

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



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

Regular Meeting

September 14, 2010

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

3:00 P.M. CONSENT, GENERAL BUSINESS, ORAL COMMUNICATION AND PUBLIC HEARINGS, 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 Officers' Association
 2. SEIU—Temporary Employees
 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. Habitat and Watershed Caretakers v. City of Santa Cruz, Santa Cruz County Superior Court Case No -unknown.

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

1. Claimant: Carly LaFont
2. Claimant: Nancy Lagestee
3. Claimant: Kalila Zunes-Wolfe
4. Claimant: Catherine L. Down
5. Claimant: Utility Service Co., Inc.

Claims Against: City of Santa Cruz

D. Conference with Legal Counsel– Anticipated Litigation (Government Code §54956.9).

Significant exposure of City to Litigation (Government Code §54956.9(b)).

1 case to be discussed.

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

1425 High Street Lease Agreement (City of Santa Cruz Lessor, Verizon Wireless Lessee)

City Negotiator: Sharon Caiocca

APN: 001-011-08

An oral report will be presented in the 3:00 p.m. Session (item 31).

Joint City Council/Redevelopment Agency

3:00 PM

- * Call to Order
- * Roll Call
- * Pledge of Allegiance
- * Introduction of New Employee
- * Presentation - Census 2010: Update
- * 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 July 20, 2010 and August 3, 2010 Special and July 27, 2010 Regular City Council Meetings. (CC)
Motion to approve as submitted.
2. Minutes of the July 27, 2010 Regular Redevelopment Agency Meeting. (CC)
Motion to approve as submitted.
3. Minute Preparation and Meeting Action Follow-up for Advisory Body and City Council Committee Meetings. (CC)
Motion to revise and adopt Council Policy 5.14.

Consent Agenda (continued)4. 344 La Fonda Avenue – Temporary Construction Easement. (ED)

Resolution authorizing and directing the City Manager to execute a Temporary Construction Easement Agreement with the State of California Department of Transportation for temporary use of vacant City property located at 344 La Fonda Avenue (APN 009-332-01) and to deposit the funds in the City General Fund.

5. 605 Front Street – Lease Agreement with Wendy Gutberlet and Richard Melrose, dba Lina Floral Boutique. (ED)

Resolution authorizing and directing the City Manager to execute a lease agreement and any amendments thereto of a non substantive nature, in a form approved by the City Attorney, with Wendy Gutberlet and Richard Melrose, dba Lina Floral Boutique, for the premises located at 605 Front Street in the Soquel/Front Parking Garage.

6. Eastside Parking Lot - Cooperative Agreement and Permit Parking Fee. (ED/PW)

City Council resolution authorizing the City Manager to execute a Cooperative Agreement with the Redevelopment Agency for operation of the Eastside Parking Lot.

City Council resolution authorizing the Public Works Director to establish a permit parking program for the Eastside Parking Lot and rescinding Resolution No. NS-28,108.

Redevelopment Agency resolution authorizing the Executive Director to execute a Cooperative Agreement with the City for operation of the Eastside Parking Lot.

7. Tannery Arts Center – Digital Media Center @ the Tannery North Parking Lot – Notice of Completion. (ED)

Motion to approve the work completed by CRW Industries, Inc., and authorize the filing of the Notice of Completion for the Digital Media Center @ the Tannery North Parking Lot.

Consent Agenda (continued)8. Release of Unclaimed Checks to the City of Santa Cruz. (FN)

Resolution of the City Council authorizing the release of unclaimed checks to the City of Santa Cruz pursuant to California Government Code Sections 50050 – 50053 and City Administrative Procedure Order (APO) I-83 “City of Santa Cruz Unclaimed Check Policy.”

9. Resolution Modifying the FY 2011 Budget Personnel Authorization to Facilitate Library Restructuring. (FN) (LB)

Resolution modifying the FY 2011 Budget Personnel Authorization to reflect changes in the Library Information Technology and the Public Services Divisions.

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

Motion to reject liability claims a) Carly LaFont, b) Nancy Lagestee c) Kalila Zunes-Wolfe, d) Catherine L. Down and e) Utility Service Co. Inc., based upon staff investigation.

11. City’s Classification and Compensation Plans and the FY 2011 Budget Personnel Complement – Water Department. (HR)

Resolution amending the Classification and Compensation Plans to delete one vacant position of Water Treatment Operator IV and add one position and new classification of Water Facilities Electrical/Instrumentation Technician II/III and to delete the vacant single-position classification of Landscape Gardener and replace with one position of the classification of Utility Maintenance Technician in the Water Department.

12. Confirming Contract with AT&T for Telecommunication and Data Communication Equipment and Services. (IT)

Motion authorizing the purchase of equipment and services from AT&T Services, 2600 Camino Ramon, San Ramon, CA 94583 in the budgeted amount of \$180,000.00.

Consent Agenda (continued)

13. Grant Acceptance, Approval of Plans and Specifications and Authorization to contract with Go Native Inc. to Construct the Lower DeLaveaga Service Road Restoration Project Crossings #1 and #3. (PK)

Resolution authorizing and directing the City Manager to execute an agreement, in a form acceptable to the City Attorney, with the Santa Cruz County Resource Conservation District to accept funding from the Integrated Watershed Restoration Program (IWRP) and Proposition 50 for the implementation of the Lower DeLaveaga Service Road Restoration Project Crossing #1 & #3.

Motion approving the plans and specifications for the restoration of Lower DeLaveaga Service Road Projects Crossing # 1 and #3, and authorizing staff to contract with Go Native Inc. as a sole source vendor to complete the project according to the approved plans and specifications.

14. Stroke Center Site Assessment - DeLaveaga Park. (PK)

Motion to accept the Stroke Center informational report prepared by Building Official John Ancic.

Resolution amending the 2011 budget and appropriating \$20,000 for an environmental site assessment of the facility.

Motion to authorize the City Manager to enter into an agreement, in a form acceptable to the City Attorney, with a qualified firm to provide the assessment services.

15. Locust Garage Equipment Replacement – Sole Source Purchase. (PW)

Motion to authorize the purchase of Parking Division access and revenue control equipment for the Locust Garage from GMG Systems of San Leandro, CA, in the amount of \$225,063.

16. Pacific Gas & Electric (PG&E) Energy Efficiency Retrofit Loan Program - Streetlight Retrofit. (PW)

Motion to approve the application for a Pacific Gas and Electric (PG&E) Energy Efficiency Retrofit Loan Program for streetlight retrofit and authorizing the City Manager to execute all necessary agreements in a form acceptable to the City Attorney.

Consent Agenda (continued)

17. Encroachment Permits for Cruzio Telecommunications Network. (PW)

Resolution granting three (3) encroachment permits for installation and maintenance of Cruzio Telecommunications Network in various City streets.

18. Bay Street Emergency Repair Project - c400824 - Approval of Contract Change Order No. 1 and Notice of Completion. (PW)

Motion to accept Contract Change Order No.1 and the work completed by Graniterock Company of San Jose, CA, and authorize the filing of the Notice of Completion for the Bay Street Emergency Repair Project (C400824).

19. Summer 2009 Overlay Project - c400829 - West Cliff Drive-Federal Project Number ESPL-5025(047)-Notice of Completion. (PW)

Motion to accept the work completed by Joseph J. Albanese, Inc. of Santa Clara, CA, and authorize the filing of the Notice of Completion for the Summer 2009 Overlay Project – West Cliff Drive (c400829), Federal Project Number ESPL-5025(047).

20. Water Meter Equipment - Sole Source Purchase. (WT)

Motion to authorize continuation of the sole source purchase of water meter equipment from Sensus Metering Systems (Sensus) for the period covering August 8, 2010 through July 31, 2011.

21. Pipeline Road Repair Project – Contract Change Orders No. 3 and No. 4; and Notice of Completion. (WT)

Motion to ratify Contract Change Order No. 3 in the amount of \$8,224 and Contract Change Order No. 4 in the amount of \$3,085 with Engineered Soil Repairs, Inc. (Walnut Creek, CA) for the Pipeline Road Repair Project; and

Motion to accept the work of Engineered Soil Repairs, Inc. (Walnut Creek, CA) as complete and authorize the filing of a Notice of Completion for the Pipeline Road Repair Project.

Consent Agenda (continued)

22. Water Supply Project – Post-Pilot Facility Site Modifications - Contract Change Order No. 5 and Notice of Completion. (WT)

Motion to ratify Contract Change Order No. 5 in the amount of \$10,021 with BCI Builders, Inc., (Scotts Valley, CA) for Post-Pilot Facility Site Modifications; and

Motion to accept the work of BCI Builders, Inc., (Scotts Valley, CA) as complete per the plans and specifications, and authorizing the filing of a Notice of Completion for the Water Supply Project – Post Pilot Facility Site Modifications.

23. Proposition 23: Suspension of AB 32 – Resolution of Opposition. (CN)

Resolution opposing Proposition 23, slated for the November 2, 2010 California General Election Ballot, which would severely limit the implementation and effectiveness of AB 32, the Global Warming Solutions Act of 2006.

24. AB 32 Implementation Efforts: SB 375 and the Clean Cars Program – Resolution of Support. (CN)

Resolution supporting SB 375 and the Clean Cars Program, two significant steps toward fulfilling the goals of AB 32, the Global Warming Solutions Act of 2006, as it pertains to the transportation sector.

25. Reaffirmation of City Council Final Adoption of Citywide Rental Inspection Program Ordinance. (CN)

Motion to reaffirm the City Council's September 7, 2010 Final Adoption of Ordinance No. 2010-17 – Amendments to the Santa Cruz Municipal Code Adding Chapter 21.06 Regarding a Citywide Rental Inspection Program.

End Consent Agenda

General Business

26. Water Supply Project - Design of Seawater Reverse Osmosis (SWRO) Desalination Facility - Award of Contract. (WT)

Motion to authorize the City Manager to execute an agreement with Camp Dresser & McKee, Inc. (CDM) of Walnut Creek, California in the amount of \$4,134,464 for the preparation of the plans and specifications for the proposed SWRO Desalination Facility.

27. Single-Use Bag Reduction Ordinance. (PW)

Motion to accept the draft Single-Use Bag Reduction Ordinance in concept and to direct staff to proceed with preparation of documents for environmental review.

28. Camping Ordinance Amendment - Introduction for Publication. (CA)

Introduce for publication the attached ordinance amending Chapter 6.36 of the City's Municipal Code by requiring a dismissal of camping citations where the person cited demonstrates that, on the date of the citation, he/she was currently on the waiting list for shelter services from one of the shelter programs offered by the Homeless Services Center or the River Street Shelter in Santa Cruz.

29. Utility Users Tax Exemptions Under Proposed Ordinance. (CN)

Resolution approving utility users tax exemptions for low-income and senior citizen service users.

30. Sister Cities Committee Appointment, for a Term Expiring on 1/1/12. (CC)

Motion to appoint a Sister Cities Committee member.

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

32. Council Meeting Calendar

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

General Business (continued)

33. 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 September 14, 2010 to the next regularly scheduled meeting on September 28, 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 September 14, 2010, to the next regularly scheduled meeting on September 28, 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.

Commission for the Prevention of Violence Against Women	One (1) opening
County Latino Affairs Commission	One (1) opening
Equal Employment Opportunity Committee	One (1) opening
Planning Commission	One (1) opening
Sister Cities Committee	One (1) opening
Water Commission	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 – SEPTEMBER 14, 2010
INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS
(Copies available in the Central Branch Library at the Reference Desk)

City Clerk

Resignation of Howard Whitney from the Water Commission - 8/4/10 (CC FYI 119)

Resignation of Carmen Perez from the County Latino Affairs Commission - 8/11/10 (CC FYI 120)

Resignation of Carl Klem from the Sister Cities Committee - 8/16/10 (CC FYI 121)

Resignation of Sharon King from the Commission for the Prevention of Violence Against Women - 8/17/10 (CC FYI 122)

City Manager

Monthly Camping Incident and Homeless Shelter Attendance Reports - 7/19/10 (CM FYI 145)

2011 Amgen Tour of California Host City Proposal - 8/9/10 (CM FYI 146)

Monthly Camping Incident and Homeless Shelter Attendance Reports - 8/23/10 (CM FYI 147)

Police Chief Recruitment Process - 8/25/10 (CM FYI 148)

Monthly Camping Incident and Homeless Shelter Attendance Reports - 9/7/10 (CM FYI 149)

Economic Development Department

115-C Coral Street – Second Amendment to CFCS, Inc. Lease Agreement - 8/2/10 (ED FYI 026)

Flood Plain Management Annual Progress Report - 8/16/10 (ED FYI 028)

* Quarterly Sales Tax Reports – 2010 1st Quarter - 8/18/10 (ED FYI 029)

330 Locust Street – Extension of Lease for One Year - 8/24/10 (ED FYI 030)

Calvary Episcopal Church Parking Lot – Lease Extension - 8/31/10 (ED FYI 031)

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(continued)

Finance Department	Portfolio Management Report – Unpooled Cash and Investments as of June 30, 2010 - 7/20/10 (FN FYI 146)
	June 2010 Portfolio Management Report – Pooled Cash and Investments 7/20/10 (FN FYI 147)
	*Quarterly Sales Tax Reports – 2010 1 st Quarter - 8/18/10 (FN FYI 149)
	July 2010 Portfolio Management Report – Pooled Cash and Investments - 8/30/10 (FN FYI 150)
	Quarterly Grant Report - 8/30/10 (FN FYI 151)
Public Works Department	Public Alleys Access - 9/2/10 (PW FYI 0063)
Water Department	Sensus Flexnet Metering - 8/12/10 (WT FYI 036)

* Report submitted jointly by departments.

ADDENDUM TO CITY COUNCIL AGENDA – SEPTEMBER 14, 2010
MAYOR'S PROCLAMATIONS

1. Proclaiming July 27, 2010 as “Bruce Van Allen Day” and urging all citizens to join in expressing deepest appreciation for his forty-year commitment and service to make the San Lorenzo River a jewel for the City of Santa Cruz and a model for other communities in restoring and protecting their rivers.
2. Proclaiming Tuesday, July 27, 2010 as “Richard C. Wilson Day” and encouraging all citizens to join in wishing him the very best in his retirement and thanking him for his indefatigable efforts and numerous contributions over the past thirty-one years.
3. Proclaiming August 6, 2010 as “Ellen M. Primack and Tom Fredericks Day” and encouraging all citizens to join in honoring them on their 20th Anniversary with the Cabrillo Festival of Contemporary Music and expressing heartfelt appreciation for their outstanding work and dedication during their tenure.

ADDENDUM TO CITY COUNCIL AGENDA – SEPTEMBER 14, 2010

MAYOR'S PROCLAMATIONS

(continued)

4. Proclaiming August 14, 2010 as “Keep the Spirit of '45 Alive! Day” and encouraging all citizens to join in commemorating the 65th Anniversary of the end of World War II.
5. Proclaiming Thursday, August 19, 2010 as “Kenneth Black Day” and encouraging all his coworkers and citizens to join in expressing heartfelt appreciation for his twenty-five years of dedicated and exemplary service and numerous contributions to the Santa Cruz Police Department and the City of Santa Cruz and wishing him well in his retirement.
6. Proclaiming Sunday, August 22, 2010 as “Victor Miguel Day” and urging all citizens to join in celebrating his numerous contributions and accomplishments during his career in education and coaching; applauding him for the inspiration and guidance that he provided to his students, staff, family, and friends; and wishing him much success in the future.
7. Proclaiming Wednesday, September 1, 2010 as “Howard Skerry Day” and encouraging all his coworkers and citizens to join in expressing heartfelt appreciation for his thirty years of dedicated and exemplary service and numerous contributions to the Santa Cruz Police Department and the City of Santa Cruz and wishing him well in his retirement.
8. Proclaiming August 29, 2010, on the occasion of Kuumbwa’s 35th Anniversary, as “Kuumbwa Jazz Day” and encouraging all citizens to join in celebrating this notable milestone and congratulating its staff, board of directors, volunteers, and dedicated supporters past, present, and future.
9. Proclaiming the week of September 26–October 2, 2010 as “Sea Otter Awareness Week” and encouraging all citizens to join in observance of this week and to do our part to protect Sea Otters for future generations to enjoy.
10. Proclaiming Friday, September 17, 2010 as “Follies Day” and encouraging all local citizens to support the effort by attending the evening’s performance.