

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



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

Regular Meeting

April 26, 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
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

2:00 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, considering Item 1, and for public testimony. Thereafter, the meeting will be closed to the public.

Referral to Closed Session

1. Municipal Wharf License Agreement - Paradise Dogs (no address, no APN). (ED)

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

Closed Session

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

1. Claimant: State Farm Insurance Co.
2. Claimant: Benjamin Tucker

Claims Against: City of Santa Cruz

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

2 Municipal Wharf License Negotiations (Paradise Dogs - Licensee; City of Santa Cruz - Licensor)
City Negotiator—Bonnie Lipscomb
No APN

- C. Conference With Legal Counsel - Existing Litigation (Government Code §54956.9).

1. Norse v. City of Santa Cruz, United States Court of Appeals Case No. 07-15814
2. People v. Huntsinger, Santa Cruz Superior Court Case No. CV169557

Closed Session (continued)

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.

Joint City Council/Redevelopment Agency

3:00 PM

Call to Order

Roll Call

Pledge of Allegiance

Presentation - Sister Cities Hans Christian Andersen Writing Competition

Presentation - Proclamations honoring Prom Dress Drive Volunteers

Presiding Officer's Announcements

Statements of Disqualification

Additions and Deletions

Consent Agenda

2. Minutes of the April 5, 2011 Special City Council Meeting (CC)

Motion to approve as submitted.

3. Minutes of the April 12, 2011 Regular City Council Meeting. (CC)

Motion to approve as submitted.

4. Minutes of the April 12, 2011 Regular Redevelopment Agency Meeting. (CC)

Motion to approve as submitted.

Consent Agenda (continued)5. 41 Grandview St., #605 - Change in Inclusionary Housing Unit Status. (ED)

Motion to approve, authorize and direct the City Manager to execute documents, in a form approved by the City Attorney, to change the occupancy status of an existing inclusionary unit from owner-occupied to a unit available for rent to very low-, low-income, or Section 8 households for a limited period of time as set forth below.

6. Award Contract for a Tractor Drawn Aerial Ladder Fire Truck. (FN)

Motion to accept the proposal of Golden State Fire Apparatus (Modesto, CA), a dealer for Pierce Manufacturing Inc., for a Tractor Drawn Aerial Apparatus in the amount of \$932,333 and to authorize the City Manager to execute an agreement in a form approved by the City Attorney with Pierce Manufacturing Inc. for a Tractor Drawn Aerial Apparatus, and to reject all other proposals.

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

Motion to reject liability claims: a) State Farm Insurance, b) Benjamin Tucker; based on staff investigation.

8. Authorization to Enter into an Agreement with the Santa Cruz Seaside Company for the Construction of a Temporary Beach Deck and a Temporary Beach Access Ramp on an Annual Basis. (PK)

Resolution authorizing and directing the City Manager to enter an agreement with the Santa Cruz Seaside Company in a form acceptable to the City Attorney to 1) construct, on an annual basis, a temporary beach deck and 2) install, on an annual basis, a temporary beach access ramp.

9. 12.5% Sodium Hypochlorite for the Wastewater Treatment Facility—Award Bid. (PW)

Motion to accept the bid of Sierra Chemical Co., Sparks, NV, complying with specifications for 12.5% Sodium Hypochlorite in the amount of \$0.7246/gallon, and rejecting all other bids; and to authorize the City Manager to execute the agreement.

Consent Agenda (continued)

10. Ferric Chloride for the Wastewater Treatment Facility - Award Bid. (PW)

Motion to accept the bid of Kemira Water Solutions, Inc. (Lawrence, Kansas) complying with specifications for 36-40% Ferric Chloride in the amount of \$735.00 per dry ton and rejecting all other bids; authorizing and directing the City Manager to execute an agreement between the City of Santa Cruz and Kemira Water Solutions, Inc. in a form acceptable to the City Attorney.

11. West Cliff Drive Paving – Budget Adjustment. (PW)

Resolution amending the FY 2011 budget to transfer funds in the amount of \$250,000 and to fully fund the West Cliff Drive Paving project, from Almar to Swanton.

End Consent Agenda

Public Hearing

12. 2011 - 2012 Action Plan for the City's Housing and Community Development Program. (ED)

Resolution adopting the 2011 - 2012 Annual Action Plan for the City's Housing and Community Development Program, certifying environmental review, and authorizing the City Manager to sign an application for federal funding assistance for the 2011 - 2012 program year.

Resolution authorizing the City Manager to execute program/project contracts, loan agreements and related loan documents with CDBG and HOME sub-recipients and contractors in connection with Consolidated Plan activities proposed in the 2011 - 2012 Annual Action Plan and any subsequent revisions to the Action Plan.

Resolution authorizing the continuance of existing funding for reprogrammable CDBG and HOME funds from the 2010 - 2011 Consolidated Plan Program Year to the 2011 - 2012 Program Year.

General Business

13. Planning and Community Development Fee Schedule Update to Establish New Fee for New Project Applications on Properties with Current Entitlements, and Revised Fees for Environmental Review to Reflect Costs. (PL)

Resolution amending the Planning and Community Development fee schedule to include a "Revised Project Fee" for similar projects on sites with active entitlements and to increase the existing "Negative Declaration/Initial Study Fee" to reflect costs, and rescinding Resolution No. NS-28,345.

14. Water Supply Assessment for General Plan 2030. (WT)

Motion to approve the Water Supply Assessment for the General Plan 2030.

15. Council Meeting Calendar (CC)

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

16. 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.

17. City Attorney Report on Closed Session (CA)

Joint City Council/Redevelopment Agency

5:00 PM

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 - Omega Nu Ducky Derby

Presentation - CPVAW & Santa Cruz City Schools Safety Skills Classes

General Business

18. Citywide Wayfinding Project. (ED)

Motion to accept the wayfinding report and authorize the Executive Director to move forward with RFP release and award of contract(s) for design of first priority projects.

Adjournment

The Redevelopment Agency will adjourn from the regular meeting of April 26, 2011 to the next regularly scheduled meeting on May 10, 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 26, 2011 to a Special Closed Personnel Session on May 3, 2011 at 5:00 p.m. in the Courtyard Conference Room, followed by an Open Study Session at 7:00 p.m. in Council Chambers, and then to the next regularly scheduled meeting on May 10, 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
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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 26, 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 4/6/11 (CM FYI 159)
Economic Development Department	Pacific Coast Kites – Renewal of the Municipal Wharf License for the Business Located on the Municipal Wharf 4/4/11 (ED FYI 011) Student Public Art/Anti-Graffiti Project (Water Street Bridge) 3/15/11 (ED FYI 007) 401-B Upper Park Road – DeLaveaga Golf Lodge Restaurant Lease Extension 4/13/11 (ED FYI 012)
Planning Department	General Plan Consistency with the 2012–2014 Capital Improvement Program 4/11/11 (PL FYI 029)
Public Works Department	Transportation Planning Grant Application – King Street Bikeway 4/4/11 (PW FYI 0070)

ADDENDUM TO CITY COUNCIL AGENDA – April 26, 2011
MAYOR'S PROCLAMATIONS

1. Proclaiming April 13, 2011 as “National Bookmobile Day” and encouraging all residents to visit one of the nineteen stops in their neighborhood to take advantage of the wonderful library resources available at your library, brought to you directly by the Bookmobile.