

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



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

Regular Meeting

July 12, 2011

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| 1:30 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](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

The City of Santa Cruz does not discriminate against persons with disabilities. Out of consideration for people with chemical sensitivities, we ask that you attend fragrance free. Upon request, the agenda can be provided in a format to accommodate special needs. Additionally, if you wish to attend this public meeting and will require assistance such as an interpreter for American Sign Language, Spanish, or other special equipment, please call the City Clerk's Department at 420-5030 at least five days in advance so that we can arrange for such special assistance, or email [CityClerk@cityofsantacruz.com](mailto:CityClerk@cityofsantacruz.com). The Cal-Relay system number: 1-800-735-2922.

**Closed Litigation Session**

**1:30 PM**

The Presiding Officer will open the City Council and Redevelopment Agency Closed Litigation Session in a public meeting in the Courtyard Conference Room, for the purpose of announcing the agenda, considering Item 1, and receiving public testimony. Thereafter, the meeting will be closed to the public.

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

1. Utility Services et al v. City of Santa Cruz, United States District Court Case No. CV 11-0739-HRL

B. Labor Negotiations (Government Code §54956.6).

Lisa Sullivan—Negotiator  
Employee Organizations— All Bargaining Units

C. Liability Claims

1. Claimant - Corey James Douthett

D. Real Property Lease Negotiations

1. City lease of Lighthouse Field State Park (State of California - Lessor)  
City negotiator - Dannettee Shoemaker

3:00 PM

Call to Order

Roll Call

Pledge of Allegiance

Introduction of New Employee

Presiding Officer's Announcements

Statements of Disqualification

Additions and Deletions

Consent Agenda

1. Minutes of the June 28, 2011 Regular City Council Meeting. (CC)

Motion to approve as submitted.

2. Minutes of the June 28, 2011 Regular Redevelopment Agency Meeting. (CC)

Motion to approve as submitted.

3. Redevelopment Agency Budget - FY 2012. (ED)

Redevelopment Agency resolution approving the FY 2012 Agency Budget, with amendments and addenda thereto, if any.

## Consent Agenda (continued)

4. 55-D Municipal Wharf (APN 005-681-02) - Municipal Wharf Lease Agreement with Chris Castelli. (ED)

Motion to authorize and direct the City Manager to execute a Municipal Wharf Lease Agreement and any amendments thereto of a non-substantive nature, in a form acceptable to the City Attorney, with Chris Castelli for the operation of an Internet cafe at 55-D Municipal Wharf.

5. Statement of Investment and Portfolio Policy. (FN)

Motion to approve the Statement of Investment and Portfolio Policy.

6. Proposition 4 Appropriations Limit Adjustment Factors. (FN)

Resolution approving the selection of the annual adjustment factors to be utilized in the calculation of the City's Proposition 4 Appropriations Limit (Gann Limit) based on the adopted budget for FY 2012, with amendments thereto, if any.

7. Louden Nelson Community Center Asbestos Abatement. (PK)

Resolution authorizing the City Manager to apply for, and, if funded, appropriate a grant from the Redevelopment Agency Brownfield Revolving Grant.

Motion to authorize the City Manager to advertise for Request For Proposals from qualified contractors and enter into an agreement, in a form acceptable to the City Attorney, for abatement or containment of asbestos at Loudon Nelson Community Center.

8. Acceptance of Justice Assistance Grant (JAG) Funds. (PD)

Resolution amending the FY 2012 budget in the amount of \$68,327 to accept and appropriate Justice Assistance Grant funds to purchase two Police investigations vehicles and to distribute a portion of the grant funds to the County of Santa Cruz.

**Consent Agenda (continued)**

9. Habitat Conservation Plan and Incidental Take Permit - Fisheries Scientific and Permitting Support Work Plan FY 2012. (WT)

Motion to authorize the City Manager to execute an agreement with Hagar Environmental Sciences (Richmond, CA) in the amount of \$122,870 for scientific and permitting support of the City's anadromous fisheries and non-anadromous salmonids habitat conservation plans and incidental take permits.

**End Consent Agenda****General Business**

10. Emergency Ordinance Implementing ABX1 27 - Voluntary Alternative Redevelopment Program Established as Part of State FY 2012 Budget

Make the findings to introduce and adopt an Emergency Ordinance establishing a Voluntary Alternative Redevelopment Program as part of State FY 2012 Budget.

**Public Hearing**

11. Fiscal Year 2012 Budget Adoption. (FN)

Resolution adopting a budget for FY 2012, effective July 1, 2011, with amendments and addenda as directed by Council on June 28 and July 12, and authorizing the Finance Director to create additional appropriations to provide for commitments carried over from the prior fiscal year.

12. 1547-1549 Pacific Avenue/1110 Cedar Street, APNs 005-041-05, -10 & -15. (PL)

Resolution adopting Mitigated Negative Declaration for Development Agreement and continuing consideration of the Design and Planned Development Permits and Tentative Map based on the Findings listed in the resolution.

Introduction of an ordinance adopting Development Agreement for project.

**Supplemental General Business**

13. Council Meeting Calendar. (CC)

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

14. Council Membership 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.

15. City Attorney Report on Closed Session. (CC)

**Joint City Council/Redevelopment Agency**

**5:00 PM**

**Call to Order**

**Roll Call**

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

**Adjournment - Redevelopment Agency**

The Redevelopment Agency will adjourn from the Regular Meeting of July 12, 2011 to the next Regular Meeting on July 26, 2011 for a Closed Litigation Session at or after 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 the Council Chambers.

**Recess - City Council**

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

Joint City Council/Redevelopment Agency

7:00 PM

Call to Order

Roll Call

General Business

16. Trial Suspension of the Prohibition on Dogs in Downtown Santa Cruz - Revisions to Santa Cruz Municipal Code Chapter 8 and Chapter 9 Providing Allowance for Dogs in the Downtown Neighborhood with Certain Regulations and Minor Animal Control Regulatory and Language Updates. (CN)

Introduce an ordinance for publication amending Sections 8.04.010, 8.12.105, 8.14.560, 8.16.020, 8.14.320, and 9.10.040, and adding Sections 8.04.020, 8.14.205, and 8.14.045 to the Santa Cruz Municipal Code pertaining to dogs in the Downtown Neighborhood and to regulation of animals in the City of Santa Cruz.

Adjournment

The City Council will adjourn from the July 12, 2011 Regular Meeting to the next Regular Meeting on July 26, 2011, for a Closed Litigation Session at or after the 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 the 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
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**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 Terrazas appointed Bates Marshall to the Measure K Oversight Committee on June 29, 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

ADDENDUM TO CITY COUNCIL AGENDA - July 12, 2011  
**INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS**  
 (Copies available in the Central Branch Library at the Reference Desk)

City Clerk	Resignation of James King from the Measure K Oversight Committee 6/30/11 (CC FYI 136)
Economic Development Department	* Quarterly Sales Tax Reports - 2010 4 <sup>th</sup> Quarter 6/20/11 (ED FYI 015 & FN FYI 180)  2011 Graphic Traffic Boxes 6/27/11 (ED FYI 016)  71-B Municipal Wharf (APN 005-401-05) - Extension of the Municipal Wharf Lease Agreement for the Business Located at 71-B Municipal Wharf 6/27/11 (ED FYI 017)
Finance Department	* Quarterly Sales Tax Reports - 2010 4 <sup>th</sup> Quarter 6/20/11 (ED FYI 015 & FN FYI 180)
Public Works Department	Localized Flood Assessment and Estimated Costs - 2011 6/29/11 (PW FYI 0074)

\* Report submitted jointly by departments.

ADDENDUM TO CITY COUNCIL AGENDA - July 12, 2011  
MAYOR'S PROCLAMATIONS

1. Proclaiming the month of July 2011 as "Parks and Recreation Month" and urging all residents to enjoy and recognize the social, physical, economic, environmental, and community benefits derived from our parks and recreation programs, services, and facilities.
2. Proclaiming Sunday, July 3, 2011 as "Jessica Litvak and Michael Tillman Day" and encouraging all citizens to join in saying "Mazel Tov," celebrating their joy, and wishing them all the happiness that life together will offer.