

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



**JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA**

Regular Meeting

November 09, 2010

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

3:00 P.M.                    CONSENT, GENERAL BUSINESS, ORAL COMMUNICATIONS 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. SEIU—Temporary Employees
  2. Fire Management
  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. CV 168697.
3. Campaign for Sensible Transportation v. Iwasaki, CalTrans, Sacramento County Superior Court.

C. Conference with Legal Counsel— Anticipated Litigation (Government Code §54956.9).

Initiation of Litigation by City (Government Code §54956.9(c)).

One case to be discussed.

An oral report will be presented in the 3:00 p.m. Session (item 17).

**Joint City Council/Redevelopment Agency**

**3:00 PM**

- \* Call to Order
- \* Roll Call
- \* Pledge of Allegiance
- \* Presentation - Green Business Awards
- \* Presentation - Green Building Awards
- \* 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 October 26, 2010 Regular City Council Meeting. (CC)  
Motion to approve as submitted.
2. Minutes of the October 26, 2010 Regular Redevelopment Agency Meeting. (CC)  
Motion to approve as submitted.
3. Public Art Gift – David Anderson Sculpture. (ED)  
Motion to accept as a gift to the City, artist David Anderson's Astronomy & Tides sculpture to be installed in Bethany Curve Park between Delaware Avenue and West Cliff Drive.

**Consent Agenda (continued)**

4. Monterey Bay National Marine Sanctuary Exploration Center – Authorization to Enter Into Construction Contracts for the Exhibits and Authorization to Approve Construction Change Orders for the Construction Contract with Bogard Constructions, Inc. (ED)

Motion authorizing City Manager or his designee to award contracts to the lowest qualified bidders for construction of the exhibits for the Monterey Bay National Marine Sanctuary exploration Center, in a form approved by the City Attorney, and authorization to approve construction change orders to these contracts for amounts that are within the approved project budget.

Motion authorizing City Manager or his designee to approve construction change orders for the construction contract with Bogard Construction, Inc. for amounts that are within the approved project budget.

5. Tannery Arts Center – Administration of Grant from the Economic Development Administration of the U.S. Department of Commerce for the Tannery Working Studios/Digital Media Center Project and Authorization to Approve Construction Contract Change Orders. (ED)

Redevelopment Agency resolution clarifying that the Executive Director is authorized to approve and submit to the Economic Development Administration of the U.S. Department of Commerce construction contract change orders for the Tannery Working Studios and Digital Media Center Project, so long as change orders do not exceed the Agency budget for the project, and take other administrative actions as necessary to implement the Federal and State funded construction contracts.

6. Resolution Implementing Provisions of Internal Revenue Code Section 414(h)(2) for Police Officers' Association Employees. (HR)

Resolution implementing the provisions of Internal Revenue Code section 414(h)(2), effective November 13, 2010, to allow the deduction of police employees' additional 5% CalPERS contributions to be handled on a pre-tax basis.

7. Approval of City of Santa Cruz's Participation in the Institute for Local Government's Beacon Award Program. (PL/PW)

Resolution approving participation in the Institute for Local Government's recognition program, the "Beacon Award: Local Leadership Toward Solving Climate Change."

### Consent Agenda (continued)

8. Wharf Parking Booth Maintenance - Budget Adjustment. (PW)

Resolution amending the FY 2011 budget to appropriate funds in the amount of \$21,794, ratifying replacement of non-operating air conditioning units with the installation of new split unit heating and cooling units at the Wharf Parking Booths.

### End Consent Agenda

### General Business

9. Ordinance Amending Building Regulations Contained in Title 18 of the Santa Cruz Municipal Code and Adopting the California Code of Regulations Title 24, 2010 Building Standards Codes and Other Codes and Standards to Establish Minimum Requirements to Safeguard Public Health, Life, Safety and General Welfare. (PL)

Introduction for publication of an ordinance amending Title 18 of the Municipal Code and Adopting the 2010 Editions of the California Building Standards Codes, California Code of Regulations Title 24, Parts 1, 2, 2.5, 3, 4, 5, 8, 10, 11 and 12 including referenced appendices, amendments and modifications, as well as the 1997 Uniform Administrative Code, 1997 Uniform Housing Code, and 1997 Uniform Code for the Abatement of Dangerous Buildings and supportive codes and standards as referenced therein.

### Public Hearings

10. Ordinance No. 2010-21 - Uncodified Ordinance to Title 24 of the Santa Cruz Municipal Code (Zoning Ordinance) (Environmental Determination: Exempt from CEQA) (City of Santa Cruz, Applicant) Pertaining to Extension of Legal Non-Conforming Uses of Foreclosed Properties. (CN)

Final adoption of Ordinance No. 2010-21.

11. Ordinance No. 2010-22 - Loud or Unruly Gatherings – Private Right of Enforcement/Attorney Fees. (CA)

Final adoption of Ordinance No. 2010-22.

**Public Hearings (continued)**

12. 2010-2011 Annual Action Plan Amendment for the City's Housing and Community Development Program to Allocate HOME Funding to the 110 Lindberg Street Affordable Housing Project. (ED)

Motion to amend the 2010-2011 Annual Action Plan to reprogram Home Investment Partnership Program (HOME) funds to assist with predevelopment costs for a 21-unit affordable rental housing project at 110 Lindberg Street.

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

Motion to direct the City Manager to enter into HOME Loan and Regulatory Agreements, in forms approved by the City Attorney, with For the Future Housing, Inc., for a loan in an amount up to \$120,000 to assist in funding predevelopment activities for a 21-unit affordable rental housing project to be located at 110 Lindberg Street.

Resolution amending the FY 2011 budget by transferring \$120,000 from the HOME Housing Services Program to fund the new 110 Lindberg Street Affordable Housing Predevelopment Loan Project.

**General Business**

**Note: Written material, if any, for Item 13 will be provided prior to the meeting.**

13. Community Programs Committee - Update and Affirmation of Strategic Framework and Priorities. (CN)

Motion to affirm the strategic framework and priorities developed by the Council's Community Programs subcommittee as part of the strategic allocation process.

14. Commission for the Prevention of Violence Against Women Appointments – (Two Openings, Councilmember Beiers' and Vice Mayor Coonerty's Nominations, with Term Expirations of 1/1/13). (CC)

Motion to approve Councilmember Beiers' and Vice Mayor Coonerty's nominations to the Commission for Prevention of Violence Against Women.

15. Downtown Commission Appointment (One Opening with a Term Expiration of 1/1/14). (CC)

Motion to appoint a Downtown Commissioner.

**General Business (continued)**

16. Council Meeting Calendar

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

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

18. 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 November 9, 2010 to the next regularly scheduled meeting on November 23, 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.

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**Note:** The Council Chambers will be closed ten minutes after the meeting is adjourned.

### Advisory Body Appointments

The following at-large positions are will be open for reappointment and or appointment in January 2011. Council will interview candidates at the meeting of January 18, 2011 and make appointments at the meeting of January 25, 2011.

Arts Commission	Two (2) vacancies and one (1) reappointment
Board of Building Appeals	Six (6) reappointments
Commission for the Prevention of Violence Against Women	Three (3) vacancies and or reappointments
Downtown Commission	Two (2) vacancies and one (1) reappointment
Equal Employment Opportunity Committee	One (1) vacancy
Historic Preservation Commission	One (1) reappointment
Latino Affairs Commission (County)	One (1) vacancy
Measure K Oversight Committee	Two (2) vacancies and one (1) reappointment
Parks and Recreation Commission	One (1) vacancy and one (1) reappointment
Planning Commission	One (1) vacancy and one (1) reappointment
Sister Cities Committee	Two (2) vacancies and one (1) reappointment
Transportation and Public Works Commission	Two (2) reappointments
Water Commission	One (1) vacancy

**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 – NOVEMBER 9, 2010  
**INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS**  
(Copies available in the Central Branch Library at the Reference Desk)

Finance Department

Year-End Financial Reports for June 2010 -  
10/20/10 (FN FYI 153)

Portfolio Management Report – Unpooled Cash and  
Investments as of September 30, 2010 - 10/31/10  
(FN FYI 154)

September 2010 Portfolio Management Report –  
Pooled Cash and Investments - 10/31/10 (FN FYI  
155)

Public Works Department

American Recovery and Reinvestment Act of 2009  
(ARRA) – LED Street Lighting Project Update -  
11/1/10 (PW FYI 0065)

ADDENDUM TO CITY COUNCIL AGENDA – NOVEMBER 9, 2010  
**MAYOR’S PROCLAMATIONS**

1. Proclaiming November 1, 2010 as “Extra Mile Day” and urging each individual to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those around who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.
2. Proclaiming the month of November 2010 as “Pancreatic Cancer Awareness Month” to help raise awareness in the community, bring much-needed attention to this deadly disease, and encourage all citizens to support the efforts of the Pancreatic Cancer Action Network.
3. Proclaiming November 15, 2010 as “Mike Davidson Day” and encouraging all citizens and his coworkers to join in expressing heartfelt appreciation for his numerous contributions and years of service to the City of Santa Cruz and its citizens and wishing him well in his retirement.
4. Proclaiming the month of November 2010 as “National Family Caregivers Month” and urging all citizens to join in honoring family caregivers and expressing heartfelt appreciation for the many contributions that family caregivers make to the quality of our natural life.