

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



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

Regular Meeting

October 12, 2010

1:00 P.M.	CLOSED LITIGATION SESSION, COURTYARD CONFERENCE ROOM
2:30 P.M.	CLEAN OCEAN BUSINESSES RECEPTION, COURTYARD
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; 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. Griffith v. City of Santa Cruz, Santa Cruz County Superior Court Case No. CV 168888.

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

1. Claimant: Beverly Quaye
2. Claimant: Christopher Reginald Hester
3. Claimant: California State Automobile Association (on behalf of John J. Howe)

Claims Against: City of Santa Cruz

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

Carniglia's Lease Negotiations, 49A Municipal Wharf (City of Santa Cruz - Lessor)

Bonnie Lipscomb - City Negotiator

APN 005-651-01

E. Public Employee Performance Evaluation (Government Code §54957).

City Council's performance evaluation of City Manager.

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 - Mayor's Proclamation Recognizing October 24th as World Polio Day
- * Presentation - Clean Ocean Businesses
- * Presentation - Community Programs Committee Progress Report
- * 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 September 7, 2010 Special and September 14, 2010 Regular City Council Meetings. (CC)
Motion to approve as submitted.
2. Minutes of the September 14, 2010 Regular Redevelopment Agency Meeting. (CC)
Motion to approve as submitted.
3. Minutes of the September 28, 2010 Regular City Council Meeting. (CC)
Motion to approve as submitted.

Consent Agenda (continued)

4. Minutes of the September 28, 2010 Regular Redevelopment Agency Meeting. (CC)

Motion to approve as submitted.

5. Update of Council Policy 1.1, Council Procedure on Appeals. (CC)

Motion to update and revise Council Policy 1.1, Council Procedure on Appeals.

6. Revised AMBAG By-Laws Approval – Resolution of Support. (CM)

Resolution supporting the approval of the revised Association of Monterey Bay Area Governments (AMBAG) By-Laws.

7. Public Art - Beach Area Roundabouts. (ED)

Motion to approve the plans and specifications for the Roundabout Public Art Project (a510907) and authorize staff to execute an agreement in the amount of \$187,000 with Mid-Ocean Studio, in a form approved by the City Attorney, for fabrication and installation.

8. City Arts FY10 Annual Report and FY11 Work Plan. (ED)

Motion to accept the FY 2010 Annual Report and approve the FY 2011 Work Plan.

Resolution appropriating funds and amending the FY 2011 budget in the amount of \$34,485 for additional appropriations to the Roundabout Public Art Project and Public Art Repair and Education Fund.

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

Motion to reject liability claims a) Beverly Quaye, b) Christopher Hester and c) Joseph Trabert, based upon staff investigation.

Consent Agenda (continued)

10. Modification of the Classification and Compensation Plans by Reclassifying one 1.0 FTE and One .50 FTE Courier Driver Position Currently Assigned to Outreach Services to a New Classification of Bookmobile Library Assistant. (HR)

Resolution modifying the Classification and Compensation Plans by reclassifying one 1.0 FTE and one .50 FTE Courier Driver position currently assigned to Outreach Services to a new classification of Bookmobile Library Assistant.

11. Assembly Bill 240 (DeLaveaga Park). (PK)

Motion to authorize and direct the City Manager to execute a Memorandum of Understanding (MOU) and any amendments, thereto of a non-substantive nature, in a form acceptable to the City Attorney, between the City of Santa Cruz and the State Department of Military to promulgate Assembly Bill 240 property conveyances: DeLaveaga Park.

12. Water Year 2011 Hydrologic Services. (WT)

Motion authorizing the City Manager to execute an Agreement with Balance Hydrologics, Inc. (Berkeley, CA), in the amount of \$200,474 for hydrologic services during water year 2011 (October 1, 2010 to September 30, 2011).

13. Resolution Supporting Proposition 25 on the November 2010 General Election Ballot – State Budget Reform. (CN)

Resolution supporting the November 2010 California Ballot Measure Proposition 25, which will effect State Budget reform through the reduction of the budget approval threshold from a two-thirds supermajority to a simple majority, and, urging the voters of Santa Cruz to vote in support of Proposition 25.

End Consent Agenda

Public Hearing

14. Monterey Bay National Marine Sanctuary - Exploration Center Construction Bid Protest. (ED)

Motion to deny/overrule the bid protest received on September 27, 2010 from UA Local Number 62 concerning the Notice of Intent to Award the contract for the Monterey Bay National Marine Sanctuary – Exploration Center to Bogard Construction, Inc. (Santa Cruz, CA) in the amount of \$5,180,500 and direct the Executive Director to proceed with the award of the contract to the lowest bidder, Bogard Construction, Inc.

General Business

15. Adoption of Findings for Modification of the International Fire Code and Adoption and Amendment of the 2009 International Fire Code and the 2010 Edition of the California Fire Code and Fire Code Standards, Including Annual Supplements and State Amendments and Errata. (FD)

Resolution making findings for modification of the International Fire Code, 2009 Edition, relating to automatic fire sprinkler systems.

Introduction of an ordinance for publication revising and amending Title 19 of the City of Santa Cruz Municipal Code, in order to adopt and amend the 2009 edition of the International Fire Code, the 2010 edition of the California Fire Code and Fire Code Standards, including annual supplements and State amendments and errata.

16. Ordinance Amending Section 16.08.110 of the Santa Cruz Municipal Code Pertaining to Wastewater Discharges into the City Sewer System. (PW)

Introduction of an ordinance for publication amending Section 16.08.110 of the Santa Cruz Municipal Code Pertaining to Wastewater Discharges into the City Sewer System.

17. Planning Commission Appointment (One Opening, with a Term Expiration of 1/1/14). (CC)

Motion to appoint a Planning Commissioner.

General Business (continued)

18. Water Commission Appointment (One Opening, with a term expiration of 1/1/12).
(CC)

Motion to appoint a Water Commissioner.

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 October 12, 2010 to the next regularly scheduled meeting on October 26, 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 October 12, 2010, to a Special Closed Session on Monday, October 25, 2010 at 10:00 a.m., in the Courtyard Conference Room. The next regularly scheduled meeting will be on October 26, 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
Downtown Commission	One (1) opening
Equal Employment Opportunity Committee	One (1) opening
Planning Commission	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 – OCTOBER 12, 2010
INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS
 (Copies available in the Central Branch Library at the Reference Desk)

City Manager	Monthly Camping Incident and Homeless Shelter Attendance Reports - 10/4/10 (CM FYI 150)
Finance Department	August 2010 Portfolio Management Report – Pooled Cash and Investments - 9/27/10 (FN FYI 152)
Police Department	Funding Allocation for 2010/11 Justice Assistance Grant Program - 9/22/10 (PD FYI 015)

ADDENDUM TO CITY COUNCIL AGENDA – OCTOBER 12, 2010
MAYOR’S PROCLAMATIONS

Vice Mayor Ryan Coonerty

1. Proclaiming Saturday, September 25, 2010 as “Boys & Girls Clubs Day for Kids in Santa Cruz” and encouraging all citizens to join in recognizing and commending the Boys & Girls Club of Santa Cruz for providing outstanding contributions to improve the lives of the children and young adults in our community.

ADDENDUM TO CITY COUNCIL AGENDA – OCTOBER 12, 2010
MAYOR'S PROCLAMATIONS (continued)

Mayor Mike Rotkin

1. Proclaiming the month of October 2010 as “Domestic Violence Awareness Month” and urging our citizens to work together to eliminate domestic violence from our community.
2. Proclaiming Saturday, October 16, 2010 as “Santa Cruz Band Review Day.”
3. Proclaiming October 2–15, 2010 as “Binational Health Week” and urging all citizens to take part in observing and participating in its related activities.
4. Proclaiming the month of October 2010 as “Jazz Society of Santa Cruz County Month” and encouraging all citizens to listen to jazz performances and enjoy the richness of our jazz heritage during this month and all year long.
5. Proclaiming October 3–9, 2010 as “Fire Prevention Week” and urging all citizens to protect their homes and families by heeding the potentially life-saving message of Fire Prevention Week 2010 and to support the many activities and efforts of the City of Santa Cruz’ fire and emergency services.
6. Proclaiming September 28, 2010 as “Ken Kimes Day” and urging the entire community to join in expressing heartfelt appreciation for his inspiring attitude during a time of adversity, showing us that humor, willpower, and the wisdom of a seasoned farmer can embrace the bounty of his life and in return enrich the lives of those around him.
7. Proclaiming October 2, 2010 as “Gateway School Day” and urging all citizens to join in congratulating the students, staff, faculty, and administrators on the occasion of its 40th Anniversary and extending sincere wishes for its continued success in the future.
8. Proclaiming Sunday, October 3, 2010 as “Santa Cruz Surf City AIDS Ride 2010 Day” and urging all citizens to join in supporting and participating in events and efforts to care for those members of our community who are living with AIDS and to educate our community about what we all can do to help prevent the spread of HIV.