

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



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

Regular Meeting

May 11, 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 |

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 – 55-A Municipal Wharf, APN 005-671-01. (ED)

Motion to approve a referral to closed session the assignment of a Municipal Wharf Lease.

Closed Litigation Session

- 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. Real Property (Government Code §54956.8).

1. 55-A Wharf Lease Assignment
APN: 005-671-01
City Negotiator - Bonnie Lipscomb
2. Delaveaga Golf Course Lease Negotiations
401 Upper Park Road
APN: 009-471-01; 009-471-02
City Negotiator – Dannettee Shoemaker

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

1. City v. Patel, Santa Cruz County Superior Court Case No. CV 161056.
2. City v. Gadani, et al. (El View Lodge and Seabreeze Inn), Santa Cruz County Superior Court Case No. CV 166931.
3. Community Water Coalition v. Santa Cruz County LAFCO, et al.
Santa Cruz County Superior Court Case No. CV 167407.

An oral report will be presented in the 3:00 p.m. Session (item 17).

Joint City Council/Redevelopment Agency

3:00 PM

- * Call to Order
- * Roll Call
- * Pledge of Allegiance
- * Presentation - Mayor's Proclamation in Recognition of May 9-15th as Police Appreciation Week and May 15th as Peace Officer Memorial Day
- * Presentation – Amgen Tour of California
- * 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 April 20, 2010 Special and April 27, 2010 Regular City Council Meetings. (CC)

Motion to approve as submitted.

3. Minutes of the April 27, 2010 Regular Redevelopment Agency Meeting. (CC)

Motion to approve as submitted.

4. Zero Motorcycles Grant Match. (ED)

Redevelopment Agency resolution indicating support for providing assistance to Zero Motorcycles in an amount up to \$200,000 from the Redevelopment Agency to provide matching grant funds for a California Energy Commission grant application to develop an electric powertrain and manufacturing facility in Santa Cruz and directing staff to return with a formal agreement setting forth the terms and conditions of such assistance.

Consent Agenda (continued)5. Tannery Arts Center Tripartite Agreement. (ED)

Redevelopment Agency motion: 1) acknowledging the role of the Tannery Arts Center, Inc., a non-profit organization, in promoting the Salz Tannery arts project and its efforts to develop a performing arts center on Parcel 3 of the Tannery site pursuant to the terms of the non-housing ground lease between the Agency and Artspace Projects, Inc.; and (2) directing the Executive Director to develop a tripartite agreement between the Tannery Arts Center, Inc., Artspace Projects, Inc., and the Agency that codifies the roles and responsibilities of each of the parties in the development of the Tannery Arts Center campus.

6. Assignment of Municipal Wharf Lease for 55-A Municipal Wharf APN: 005-671-01. (ED)

Motion to approve the assignment of a Municipal Wharf lease from Marini's Inc., dba Marini's Munchies to Marini's Candies, Inc. and authorize and direct the City Manager to execute the assignment in a form approved by the City Attorney.

7. Agreement with Volunteer Centers of Santa Cruz County - TDA Claimant. (FN)

Motion to authorize and direct the City Manager to execute an agreement with Volunteer Centers of Santa Cruz County, allowing the City to act as claimant for funds obtained from the Santa Cruz County Regional Transportation Commission (SCCRTC) for FY 2011.

8. Agreement with Community Bridges of Santa Cruz County - TDA Claimant. (FN)

Motion to authorize and direct the City Manager to execute an agreement with Community Bridges/Consolidated Transportation Services Agency, allowing the City to act as claimant for funds obtained from the Santa Cruz County Regional Transportation Commission (SCCRTC) for FY 2011.

9. Parking and Business Improvement Area Assessments for FY 2011. (FN)

Motion to approve, or to modify and approve, the plan prepared by the Downtown Association for FY 2011.

Resolution of Intention to levy a business improvement assessment for FY 2011, and scheduling a Public Hearing for June 8, 2010, after the hour of 3:00 p.m., on the levy of the assessments for FY 2011.

Consent Agenda (continued)

10. Sister Cities Committee Bylaws Revisions. (PK)

Motion to adopt the amended bylaws setting forth said amendments of the time and location of the Sister Cities Committee meetings.

11. Wastewater Treatment Facility 54" Effluent Pump Pipeline Repair Project (m409659). (PW)

Motion to approve the plans and specifications for the Wastewater Treatment Facility 54" Effluent Pump Pipeline Repair 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.

12. Award 12.5% Sodium Hypochlorite Contract. (PW)

Motion to accept the bid of Sierra Chemical Co., Sparks, NV, complying with specifications for 12.5% Sodium Hypochlorite in the amount of \$0.7045/gallon, and rejecting all other bids; and authorize the City Manager to execute the agreement.

13. Proposition 16 – Establishing a Two-Thirds Majority Vote for Local Public Electricity Service Changes – Resolution of Opposition. (CN)

Resolution opposing Proposition 16, which will impose a new two-thirds voter approval requirement for changes to local public electricity provision, and supporting a local community's right to determine how and when to take action to support locally renewable energy generation projects.

End Consent Agenda**Public Hearing**

14. FY 2011 Cooperative Retail Management Business Real Property Improvement District Assessments. (ED)

Resolution confirming the FY 2011 Cooperative Retail Management Business Real Property Improvement District Annual Plan; and levying business improvement assessments for FY 2011.

General Business

15. Proposed Issuance of 2010 Refuse Enterprise Revenue Refunding Bonds. (FN)

Resolution of the City Council of the City of Santa Cruz authorizing the issuance and sale of Refuse Revenue Bonds in the maximum amount of \$4,500,000 to refinance outstanding 2001 Certificates of Participation and finance property related to the Refuse Enterprise, and approving related agreements and actions.

16. Council Meeting Calendar

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

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

18. 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.

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 Hearings

19. Ordinance No. 2010-10 - Medical Marijuana Ordinance Amending Title 6 of the Santa Cruz Municipal Code modifying standards for Personal Medical Marijuana Use. (PL)

Final adoption of Ordinance No. 2010-10.

20. 170 Frederick Street - Major Modification. (PL)

Resolution acknowledging the Environmental Determination and approving the Major Modification to Zoning Permit No. 06-078 for affordable housing provisions, exterior and interior modifications to house designs, and parking improvements in a nine-lot subdivision in the R-1-5/CZ zone district, based on the Findings and Conditions of Approval included in the Resolution.

Adjournment — The Redevelopment Agency will adjourn from the regularly scheduled meeting of May 11, 2010 to the next regularly scheduled meeting on May 25, 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 May 11, 2010, to a Special Closed Personnel Session on Wednesday, May 12, 2010 at 1:30 p.m., in the City Manager's Conference Room. The next regularly scheduled meeting will be on May 25, 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 – MAY 11, 2010
INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS
(Copies available in the Central Branch Library at the Reference Desk)

Economic Development Department

*Quarterly Sales Tax Reports – 2009 4th Quarter -
4/20/10 (ED FYI 014)

Tannery Arts Center – Digital Media Center –
Project Update - 4/27/10 (ED FYI 015)

Renewal of Cultural Tourism Grant: Santa Cruz
County Convention and Visitors Council - 4/27/10
(ED FYI 016)

Finance Department

*Quarterly Sales Tax Reports – 2009 4th Quarter -
4/20/10 (FN FYI 137)

Portfolio Management Report – Unpooled Cash and
Investments as of March 31, 2010 - 4/21/10 (FN FYI 138)

March 2010 Portfolio Management Report – Pooled
Cash and Investments - 4/21/10 (FN FYI 139)

Planning Department

2035 AMBAG Regional Blueprint Workshop -
4/26/10 (PL FYI 023)

*Report submitted jointly by departments.

ADDENDUM TO CITY COUNCIL AGENDA – May 11, 2010

MAYOR’S PROCLAMATIONS

1. Proclaiming April 23, 2010 as “Carol Fuller Day” and urging all residents of our fair City to join in heartily celebrating the many, many contributions of Carol Fuller to our community and to the advance of progressive and humane values and programs at the local, state, national, and international levels.
2. Proclaiming May 1, 2010 as “Snapshot Day” and urging all citizens to join in recognizing the importance of clean and healthy coastal watersheds and the value of citizen water quality monitoring efforts.
3. Proclaiming May 1, 2010 as “Silver Star Banner Day” and urging all citizens to join in expressing heartfelt appreciation for The Silver Star Families of America and honoring its commitment to our wounded and ill Armed Forces members.
4. Proclaiming May 1, 2010 as “India Joze and Ann Simonton Day” and urging all residents to join in recognizing the many contributions of Jozseph Schultz of India Joze and Ann Simonton to our community.
5. Proclaiming April 30, 2010 as “Save the Frogs! Day” and encouraging all citizens from all walks of life to appreciate and celebrate amphibians on this day.