

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



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

Regular Meeting

November 23, 2010

2:00 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

2:00 PM

At 2:00 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. Conference with Legal Counsel – Liability Claims (Government Code §54956.95).

1. Claimant: California State Automobile Association
2. Claimant: USAA Casualty Insurance Company
3. Claimant: AMCO Insurance Company
4. Claimant: Barbara Dyer
5. Claimant: William Hartley
6. Claimant: Jamal Kamli
7. Claimant: Keith Howard

Claims Against: City of Santa Cruz

B. Conference With Legal Counsel - Anticipated Litigation (Government Code §54956.9).

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

1 case to be discussed.

An oral report will be presented in the 3:00 p.m. Session (item 18).

Joint City Council/Redevelopment Agency

3:00 PM

- * Call to Order
- * Roll Call
- * Pledge of Allegiance
- * Presentation - Mayor's Proclamation Declaring November as Pancreatic Cancer Awareness Month
- * Presentation - 2010 Officer Jim Howes Community Service Award Presentation
- * 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 November 9, 2010 Regular City Council Meeting. (CC)
Motion to approve as submitted.
2. Minutes of the November 9, 2010 Regular Redevelopment Agency Meeting. (CC)
Motion to approve as submitted.
3. Funding for CPVAW Safety Skills and Self Defense Program. (CM/PD)
Resolution transferring funds and amending the FY 2011 budget in the amount of \$5,000 to fund the CPVAW Safety Skills and Self Defense Program from the Police Department Asset Seizure/Youth Crime Prevention Fund.

Consent Agenda (continued)

4. Highway 1/9 Intersection Improvements – Fifth Amendment to Consultant Agreement and Budget Adjustment. (ED) (PW)

Redevelopment Agency motion to authorize the Executive Director to execute an amendment with BKF Engineers in the amount of \$184,830 for additional consulting engineering and environmental services for the Highway 1/9 Intersection Improvement project.

Redevelopment Agency resolution transferring funds and amending the FY 2011 budget in the amount of \$23,000 from the Phase II budget of the HWY 1/9 Intersection Improvement Project to the current Phase I.

City Council resolution amending the FY 2011 budget to reduce the RDA funding and the appropriation by \$23,000 for the Phase II Hwy 1/9 Intersection Improvement Project.

5. FY 2010 Traffic Impact Fee Annual Report. (FN)

Motion to accept the FY 2010 Traffic Impact Fee Annual Report.

Motion to make certain findings to: A) identify the purpose to which the fee is to be put; B) demonstrate a reasonable relationship between the fee and the purpose for which it is charged; C) identify all sources and amounts of funding anticipated to complete financing in incomplete improvements; and D) designate the approximate dates on which the funding is expected to be deposited into the appropriate account or fund.

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

Motion to reject liability claims a) Barbara Dyer, b) William Hartley and c) Jamal Kamli; and deny late claim d) Keith Howard, based upon staff investigation.

7. Burke, Williams & Sorensen, LLP - Sole Source Contract. (HR)

Resolution authorizing and directing the City Manager to execute a sole source contract, in a form approved by the City Attorney, with Burke, Williams & Sorensen, LLP in the amount of \$150,000 for legal representation relating to employee and labor relations.

Consent Agenda (continued)

8. City's Classification and Compensation Plans and the FY 2011 Budget Personnel Complement – Public Works Department. (HR)

Resolution amending the Classification and Compensation Plans to delete both the classification and one position of Wastewater Facilities Lead Electrical/ Instrumentation Technician and replace with a new classification and one position of Wastewater Facilities Instrumentation Technician I/II in the Public Works Department.

9. New Year's Eve Safety Enhancement Zone. (PD)

Resolution authorizing a temporary safety enhancement zone for New Year's Eve downtown from 6:00 p.m. December 31, 2010 to 3:00 a.m. January 1, 2011, designating the geographic boundary of the temporary safety enhancement zone and increasing fines and penalties for certain Municipal Code violations within the zone.

10. 2010 State Mandated Court Construction Costs – Increase to Parking Citation Fines. (PW)

Resolution modifying parking fines for parking violations by increasing fines as illustrated in Exhibit 1; and rescinding Resolution NS-28,028.

11. Implementation of Deferred Water Rate Increase. (WT)

Motion to ratify the 5% water rate increase scheduled to take effect on January 1, 2011.

End Consent Agenda

General Business

12. In-Home Supportive Services Workers' Livable Wage – Resolution of Support. (CN)

Resolution supporting In-Home Supportive Service workers and urging the provision of a livable wage for these valued workers.

General Business (continued)

13. Ordinance Amending Section 1.01.010 and Adding Section 1.01.035 Pertaining to Repealing of Outdated Codes Adopted by Reference and Granting Publication Authority to Code Publishing Company. (CC)

Introduction of an ordinance for publication amending Section 1.01.010 and adding Section 1.01.035 pertaining to repealing of outdated codes adopted by reference and granting publication authority to Code Publishing Company.

Public Hearings

Note: Item 14 will be continued to the meeting of December 14, 2010 and there is no written material for this item.

14. Residential Rental Inspection Program Fees. (PL)

Resolution adopting a new Department of Planning and Community Development Fee Schedule creating fees for the Residential Rental Inspection Program, and rescinding Resolution No. NS-28,171.

15. Ordinance No. 2010-23 - 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)

Final adoption of Ordinance No. 2010-23.

General Business

16. Tobacco Retailer License Fee. (CN)

Motion to direct staff to research and assess the implications of a Tobacco Retailer License in the City of Santa Cruz and to return to the City Council at an upcoming meeting with a draft ordinance or other recommendation.

General Business (continued)

17. Council Meeting Calendar

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

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

19. 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

General Business

20. Residential Rental Inspection and Maintenance Ordinance Checklists. (PL)

Resolution adopting the Residential Rental Inspection and Maintenance Ordinance checklists.

Note: Written material will be provided prior to the meeting for item 21.

21. Community Programs Committee -- Affirmation of Social Services Strategic Allocation Funding Framework and Funding Principles. (CN)

Motion to affirm and adopt the work presented by the Community Programs subcommittee including the strategic allocation funding framework, funding principles and funding parameters that will apply at least for the upcoming funding cycle.

Adjournment — The Redevelopment Agency will adjourn from the regularly scheduled meeting of November 23, 2010 to the next regularly scheduled meeting on December 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.

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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	One (1) vacancy 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	Two (2) vacancies 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	One (1) reappointment
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 23, 2010
INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS
(Copies available in the Central Branch Library at the Reference Desk)

Economic Development Department	Cancellation of Proposed Wharf License Agreement with Ken Stagnaro and Dino Stagnaro, dba Original Stagnaro Fishing Trips - 11/4/10 (EDFYI 037)
Parks and Recreation Department	Notice of Grant Award -11/9/10 (PKFYI 051)
Police Department	2010 Halloween Recap -11/2/10 (PDFYI 016)

ADDENDUM TO CITY COUNCIL AGENDA – NOVEMBER 23, 2010

MAYOR'S PROCLAMATIONS

1. Congratulating Dominican Hospital on being named the Santa Cruz Area Chamber of Commerce "Organization of the Year" and proclaiming Friday, November 5, 2010 as "Dominican Hospital Day."
2. Congratulating Bay Federal Credit Union on being named the Santa Cruz Area Chamber of Commerce "Business of the Year" and proclaiming Friday, November 5, 2010 as "Bay Federal Credit Union Day."
3. Congratulating Virginia Johnson on being named the Santa Cruz Area Chamber of Commerce "Woman of the Year" and proclaiming Friday, November 5, 2010 as "Virginia Johnson Day."
4. Congratulating Howard Sherer on being named the Santa Cruz Area Chamber of Commerce "Man of the Year" and proclaiming Friday, November 5, 2010 as "Howard Sherer Day."
5. Proclaiming November 19, 2010 as "Dianne Church Day" and encouraging all citizens to join in honoring this Federal official who truly cared for and assisted the City of Santa Cruz and wishing her a very well-earned retirement.