

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



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

Regular Meeting

February 22, 2011

2:00 P.M. CLOSED LITIGATION SESSION, COURTYARD CONFERENCE
ROOM

3:00 P.M. CONSENT, GENERAL BUSINESS AND PUBLIC HEARINGS,
COUNCIL CHAMBERS

5:00 P.M. ORAL COMMUNICATIONS, COUNCIL CHAMBERS

Note: There will be no 7:00 p.m. Session

Council will receive e-mail regarding items on the agenda during the meeting at citycouncil@cityofsantacruz.com.

Written correspondence and telephone calls received after 2:00 p.m. on the Monday immediately 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 2:00 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****Referral to Closed Session**

1. Referral to Closed Session: 57 Municipal Wharf (Made in Santa Cruz), APN 005-401-09. (ED)

Motion to approve a referral to closed session for discussion regarding the desirability of negotiating and executing a new Municipal Wharf lease and providing instructions to the Director of Economic Development regarding same.

- A. Conference with Legal Counsel – Liability Claims (Government Code §54956.95).
 1. Claimant: Stanley Dowling
Claims Against: City of Santa Cruz
- B. Conference with Real Property Negotiator- Real Property Negotiations (Government Code §54956.8).
 1. 57 Municipal Wharf Lease Negotiations (Made in Santa Cruz— Lessee; City of Santa Cruz-Lessor)
City Negotiator—Bonnie Lipscomb
APN 005-401-09
- C. Conference With Legal Counsel - Existing Litigation (Government Code §54956.9).
 1. Allman and Newman v. City of Santa Cruz, et al.
Santa Cruz Superior Court Case No. CV169904
 2. City of Santa Cruz v. Patel, et al.
Santa Cruz Superior Court Case No. CV161056
- D. Public Employee Performance Evaluation(Government Code §54956.7).

City Council's performance evaluation of City Manager.

An oral report will be presented in the 3:00 p.m. Session (Item 16).

Joint City Council/Redevelopment Agency Meeting

3:00 PM

Call to Order

Roll Call

Pledge of Allegiance

Presiding Officer's Announcements

Statements of Disqualification

Additions and Deletions

Consent Agenda

2. Minutes of the January 18, 2011 Special City Council Meeting. (CC)

Motion to approve as submitted.

3. Minutes of the February 8, 2011 Regular City Council Meeting. (CC)

Motion to approve as submitted.

4. Minutes of the February 8, 2011 Regular Redevelopment Agency Meeting. (CC)

Motion to approve as submitted.

Consent Agenda (continued)

5. Code for America 2012 City Fellowship Program – Authorization to Apply. (ED/CM)

Motion to authorize the submittal of an application for the 2012 City Fellowship Program sponsored by Code for America, a nonprofit based in San Francisco, CA for the development of an integrated Business Gateway for the City's website.

6. Supplemental Educational Revenue Augmentation Fund (SERAF). (ED)

Redevelopment Agency motion directing the Executive Director to pay \$771,392 from Agency funds on or before May 10, 2011 to the County Auditor for deposit into the State Supplemental Educational Revenue Augmentation Fund.

7. City's Classification and Compensation Plans and the FY11 Budget Personnel Complement – Public Works Department. (HR)

Resolution amending the Classification and Compensation Plans and the FY11 Budget Personnel Complement by reclassifying one Chemist II position to a new classification of QA/QC Laboratory Chemist; reclassifying one Environmental Compliance Inspector position to a new classification of Senior Environmental Compliance Inspector and adding one Laboratory Technician position.

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

Motion to reject liability claim based on staff investigation: a) Stanley Dowling.

9. West Cliff Drive Paving – ARRA Funded Project, Federal Project number ESPL-5025(052). (PW)

Motion to approve plans and specifications for the second phase of paving West Cliff Drive 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.

Consent Agenda (continued)

10. Water Supply Project – Independent Technical Advisor – Contract Amendment No. 3. (WT)

Motion to authorize the City Manager to execute Contract Amendment No. 3 with Kennedy/Jenks Consultants of San Francisco, CA in an amount not to exceed \$580,000 for Independent Technical Advisor to the scwd2 Seawater Desalination Program.

End Consent Agenda**General Business**

11. Transportation and Public Works Commission Appointment (One Vacancy, with a Term Expiration of 1/1/15) (CC)

Motion to appoint a Transportation and Public Works Commissioner.

12. Introduction of an Ordinance Amending Section 10.68.110 Pertaining to Bicycle Licenses. (PD)

Introduction of an Ordinance Amending Section 10.68.110 of the Santa Cruz Municipal Code pertaining to bicycle licenses to clarify the requirement that the license shall be affixed to the front of the seat tube of the licensed bicycle's frame.

13. Ordinance Regulating Surf Schools on Beaches. (PK)

Introduction for publication of an ordinance adding Section 13.14 to the Municipal Code pertaining to the regulation of surf schools on beaches.

Public Hearing

14. Consolidation of Information Technology and Human Resources Departments – Final Actions. (CM/HR)

Final adoption of Ordinance No. 2011-02 abolishing the Information Technology Department, and creating an Administrative Services Department with Information Technology and Human Resources divisions.

Resolution amending the Classification and Compensation Plan and FY 2011 Budget Personnel Complement – Elimination of the Information Technology and Human Resources Departments and creating a new Department of Administrative Services with Information Technology and Human Resources divisions; moving the assignment of the City Clerk function to the City Manager; and rescinding Resolution No. NS-28,326.

General Business

15. Council Meeting Calendar. (CC)

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

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

17. Council Membership 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.

5:00 PM

Joint City Council/Redevelopment Agency Oral Communications - 30 Minutes

Adjournment — The Redevelopment Agency will adjourn from the regularly scheduled meeting of February 22, 2011 to the next regularly scheduled meeting March 8, 2011, for a closed litigation session at 1:30 p.m. in the Courtyard Conference Room, followed by an 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 February 22, 2011 to a Special Closed Session on March 1, 2011 at the hour of 4:00 p.m., followed by a Special City Council Meeting at the hour of 7:00 p.m. in Council Chambers, and then to the next regularly scheduled meeting on March 8, 2011, 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., 5:00 p.m. and 7:00 p.m. in Council Chambers.

Advisory Body Appointments

The following positions are vacant. Council will make appointments at a future meeting.

Measure K Oversight Committee	Two (2) vacancies and one (1) reappointment
Planning Commission	One (1) vacancy
Sister Cities Committee	Two (2) vacancies
Transportation and Public Works Commission	One (1) vacancy

Advisory Body Direct Appointments

The following appointments are being made directly by Councilmembers under the authority of Measure K (Ordinance No. 2006-27) adopted by the City electorate at the November 2006 election, and are listed for reference and information. There will be no Council discussion or action.

Councilmember Bryant appointed Kirsten Attlesey to the Measure K Oversight Committee on February 1, 2011.

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

Closed Session Agreements/Settlements, which are public record

Association of Monterey Bay Area Governments

Local Agency Formation Commission

ADDENDUM TO CITY COUNCIL AGENDA – FEBRUARY 22, 2011
INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS
(Copies available in the Central Branch Library at the Reference Desk)

City Clerk	Declination of Kris Reyes to Accept Appointment to the Transportation and Public Works Commission 2/7/11 (CC FYI 133)
	Resignation of Judy Warner from the Planning Commission 2/14/11 (CC FYI 134)
City Manager	Monthly Camping Incident and Homeless Shelter Attendance Reports 2/8/11 (CM FYI 154)
Economic Development Department	Lower Pacific Avenue Parking Study RFP 1/27/11 (ED FYI 003)
	1020 Cedar Street – Third Amendment to Atlantis Fantasyworld Lease Agreement 2/2/11 (ED FYI 004)
Human Resources Department	Equal Employment Opportunity Committee Annual Report for Calendar Year 2010 2/15/11 (HR FYI 010)
Parks and Recreation Department	Discontinue our Association with Rick Lopez 2/14/11 (PK FYI 052)
Planning Department	River Walk Apartments – 110 Lindberg Street 2/3/11 (PL FYI 027)
Water Department	Beltz Well #12 Project – Acquisition of Property in Soquel Research Park – APN 030-181-70 2/1/11 (WT FYI 039)

ADDENDUM TO CITY COUNCIL AGENDA – FEBRUARY 22, 2011

MAYOR'S PROCLAMATIONS

1. Proclaiming Monday, February 28, 2011 as “Associate Justice Richard J. McAdams Day” and encouraging all citizens to join in expressing heartfelt appreciation for his dedicated service and numerous contributions to the administration of justice and wishing him well in his retirement.
2. Proclaiming February 12, 2011 as “Phenomenal Woman Day” and encouraging all citizens, schools, businesses, churches, and media to use this occasion to honor and celebrate phenomenal woman in the many forms that she shows up every day for the common good
3. Proclaiming Wednesday, February 23, 2011 as “Jackson Browne Day” and encouraging all citizens to join me and Save Our Shores in honoring this environmental advocate as an “SOS Ocean Hero” for his efforts to protect the health of our oceans.