

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



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

Regular Meeting
March 09, 2010

- 1:30 P.M. CLOSED LITIGATION SESSION, COURTYARD CONFERENCE ROOM
- 3:00 P.M. CONSENT, GENERAL BUSINESS, ORAL COMMUNICATIONS, MATTERS OF PUBLIC INTEREST AND PUBLIC HEARINGS, 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. 148 Walnut Avenue (APN 005-072-33 - Referral to Closed Session. (ED)

Motion to approve a referral to closed session the potential purchase of property located at 148 Walnut Avenue, owned by a local real estate partnership entity represented by Mr. Joe Appenrodt for the purpose of instructing the negotiator concerning the price, terms of payment, or both.

- A. 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

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

148 Walnut Avenue Property Acquisition (Joe Appenrodt-Owner)
 APN 005-072-33
 Bonnie Lipscomb-City Negotiator

212 Church Street Property Acquisition (Joe Appenrodt-Owner)
 APN 005-048-12
 Bonnie Lipscomb-City Negotiator

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

- 1. Claimant: Sean Christopher Allen

Claims Against: City of Santa Cruz

An oral report will be presented in the 3:00 p.m. Session (item 19).

Joint City Council/Redevelopment Agency

3:00 PM

- * Call to Order
- * Roll Call
- * Pledge of Allegiance
- * Presentation - American Public Works Association - Monterey Bay Chapter Project of the Year Awarded to Public Works for the San Lorenzo Bike Pedestrian Bridge Project
- * 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 February 23, 2010 Regular and February 26, 2010 Special Closed Session City Council Meetings. (CC)
Motion to approve as submitted.
3. Minutes of the February 23, 2010 Regular Redevelopment Agency Meeting. (CC)
Motion to approve as submitted.
4. Affordable Housing Trust Fund Advance Repayment. (ED)
Resolution amending the FY 2010 budget in the amount of \$589,657 increased in-lieu fee revenue and appropriating funds in the amount of \$995,000 to repay the advance and outstanding interest due to the City Public Trust Fund from the Affordable Housing Trust Fund.

Consent Agenda (continued)

5. Fiscal Year 2010 Budget Adjustment – Liability Insurance/Surety Bonds – Outside. (HR)

Resolution transferring funds from the Liability Insurance/Surety Bonds – Outside account in the Liability Fund to the same account in the Workers' Compensation Fund.

6. Liability Claim Filed Against City of Santa Cruz. (HR)

Motion to reject liability claim a) Sean Christopher Allen, based upon staff investigation.

7. City's Classification and Compensation Plans and the FY 2010 Budget Personnel Complement Amendment – Library. (HR)

Resolution modifying the classification and compensation plans and the FY 2010 Budget Personnel Complement by re-classifying one (1) 1.0 FTE Office Supervisor position to one (1) 1.0 FTE Administrative Analyst in the Library Department.

8. Transportation Demand Management (TDM) Promotions. (PW)

Resolution transferring funds and amending the FY 2010 in the amount of \$9,350 to fund the promotion of alternative transportation strategies to downtown employees.

9. Water Supply Project – Independent Technical Advisor – Contract Amendment No. 2. (WT)

Motion to authorize the City Manager to execute Contract Amendment No. 2 with Kennedy/Jenks Consultants of San Francisco, CA, in an amount not to exceed \$300,000 for Independent Technical Advisor to the scwd2 Seawater Desalination Program.

Consent Agenda (continued)

10. Beltz Monitoring Well Construction Project – Contract with Cascade Drilling, LP – Notice of Completion (WT)

Motion to accept the work completed by Cascade Drilling, LP and authorize the filing of a Notice of Completion for the contract for the Beltz Monitoring Well Construction Project.

End Consent Agenda**General Business**

11. Revising Ordinance to Consolidate the Transportation and Public Works Commissions. (PW)

Introduction of an ordinance for publication repealing Section 2.40.015 of the Santa Cruz Municipal Code pertaining to appointment of commissioners, repealing Section 2.40.130 and 2.40.131 of the Santa Cruz Municipal Code pertaining to the Transportation Commission, and amending sections 2.40.080 and 2.40.081 of the Santa Cruz Municipal Code pertaining to the newly consolidated Transportation and Public Works Commissions.

12. San Lorenzo River Committee - Resolution Sunsetting the Committee. (CM)

Resolution dissolving the San Lorenzo River Committee, and extending the City Council's appreciation to the Committee membership for its work and accomplishments over the past six years, and rescinding Resolution No. NS-26,281.

13. Agreement Endorsing Recommendations of the Desalination Task Force on a Proposed Seawater Desalination Facility. (WT)

Motion to authorize the City Manager to execute the City of Santa Cruz and Soquel Creek Water District Agreement Endorsing the Recommendations of Joint Task Force on a Proposed Seawater Desalination Facility.

General Business (continued)

14. Homeless Winter Shelter Extension and Debt Funding. (ED)

Resolution appropriating funds and amending the FY 2010 budget in an amount up to \$17,042 to fund an extension of time of the Homeless Winter Shelter and assist the Homeless Services Center in covering prior debts for the Homeless Winter Shelter.

Public Hearings

15. Ordinance No. 2010-04. Fee Schedule Revisions Recommended for Certain Planning and Building Fees. (PL)

Final adoption of Ordinance No. 2010-04.

16. Urgency Ordinances Extending the Life of Land Use and Building Permits. (PL)

Motion acknowledging the Environmental Determination, and introduction and final adoption of the following ordinances:

An uncodified Emergency Ordinance of the City of Santa Cruz pertaining to the extension of time for exercising land use permits and declaring the presence of an emergency and the urgency thereof; and

An uncodified Emergency Ordinance of the City of Santa Cruz pertaining to the extension of time for exercising building permits and declaring the presence of an emergency and the urgency thereof.

17. Medical Marijuana Dispensaries and Personal Medical Marijuana Use Ordinances. (PL)

Introduction for publication of an Ordinance amending Title 24 of the Santa Cruz Municipal Code and of the Local Coastal Implementation Plan, modifying standards for medical marijuana dispensaries.

Introduction for publication of an Ordinance adding Section 6.90.085 to the Santa Cruz Municipal Code pertaining to annual reports from medical marijuana provider association dispensaries.

General Business

18. Council Meeting Calendar.

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

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

20. 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 March 9, 2010 to the next regularly scheduled meeting on March 23, 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 March 9, 2010, to the next regularly scheduled meeting on March 23, 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 – MARCH 9, 2010
INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS
 (Copies available in the Central Branch Library at the Reference Desk)

| | |
|---------------------------------|---|
| City Manager | Measure K Oversight Committee Semi-Annual Report to the City Council - 2/22/10 (CM FYI 136) |
| Economic Development Department | Google Fiber Request for Information - 2/11/10 (ED FYI 002) |
| | 314–316 Front Street – Second Amendment to Parking Lot Lease Agreement - 2/17/10 (ED FYI 003) |
| | Termination of Municipal Wharf Webcam License Agreement - 2/23/10 (ED FYI 004) |
| | Homeless Shelter - 2/23/10 (ED FYI 005) |

ADDENDUM TO CITY COUNCIL AGENDA – MARCH 9, 2010

MAYOR'S PROCLAMATIONS

1. Proclaiming February 27, 2010 as “Robert Weil Day” and urging all local residents and friends of justice around the world to join in celebrating Robert Weil’s many contributions to social justice here and around the globe and in wishing him the happiest of birthdays and many more years of effective troublemaking.
2. Proclaiming March 5, 2010 as “*Treasures Beyond the Dawn Day*” and urging residents of our fair community of every age to attend this production and to spread the word of the performances as the schedule is released, and I further commend the young people and their supporters who have written, produced, directed, scored, choreographed, acted, crewed, or helped prepare or support this bold undertaking for their creativity and engagement in a significant artistic endeavor.
3. Proclaiming March 1–7, 2010 as “Peace Corps Week” and encouraging all citizens to join in commemorating the Peace Corps 49th Anniversary; recognizing its achievements; honoring its volunteers, past and present; and reaffirming our country’s commitment to helping people help themselves throughout the world.
4. Proclaiming March 13, 2010 as “SPIN Day” and encouraging all citizens to join in honoring SPIN and all of its members, staff, and participants for their many contributions to the people of the Santa Cruz Community.
5. Proclaiming February 24, 2010 as “Bob Minnis and Jim Williams Day” and urging all residents to join in recognizing the many contributions made by these two outstanding individuals to our local Santa Cruz community and the global community as well.