

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



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

Regular Meeting

July 26, 2011

- 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.

#### Referral to Closed Session.

1. 1130 K-2 Pacific Avenue Kiosk Lease. (ED)

Motion to refer to closed session the 1130 K-2 Pacific Avenue kiosk for the purpose of instructing the negotiator regarding negotiations concerning price, terms, or both.

#### Closed Session

A. Labor Negotiations (Government Code §54956.6)

Lisa Sullivan - Negotiator  
Employee Organizations - All Bargaining Units

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

City of Santa Cruz v. Patel, Santa Cruz Superior Court Case No. CV  
161056

C. Conference With Legal Counsel - Significant Exposure of City to Litigation  
(Government Code §54956.9(b))

California Native Plant Society v. California Coastal Commission, City of  
Santa Cruz (Arana Gulch Master Plan).

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

1. 1130 K-2 Pacific Avenue Kiosk (City of Santa Cruz - Lessor)  
City Negotiator - Bonnie Lipscomb
2. Land Transfer Between State of California and City of Santa Cruz  
(Assessor's Parcel Numbers: 009-461-02; 009-441-02; 009-441-01;  
009-471-01)  
City negotiator - Dannettee Shoemaker

Joint City Council/Redevelopment Agency

3:00 PM

Call to Order

Roll Call

Pledge of Allegiance

Introduction of New Employees

Presiding Officer's Announcements

Statements of Disqualification

Additions and Deletions

Consent Agenda

2. Minutes of the July 12, 2011 Regular City Council Meeting. (CC)

Motion to approve as submitted.

3. Minutes of the July 12, 2011 Regular Redevelopment Agency Meeting. (CC)

Motion to approve as submitted.

Consent Agenda (continued)

4. Criminal Justice Council. (CM)

Motion to:

1. Authorize the City Manager to sign a Joint Exercise of Powers Agreement among the County of Santa Cruz and the Cities within the County of Santa Cruz, namely: Santa Cruz, Watsonville, Capitola and Scotts Valley for the purpose of re-establishing the Criminal Justice Council; and
2. Appoint Vice-Mayor Don Lane and the City Manager as the City's representatives on the Criminal Justice Council. The Police Chief is an automatic member of the CJC per the terms of the agreement.
3. Appoint Councilmember Tony Madrigal as Vice-Mayor Don Lane's alternate to the Criminal Justice Council.

5. Brownfields Revolving Loan Fund - Grant to City Parks and Recreation Department for Asbestos Remediation at Louden Nelson Center. (ED)

Redevelopment Agency motion authorizing the Executive Director to enter into a Grant Agreement with the City of Santa Cruz Parks and Recreation Department to provide a grant in an amount up to \$200,000 from the Agency's Brownfields Revolving Loan Fund (BRLF) for asbestos remediation at the Louden Nelson Center.

6. Tannery Arts Center - Digital Media Center @ the Tannery Building Rehabilitation - Notice of Completion. (ED)

Motion to approve the work completed by Douglas Ross Construction, Inc., and to authorize the filing of the Notice of Completion for the Digital Media Center @ the Tannery Building Rehabilitation.

7. Acceptance & Execution of Community Programs Contract Agreements for Expenditure of City Funds. (FN)

Motion to accept the Contract Agreement for Expenditure of City Funds for FY 2012 and FY 2013.

Resolution authorizing and directing the City Manager to execute contract agreements for expenditure of Community Programs (CP) funds, including non-material contract amendments as determined by the City Attorney.

## Consent Agenda (continued)

8. Santa Cruz County Conference and Visitors Council -- Annual Agreement. (FN)

Motion to authorize and direct the City Manager to execute an agreement with the Santa Cruz County Conference and Visitors Council for visitor and tourism promotion, and marketing services, based on the amount approved in the Fiscal Year (FY) 2012 Budget Adoption on July 12, 2011, Resolution No. NS-28,391.

9. Cultural Council of Santa Cruz County -- Annual Agreement. (FN)

Motion to authorize and direct the City Manager to execute an agreement with the Cultural Council of Santa Cruz County for cultural arts projects, based on the amount approved in the Fiscal Year (FY) 2012 Budget Adoption, Resolution No. NS-28,391.

10. Museum Collections Deaccession Policy. (PK)

Resolution to adopt a Deaccession Policy for removal of certain objects from the Museum Collections at the Museum of Natural History.

11. Annual Safety Enhancement Zone Designation. (PD)

Resolution designating the geographic boundary of an annual safety enhancement zone for Independence Day, Halloween and New Year's Eve, and increasing fines and penalties for certain Municipal Code violations in the zone and designating the Police Chief to establish zone hours of operation.

12. Beach Cleaning Tractor and Wharf Refuse and Recycling Receptacles - Budget Adjustment. (PW)

Resolution amending the FY2012 budget and appropriating funds from the Clean River, Beaches and Ocean Fund in the amount of \$79,700 to purchase a tractor and attachments for beach cleaning and covered refuse and recycling receptacles for the Municipal Wharf.

**Consent Agenda (continued)**

13. San Lorenzo River Gravity Outlet Valve Maintenance Project (c400033) - Notice of Completion. (PW)

Motion to accept the work completed by Anderson Pacific Engineering Construction, Inc., Santa Clara, CA, and authorize the filing of the Notice of Completion for the San Lorenzo River Gravity Outlet Valve Maintenance Project. (c400033).

14. Water Street Storm Drain Emergency Relocation Project (m400028) - Authorization to Advertise, Easement Acquisition, and Budget Adjustment. (PW)

Motion to approve the plans and specifications for the Water Street Storm Drain Emergency Relocation project (m400028) and authorize staff to advertise for bids. The City Manager is hereby authorized and directed to execute the agreement as authorized by Resolution No. NS-27,563.

Motion to authorize the City Manager to purchase and accept all easements in a form acceptable to the City Attorney for the installation of the storm drain.

Resolution transferring funds and amending the 2012 FY Capital Improvement Fund 311 budget in the amount of \$160,000.

15. Water Supply Project - Entrainment Study and Impact Assessment - Contract Amendment No. 5. (WT)

Motion to authorize the City Manager to execute Contract Amendment No. 5 with Tenera Environmental (Lafayette, CA), in the amount of \$7,000 for additional work to calculate the area of production forgone and incorporate Technical Working Group comments.

16. Water Supply Project-CEQA/NEPA Services-Contract Amendment No. 1. (WT)

Motion to authorize the City Manager to execute Contract Amendment No. 1 with URS Corporation Americas (San Jose, CA), in the amount of \$291,000 for additional work to provide support services for the CEQA/NEPA process.

Consent Agenda (continued)

17. Graham Hill Water Treatment Plant Electrical Improvements - Notice of Completion. (WT)

Motion to accept the work of Helix Electric, Inc. (San Diego, CA) as complete per the plans and specifications and authorize the filing of a Notice of Completion for the Graham Hill Water Treatment Plant Electrical Improvements.

End Consent Agenda

Public Hearings

18. Ordinance No. 2011-05 - CalPERS Contract Amendment (HR)

Final adoption of Ordinance No. 2011-05.

19. Ordinance No. 2011-07 Approving Development Agreement for 1547-1549 Pacific Avenue/1110 Cedar Street, APNs 005-041-05, -10 & -15. (PL)

Final adoption of Ordinance No. 2011-07.

20. Ordinance No. 2011-08 Pertaining to the 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)

Final adoption of Ordinance 11-08, amending Sections 5.42.065, 5.43.025, 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.

## General Business

21. Conceptual Conjunctive Use and Water Transfer Project among North County Water Agencies. (WT)

By motion, inform staff on whether or not the City is interested in investigating a water transfer with neighboring water districts and direct them to proceed accordingly.

22. Economic Competitiveness: Parking Deficiency Fee Incentive. (CM)

Motion to direct staff to implement a Parking Deficiency Fee Reduction Strategy that: (1) collects 80 percent of the current Parking Deficiency Fee for a 12 month period, beginning in September 2011 and 90 percent of the current fee for the following 6 months from existing businesses that are current on Parking Deficiency Fee payments to the City; and (2) collects 0 percent of the current Parking Deficiency Fee for 12 months and 50 percent of the current fee for the following 6 months from businesses that sign a minimum 3-year lease for vacant commercial space between July 1, 2011 and June 30, 2012.

23. City Council Ad Hoc Budget Task Force. (CN)

Motion to appoint a City Council Ad Hoc Budget Task Force comprised of the Mayor, Vice Mayor, and one additional Councilmember.

## Supplemental General Business

24. Council Meeting Calendar. (CC)

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

25. 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.

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

Recess - The City Council and Redevelopment Agency will recess to the 5:00 p.m. session.



**Joint City Council/Redevelopment Agency**

**5:00 PM**

Joint City Council/Redevelopment Agency Oral Communications - 30 Minutes

**Recess** - The City Council and Redevelopment Agency will recess to the 7:00 p.m. session.

7:00 PM

**Call to Order**

**Roll Call**

**Presentation** - Honoring Adrian Lemke for his Heroic Efforts to Save the Life of a Surfer Who Nearly Drowned at Carmel Beach.

**Presentation** - CPVAW - Engaging the Bystander Spotlighted Program from 2010 Annual Report.

**Public Hearing**

27. Motel Improvement Pilot Program - Beach Area. (ED)

Redevelopment Agency resolution approving the Guidelines and Procedures to implement the Motel Improvement Pilot Program in the Merged Project Area consistent with the Five-Year Implementation Plan and California Redevelopment Law and authorizing the Executive Director to enter into agreements with qualified individual property owners in the program-defined Beach Area within the Merged Project Area.

28. Draft Ocean Street Area Plan. (PL)

Motion to include the Planning Commission and staff recommendations as changes to the Draft Ocean Street Area Plan and accept the plan for the purpose of Environmental Review.

**Adjournment** - The Redevelopment Agency will adjourn from the meeting of July 26, 2011 to the next Special Closed Litigation Session on September 6, 2011 after the hour of 3:00 p.m. in the Courtyard Conference Room, and then to the next Regular Meeting of September 13, 2011 after the hour of 1:00 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.

**Adjournment** - The City Council will adjourn from the July 26, 2011 Regular Meeting to the next Special Closed Litigation Session on September 6, 2011 after the hour of 3:00 p.m. in the Courtyard Conference Room, and then to the next Regular Meeting of September 13, 2011 after the hour of 1:00 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.

Downtown Commission	One (1) vacancy
Measure K Oversight 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 - July 26, 2011  
INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS  
(Copies available in the Central Branch Library at the Reference Desk)

City Clerk	Resignation of Teresa Zolar from the Downtown Commission 7/12/11 (CC FYI 137)
City Manager	Monthly Camping Incident and Homeless Shelter Attendance Reports 7/6/11 (CM FYI 162)
Economic Development Department	1120 Pacific Avenue - La Playa Lease Extension 7/6/11 (ED FYI 018)  330 Locust Street - Extension of Lease for One Year 7/18/11 (ED FYI 019)  1130 K-2 Pacific Avenue - Asana Tea Café Kiosk Lease Termination 7/14/11 (ED FYI 020)
Water Department	2010 Urban Water Management Plan 7/13/11 (WT FYI 043)

ADDENDUM TO CITY COUNCIL AGENDA -July 26, 2011  
MAYOR'S PROCLAMATIONS

1. On the occasion of her 95<sup>th</sup> Birthday, proclaiming Friday, July 15, 2011 as "Ruth Hunter Day" and urging all citizens to join in honoring her and celebrating her life.
2. Proclaiming July 11, 2011 as "Santa Cruz County Association of Realtors® Day" and encouraging all citizens to join in congratulating SCCAR on its 100<sup>th</sup> Anniversary and thanking it for the 100 years of professional service that it has provided the residents of Santa Cruz.
3. Proclaiming July 13, 2011 as "Senior Computer Center of Santa Cruz Day" and urging all citizens and City employees to join in recognizing and expressing heartfelt appreciation to the Senior Computer Center of Santa Cruz for its unflagging support of the City, its staff, and the seniors in our community.
4. Proclaiming July 19, 2011 as "Peachwood's Steakhouse Day" and urging all citizens to join in congratulating it on its 21<sup>st</sup> Birthday and recognizing the importance of this fine dining establishment in the City of Santa Cruz.