

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



**JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA**

Regular Meeting

March 22, 2011

3:00 P.M.	CLOSED LITIGATION SESSION, COURTYARD CONFERENCE ROOM
4:00 P.M.	CONSENT, GENERAL BUSINESS AND PUBLIC HEARINGS, COUNCIL CHAMBERS
5:00 P.M.	ORAL COMMUNICATIONS, COUNCIL CHAMBERS
7:00 P.M.	GENERAL BUSINESS, PRESENTATIONS AND MATTERS OF PUBLIC INTEREST, COUNCIL CHAMBERS

Council will receive e-mail regarding items on the agenda during the meeting at [citycouncil@cityofsantacruz.com](mailto:citycouncil@cityofsantacruz.com).

**Written correspondence and telephone calls received after 5:00 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 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****3:00 PM**

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 and considering public testimony. Thereafter, the meeting will be closed to the public.

**Referral to Closed Session.**

1. Referral to Closed Session: 2 Municipal Wharf (Venture Quest), APN 005-381-10. (ED)

Motion to refer to closed session for discussion of a new Municipal Wharf license agreement with the kayak rental business known as Venture Quest, and to provide instructions to the Director of Economic Development regarding same.

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

1. Claimant: Thomas Raphael Pazo
2. Claimant: Ron Wilkerson
3. Claimant: Osbaldo Zambrano

Claims Against: City of Santa Cruz

- B. Labor Negotiations (Government Code §54956.6).

Lisa Sullivan—Negotiator

- Employee Organizations—
1. SEIU-Temporary Employees
  2. Santa Cruz Police Officers' Association

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

2 Municipal Wharf - License Negotiations (Venture Quest - Licensee;  
City of Santa Cruz - Licensor)

City Negotiator—Bonnie Lipscomb  
APN 005-381-10

**Joint City Council/Redevelopment Agency**

**4:00 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 March 1, 2011 Special and March 8, 2011 Regular City Council Meetings. (CC)

Motion to approve as submitted.

3. Minutes of the March 1, 2011 Special and March 8, 2011 Regular Redevelopment Agency Meetings. (CC)

Motion to approve as submitted.

4. Sister Cities Committee Bylaws Revision (PK)

Motion to adopt the amended bylaws setting forth said amendment to the days of the Sister Cities Committee meetings.

**Consent Agenda (continued)**

5. Assembly Bill 579: Litigation Regarding Mobilehome Rent Control – Resolution of Support. (CN)

Resolution supporting Assembly Bill 579 and directing the Mayor to transmit copies of the resolution to Governor Brown, the City's State representatives and to the Judiciary Committee of both houses of the State Legislature.

6. City/County/UCSC/CLUE Comprehensive Settlement Agreement – Budget Adjustment for Legal Defense and LAFCO Application Fees - FY 2011. (CM)

Resolution amending the Fiscal Year 2011 Budget to appropriate funds in the amount of \$125,000 for City/County/UCSC/CLUE Comprehensive Settlement Agreement legal defense and LAFCO application fees, half of which are reimbursable.

7. City Attorney Legal Expenses – Budget Adjustment – FY 2011. (CM)

Resolution amending the Fiscal Year 2011 Budget to appropriate funds in the amount of \$100,000 to pay for additional City Attorney legal expenses pertaining to Municipal Code enforcement actions.

8. 57 Municipal Wharf (APN 005-401-09) - Municipal Wharf Lease Agreement with Dohna Dunderdale. (ED)

Motion to authorize the City Manager to execute a Municipal Wharf Lease Agreement and any amendments thereto of a non-substantive nature, in a form approved to the City Attorney, with Dohna Dunderdale for the operation of a retail clothing and gift store at 57 Municipal Wharf.

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

Motion to reject liability claims: a) Thomas R. Pazo, b) Ron Wilkerson, and c) Osbaldo Zambrano; based on staff investigation.

**Consent Agenda (continued)**

10. Request from E Clampus Vitas Branciforte Chapter 1797- Placing a Historical Marker in San Lorenzo Park. (PK)

Motion to authorize the installation of a historical marker in San Lorenzo Park noting the location of a former bear and bull ring per the recommendations of the Parks and Recreation Commission and the Historic Preservation Commission.

11. Beltz Treatment Plant Driveway Project – Earthworks Paving Contractors, Inc. – Notice of Completion. (WT)

Motion to ratify Contract Change Order No. 1 (\$10,323) and Contract Change Order No. 2 (\$734) with Earthworks Paving Contractors, Inc. for additional work on the Beltz Treatment Plant Driveway Project.

Motion to accept the work done by Earthworks Paving Contractors, Inc. (Capitola, CA) as complete per the plans and specifications and authorize the filing of a Notice of Completion for the Beltz Treatment Plant Driveway Project.

**End Consent Agenda**

**General Business**

12. Introduction of Ordinance Repealing Section 10.40.060 of the Santa Cruz Municipal Code, Parking for Demonstration. (CN)

Introduction of an ordinance to repeal Section 10.40.060 of the Municipal Code, Parking for Demonstration.

13. Sister Cities Committee Appointments (Two Vacancies, One with a Term Expiration of 1/1/12, and One with a Term Expiration of 1/1/13) (CC)

Motion to appoint two Sister Cities Committee members.

**General Business (continued)**

14. CDBG and HOME Funding - Housing and Community Development Program Discussion for 2011–2012 Program Year. (ED)

Motion to determine appropriate funding levels for CDBG and HOME activities for the 2011 – 2012 program year; and

Motion to direct staff to complete the draft Action Plan for 2011–2012 program year and determine environmental review requirements for those applications recommended for funding.

15. 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-28,316.

16. Re-adoption of the 2007-2014 Housing Element, #09-059, City-Wide. (PL)

Resolution to revise the previous General Plan Amendment approving the 2007-2014 Housing Element to include non-substantive changes, rescind Resolution No. NS-28,148 and re-adopt the Negative Declaration and the reformatted and updated 2007-2014 Housing Element.

17. Council Meeting Calendar. (CC)

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

18. City Attorney Report on Closed Session. (CA)

19. Council Memberships in Outside Groups and Outside Agencies. (CC)

The Presiding Officer will provide Councilmembers with the opportunity to update Council and the public regarding City Groups and Outside Agencies.

**Joint City Council/Redevelopment Agency**

**5:00 PM**

**Joint City Council/Redevelopment Agency Oral Communications - 30 Minutes**

**Recess**

The City Council will recess to the 7:00 p.m. session.

**Adjournment**

The Redevelopment Agency will adjourn from the regular meeting of March 22, 2011 to the next regularly scheduled meeting on April 12, 2011, for a Closed Litigation Session at 1:30 p.m., followed by Open Sessions at the approximate hours of 3:00 p.m., 5:00 p.m. and 7:00 p.m.

**City Council**

**7:00 PM**

Call to Order

Roll Call

Presentation - Student Art Exhibit

Presentation - Santa Cruz Little League

Presentation - Earned Income Tax Credit Assistance Workshops

**Adjournment**

The City Council will adjourn from the regularly scheduled meeting of March 22, 2011 to a Special Closed Litigation Session on April 5, 2011 at 2:00 p.m. in the Courtyard Conference Room, followed by an Open Special Study Session at 4:00 p.m. in Council Chambers, and then to the next regularly scheduled City Council Meeting on April 12, 2011 for a Closed Litigation Session on or after the hour of 1:30 p.m., followed by Open Sessions at the approximate hours of 3:00 p.m., 5:00 p.m., and 7:00 p.m.



**Advisory Body Appointments**

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

Measure K Oversight Committee	Three (3) vacancies
Planning Commission	One (1) vacancy
Sister Cities Committee	Two (2) vacancies

**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 – March 22, 2011  
**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 3/8/11 (CM FYI 155)
Economic Development Department	See Scopes – Renewal of the Municipal Wharf License for the Viewing Telescopes Located on the Municipal Wharf and at Lighthouse Point 3/7/11 (ED FYI 005)  Surflife – Renewal of the Municipal Wharf License for the Webcam Located on the Roof of 49-B Municipal Wharf 3/7/11 (ED FYI 006)
Water Department	Newell Creek Road Trespass 3/10/11 (WT FYI 041)

ADDENDUM TO CITY COUNCIL AGENDA – March 22, 2011  
**MAYOR’S PROCLAMATIONS**

1. Proclaiming Saturday, March 12, 2011 as “The Plageman Family Day” and encouraging all citizens to join in congratulating the Plagemans for being named the Special Parents Information Network’s Distinguished Family of 2011 and applauding them for their contributions to the people of the Santa Cruz community.
2. Proclaiming Saturday, March 12, 2011 as “The Miracle Chase Day” and encouraging all citizens to join in honoring Mary Beth Phillips, Katie Mahon, and Joan Luise Hill for their contributions to the people of this City and applauding the efforts of these three miraculous women.
3. Proclaiming Wednesday, March 16, 2011 as “Santa Cruz County University of California Cooperative Extension Service Day” and encouraging all citizens to join in congratulating it as the recipient of the 2011 Al Smith Friend of Agriculture Award for its contributions to local agriculture.
4. Proclaiming March 18, 2011 as “Dr. Maya Angelou Day” and urging all citizens to join in expressing deep admiration and appreciation to her for a lifetime of excellence and dedicated service to humanity.