

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



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

Regular Meeting

April 12, 2011

1:30 P.M.	CLOSED LITIGATION SESSION, COURTYARD CONFERENCE ROOM
2:30 P.M.	CITYSERVE VOLUNTEER RECEPTION
3:00 P.M.	CONSENT, GENERAL BUSINESS AND PUBLIC HEARINGS, COUNCIL CHAMBERS
5:00 P.M.	ORAL COMMUNICATIONS, COUNCIL CHAMBERS
7:00 P.M.	GENERAL BUSINESS, PUBLIC HEARINGS AND MATTERS OF PUBLIC INTEREST, COUNCIL CHAMBERS

Council will receive e-mail regarding items on the agenda during the meeting at 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

1:30 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, considering Items 1 and 2, and considering public testimony. Thereafter, the meeting will be closed to the public.

Referral to Closed Session

1. 55-D Municipal Wharf (Ocean Conservancy), APN 005-681-02. (ED)

Motion to refer to closed session discussion of an existing Municipal Wharf lease with Ocean Conservancy and to provide instructions to the Director of Economic Development regarding same.

2. 1547-1549 Pacific Avenue and 1110 Cedar Street (Park Pacific), APN 005-041-10 and 005-041-15 and 005-041-05. (ED)

Motion to refer to closed session to provide direction to staff regarding the proposed sale and potential acquisition of the property identified above.

Closed Session

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

1. Claimant: Michael Boyd
2. Claimant: Anthony Ruffo
3. Claimant: Geico Insurance

Claims Against: City of Santa Cruz

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

Lisa Sullivan —Negotiator
Employee Group — Executives

Closed Session (continued)

- 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

55-D Municipal Wharf Lease Negotiations (Ocean Conservancy - Lessee;
City of Santa Cruz – Lessor)
City Negotiator—Bonnie Lipscomb
APN 005-681-02

1547-1549 Pacific Avenue/1110 Cedar Street Property Acquisition
(Redevelopment Agency)
Agency Negotiator—Bonnie Lipscomb
APN 005-041-10; 005-041-15; 005-041-05

- D. Conference with Legal Counsel-Anticipated Litigation (Government Code §54956.9).

Significant Exposure of City to Litigation (Government Code §54956.9(b)).

1 case to be discussed.

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

1 case to be discussed.

Joint City Council/Redevelopment Agency

3:00 PM

Call to Order

Roll Call

Pledge of Allegiance

Presiding Officer's Announcements

Introduction of New Employees

Presentation - CityServe Outstanding Volunteer Awards

Presentation - United Way President's Award

Presentation - Transportation Project Update

Statements of Disqualification

Additions and Deletions

Consent Agenda

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

Motion to approve as submitted.

Consent Agenda (continued)

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

Motion to approve as submitted.

5. Minutes of the March 15, 2011 Emergency City Council Meeting. (CC)

Motion to approve as submitted.

6. Minutes of the March 22, 2011 Regular City Council Meeting. (CC)

Motion to approve as submitted.

7. Minutes of the March 22, 2011 Regular Redevelopment Agency Meeting. (CC)

Motion to approve as submitted.

8. AB 313: Residential Care Facility for the Elderly: Notification – Resolution of Support. (CN)

Resolution supporting Assembly Bill 313: Residential Care Facility for the Elderly (RCFE): Notification, which would require notice to RCFE residents and emergency contacts prior to a potential facility license revocation.

9. Appointing the City's Alternate Representative to the Santa Cruz County Regional Transportation Commission. (CN)

Motion to appoint Councilmember Terrazas to serve as the City's alternate representative to the Santa Cruz County Regional Transportation Commission.

Consent Agenda (continued)

10. Senate Bill 444: Rental Mobilehome Park Conversion and Resident Support Survey – Resolution of Support. (CN)

Resolution supporting SB 444: Land Use: Subdivisions: Rental Mobilehome Park Conversion, which would allow local jurisdictions to prevent conversions of rental mobilehome parks if the Resident Support Survey does not demonstrate adequate resident support.

11. Termination of the Declaration of a State of Emergency in the City of Santa Cruz from the March 11, 2011 Tsunami Surge – Resolution. (CM)

Resolution terminating the Declaration of a State of Emergency in the City of Santa Cruz which arose from the tsunami surge event of March 11, 2011.

12. FY 2012 Cooperative Retail Management Business Real Property Improvement District Assessments. (ED)

Motion to approve the report prepared by the Downtown Management Corporation for FY 2012.

Resolution of Intention to levy a business improvement assessment for FY 2012.

Motion to schedule a public hearing for May 10, 2011, after the hour of 3:00 p.m., on the levy of the assessments for FY 2012.

13. Tannery Arts Center - Grant of Public Utility Easement over a Portion of Lot 3 Tannery Arts Center Subdivision. (ED)

Resolution authorizing the City Manager to grant a public utility easement over a portion of Lot 3 of the Tannery Arts Center Subdivision, 1020 River Street (APN 008-661-03).

Consent Agenda (continued)

14. 2 Municipal Wharf - Venture Quest (APN 005-381-10) Municipal Wharf License Agreement. (ED)

Motion to authorize and direct the City Manager to execute a Municipal Wharf License Agreement and any amendments thereto of a non-substantive nature, in a form acceptable to the City Attorney, with Dave Johnston for the operation of a kayak rental business at 2 Municipal Wharf

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

Motion to reject liability claims: a) Michael Boyd, b) Anthony Ruffo; based on staff investigation.

16. Temporary Extension of Cowell Beach Concession Contract. (PK)

Resolution authorizing and directing the City Manager to extend the agreement with Ed Guzman of Club Ed Lessons and Beach Rentals Concession for the operation of an ocean and beach related concession on Cowell Beach through December 31, 2011.

17. Rising Fuel Expenses - Budget Adjustment. (PW)

Resolution to amend the FY 2011 budget to appropriate funds in the amount of \$200,000, to fund rising fuel expenses.

18. Branciforte Creek Subdivision (5 Isbel Drive) – Tract No.1565 – Approve Final Map. (PW)

Resolution approving the Final Map for Branciforte Creek Subdivision - Tract No. 1565 (5 Isbel Drive), and authorizing and directing the City Manager to execute the Subdivision Agreement.

Consent Agenda (continued)

19. City of Santa Cruz Sewer Liner Project (m400807) – Authorization to Advertise

Motion to approve the plans and specifications for the City of Santa Cruz Sewer Liner Project (m400807), and authorize staff to advertise for bids. The City Manager is hereby authorized and directed to execute the contract as authorized by Resolution NS-27,563.

20. Public Utility Easement for PG&E Gas Facilities in the Eastside Triangle Park on Poplar Avenue, APN 011-023-01. (PW)

Resolution authorizing and directing the City Manager to execute any and all documents, in a form approved by the City Attorney, granting Pacific Gas and Electric Company (PG&E) a public utility easement for gas facilities on the said City owned parcel inside the Eastside Triangle park on Poplar Avenue between Water Street and Soquel Avenue (APN 001-023-01).

21. Water Supply Project –Desalination Pilot Study – Contract with Camp Dresser & McKee, Inc. – Notice of Completion. (WT)

Motion to accept the work completed by Camp Dresser & McKee, Inc. of Walnut Creek CA, and authorize the filing of a Notice of Completion for the Desalination Pilot Study.

End Consent Agenda

Public Hearing

22. Ordinance 2011-03 Repealing Section 10.40.060 of the Santa Cruz Municipal Code, Parking for Demonstration. (CN)

Final adoption of Ordinance No. 2011-03.

General Business

23. Planning Commission Appointment. (CC)

Motion to appoint a Planning Commissioner.

24. Council Meeting Calendar (CC)

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

25. Council Memberships in City 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.

26. City Attorney Report on Closed Session (CA)

Joint City Council/Redevelopment Agency

5:00 P.M.

Call to Order

Roll Call

Joint City Council/Redevelopment Agency Oral Communications - 30 Minutes

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

Presentation - Green Building Awards

General Business

27. City of Santa Cruz Capital Improvement Projects Fiscal Year 2012 - 2014. (FN)

That the City Council review the proposed CIP and provide direction as appropriate.

Adjournment

The Redevelopment Agency will adjourn from the regular meeting of April 12, 2011 to the next regularly scheduled meeting on April 26, 2011, for a Closed litigation session at the approximate hour of 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.

The City Council will adjourn from the regularly scheduled meeting of April 12, 2011 to the next regular meeting on April 26, 2011, for a closed litigation session at the approximate hour of 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	Three (3) vacancies
Planning 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.

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 – April 12, 2011
INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS
(Copies available in the Central Branch Library at the Reference Desk)

City Manager (Special Events)

Downtown Association Sidewalk Sales March–
September 2011 (typically last weekend starting
Friday and ending Sunday of each month)
3/17/11 (CMFYI 156)

Wednesday Farmers Market Permit with extended
public times for April 2011–June 2011 (current
permit) and July 2011–June 2012
3/17/11 (CMFYI 157)

Antique Faire for July 2011–June 2012 (2nd Sunday
of each month) 3/17/11 (CMFYI 158)

Economic Development Department

*Quarterly Sales Tax Reports – 2010 3rd Quarter
3/22/11 (EDFYI 008)

Small Business Development Center
(SBDC) 3/24/11 (EDFYI 009)

Santa Cruz Public Art Website
3/30/11 (EDFYI 010)

**ADDENDUM TO CITY COUNCIL AGENDA – April 12, 2011
INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS
(Continued)**

Finance Department	Monthly Financial Reports for January 2011 3/17/11 (FNFYI 168)
	Portfolio Management Report – Pooled Cash and Investments as of February 28, 2011 3/16/11 (FNFYI 169)
	*Quarterly Sales Tax Reports – 2010 3 rd Quarter 3/22/11 (FNFYI 170)
	Monthly Financial Reports for February 2011 3/29/11 (FNFYI 171)
Public Works Department	City Council Capital Improvement Program Study Session – Commission Actions 3/29/11 (PWFYI 0068)
Public Works Department (Emergency Management)	Tsunami Surge of March 11, 2011 – The “Reverse 911” Callout Statistics 3/30/11 (PWFYI 0069)

*Report submitted jointly by both departments.

ADDENDUM TO CITY COUNCIL AGENDA – APRIL 12, 2011

MAYOR’S PROCLAMATIONS

1. Proclaiming March 19, 2011 as “Doug Haut Day” and urging all citizens to join in honoring him, recognizing his many contributions to the craft of surfboard design, and thanking him for being such an inspiring example of what makes Santa Cruz the real Surf City.
2. Proclaiming Saturday, April 2, 2011 as “Santa Cruz AIDS Walk 2011 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 HIV/AIDS and to educate our community about what we all can do to help prevent the spread of HIV/AIDS.