

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



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

February 23, 2010

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



IT'S IN OUR HANDS

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 - Real Property Negotiation for Acquisition of Property Located at 575 Dimeo Lane (APN 059-121-07). (ED)

Motion to refer to closed session the potential purchase of property located at 575 Dimeo Lane (APN 059-121-07) owned by the Humphrey Estate for the purpose of instructing the negotiator concerning price, terms, or both.

Closed Litigation Session

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

575 Dimeo Lane Property Acquisition (Humphrey-Owner)
APN: 059-121-07
Bonnie Lipscomb--Negotiator

- B. Labor Negotiations (Government Code §54956.6).

Lisa Sullivan—Negotiator
Employee Organizations—

1. Police Management
2. Police Officers' Association
3. SEIU – All Units
4. Operating Engineers-Supervisors
5. Operating Engineers-Managers

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

1. City v. Deleon/Richardson, Santa Cruz Superior Court Consolidated Case No. CV162526

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

Initiation of Litigation by City (Government Code §54956.9(c)).

1 case to be discussed.

An oral report will be presented in the 3:00 p.m. Session (item 18).

Joint City Council/Redevelopment Agency

3:00 PM

- * Call to Order
- * Roll Call
- * Pledge of Allegiance
- * Spotlight on City Services - 2009 Homeless Survey and City Services
- * Presiding Officer's Announcements
- * Statements of Disqualification
- * Additions and Deletions
- * Joint City Council/Redevelopment Agency Oral Communications - 10 Minutes

Consent Agenda

2. Minutes of the February 9, 2010 Regular City Council Meeting. (CC)
Motion to approve as submitted.
3. Minutes of the February 9, 2010 Regular Redevelopment Agency Meeting. (CC)
Motion to approve as submitted.

Consent Agenda (continued)**4. Street Lighting Program and Lower Pacific Avenue Street Lights Project – Cooperation Agreement. (ED)**

City Council resolution authorizing the City Manager to execute a Cooperation Agreement with the Redevelopment Agency through which the Agency will contribute to the Street Lighting Program and Lower Pacific Avenue Street Lights Project.

Redevelopment Agency resolution authorizing the Executive Director to execute a Cooperation Agreement with the City through which the Agency will contribute to the Street Lighting Program and Lower Pacific Avenue Street Lights Project.

Redevelopment Agency resolution amending the FY 2010 budget and authorizing funds in an amount up to \$26,000 from available fund balance to fully fund the Street Lighting Program and Lower Pacific Avenue Street Lights Project.

City Council resolution amending the FY 2010 budget and authorizing funds in an amount up to \$26,000 provided by the Redevelopment Agency to fully fund the Street Lighting Program and Lower Pacific Avenue Street Lights Project.

5. City's Classification and Compensation Plans and the FY 2010 Budget Personnel Complement – Water Department. (HR)

Resolution amending the Classification and Compensation Plans and the FY 2010 Budget Personnel Complement by deleting one full time Operations Technician position in the Water Department and deleting the classification of Operations Technician from the City's Classification Plan.

6. Designation of HOPE Services, Inc., as Designated Approved Collector for Electronic Waste. (PW)

Motion to approve an agreement, in a form approved by the City Attorney, designating HOPE Services, Inc., as a Designated Approved Collector for covered electronic wastes (CEW) pursuant to 14 CCR 18660.5(a)(34).

Consent Agenda (continued)

7. San Lorenzo River Gravity Outlet Valve Maintenance Project - c400033 - Sole Source Vendor. (PW)

Motion to authorize Anderson Pacific Engineering Construction Inc. (Santa Clara, CA), as the sole source contractor for the San Lorenzo River Gravity Outlet Valve Maintenance Project. The City Manager is hereby authorized and directed to execute the contract, approved as to form by the City Attorney, as authorized by Resolution No. NS-27,563.

8. Soquel Avenue/Hagemann Avenue Safety Improvement Project (c400803)- Ratify Bid Award. (PW)

Motion to ratify the bid award to, and agreement with, Don Chapin Inc, Salinas, CA in the amount of \$144,470.70 for the Soquel Avenue/Hagemann Avenue Intersection Improvement Project (c400803).

9. Summer 2009 Overlay Project – West Cliff Drive (c400829) Contract Change Order. (PW)

Motion to accept Change Order #1 to the contract with Joseph J. Albanese, Inc., of Santa Clara, CA, increasing the contract by \$209,000 for the Summer 2009 Overlay Project – West Cliff Drive (c400829).

10. San Lorenzo River Highway 1 Bridge Underpass Project Contract Amendment 1 (c400826) Construction Management Services. (PW)

Motion to approve Amendment 1 to the contract with PB Americas, Inc., Sacramento, CA, in the amount of \$71,500 for the construction management of the San Lorenzo River Highway 1 Bridge Underpass Project - (c400826) to cover costs associated with compliance with additional oversight by the State and complications associated with unfavorable weather conditions.

Consent Agenda (continued)

11. Habitat Conservation Plan and Incidental Take Permit – Scientific and Permitting Support - Contract Amendment No. 1. (WT)

Motion to ratify the agreement dated August 7, 2009 between the City of Santa Cruz and Hagar Environmental Sciences, (Richmond, CA) for scientific and permitting support of the City's a Habitat Conservation Plan and Incidental Take Permit.

Motion to ratify Contract Amendment No.1 in the amount of \$55,110 with Hagar Environmental Sciences, (Richmond, CA) for additional scientific and permitting support of the City's Habitat Conservation Plan and Incidental Take Permit.

12. Water Supply Project - Entrainment Study and Impact Assessment - Contract Amendment No. 3. (WT)

Motion to authorize the City Manager to execute Contract Amendment No. 3 with Tenera Environmental (Layayette, CA), in the amount of \$38,200 for additional data collection and interpretation for the Entrainment Study and Impact Assessment for the scwd2 Desalination Program.

End Consent Agenda**General Business**

13. Special Events Alcohol Policy. (CM)

Motion authorizing a permanent special events alcohol program that will allow the consumption of wine and beer during special events held on public property in specifically designated and controlled areas.

14. Countywide Single-Use Bag Reduction Measures. (PW)

Motion to join with the County and other local governments to take appropriate actions to reduce the use of single-use bags by local retailers and consumers.

General Business (continued)

15. Merging the City Transportation and Public Works Commissions. (PW)

Motion to combine the City Transportation Commission and Public Works Commission into one body and provide direction to staff to prepare the necessary enabling ordinance revisions and by-laws to create a merged Transportation and Public Works Commission.

Public Hearing

16. Fee Schedule Revisions Recommended for Certain Planning and Building Fees. (PL)

Introduction of an ordinance for publication amending portions of Title 18 relating to permit fees.

Resolution revising Fee Schedules for the Department of Planning and Community Development and rescinding Resolution No. NS-27,971.

General Business

17. Council Meeting Calendar

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

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

19. 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.

The City Council and Redevelopment Agency will recess to the 7:00 P.M. Session.

Joint City Council/Redevelopment Agency
7:00 PM

- * Call to Order
- * Roll Call
- * Presentation – Mayor’s Proclamation Celebrating the Santa Cruz Peace Corps Community
- * Joint City Council and Redevelopment Agency Oral Communications - 20 Minutes

General Business

20. Commission for Prevention of Violence Against Women's (CPVAW) 2008-2009 Annual Report and Recommendations. (CM)

Motion to accept the CPVAW's 2008–2009 Annual Report.

Motion to support and prioritize the safety skills/self-defense programs scheduled and coordinated by the CPVAW for community members through public classes as well as classes scheduled in partnership with Santa Cruz City Schools.

Motion to recognize the importance of prevention programs, such as the safety skills/self-defense classes, Engaging the Bystander workshops, and other current and future CPVAW activities, and support these programs by attending and encouraging community members to participate.

Motion to approve the CPVAW’s solicitation of grant funding which would maintain and build current partnerships with a variety of organizations.

Motion to accept the CPVAW's sincere appreciation for the ongoing support as the 30th Anniversary of the CPVAW approaches in 2011.

Adjournment — The Redevelopment Agency will adjourn from the regularly scheduled meeting of February 23, 2010 to the next regularly scheduled meeting on March 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.

Adjournment — The City Council will adjourn from the regularly scheduled meeting of February 23, 2010, to a Special Closed Session meeting on Friday, February 26, 2009 at 3:00 p.m., in the City Manager’s Conference Room. The next regularly scheduled meeting will be on March 9, 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.

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 – FEBRUARY 23 , 2010
INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS
(Copies available in the Central Branch Library at the Reference Desk)

City Clerk	Resignation of Sheila Coonerty from the Downtown Commission - 2/1/10 (CC FYI 112)
City Manager	Monthly Camping Incident and Homeless Shelter Attendance Reports - 2/11/10 (CM FYI 135)
Finance Department	Quarterly Grant Report -1/27/10 (FN FYI 130) Portfolio Management Report – Unpooled Cash and Investments as of December 31, 2009 - 1/31/10 (FN FYI 131) Portfolio Management Report – Pooled Cash and Investments - 1/31/10 (FN FYI 132)
Public Works Department	American Recovery and Reinvestment Act of 2009 (ARRA) – Energy Efficiency and Conservation Strategy (EECS) Update - 2/2/10 (PW FYI 0056)

ADDENDUM TO CITY COUNCIL AGENDA – FEBRUARY 23, 2010
MAYOR'S PROCLAMATIONS

1. Proclaiming February 13, 2010 as “Jim and Emma Solden Day” and joining with their family and friends here and throughout the world in doing the following: giving congratulations to this couple we admire, wishing them the best in everything that they desire: travel, leisure, health, and some great-grandkids to inspire; and, who knows, maybe someday Emma really will retire.
2. Proclaiming Thursday, February 11, 2010 as “Ryan Coonerty Day” and encouraging all citizens to join in congratulating him on receiving the Tony Hill Memorial Award for Community Service and expressing heartfelt appreciation for his numerous contributions to the community and beyond.
3. Proclaiming the week of March 7–13, 2010 as “Portuguese Immigrant Week” and urging all citizens to join with the Portuguese community in commemorative festivities to broaden the understanding of the culture of this ethnic group and to foster understanding among all of our citizens.