

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



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

Regular Meeting

April 27, 2010

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| 1:30 P.M. | CLOSED LITIGATION SESSION, COURTYARD CONFERENCE ROOM |
| 2:55 P.M. | JOINT CITY COUNCIL AND SANTA CRUZ PUBLIC FINANCING AUTHORITY BOARD OF DIRECTORS MEETING, COUNCIL CHAMBERS |
| 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 |

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; thereafter the meeting will be closed to the public.

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
 6. FIRE IAFF
 7. Fire Management

B. Conference with Legal Counsel – Pending Litigation (Government Code §54956.9)

1. Build a Better La Bahia v. City of Santa Cruz, Santa Cruz Superior Court Case No. CV163910.

C. Conference with Legal Counsel – Existing Litigation (Government Code §54956.9(a))

1. Regents of the University of California v. City of Santa Cruz, et al., Santa Cruz County Superior Court Case No. CV 155136.
2. Regents of the University of California v. City of Santa Cruz, et al., Santa Cruz County Superior Court Case No. CV 155995.
3. City of Santa Cruz v. UCSC (LRDP/EIR), Santa Cruz County Superior Court Case No. CV 155571.
4. City of Santa Cruz v. UCSC (Biomedical Building – CEQA), Santa Cruz County Superior Court Case No. CV 156366.

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

1. Claimant: California State Automobile Association (Lombardi)
Claim Against: City of Santa Cruz

Closed Litigation Session (continued)

E. Public Employee Performance Evaluation (Government Code §54957).

City Council's performance evaluation of City Manager.

An oral report will be presented in the 3:00 p.m. Session (item 16).

**Joint City Council and Santa Cruz Public Financing Authority
Board of Directors Meeting
2:55 PM**

Call to Order

A. Proposed Issuance of 2010 Lease Revenue Refunding Bonds. (FN)

Resolution of the City Council of the City of Santa Cruz Authorizing the Issuance and Sale of Lease Revenue Refunding Bonds, and Authorizing Actions Related Thereto.

Resolution of the Board of Directors of the City of Santa Cruz Public Financing Authority Authorizing the Issuance and Sale of Lease Revenue Refunding Bonds, and Authorizing Actions Related Thereto.

Adjournment: The Public Financing Authority Board of Directors will adjourn from the regularly scheduled meeting of April 27, 2010 to the next regularly scheduled meeting on Tuesday, May 11, 2010, at the hour of 2:55 p.m.

Joint City Council/Redevelopment Agency

3:00 PM

- * Call to Order
- * Roll Call
- * Pledge of Allegiance
- * Presentation - Sexual Assault Response Team Information
- * Presentation - Amgen
- * Presentation - Mayor's Proclamation in Recognition of May as Museum Month
- * Presiding Officer's Announcements
- * Statements of Disqualification
- * Additions and Deletions
- * Joint City Council/Redevelopment Agency Oral Communications - 10 Minutes

Consent Agenda

1. Minutes of the April 13, 2010 Regular City Council Meeting. (CC)
Motion to approve as submitted.
2. Minutes of the April 13, 2010 Regular Redevelopment Agency Meeting. (CC)
Motion to approve as submitted.
3. 1520-K1 Pacific Avenue – Lease Agreement with Marilyn Strayer, dba Alfresco.
(ED)

Resolution authorizing and directing the City Manager to execute a lease agreement and any amendments of a non-substantive nature, subject to the approval of the City Attorney, with Marilyn Strayer, dba Alfresco, for the premises located at 1520-K1 Pacific Avenue.

Consent Agenda (continued)

4. Fifth Amendment to the Amended and Restated Owner Participation Agreement By and Between the Redevelopment Agency of the City of Scotts Valley and the City of Santa Cruz. (ED)

Resolution authorizing the City Manager to execute the Fifth Amendment to the Amended and Restated Owner Participation Agreement By and Between the Redevelopment Agency of the City of Scotts Valley and the City of Santa Cruz, in a form to be approved by the City Attorney.

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

Motion to reject liability claim a) California State Automobile Association, based upon staff investigation.

6. Parks and Recreation Commission Bylaws Revision. (PK)

Motion to adopt the amended Bylaws setting forth said amendments to the structure of the Parks and Recreation Commission.

7. Proposition 84 Urban Greening Planning Grant Application. (PK/PL)

Resolution authorizing the City Manager to submit a grant application for the Urban Greening Planning Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) and approving the contract for the firm Design, Community and Environment (DC&E) to prepare an Urban Greening Plan per the grant requirements.

8. Beltz Wells Treatment Plant Driveway Project – Approval of Plans and Specifications and Authorization to Advertise for Bids and Award Contract. (WT)

Motion to approve the construction plans and specifications for the Beltz Wells Treatment Plant Driveway Project and authorize staff to advertise for bids. The City Manager is hereby authorized and directed to execute the contract as authorized by Resolution No. NS-27-563.

Consent Agenda (continued)

9. Water Supply Project – Post-Pilot Facility Site Modifications - Contract Change Order No. 3 and No. 4. (WT)

Motion to ratify Contract Change Order No. 3 (\$8,062) and No. 4 (\$12,270) with BCI Builders, Inc. (Scotts Valley) for Post-Pilot Facility Site Modifications.

10. H.R. 4812 – the Local Jobs for America Act – Resolution of Support. (CN)

Resolution supporting H.R. 4812, the Local Jobs for America Act and urging its immediate passage to protect community services and create more jobs.

11. AB 32: Global Warming Solutions Action of 2006 – Resolution Reaffirming Support. (CN)

Resolution reaffirming support of AB 32, the Global Warming Solutions Act of 2006, which establishes a timetable that aims to significantly reduce California's greenhouse gas emissions, and urging its full implementation.

End Consent Agenda**Public Hearing**

12. 2010-2015 Consolidated Plan and 2010 - 2011 Action Plan for the City's Housing and Community Development Program. (ED)

Resolution adopting the 2010-2015 Consolidated Plan and directing staff to submit the document to HUD.

Resolution adopting the 2010 - 2011 Annual Action Plan for the city's Housing and Community Development Program, certifying environmental review, and authorizing the City Manager to sign an application for federal funding assistance for the 2010 - 2011 program year.

Resolution authorizing the City Manager to execute program/project contracts, loan agreements and related loan documents with CDBG and HOME sub-recipients and contractors in connection with Consolidated Plan activities proposed in the 2010 - 2011 Annual Action Plan and any subsequent revisions to the Action Plan.

Resolution authorizing the continuance of existing funding for reprogrammable CDBG and HOME funds from the 2009 - 2010 Consolidated Plan Program Year to the 2010 - 2011 Program Year.

General Business

13. Formation of Santa Cruz County Tourism Marketing District. (CN)

Resolution granting consent to the County of Santa Cruz to form the Santa Cruz County Tourism Marketing District.

14. Rail Acquisition - Council Guidance to Santa Cruz County Regional Transportation Commission Representative, Councilmember Lane. (CN)

Motion providing Councilmember Lane guidance with respect to the May 6th Santa Cruz County Regional Transportation Committee vote on acquisition of the Santa Cruz Branch rail line.

15. Council Meeting Calendar

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

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

17. 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
- * Joint City Council and Redevelopment Agency Oral Communications - 20 Minutes

Public Hearing

18. Medical Marijuana Ordinance Amending Title 6. (PL)

Introduction of an Ordinance for Publication amending Title 6 of the Santa Cruz Municipal Code modifying standards for Personal Medical Marijuana Use.

Adjournment — The Redevelopment Agency will adjourn from the regularly scheduled meeting of April 27, 2010 to the next regularly scheduled meeting on May 11, 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 2010, to the Special Meeting of Tuesday, May 4, 2010 for a River/Front and Lower Pacific Design Guidelines and Development Incentive Study and Walking Tour. The next regularly scheduled meeting will be on May 11, 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.

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

Advisory Body Appointments

No openings at this time.

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 – APRIL 27, 2010
INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS
 (Copies available in the Central Branch Library at the Reference Desk)

City Manager’s Office	Monthly Camping Incident and Homeless Shelter Attendance Reports - 4/14/10 (CMFYI 141)
Finance Department	Quarterly Grant Report - 4/7/10 (FNFYI 136)
Public Works Department	City Council Capital Improvement Program Study Session – Commission Actions - 4/15/10 (PWFYI 0059)

ADDENDUM TO CITY COUNCIL AGENDA – APRIL 27, 2010

MAYOR'S PROCLAMATIONS

1. Proclaiming Saturday, April 10, 2010 as “Santa Cruz AIDS Walk 2010 Day” and urging all citizens to join in supporting and participating in events and efforts to care for those members of our community who are living with HIV/AIDS and to educate our community about what we all can do to help prevent the spread of HIV/AIDS.
2. Proclaiming Wednesday, April 21, 2010 as “Santa Cruz Community Farmer’s Market Day” and encouraging all citizens to join in congratulating the Downtown Santa Cruz Farmer’s Market upon its 20th Anniversary.
3. Proclaiming April 21, 2010 as “Ann Bennett Day” and urging all local residents and friends of Central Coast Theatre to join in celebrating her many contributions to local theatre and wishing her well as she transitions to a new phase of her theatrical life.
4. Proclaiming the month of May 2010 as “Museum Month” and urging all citizens to join in honoring the City’s four museums and the many volunteers and contributors who have made and continue to create inspiring and educational experiences for all.