

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



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

Regular Meeting

June 08, 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. Conference With Legal Counsel—Existing Litigation (Government Code §54956.9).

1. Community Water Coalition v. Santa Cruz County LAFCO, et al.
Santa Cruz County Superior Court Case No. CV 167407.
2. Regents of the University of California v. City of Santa Cruz, et al.
Santa Cruz County Superior Court Case No. CV 155136.
3. Regents of the University of California v. City of Santa Cruz, et al.
Santa Cruz County Superior Court Case No. CV 155995.
4. City of Santa Cruz v. UCSC (LRDP/EIR), Santa Cruz County Superior Court
Case No. CV 155571.
5. City of Santa Cruz v. UCSC (Biomedical Building – CEQA), Santa Cruz
County Superior Court Case No. CV 156366.

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

1. Claimant: Bogard Construction
2. Claimant: California State Automobile Association (Navarro)
3. Claimant: Gabrielle Ravina and Hayden Hull
4. Claimant: Yacht Harbor Cove Homeowners Association

Claims Against: City of Santa Cruz

An oral report will be presented in the 3:00 p.m. Session (item 20).

**Joint City Council/Redevelopment Agency
3:00 PM**

- * Call to Order
- * Roll Call
- * Pledge of Allegiance
- * Presentation - Santa Cruz Metropolitan Transit District Proposed Route Reductions
- * Spotlight on City Services - City Website Award and Highlights
- * Presentation - 2010 Business Community Affairs Survey
- * 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 25, 2010 Regular City Council Meeting. (CC)
Motion to approve as submitted.
2. Minutes of the May 25, 2010 Regular Redevelopment Agency Meeting. (CC)
Motion to approve as submitted.
3. Application for a State BEGIN Program Grant for First Time Homebuyers at 605 Pacific Avenue. (ED)

Resolution authorizing the City Manager to submit an application to the California State Department of Housing and Community Development (HCD) for funding under the Building Equity and Growth in Neighborhoods (BEGIN) Program; to execute a standard agreement with HCD if selected for BEGIN Program funding and any amendments thereto; to prepare and execute any related documents in forms acceptable to the city attorney necessary to participate in the BEGIN Program; and to accept and appropriate such grant funds as may be awarded under the BEGIN Program.

Consent Agenda (continued)**4. Year End Budget Adjustments for the Department of Economic Development and Redevelopment. (ED)**

Redevelopment Agency resolution appropriating funds and amending the Agency's FY 2010 budget in the following amounts: 1) increasing \$280,000 in Merged Project Area pass through payments and increase of \$10,000 in Eastside project area pass through payments; 2) increasing \$625 in project expenses related to two Owner Participation Agreements due to slightly higher than budgeted tax increment generated by the projects; 3) \$1,520 for arbitrage rebate calculation fees for the Agency tax allocation bonds; 4) \$7,500 to fund an increase in the expenses for the Eastside parking lot; and 5) increasing \$11,040 in public art transfers and fees to fund liabilities related to current year project expenditures.

City Council resolution appropriating funds and amending the Departments FY 2010 budget in the amount of \$1,660,000 of additional funding awarded by NOAA for the Monterey Bay National Marine Sanctuary Visitor Center.

5. General Obligation Refunding Bonds - Tax Rate Authorization. (FN)

Resolution setting the tax rate for FY 2011 with respect to the City's General Obligation Refunding Bonds.

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

Motion to reject liability claims a) Bogard Construction, b) California State Automobile Association, c) Gabrielle Ravina and Hayden Hull, and d) Yacht Harbor Cove Homeowners Association, based upon staff investigation.

7. Transportation and Public Works Commission Bylaws. (PW)

Motion to adopt the Transportation and Public Works Commission (TPWC) Bylaws.

8. Safe Routes to School Grant Application — Gault School Sidewalk Infill Project. (PW)

Resolution authorizing the City Manager to submit a grant application to the State of California Safe Routes to School Program for the Gault School Sidewalk Infill Project.

Consent Agenda (continued)

9. AB2766 Grant Applications – Seaside Company Bike Parking Program and Bay/High Roundabout Phase 2. (PW)

Resolution authorizing the City Manager to submit two grant applications to the Monterey Bay Unified Air Pollution Control District AB2766 Program.

10. Lee Street Underpass Lighting Project (c401014) - Budget Adjustment. (PW)

Resolution amending the FY 2011 budget to appropriate funds in the amount of \$20,400 from the City-Wide Transportation Impact Fee Account for the Lee Street Underpass Lighting Project.

11. 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, contingent on the execution of an Affordable Housing Agreement with the current owners.

12. Protection of the Public Lands and Waterways of Big Sur – Resolution supporting H.R. 4040. (CN)

Resolution supporting H.R. 4040, the Big Sur Forest Service Management Unit Act of 2009, urging the bill's passage, and directing the transmittal of the resolution to Congressman Farr, Senators Boxer and Feinstein, and President Obama.

End Consent Agenda**Public Hearings**

13. Ordinance No. 2010-11 - Revisions to Santa Cruz Municipal Code Chapter 16.16, Water Efficient Landscaping. (WT)

Final adoption of Ordinance No. 2010-11.

Public Hearings (continued)

14. Ordinance No. 2010-12 - Water Shortage Regulations and Restrictions. (WT)

Final adoption of Ordinance No. 2010-12.

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

Resolution adopting the FY 2011 Parking and Business Improvement Area annual plan and levying the business improvement assessments for FY 2011.

16. Tannery Arts Center – Digital Media Center - Phase Two – Bid Protest. (ED)

Redevelopment Agency motion to deny/overrule the bid protest received on May 17, 2010 from Carpenters Union Local 505 concerning the Notice of Intent to Award the contract for the Tannery Arts Center – Digital Media Center - Phase Two to Douglas Ross Construction, Inc. (Palo Alto, CA) in the amount of \$4,247,098 and direct the Executive Director to proceed with the award of the contract to the lowest bidder, Douglas Ross Construction, Inc.

17. Emergency Ordinance to Amend Chapter 9.37 to Prohibit the Intensification of Use of Premises Where Loud or Unruly Gatherings have Taken Place. (PL)

Introduction and final adoption of an emergency ordinance adding Section 9.37.055 to the Santa Cruz Municipal Code prohibiting the intensification of use of premises where loud or unruly gatherings have taken place.

Motion acknowledging the Environmental Determination for an exemption.

General Business

18. Park Pacific, LLC Owner Participation Agreement and Predevelopment Loan. (ED)

Redevelopment Agency Resolution amending the FY 2010 budget to appropriate an amount of \$220,000 for a predevelopment loan to Park Pacific, LLC.

Redevelopment Agency Resolution authorizing and directing the Executive Director to enter into an Owner Participation Agreement which includes a loan agreement with Park Pacific, LLC in an amount of \$220,000 to fund certain predevelopment costs associated with a mixed-use project to be developed between 1547-1549 Pacific Avenue and 1110 Cedar Street and to execute such documents as may be necessary to carry out the Owner Participation Agreement and Loan in forms approved by the Agency Attorney.

General Business (continued)

19. Council Meeting Calendar

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

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

21. 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 June 8, 2010 to the next regularly scheduled meeting on June 22, 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 June 8, 2010, to a Special Closed Personnel Session on Wednesday, June 9, 2010 at 10:30 a.m. in the City Manager’s Conference Room. The next regularly scheduled meeting will be on June 22, 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 – JUNE 8, 2010
INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS
(Copies available in the Central Branch Library at the Reference Desk)

City Clerk

Resignation of Tiffany Roth from the Sister Cities
Committee - 5/12/10 (CC FYI 114)

Resignation of Connie Wilson from the Santa Cruz City
Transportation Commission - 5/12/10 (CC FYI 115)

Resignation of Deanna Sessums from the Santa
Cruz City Transportation Commission - 5/12/10
(CC FYI 116)

Planning Department

General Plan Consistency with the 2011–2013 Capital
Improvement Program - 5/26/10 (PL FYI 024)

ADDENDUM TO CITY COUNCIL AGENDA – JUNE 8, 2010
MAYOR'S PROCLAMATIONS

1. Proclaiming May 23, 2010 as “Vive Oaxaca and Its Indigenous Communities Day” and encouraging all citizens to join in honoring the Oaxacan and Indigenous Communities in Santa Cruz for their cultures and contributions to the people of the Santa Cruz community and recognizing the organization Vive Oaxaca and Its Indigenous Communities as an established organization.
2. Proclaiming the week of May 17–23, 2010 as “National Public Works Week” and urging all citizens and civic organizations to join in acquainting ourselves with the issues involved in providing our public works and recognizing the contributions which public works employees make every day to our health, safety, comfort, and quality of life.
3. Honoring the Watsonville-Santa Cruz Chapter of the Japanese American Citizens League on this 6th day of June 2010 and commending it for its fierce defense of the civil rights of all people.
4. Honoring Bill McCabe on this 6th day of June 2010 for his contributions to the Santa Cruz community and expressing strong support for his important work.
5. Honoring Supervisor Mark Stone on this 6th day of June 2010 for his contributions to the Santa Cruz community and expressing strong support for his important work.
6. Honoring Jim Hayes on this 6th day of June 2010 for his contributions to the Santa Cruz community and expressing strong support for his important work.