associated with the Beltz Well 11 Siting Study and Hydrogeological Consulting.

7. The California Universal Healthcare Act (SB 810) – Resolution of Support. (CN)

Resolution supporting SB 810, The California Universal Healthcare Act, and urging the State Legislature and Governor to support SB 810.

End Consent Agenda**General Business**8. Pogonip Homeless Garden Project. (PK)

Motion to: 1) provide conceptual approval of the Homeless Garden Project's (HGP's) Operations and Management Plan, pending environmental evaluation and all other agency permit requirements; 2) direct staff to identify a process, timeline and funding source (if necessary) to address the HGP's request to amend the Master Plan to delete the requirement to use municipal water for Garden irrigation and to acknowledge instead that water from Spring #1 will be used to irrigate the Garden; and 3) direct staff to draft a lease that, once all evaluations are made and agency permit requirements are met, will be brought to Council for action.

General Business (continued)

9. SCWD2 Desalination Task Force – Preliminary Construction Cost Split. (WT)

Motion to concur with the SCWD2 Desalination Task Force recommended cost split between the City and the Soquel Creek Water District for the construction of a proposed desalination plant.

Public Hearings

10. Ordinance No. 2010-01 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. (WT)

Final adoption of Ordinance 2010-01.

11. Alcohol Ordinance Amendment (Environmental Determination: Categorical Exemption) (City of Santa Cruz, Applicant). (PL)

Introduction of an ordinance for publication amending portions of Title 24 of the Santa Cruz Municipal Code (Zoning Ordinance) modifying definitions and amending other sections regarding alcohol sales and live entertainment.

12. Marijuana Moratorium Extension. (PL)

Introduction and final adoption of an uncodified interim ordinance extending the moratorium on the establishment of medical marijuana dispensaries and production houses for a period of four months and 15 days and declaring the urgency thereof.

General Business

Note: Council may discuss and/or take action on the composition and integration of various advisory bodies listed as items 13 through 23.

13. Arts Commission Appointment or Reappointment (One Possible Reappointment, with a Term Expiration of 1/1/14). (CC)

Motion to appoint or reappoint an Arts Commissioner.

General Business (continued)

14. Commission for the Prevention of Violence Against Women Appointment (One Opening, Councilmember Robinson's Nomination, with a Term Expiration of 1/1/11). (CC)

Motion to approve Councilmember Robinson's nomination to the Commission for Prevention of Violence Against Women.

15. Downtown Commission Appointments (Two Vacancies, One with a Term Expiration of 1/1/14, and One with a Term Expiration of 1/1/12). (CC)

Motion to appoint two Downtown Commissioners.

16. Historic Preservation Commission (Two Vacancies, Both with Term Expirations of 1/1/14). (CC)

Motion to appoint two Historic Preservation Commissioners.

17. Parks and Recreation Commission (Two Possible Reappointments, Both with Term Expirations of 1/1/14). (CC)

Motion to appoint or reappoint two Parks and Recreation Commissioners.

18. Planning Commission (Two Possible Reappointments, Both with Term Expirations of 1/1/14). (CC)

Motion to appoint or reappoint two Planning Commissioners.

19. Public Works Commission (One Vacancy, with a Term Expiration of 1/1/11). (CC)

Motion to appoint a Public Works Commissioner.

20. San Lorenzo River Committee (Three Vacancies, Two with Term Expirations of 1/1/14, and One with a Term Expiration of 1/1/11). (CC)

Motion to appoint three San Lorenzo River Committee members.

21. Santa Cruz City Transportation Commission (Two Vacancies, with Term Expirations of 1/1/14). (CC)

Motion to appoint two Santa Cruz City Transportation Commissioners.

General Business (continued)

22. Sister Cities Committee (One Possible Reappointment, with a Term Expiration of 1/1/14, and Three Vacancies, Two with Term Expirations of 1/1/14, and One with a Term Expiration of 1/1/12). (CC)

Motion to appoint or reappoint four Sister Cities Committee members.

23. Water Commission (Two Openings, Both with Term Expirations of 1/1/14). (CC)

Motion to appoint two Water Commissioners.

24. Council Meeting Calendar.

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

25. 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.

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

27. 812 Pacific Avenue Lease Extension with Haber Brothers for Space Utilized by Community Television. (CM)

Resolution authorizing the City Manager to execute a lease extension with Haber Brothers for the space utilized by Community Television at 812 Pacific Avenue.

* Presentation - Almost Chaos - National SchoolJAM USA Contest Finalists - 6:00 p.m.

* Presentation – U.S. Club Soccer - 6:00 p.m.

Adjournment — The Redevelopment Agency will adjourn from the regularly scheduled meeting of January 26, 2010 to the next regularly scheduled meeting on February 9, 2010, for a closed litigation session at 1:30 p.m., in the Courtyard Conference Room, followed by open sessions at the approximate hours of 3:00 p.m. and 7:00 p.m. in Council Chambers.

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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	Two (2) vacancies
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 26, 2010
INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS
(Copies available in the Central Branch Library at the Reference Desk)

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| City Clerk | Resignation of Brandon Smith from the Downtown Commission -1/7/10 (CCFYI 111) |
| City Manager | Monthly Camping Incident and Homeless Shelter Attendance Reports - 1/11/10 (CMFYI 134) |

ADDENDUM TO CITY COUNCIL AGENDA – JANUARY 26, 2010
MAYOR'S PROCLAMATIONS

None issued.