

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



**JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA**

Regular Meeting

January 26, 2010

**Action Agenda prepared January 27, 2010 with action taken in bold type.**

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 was 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 **opened** 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 **was closed** to the public.

### Referral to Closed Session

1. 49-B Municipal Wharf – Olita’s Cantina and Grille Lease Extension. (ED)

**Motion carried** 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

**Council received status reports. No reportable action was taken.**

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

**Claims 1 and 2 were not discussed.**

**Closed Litigation Session (continued)**

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

**Council received status reports and instructed the negotiator. No reportable action was taken.**

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

**Council conducted the performance evaluation of the City Manager.**

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

**Joint City Council/Redevelopment Agency**

**3:00 PM**

- \* Call to Order – **At 3:07 p.m.**
- \* Roll Call - **Present: Councilmembers/Members Lane, Mathews, Beiers, Madrigal, Robinson, Vice Mayor/Vice Chair Coonerty; Mayor/Chair Rotkin.**
- \* 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 – **None.**
- \* Additions and Deletions – **None.**
- \* Joint City Council/Redevelopment Agency Oral Communications - 30 Minutes

**Consent Agenda**

**No items were removed from the Consent Agenda.**

**Councilmember Robinson recorded a no vote on Item 7.**

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

**Motion carried** 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 No. 1478 was adopted** 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 carried** 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 No. NS-28,160 was adopted** 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 carried** 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 No. NS-28,161 was adopted** 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 carried** 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.

**By consensus, staff was directed to include a security element in the final O&M Plan.**

**General Business (continued)**

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

**Motion carried** 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)

**Ordinance 2010-01 was passed for final adoption.**

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

**Ordinance No. 2010-02 was introduced 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)

**Ordinance No. 2010-03 was introduced for publication and passed for 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**

**Motion carried to continue Items 13, and Items 15 through 23, to the meeting of February 9, 2010, and for staff to return with recommendations on the consolidation of the Transportation and Public Works Commissions, and the sunseting of the San Lorenzo River Committee.**

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

**This item was continued to the meeting of February 9, 2010.**

**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 carried** to approve Councilmember Robinson's nomination **to appoint Maria L. Leon** 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)

**This item was continued to the meeting of February 9, 2010.**

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

**This item was continued to the meeting of February 9, 2010.**

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

**This item was continued to the meeting of February 9, 2010.**

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

**This item was continued to the meeting of February 9, 2010.**

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

**This item was continued to the meeting of February 9, 2010.**

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)

**This item was continued to the meeting of February 9, 2010.**

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

**This item was continued to the meeting of February 9, 2010.**

**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)

**This item was continued to the meeting of February 9, 2010.**

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

**This item was continued to the meeting of February 9, 2010.**

24. Council Meeting Calendar.

**The City Clerk announced that the meeting date for discussion of the FY 2010-2011 Capital Improvement Program will be April 20, 2010, and that the budget hearings are tentatively scheduled for June 7, 2010 and June 9, 2010 (if necessary.)**

25. Council Memberships in City Groups and Outside Agencies.

**Motion carried to appoint Councilmember Mathews to the Downtown Management Agency in the place of Mayor Rotkin.**

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

27. 816 Pacific Avenue Lease Extension with Haber Brothers for Space Utilized by Community Television. (CM)

**Resolution No. NS-28,162 was adopted** authorizing the City Manager to execute a lease extension with Haber Brothers for the space utilized by Community Television at 816 Pacific Avenue.

\* Presentation - Almost Chaos - National SchoolJAM USA Contest Finalists.

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

**Adjournment — At 6:24 p.m.** the Redevelopment Agency **adjourned** 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 **were** closed ten minutes after the meeting **was** adjourned.