

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



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

Regular Meeting

July 13, 2010

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| 1:00 P.M. | CLOSED LITIGATION SESSION, COURTYARD CONFERENCE ROOM |
| 1:55 P.M. | INDUSTRIAL DEVELOPMENT AUTHORITY, COUNCIL CHAMBERS |
| 1:58 P.M. | SANTA CRUZ PUBLIC IMPROVEMENT FINANCING CORPORATION, COUNCIL CHAMBERS |
| 2:00 P.M. | CONSENT, GENERAL BUSINESS AND PUBLIC HEARINGS, COUNCIL CHAMBERS |
| 7:00 P.M. | SPECIAL CITY COUNCIL MEETING – CITY COUNCIL PENSION REFORM STUDY SESSION, COUNCIL CHAMBERS (SEPARATE AGENDA) |

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 - Original Stagnaro Fishing Trips Wharf License Agreement. (ED)

Motion to approve a referral to closed session for a Wharf License Agreement for the purpose of instructing the negotiator concerning the license, terms, and conditions.

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. Northern California Carpenters v. City of Santa Cruz Santa Cruz County Superior Court Case No. CV 167961.
3. Smith v. City of Santa Cruz Santa Cruz County Superior Court Case No. CV 166699.
4. PG&E Smartmeter Application - Joinder in City of San Francisco Petition to Temporarily Suspend Smartmeter Installation California Public Utility Application No. 07-12-009 (filed 12/12/07).

Closed Litigation Session (continued)

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

1. 190 Walnut Avenue Property Disposition Negotiation
Bonnie Lipscomb-City Negotiator
APN 005-072-26
2. 2001 Soquel, 2000 Soquel, 1906-1918 Soquel
Easement Acquisitions
Christophe Schneider-City Negotiator
APN 009-392-22; 011-051-14; 011-052-17, -30, -31
3. Wharf License Negotiations-Stangaro Fishing Trips Booth
Bonnie Lipscomb-City Negotiator
Santa Cruz Municipal Wharf

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

1. Claimant: Irene Allman
2. Claimant: Jon Trevor D'Arcey
3. Claimant: Kelly Newman

Claims Against: City of Santa Cruz

An oral report will be presented in the 3:00 p.m. Session (item 35).

Joint City Council/Redevelopment Agency

2:00 PM

- * Call to Order
- * Roll Call
- * Pledge of Allegiance
- * Presentation - 2010 Amgen Local Organizing Committee Thank You
- * Presentation - Complete Count - U.S. Census
- * 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 8, and June 22, 2010 Regular City Council Meetings. (CC)

Motion to approve as submitted.

3. Minutes of the June 8 and June 22, 2010 Regular Redevelopment Agency Meetings. (CC)

Motion to approve as submitted.

4. Appointment of City Manager. (CN)

Resolution appointing a City Manager.

5. Bylaw Revisions for the Commission for the Prevention of Violence Against Women. (CM)

Motion to approve the revisions to the Commission for the Prevention of Violence Against Women (CPVAW) bylaws.

Consent Agenda (continued)6. Redevelopment Agency Budget - FY 2011. (ED)

Redevelopment Agency resolution approving the FY 2011 Agency Budget, with amendments and addenda thereto, if any.

7. Ken Stagnaro and Dino Stagnaro, dba Original Stagnaro Fishing Trips - Wharf License Agreement. (ED)

Motion to authorize the City Manager to execute a Wharf License Agreement and any amendments thereto of a non-substantive nature, in a form approved by the City Attorney, with Ken Stagnaro and Dino Stagnaro, dba Original Stagnaro Fishing Trips, for the operation of a ticket booth on the Municipal Wharf.

8. Community Action Board - Eighteenth Amendment to the Agreement for Emergency Rent/Mortgage Assistance Program. (ED)

Redevelopment Agency resolution authorizing the Executive Director to execute the Eighteenth Amendment to the Agreement with the Community Action Board in the amount of \$100,000 for the emergency rent/mortgage assistance program, contingent upon the adoption of the FY 2011 Redevelopment Agency budget.

9. Housing Authority of the County of Santa Cruz - Fourteenth Amendment to the Tenant Based Rental Assistance/Security Deposit Program. (ED)

Redevelopment Agency resolution authorizing the Executive Director to execute the Fourteenth Amendment to the Agreement with the Housing Authority of the County of Santa Cruz in an amount of \$75,000 to administer and fund the Security Deposit Assistance Program for FY 2011.

10. "i6 Challenge" Grant Application. (ED)

Redevelopment Agency resolution authorizing the Executive Director to apply for a grant in an amount up to \$1,000,000 from the Department of Commerce's Office of Innovation and Entrepreneurship and Economic Development Administration (EDA) for the continued development of the Santa Cruz Advanced Technology Transfer Center.

Consent Agenda (continued)

11. Memorandum of Understanding between City and Agency to Fund a Community Service Officer in the Downtown. (ED)

City Council resolution, contingent upon Redevelopment Agency action and approval of the Agency's FY 2011 budget, authorizing the City Manager to execute a Memorandum of Understanding (MOU) with the Agency for FY 2011 to fund personnel costs in the Police Department associated with providing a full-time Community Service Officer in the downtown Merged Earthquake Project Area.

Redevelopment Agency resolution, contingent upon City Council action and approval of the Agency's FY 2011 budget, authorizing the Executive Director to execute a Memorandum of Understanding (MOU) with the City for FY 2011 to fund personnel costs in the Police Department associated with providing a full-time Community Service Officer in the downtown Merged Earthquake Project Area.

12. County of Santa Cruz – Memorandum of Understanding for Downtown Outreach Services. (ED)

Redevelopment Agency Resolution authorizing the Executive Director to enter into a Memorandum of Understanding with the County of Santa Cruz in the amount of \$75,000 for downtown outreach services, contingent on the adoption of the FY 2011 Redevelopment Agency budget.

13. Wharf Master Plan Phase I Project – Cooperation Agreement. (ED)

City Council resolution authorizing the City Manager to execute a Cooperation Agreement with the Redevelopment Agency through which the Agency will contribute to the Wharf Master Plan Phase I Project.

Redevelopment Agency resolution authorizing the Executive Director to execute a Cooperation Agreement with the City through which the Agency will contribute to the Wharf Master Plan Phase I Project.

Consent Agenda (continued)

14. Riverside Avenue Utility Undergrounding and Streetscape Improvements Project – Cooperation Agreement. (ED)

City Council resolution authorizing the City Manager to execute a Cooperation Agreement with the Redevelopment Agency through which the Agency will contribute to the Riverside Avenue Utility Undergrounding and Streetscape Improvements Project.

Redevelopment Agency resolution authorizing the Executive Director to execute a Cooperation Agreement with the City through which the Agency will contribute to the Riverside Avenue Utility Undergrounding and Streetscape Improvements Project.

15. Riverside Avenue Utility Undergrounding and Streetscape Improvements (c400902) – Engineering Services Contract. (ED) (PW)

Motion to authorize and direct the City Manager to execute the Riverside Avenue Utility Undergrounding and Streetscape Improvements project engineering services contract between the City and a consultant selected through a Request for Qualifications (RFQ) process, in a form acceptable to the City Attorney.

16. Proposition 4 Appropriations Limit Adjustment Factors. (FN)

Resolution approving the selection of the annual adjustment factors to be utilized in the calculation of the City's Proposition 4 Appropriations Limit (Gann Limit) based on the proposed budget for FY 2011.

17. City's Classification and Compensation Plans and the FY 2011 Budget Personnel Complement – Economic Development/Redevelopment and Public Works Departments. (HR)

Resolution amending the Classification and Compensation Plans to reclassify Redevelopment Project Coordinator classification and incumbent to the Management Analyst classification and delete the Redevelopment Project Coordinator classification and positions.

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

Motion to reject liability claims a) Irene Allman, b) Jon Trevor D'Arcey, and c) Kelly Newman, based upon staff investigation.

Consent Agenda (continued)19. 2009 Homeland Security Grant. (PD)

Resolution amending the FY 2010 budget in the amount of \$82,816 to accept the grant funds.

20. Contract Renewal with Hope Services, Inc. for Resource Recovery Facility. (PW)

Motion to authorize and direct the City Manager to execute renewal of an agreement with Hope Services, Inc., of Santa Cruz, CA, for recycling and litter control services at the City's Resource Recovery Facility on Dimeo Lane.

21. Wastewater User Charges - Postpone Scheduled Rate Increases. (PW)

Motion to postpone the scheduled increases of wastewater user charges for one year.

22. Parking Study Update 2010 for the Downtown Parking District. (PW)

Motion to accept the Parking Study Update 2010 for the Downtown Parking District.

23. Designation of Voting Delegate and Alternates to Attend the League of California Cities Annual Conference (September 15–17). (CN)

Motion to designate Vice Mayor Ryan Coonerty as the voting delegate and Councilmember Lynn Robinson and Councilmember Cynthia Mathews as the two alternates in the event that the voting delegate is unavailable to attend the League of California Cities Annual Conference in San Diego, California.

24. State Legislation Concerning Guns and Public Safety: AB 1810 and AB 1934 – Letters of Support. (CN)

Motion to support AB 1810 (Feuer) the "Crime Gun Tracing Improvement Act" and AB 1934 (Saldaña) "Open Carrying" to enhance public safety and strengthen enforcement of gun laws in our community and communities throughout California, and, to direct the Mayor to send letters of support on behalf of the City Council to our State Representatives as well as to the authors of the legislation.

End Consent Agenda

Public Hearings

Note: Written material for item 25 will be provided prior to the meeting.

25. Fiscal Year 2011 Budget Adoption. (FN)

Resolution adopting a budget for FY 2011, effective July 1, 2010, and authorizing the Finance Director to create additional appropriations to provide for commitments carried over from the prior fiscal year.

26. 2010-2011 Annual Action Plan Amendment for the City's Housing and Community Development Program to Allocate CDBG Funding. (ED)

Motion to amend the 2010-2011 Annual Action Plan for the City's Housing and Community Development Program for allocation of CDBG funds.

Motion authorizing the City Manager to submit the amended Plan to HUD.

Motion authorizing the City Manager to execute project memorandums of understanding with City departments implementing activities proposed in the 2010 - 2011 Annual Action Plan amendment.

27. Medical Marijuana Dispensary Ordinance Amendment and Smoking Lounge Ordinance Correction , A10-0004, City-wide, to Allow Dispensaries to Sell Medical Marijuana Seven Days Per Week, and to Reinsert Language Pertaining to Smoking Lounges that was Inadvertently Removed from the Code. (PL)

Introduction for publication of an Ordinance amending Title 24 of the Santa Cruz Municipal Code and of the Local Coastal Implementation Plan, modifying standards for medical marijuana dispensaries to allow sales seven days a week; and reinserting language regarding smoking lounges into Title 24, Section 24.10.1510

28. Ordinance No. 2010-14 Code Enforcement Ordinance - Santa Cruz Municipal Code. (CA)

Final adoption of Ordinance No. 2010-14.

General Business

29. Monterey Bay National Marine Sanctuary Visitor Center – Authorization to Enter into a Memorandum of Agreement between the City of Santa Cruz and the National Oceanic and Atmospheric Administration, Authorization of Actions Necessary to Initiate Construction on the Project, Authorization to Submit and Accept a Grant from the California Coastal Conservancy, and Authorization to Accept and Appropriate Fundraising Contributions for the Project Exhibitry. (ED)

Motion authorizing and directing the City Manager to execute a Memorandum of Agreement between the City of Santa Cruz and the National Oceanic and Atmospheric Administration to provide for the construction and construction management of the Monterey Bay National Marine Sanctuary Visitor Center.

Motion authorizing the City Manager or his designee to advertise the project for bid and to award the contract in a form approved by the City Attorney to the lowest qualified bidder, to sign the construction contract, to award and sign the construction management contract in a form approved by the City Attorney, and to take other administrative actions as may be necessary to construct the project.

Resolution authorizing the City Manager or his designee to apply for, accept and appropriate a grant subject to grant terms and conditions in an amount up to \$500,000 from the California Coastal Conservancy to help fund the construction of the exhibitry for the project and to take other administrative actions as may be necessary to implement the grant.

Motion authorizing the City Manager or his designee to accept and appropriate fundraising contributions from the National Marine Sanctuary Foundation in an amount up to \$3 million for the construction and installation of the exhibitry for the project.

30. Hotel/Motel Registration Regulations – Amendment Requiring Verification of Identity Upon Check-In. (CN)

Introduction of an ordinance for publication amending Section 5.12.020, "Hotels and Motels: Register," requiring the verification of identity upon check-in to Santa Cruz City hotels and motels.

General Business (continued)

31. Habitat Conservation Plan and Incidental Take Permit – Fisheries Scientific and Permitting Support FY 2011 Work Plan – Award Contract. (WT)

Motion to authorize the City Manager to execute an agreement with Hagar Environmental Sciences (Richmond, CA) in the amount of \$124,922 for scientific and permitting support of the City's anadromous fisheries and non-anadromous species Habitat Conservation Plans and Incidental Take Permits.

32. Community Programs (SSP) Funding – Strategic Planning Process. (CN)

Motion to endorse the strategic planning process proposed by the Social Services Program Committee to revise and adapt the City's allocation strategy for community programs funding, and to prioritize the assistance of City Manager's Office staff time in this effort.

33. Communitywide Gang Reduction Strategy. (CN)

Motion to: 1) appropriate \$50,000 from the General Fund to serve as a placeholder in the FY 2011 Budget to fund a portion of costs for a countywide gang prevention and intervention program with the requirement of future Council authorization to expend the funds should the program come to fruition; and, 2) adopt a communitywide gang reduction strategy that will: a) authorize the Mayor to work with leaders of other local jurisdictions to form a countywide gang prevention and intervention task force to bring recommendations to local jurisdictions on gang prevention and intervention efforts within four months of its formation; b) authorize the Mayor to appoint City representatives to such a countywide task force once it is formed; c) authorize the City of Santa Cruz to provide administrative staffing to assist in establishing a countywide gang prevention and intervention program with other public and private agencies; and, d) encourage the countywide task force to prepare evaluation measurements to be used prior to allocating any funding for gang prevention intervention programs and services.

34. Council Meeting Calendar

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

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

General Business (continued)

36. 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 July 13, 2010 to the next regularly scheduled meeting on July 27, 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.

Recess: The City Council will recess from the afternoon session to a Special City Council Meeting – Study Session on Pension Reform at 7:00 p.m. in the City Council Chambers (see separate agenda).

Advisory Body Appointments

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

Equal Employment Opportunity Committee	One (1) opening
Planning Commission	One (1) opening
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 – JULY 13, 2010

INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS

(Copies available in the Central Branch Library at the Reference Desk)

City Clerk	Resignation of Larry Kasparowitz from the Planning Commission - 6/23/10 (CC FYI 117)
City Manager	Monthly Camping Incident and Homeless Shelter Attendance Reports - 6/17/10 (CM FYI 143)
Economic Development Department	1520-K2 Pacific Avenue – Bonny Doon Flower Company Kiosk Lease Termination - 6/9/10 (ED FYI 017)
	Café Extension License Agreement – Cold Stone Creamery and Joe's Pizza and Subs - 6/9/10 (ED FYI 018)
	Project for Innovation & Entrepreneurship and the UCSC Business Plan Competition - 6/21/10 (ED FYI 019)
	Monterey Bay National Marine Sanctuary Visitor Center - 6/28/10 (EDFYI 020)
Finance Department	May 2010 Portfolio Management Report – Pooled Cash and Investments - 6/14/10 (FN FYI 143)

ADDENDUM TO CITY COUNCIL AGENDA – JULY 13, 2010
MAYOR’S PROCLAMATIONS

1. Proclaiming June 27, 2010 as “National HIV Testing Day” and encouraging all citizens to join in expressing appreciation for the National Association of People with AIDS’ concern for and dedication to people living with HIV/AIDS.
2. Proclaiming June 24, 2010 as “Bargetto Family of Soquel Day” and encouraging all citizens to join in congratulating the family of being named the “2010 Farmer of the Year” by the Santa Cruz County Farm Bureau.
3. Proclaiming the month of July 2010 as “Parks and Recreation Month” and urging all residents to enjoy and recognize the social, physical, mental, economic, and environmental and community benefits derived from our parks and recreations services and facilities which provide value to all citizens in the City of Santa Cruz.
4. Proclaiming June 26, 2010 as “Santa Cruz Derby Girls Day” and encouraging all local residents and friends of Santa Cruz to join in celebrating the community-building spirit and many successes of our local Santa Cruz Derby Girls and declaring that everyone sitting, standing, or skating in the Santa Cruz Civic Auditorium on June 26, 2010 is now participating in an event at Santa Cruz Derby Girls Stadium.
5. Welcoming the extended Parham Watson Kelley Family to our community and encouraging all citizens to join in recognizing and celebrating this true “family value” event, and proclaiming Saturday, July 3, 2010 as Parham Watson Kelley Family Day.