

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



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

Regular Meeting

July 27, 2010

- | | |
|-----------|------------------------------------------------------------------------------------|
| 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; thereafter the meeting will be closed to the public.

A. Labor Negotiations (Government Code §54956.6).

Lisa Sullivan—Negotiator

- Employee Organizations—
1. Police Officers' Association
 2. SEIU—All Units
 3. 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.

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

1. Claimant: Jan E. Derecho
2. Claimant: Zelma Fennell
3. Claimant: Robin Elaine Kandel

Claims Against: City of Santa Cruz

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
- * Introduction of New Employee
- * Presentation - Mayor's Proclamation Presented to Bruce Van Allen
- * Presentation - Small Business Development Center (ED)
- * Presiding Officer's Announcements
- * Statements of Disqualification
- * Additions and Deletions
- * Joint City Council/Redevelopment Agency Oral Communications - 10 Minutes

Consent Agenda

1. Minutes of the July 13, 2010 Regular City Council Meeting. (CC)
Motion to approve as submitted.
2. Minutes of the July 13, 2010 Regular Redevelopment Agency Meeting. (CC)
Motion to approve as submitted.
3. Federal Department of Housing and Urban Development and Department of Transportation Planning Grant Programs Authorization to Submit and Accept a Grant. (ED)
Motion 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 three million dollars from federal HUD and DOT Planning Grant Programs to help implement recommendations from the River/Front and Lower Pacific Design Guidelines and Development Incentives Study.

Consent Agenda (continued)

4. Resolution Implementing Provisions of Internal Revenue Code Section 414(h)(2) for Police Management Association Employees. (FN)

Resolution implementing provisions of Internal Revenue Code section 414(h)(2) for Police Management Association employees.

5. Acceptance & Execution of Social Services Program Contract Agreements for Expenditure of City Funds. (FN)

Motion to accept the Social Services Program (SSP) contract agreements for expenditure of City funds for FY 2011.

Resolution authorizing and directing the City Manager to execute contract agreements for expenditure SSP funds.

6. Cultural Council of Santa Cruz County. (FN)

Motion to authorize and direct the City Manager to execute an agreement with the Cultural Council of Santa Cruz County for cultural arts projects, based on the amount approved in the Fiscal Year (FY) 2011 Budget Adoption, Resolution No. NS-28,236.

7. Santa Cruz County Conference and Visitors Council. (FN)

Motion to authorize and direct the City Manager to execute an agreement with the Santa Cruz County Conference and Visitors Council for visitor and tourism promotion, and marketing services, based on the amount approved in the Fiscal Year (FY) 2011 Budget Adoption on July 13, 2010, Resolution No. NS-28,236.

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

Motion to reject liability claim a) Robin Elaine Kandel, based upon staff investigation.

Consent Agenda (continued)

9. Contract Amendment with Audience View Software Corporation for Licensing of City/UCSC Shared Ticketing System. (PK)

Resolution authorizing the City Manager to enter into any amendments of a non-substantive nature to the agreement with Audience View Software Corporation for the licensing and support of ticketing system software shared with UCSC, in a form acceptable to the City Attorney.

10. Amendment to the Agreement with the International Alliance of Theatrical Stage Technicians Local 611 for events at the Santa Cruz Civic Auditorium. (PK)

Resolution authorizing and directing the City Manager to enter into an amendment to the agreement, and any other future amendments of non-substantive nature, with the International Alliance of Theatrical Stage Technicians Local 611 for events at the Santa Cruz Civic Auditorium.

11. Soquel/Park Way Intersection Improvements - Public Easements APN 009-392-22 (2001 Soquel Avenue) Kamaljit S. Sekhon APN 011-051-14 (2000 Soquel Avenue) Dennis DeMontigny APN 011-052-17, -30, -31 (1906-1918 Soquel Avenue) Futura Investments. (PW & ED)

Motion to authorize the City Manager to execute Agreements to Grant Temporary and Permanent Easements with: 1) Dennis DeMontigny located at 2001 Soquel Avenue, Santa Cruz, APN 011-051-14, in the amount of \$11,507.00; 2) Kamaljit S. Sekhon located at 2000 Soquel Avenue, Santa Cruz, APN 009-392-22, in the amount of \$13,351.00; and 3) with Futura Investments, a Partnership, located at 1906-1918 Soquel Avenue, Santa Cruz, APN 011-052-17,-30-31, the consideration of which is in an amount of a transfer of fee ownership of 351 sq. ft. of land owned by Futura to the City together with a temporary construction easement of 1757 sq. ft. and a transfer of a permanent public easement area of 1848 sq. ft. encumbered by the City of Santa Cruz to Futura and determined between the parties to be of equal value, contingent on a partial alley abandonment.

12. San Lorenzo River Environmental Restoration and Flood Control Project Request – Amendment to Corps/City Project Cooperation Agreement. (PW)

Resolution authorizing the City Manager to sign an amendment to the U.S. Army Corps of Engineers/City of Santa Cruz Project Cooperation Agreement pertaining to granting of financial credit to the City of Santa Cruz for previous work in the construction of the Soquel Avenue Bridge.

Consent Agenda (continued)

13. Soquel Avenue/Hagemann Avenue Intersection Improvement Project (c400803) – Contract Change Order No.1 and Notice of Completion. (PW)

Motion to ratify Contract Change Order No. 1 and accept the work completed by Don Chapin Company, Inc., Salinas, CA, as completed per the plans and specifications and authorize the filing of the Notice of Completion for the Soquel Avenue/Hagemann Avenue Intersection Improvement Project (c400803).

14. Lower Pacific Avenue Street Light Installation Project (c401010) – Notice of Completion. (PW)

Motion to accept the work of San Jose Signal Electric, Inc. of San Jose, CA, as completed per the plans and specifications, and authorize the filing of the Notice of Completion for the Lower Pacific Avenue Street Light Installation Project (c401010).

15. Water Transmission Main Replacement Project on Riverside, Broadway, Barson, Clinton and Cayuga - Approval of Plans and Specifications and Authorization to Advertise for Bids and Award Contract. (WT)

Motion to approve the plans and specifications for the Water Transmission Main Replacement Project on Riverside, Broadway, Barson, Clinton and Cayuga, 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.

16. San Lorenzo Park Temporary No Smoking Exemption. (CN)

Resolution establishing a five-hour exemption to the smoking prohibition in San Lorenzo Park on Saturday, September 25, 2010 from the hours of 12 p.m. to 5 p.m.

17. 1st Annual Cactus Festival, "Festival del Nopal," in Santa Cruz – City Cosponsorship. (CN)

Motion to cosponsor the November 21, 2010 Cactus Festival, "Festival del Nopal," to be held at the Civic Auditorium and on Church Street with the event sponsor providing a \$5,000 guarantee.

Resolution appropriating funds and amending the FY 2011 Budget in the amount of \$7,000 to cover the costs of the fee waivers and City support in accordance with Council Policy 12.9.

End Consent Agenda

General Business

18. Safety Provisions for Bulk Application of Pesticides. (CN)

Resolution adopting safety provisions for bulk application of pesticides.

19. Proposed Pogonip Multi-Use Trail Connection (Golf Club Drive to U-Con Trail).
(PK)

Motion to direct staff to prepare a detailed design and proposed amendment to the Pogonip Master Plan for the multi-use trail concept as identified in attachment A, and to complete the environmental review under CEQA for the trail design and Master Plan Amendment.

Note: Written material for Item 20 will be provided prior to the meeting.

20. Report on Items Related to Long-Term City Finances, Including Pension Reform, Economic Development, Restructuring of City Services, State Proposition 22, and the Potential for a November 2010 Revenue Ballot Measure. (CN)

Motion to direct staff to come back with a City strategic planning process that will identify the City's highest priorities and develop action plans to address the City's structural budget deficit.

Motion to adopt the City Council principles on budget challenges related to pension costs.

Motion to accept the open letter to business leaders and the Santa Cruz community on fiscal management and business and economic development environment.

Motion to restate the City Council's support for State Proposition 22 (Protect Local Services and Stop State Raids Initiative).

Motion to accept the report of the City Council Ad Hoc Revenue Ballot Measure Task Force and provide direction as appropriate.

Public Hearing

21. Ordinance No. 2010-15 - 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)

Final adoption of Ordinance No. 2010-15.

22. Ordinance No. 2010-16 - Hotel/Motel Registration Regulations – Amendment Requiring Verification of Identity Upon Check-In. (CN)

Final adoption of Ordinance No. 2010-16.

General Business

23. Arts Commission Appointment. (CC)

Motion to appoint an Arts Commissioner.

24. Sister Cities Committee Appointment. (CC)

Motion to appoint a Sister Cities Committee member.

25. Resolution Ordering an Election for Three Council Seats on the November 2, 2010 Gubernatorial General Election Ballot. (CC)

Resolution of the City of Santa Cruz ordering an election and requesting consolidation of such election.

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.

The 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 Hearing

29. Partial Abandonment (Vacation) of Public Easement Over Alley between Park Way South and Mentel Avenue (CP 10-0108). (PL)

Resolution approving the abandonment of a 6-foot portion of the public easement over the alley south of 1900-1926 Soquel Avenue between Park Way South and Mentel Avenue, based on the Findings.

Adjournment — The Redevelopment Agency will adjourn from the regularly scheduled meeting of July 27, 2010 to the next regularly scheduled meeting on September 14, 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 July 27, 2010, to a Special City Council Meeting on Tuesday, August 3, 2010 at the hour of 3:00 p.m., followed by at 7:00 p.m. session in the City Council Chambers. The Council will also have a Special City Council Workshop on the Climate Action Plan on Tuesday, September 7, 2010 at the hour of 7:00 p.m. in the City Council Chambers. The next regularly scheduled meeting is on September 14, 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.

Arts Commission	One (1) opening
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

INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS

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

City Clerk	Resignation of Timerie Gordon from the Arts Commission - 7/12/10 (CC FYI 118)
City Council – Public Safety Committee	Annual Report on Public Safety Committee Review of Police Complaints - 7/13/10 (CM FYI 144)
Economic Development Department	Small Business Development Center (SBDC) 7/1/10- (ED FYI 021) City Wayfinding - 7/1/10 (ED FYI 022) 1014 Cedar Street – Second Amendment to the Habitat for Humanity of Santa Cruz County Lease Agreement - 7/6/10 (ED FYI 023) 915 Cedar Street – Third Amendment to Lease Agreement with Heidi Simonson and Pascha Stephens - 7/13/10 (ED FYI 024) Eastside Public Parking Lot Enforcement - 7/13/10 (ED FYI 025)
Finance Department	Monthly Financial Reports for May 2010 - 7/8/10 (FN FYI 145)
Police Department	2010 July 4 th Recap - 7/7/10 (PD FYI 014)
Public Works Department	King Street Origin and Destination Study Update - 7/11/10 (PW FYI 0061) 2009 Waste Characterization Study Results - 7/8/10 (PW FYI 0062)

ADDENDUM TO CITY COUNCIL AGENDA – July 27, 2010

MAYOR’S PROCLAMATIONS

1. Proclaiming July 16, 2010 as “Betty Waltrip Day” and encouraging all citizens to join me and her friends, family, clients, and coworkers in wishing this dedicated and committed Hope Services employee a well-deserved and restful retirement enjoying her children, grandchildren, pets, and many friends.