

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



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

Regular Meeting

June 22, 2010

1:00 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

1:00 PM

At 1:00 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 - 190 Walnut Avenue, APN 005-072-26. (ED)

Motion to refer to closed session the potential exchange of city-owned property located at 190 Walnut Avenue, APN 005-072-26 for the purpose of instructing the negotiator concerning price, terms, or both.

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. Firefighters IAFF

- 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.

Closed Litigation Session (continued)

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

5. City of Santa Cruz v. UCSC (Biomedical Building – CEQA), Santa Cruz County Superior Court Case No. CV 156366.
6. People v. Modes, Santa Cruz County Superior Court Case Nos. SCT077272 and SCT029729.
7. People v. Deleon/Richardson, Santa Cruz County Superior Court Case Nos. CV 162526 and CV 162525.
8. UACC Midwest, Inc. and United Cable Television of Santa Cruz, Inc. v. City of Santa Cruz, County of Santa Cruz, Northern District Federal Court Case No. C-84-7546 SI.

C. Conference with Legal Counsel- Real Property Negotiations (Government Code §54956.8).

190 Walnut Avenue Property Disposition Negotiation
Bonnie Lipscomb-City Negotiator
APN 005-072-26

An oral report will be presented in the 3:00 p.m. Session (item 27).

Joint City Council/Redevelopment Agency

3:00 PM

- * Call to Order
- * Roll Call
- * Pledge of Allegiance
- * Presentation - Thirty Year Service Award Pin Presented to John Lippi, Public Works Solid Waste Worker
- * Presentation - Thirty Year Service Pin Award Presentation to Parks and Recreation Director Dannettee Shoemaker
- * Presentation - Mayor's Proclamation Recognizing July as Parks and Recreation Month
- * 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 June 7, 2010 Special City Council Meeting. (CC)

Motion to approve as submitted.

3. Professional/Legal Services for Fiscal Year 2010 – Budget Adjustment. (CM)

Resolution transferring funds and amending the Fiscal Year 2010 Budget in the amount of \$43,800 to pay for: 1) an under-funded expense for the Independent Police Auditor; and 2) environmental consulting services related to the Local Agency Formation Commission (LAFCO) sphere of influence application environmental review requirements.

Consent Agenda (continued)

4. Downtown Management Corporation – Sixteenth Amendment to Agreement with the City of Santa Cruz. (ED)

Resolution authorizing the City Manager to execute the Sixteenth Amendment to the Agreement with the Downtown Management Corporation (DMC) providing for the payment of fees collected by the Department of Finance from assessments levied on downtown properties and revenues collected from the leasing and licensing of kiosks as well as café and retail extension areas in the downtown.

5. Hope Services, Inc. – Agreement to Provide Job Training for Persons with Developmental Disabilities. (ED)

Redevelopment Agency Resolution authorizing the Executive Director to execute an agreement with Hope Services, Inc. in the amount of \$57,730 to provide job training for persons with developmental disabilities contingent on approval of the Agency FY 2011 budget.

6. Administrative Services Agreement Between the City of Santa Cruz and the Redevelopment Agency. (ED)

City Council resolution authorizing the City Manager to enter into an Administrative Services Agreement with the Redevelopment Agency for FY 2011, contingent upon the approval by the Redevelopment Agency.

Redevelopment Agency resolution authorizing the Executive Director to enter into an Administrative Services Agreement with the City of Santa Cruz for FY 2011, contingent upon the approval by the City Council and the adoption of the City's and Agency's FY 2011 budget.

7. Low- and Moderate-Income Housing Fund – Administrative Charges FY 2011. (ED)

Redevelopment Agency resolution authorizing the allocation of \$202,950 for the administrative charge for FY 2011 for the Low- and Moderate-Income Housing Fund.

Consent Agenda (continued)8. Loan for Redevelopment Agency Administration. (ED)

City Council resolution authorizing the City Manager to execute a loan agreement with the Redevelopment Agency of the City of Santa Cruz in the amount of \$1,600,000 to fund FY 2011 administrative costs, contingent upon approval of said agreement by the Redevelopment Agency.

Redevelopment Agency resolution authorizing the Executive Director to execute a loan agreement with the City of Santa Cruz in the amount of \$1,600,000 to fund FY 2011 administrative costs, contingent upon approval of said agreement by the City Council and adoption of the Redevelopment Agency's budget.

9. Loan from the City to the Redevelopment Agency to Fund FY 2011 Redevelopment Agency Capital Improvement Projects for the Eastside Business Improvement Project Area. (ED)

City Council resolution authorizing the City Manager to execute a loan agreement with the Redevelopment Agency of the City of Santa Cruz in the amount of \$29,315 for the Eastside Business Improvement Project to fund FY 2011 Agency capital projects, contingent upon approval of said agreement by the Redevelopment Agency.

Redevelopment Agency resolution authorizing the Executive Director to execute a loan agreement with the City of Santa Cruz in the amount of \$29,315 for the Eastside Business Improvement Project contingent upon approval of said agreement by the City Council and adoption of the Redevelopment Agency's budget.

10. Loan for Redevelopment Agency Capital Improvement Projects for the Merged Earthquake Recovery and Reconstruction Project to Fund FY 2011 Agency Capital Projects. (ED)

City Council resolution authorizing the City Manager to execute a loan agreement with the Redevelopment Agency of the City of Santa Cruz in the amount of \$260,000 for the Merged Earthquake Recovery and Reconstruction Project to fund FY 2011 Agency capital projects, contingent upon approval of said agreement by the Redevelopment Agency.

Redevelopment Agency resolution authorizing the Executive Director to execute a loan agreement with the City of Santa Cruz in the amount of \$260,000 for the Merged Earthquake Recovery and Reconstruction Project contingent upon approval of said agreement by the City Council and adoption of the Redevelopment Agency's FY 2011 budget.

Consent Agenda (continued)

11. 1520-K2 Pacific Avenue – Lease Agreement with Emily’s Good Things To Eat, Inc. (ED)

Motion to authorize and direct the City Manager to execute a Lease Agreement and any amendments of a non-substantive nature, in a form approved by the City Attorney, with Emily dba Emily’s Good Things to Eat for the premises located at 1520-K2 Pacific Avenue.

12. 1130-K2 Pacific Avenue – Lease Agreement with Shana Casey Weiner and Edward J Weiner dba Asana Tea Café. (ED)

Motion to authorize and direct the City Manager to execute a Lease Agreement and any amendments of a non-substantive nature, in a form approved by the City Attorney, with Shana Casey Weiner and Edward J Weiner dba Asana Tea Cafe for the premises located at 1130-K2 Pacific Avenue.

13. AB 2766 Emission Reduction Grant Program Application FY 2011. (ED)

Redevelopment Agency resolution ratifying the submittal of a grant application to the FY 2011 AB 2766 Emission Reduction Grant Program to support Zero Motorcycle’s efforts to develop an electric powertrain and manufacturing facility in Santa Cruz.

14. State CalHome Program Grant Application for the City’s First Time Homebuyer Program. 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 CalHome Program and, if selected, to execute a standard agreement for such funding and any amendments thereto, and any related document necessary, in a form approved by the City Attorney, to participate in the CalHome Program and to accept and appropriate such grant funds as may be awarded under the program.

Consent Agenda (continued)15. Authorization to Expend Available Funds. (FN) (ED)

Council resolution authorizing the Finance Director to expend available funds from the period of July 1, 2010, until formal adoption of the FY 2011 budget.

Redevelopment Agency resolution authorizing the Executive Director to expend available funds from the period of July 1, 2010, until formal adoption of the FY 2011 budget.

16. Establishing a Safety Enhancement Zone for Independence Day 2010. (PD)

Resolution authorizing a temporary safety enhancement zone for Independence Day 2010 from 5:00 p.m. on July 2 2010 to 12:01 a.m. on July 6, 2010, designating the geographic boundary of the temporary safety enhancement zone for Independence Day 2010, and increasing fines and penalties for certain Municipal Code violations in the safety enhancement zone.

17. Amendment No. 3 to Landfill Gas Lease. (PW)

Resolution authorizing and directing the City Manager to execute Amendment #3 to the Landfill Gas Lease with Santa Cruz, Energy, LLC, a Delaware limited liability company.

18. Summer 2009 Overlay Project - Market Street (c400828), Federal Project No. ESPL-5025(046) - Notice of Completion. (PW)

Motion to accept the work completed by Joseph J. Albanese, Inc. of Santa Clara, CA, as completed per the plans and specifications and authorize the filing of the Notice of Completion for the Summer 2009 Overlay Project – Market St. (c400828), Federal Project Number ESPL-5025(046).

19. Summer 2009 Overlay Project – Morrissey Boulevard (c400827), Federal Project Number ESPL-5025(045) - Notice of Completion. (PW)

Motion to accept the work of Joseph J. Albanese, Inc. of Santa Clara, CA, as completed per the plans and specifications and authorize the filing of the Notice of Completion for the Summer 2009 Overlay Project – Morrissey Blvd. (c400827), Federal Project Number ESPL-5025(045).

Consent Agenda (continued)

20. Beltz Well #12 Project - Acquisition of Property in Soquel Research Park - APN 030-181-70. (WT)

Motion to authorize the City Manager to execute an amendment to the September 10, 2009 purchase option agreement with Nahum Guzik, Trustee, for property located in Soquel Research Park, APN 030-181-70.

21. Statement of Investment and Portfolio Policy. (FN)

Motion to approve the Statement of Investment and Portfolio Policy.

End Consent Agenda

Public Hearing

22. American Recovery and Reinvestment Act of 2009 - Recovery Zone Facility Revenue Bonds for Cruzio – Public Hearing. (ED)

Resolution to approve the issuance of Recovery Zone Facility tax-exempt revenue bonds in an amount not to exceed three million dollars by the California Statewide Communities Development Authority for the Cruzio Building Renovation and Data Center Project.

General Business

23. Annual Financial Report For Clean River, Beaches and Ocean Tax Ordinance. (FN)

Motion to authorize the Finance Director to file the Annual Financial Report for Clean River, Beaches and Ocean Tax.

24. United Way 2-1-1 Health and Human Service Information and Referral System Funding - FY 2011 Budget. (CM)

Motion directing the inclusion of funding in the FY 2011 Budget for the countywide 2-1-1 Health and Human Service Information and Referral System.

General Business (continued)25. Code Enforcement Ordinance - Santa Cruz Municipal Code. (CA)

Introduction of an ordinance for publication, authorizing the City Attorney to file criminal misdemeanor complaints for Municipal Code violations where the offender, on three occasions during any given six-month period, has failed to appear in court in connection with citations issued for a criminal violation of the Municipal Code, or to post bail in connection with those citations.

26. Council Meeting Calendar

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

27. City Attorney Oral Report on Closed Session. (See Page 2.)28. 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 22, 2010 to the next regularly scheduled meeting on July 13, 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 22, 2010, to the next regularly scheduled meeting on July 13, 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
-------------------------	-----------------

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 22, 2010
INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS
(Copies available in the Central Branch Library at the Reference Desk)

Parks and Recreation Department

FYI Regarding Privatization - 6/7/10 (PK FYI 049)

FYI Water Quality Testing Timeline – Cowell
Beach - 6/8/10 (PK FYI 050)

ADDENDUM TO CITY COUNCIL AGENDA – JUNE 22, 2010
MAYOR’S PROCLAMATIONS

1. Proclaiming Saturday, June 5, 2010 as “Mark Stephens and Santa Cruz Yoga Day” and urging all residents of our fair City to join in celebrating the many contributions of Mark Stephens and the opening of Santa Cruz Yoga.
2. Proclaiming June 12, 2010 as “Dan Martinez Day” and urging all citizens to join in celebrating his numerous contributions and accomplishments during his career in education; applauding him for the inspiration and guidance that he provided to his students, staff, and family; and wishing him much success in the future.
3. Proclaiming June 17, 2010 as “National Dump the Pump Day” and urging all citizens and civic organizations to join in using public transit and acquainting ourselves with the benefits involved such as saving money, improving the environment, reducing dependence on foreign oil, and improving the quality of life in Santa Cruz.
4. Proclaiming June 25, 2010 as “Linda Burroughs Day” and encouraging all citizens to join in recognizing the valiant if unsuccessful efforts of Linda Burroughs.
5. Proclaiming the week of June 21–27, 2010 as “Amateur Radio Week” and calling on all residents to support the very important emergency preparedness exercise and recognize the tremendous contributions local amateur radio operators have made to our community.