

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



**JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA**

Regular Meeting

May 25, 2010

1:30 P.M.                      CLOSED LITIGATION SESSION, COURTYARD CONFERENCE  
ROOM

3:00 P.M.                      CONSENT, GENERAL BUSINESS AND PUBLIC HEARINGS, ORAL  
COMMUNICATIONS, 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; 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

B. Real Property (Government Code §54956.8).

190 Walnut Avenue Property Disposition Negotiation  
Bonnie Lipscomb-City Negotiator

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

1. Smith v. City of Santa Cruz, Santa Cruz Superior Court Case No. CV166699.
2. Save the Plastic Bag Coalition v. City of Manhattan Beach, California Supreme Court Case No. S180720, (Request for Amicus Curiae Assistance).

An oral report will be presented in the 3:00 p.m. Session (item 12).

**Joint City Council/Redevelopment Agency**

**3:00 PM**

- \* Call to Order
- \* Roll Call
- \* Pledge of Allegiance
- \* Introduction of New Employees
- \* Presentation - Recognition of the County Emergency Medical Services Lifesaving Awards Presented to Captain Dan Walters and Fire Engineer and Rescue Swimmer Lono Barnes
- \* Presentation - Project Homeless Connect
- \* Presentation - Green Building Awards
- \* Presentation - 2009 Tourism Research Results
- \* Presentation - Mayor's Proclamation Recognizing May 17 - 23, 2010 as National Public Works Week
- \* Presiding Officer's Announcements
- \* Statements of Disqualification
- \* Additions and Deletions
- \* Joint City Council/Redevelopment Agency Oral Communications - 30 Minutes

**Consent Agenda**

1. Minutes of the May 4, 2010 Special and May 11, 2010 Regular City Council Meetings. (CC)  
Motion to approve as submitted.
2. Minutes of the May 11, 2010 Regular Redevelopment Agency Meeting. (CC)  
Motion to approve as submitted.

**Consent Agenda (continued)**

3. Nickelodeon Theatres, Inc. Loan for Del Mar Theatre Equipment Upgrades.  
(ED)

Redevelopment Agency Resolution amending the FY 2010 budget to appropriate an amount up to \$150,000 for a loan to Nickelodeon Theatres, Inc.

Redevelopment Agency Resolution authorizing and directing the Executive Director to enter into a loan agreement in a form approved by the Agency Attorney with Nickelodeon Theatres, Inc. in an amount up to \$150,000 to fund theatre equipment upgrades and to execute such documents as may be necessary to carry out the loan.

4. Water Street Sewer Project (c400914) – Authorization to Advertise. (PW)

Motion to approve the plans and specifications for the Water Street Sewer 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.

5. San Lorenzo River Flood Control and Environmental Restoration Project (p520002) – Vegetation Variance Request and Agreement. (PW)

Motion to authorize the City Manager to sign a Corps of Engineers Vegetation Variance Request and Agreement for the San Lorenzo River Flood Control and Environmental Restoration Project.

6. Encroachment Permit for 207 Church Street Building Corner Encroachment into City Right-of-Way. (PW)

Resolution granting an encroachment permit for 207 Church Street building corner encroachment into City right-of-way at Church St. and Cedar St.

7. Safe Routes to School - Alternate Adjacent Routes to Mission Street/SR1 (c400921) – Contract Change Order and Notice of Completion. (PW)

Motion to ratify Contract Change Order No. 1 and accept the work completed by BDS Construction Inc., Chowchilla, CA, as completed per the plans and specifications and authorize the filing of the Notice of Completion for the Safe Routes to School - Alternate Adjacent Routes to Mission Street/SR1 (c400921).

**Consent Agenda (continued)**

8. Courtyard Commons (605 Pacific Avenue) – Tract No. 1554 – Approve Final Map. (PW)

Resolution approving the Final Map for Courtyard Commons (605 Pacific Avenue) – Tract No. 1554, and authorizing and directing the City Manager to execute the Subdivision Agreement with Easy Access Builders, Santa Cruz CA.

**End Consent Agenda**

**General Business**

9. Revisions to Santa Cruz Municipal Code Chapter 16.16, Water Efficient Landscaping. (WT)

Introduction of an ordinance for publication repealing Chapter 16.16 and adding a new Chapter 16.16 to the Santa Cruz Municipal Code pertaining to water efficient landscaping.

10. Water Shortage Regulations and Restrictions. (WT)

Introduction of an ordinance for publication repealing Ordinance No. 2009-14 and adding a new Chapter 16.01 to the Santa Cruz Municipal Code.

11. Council Meeting Calendar

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

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

13. 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 May 25, 2010 to the next regularly scheduled meeting on June 8, 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 25, 2010, to a Special Closed Personnel Session on Wednesday, June 2, 2010 at 2:00 p.m., in the City Manager’s Conference Room. Council will adjourn from the June 2, 2010 Special Meeting to an additional Special Meeting of June 7, 2010 in the City Council Chambers at a time to be determined for consideration of the FY 10/11 Budget. The next regularly scheduled meeting will be on June 8, 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**

The following positions are vacant. Council will make appointments at a future meeting.

Sister Cities Committee	One (1) opening
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**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 25, 2010  
**INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS**  
(Copies available in the Central Branch Library at the Reference Desk)

City Clerk	Resignation of Marshall Miller from the Santa Cruz City Transportation Commission 5/5/10 (CC FYI 113)
City Manager	Monthly Camping Incident and Homeless Shelter Attendance Reports - 5/6/10 (CM FYI 142)
Finance Department	Implementation of Janitorial Service Agreement Dated May 1, 2010 - 5/10/10 (FN FYI 140)  April 2010 Portfolio Management Report – Pooled Cash and Investments - 5/11/10 (FN FYI 141)  Monthly Financial Reports for March 2010 - 5/12/10 (FN FYI 142)

ADDENDUM TO CITY COUNCIL AGENDA – May 25, 2010  
**MAYOR'S PROCLAMATIONS**

1. Proclaiming May 6, 2010 as a “Day of Reason” and encouraging all citizens, residents, and visitors to join in observing this day and focusing upon the employment of reason, critical thought, the scientific method, and free inquiry to the resolution of human problems and for the welfare of humankind.
2. Proclaiming Friday, May 7, 2010 as “Darrell Darling Day” and joining with his friends and family throughout the world in wishing this magnificent Renaissance man a very Happy 70<sup>th</sup> Birthday and our very best wishes for all of his future endeavors.
3. Proclaiming the week of May 9–15, 2010 as “Police Appreciation Week” and encouraging all citizens and patriotic, civic, and educational organizations to observe the week with appropriate ceremonies and observances in which everyone joins in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens, and proclaiming May 15, 2010 as “Peace Officers’ Memorial Day” in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

ADDENDUM TO CITY COUNCIL AGENDA – May 25, 2010

**MAYOR'S PROCLAMATIONS (continued)**

4. Proclaiming May 19, 2010 as “Heroes Day” and urging all citizens to honor and celebrate our local heroes, to continue to give blood, to volunteer our time, to give generously to the American Red Cross and to its Santa Cruz County Chapter, and to keep in mind that when you help the American Red Cross, you help Santa Cruz.
5. Proclaiming May 19, 2010 as “Arbor Day and Earth Day Tree Planting Celebration Day” and encouraging all citizens to join in recognizing the important work and contributions of JohnsonDiversey and the City of Santa Cruz and to plant trees to offset climate change, enhancing our natural world for present as well as future generations.
6. Proclaiming May 21, 2010 as “Christopher Richard McGriff Day” and urging all citizens to join in celebrating his thirty-seven years of dedicated service to the California public school system.