

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



**JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA**

**Regular Meeting**

**January 10, 2012**

2:00 P.M.                      CLOSED LITIGATION SESSION, COURTYARD CONFERENCE ROOM

3:00 P.M.                      CONSENT, GENERAL BUSINESS AND PUBLIC HEARINGS, 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  
2:00 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 items 1 and 2, and receiving public testimony. Thereafter, the meeting will be closed to the public.

**Referral to Closed Session**

1. Referral to Closed Session - Real Property Disposition, APN 004-253-04, on Liberty Street. (ED)

Motion to refer to closed session the disposition of City property on Liberty Street, APN 004-253-04, for the purpose of instructing the negotiator regarding negotiations concerning price, terms, or both.

2. Referral to Closed Session - APN 030-181-70 Beltz Well No. 12 Property Acquisition Research Park Drive, Soquel. (WT)

Motion to refer to closed session the potential acquisition of property known as APN 030-181-70 located on Research Park Drive in Soquel, CA for the purpose of instructing the negotiator concerning price, terms, or both.

**Closed Session**

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

1. *People v. Pleich, et al.* (Occupy Santa Cruz), United States District Court Case No.11-cv-05523-HRL
2. *Occupy Santa Cruz v. Santa Cruz Police Department, et al.*, Santa Cruz Superior Court Case No. CV172750

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

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

(1 case to be discussed)

**Closed Session (continued)**

**C. Real Property Negotiations (Government Code §54956.8).**

1. 407 Liberty Street Property Disposition (City of Santa Cruz-Owner)  
City Negotiator - Bonnie Lipscomb  
APN: 004-253-04
  
2. SEC Research Park Drive and Research Park Court Acquisition, (Nahum Guzik, Trustee of The Nahum Guzik Living Trust-Owner)  
City Negotiator - Bill Kocher  
APN: 030-181-70

**Joint City Council/Redevelopment Agency  
3:00 PM**

**Call to Order**

**Roll Call**

**Pledge of Allegiance**

**Introduction of New Employee**

**Presentation - Mayor's Recognition of Cheryl Schmitt 25 Years Service Pin**

**Presiding Officer's Announcements**

**Statements of Disqualification**

**Additions and Deletions**

**Council Meeting Calendar**

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

**City Manager Report**

4. The City Manager will report on events since the last council meeting.

**Consent Agenda**

5. Minutes of the December 13, 2011 Regular City Council Meeting. (CC)

Motion to approve as submitted.

6. Minutes of the December 13, 2011 Regular Redevelopment Agency Meeting. (CC)

Motion to approve as submitted.

**Consent Agenda (continued)**

7. Approving and Appointing Representatives to Other Agencies, Groups, Council Committees, and Task Forces. (CN)

Motion to appoint or nominate representatives to other agencies, groups, Council committees, and task forces.

8. Resolution Establishing the Interest Rate for Residential Rental Property Security Deposits. (ED)

Resolution establishing the 2012 interest rate for residential security deposits at 0.04% and rescinding Resolution No. NS-28,318.

9. Donation of Fire Apparatus to Monterey Peninsula College. (FD)

Motion to approve the donation of one fire apparatus to the Monterey Peninsula College Fire Protection program.

10. Cowell Beach Concession Award of Contract. (PR)

Resolution authorizing and directing the City Manager to execute an agreement with Ed Guzman of Club Ed Lessons and Beach Rentals Concession for the operation of an ocean and beach rental related concession on Cowell Beach.

11. East Cliff Slope Stabilization and Repair Project (m400811) - Notice of Completion. (PW)

Motion to accept the work completed by Soil Engineering Construction of Redwood City, CA and authorize the filing of the Notice of Completion for the East Cliff Slope Stabilization and Repair Project (m400811).

12. Concrete Rehabilitation of Sedimentation Tank No. 5 Project (m409659) - Notice of Completion. (PW)

Motion to accept the work completed by the National Coating and Lining Company of Lake Elsinore, CA, and authorize the filing of the Notice of Completion for the Concrete Rehabilitation of Sedimentation Tank No. 5 Project (m409659) at the Wastewater Treatment Facility.

**Consent Agenda (continued)**

13. Pacific Avenue and Center Street Roundabout Improvements - Federal Project Number ESPLE-5025(050) - Notice of Completion. (PW)

Motion to accept the work completed by the Don Chapin Company of Salinas, CA, and authorize the filing of the Notice of Completion for the Pacific Avenue and Center Street Roundabout Improvements Project (c401012), Federal Project Number ESPLE-5025(050).

14. Spring 2011 Overlay Project-West Cliff Drive-Federal Project Number ESPL-5025(052) - Notice of Completion. (PW)

Motion to accept the work completed by the Don Chapin Company of Salinas, CA, and authorize the filing of the Notice of Completion for the Spring 2011 Overlay Project - West Cliff Drive Project (c401114), Federal Project Number ESPL-5025(052).

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

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

Motion to:

1. Accept the report of the Ad Hoc Budget Task Force.
2. Authorize the Mayor to appoint a City Council Ad Hoc Task Force to review potential revenue measures, develop the public engagement process for the Fiscal Year 2013 Budget, and explore priority based budgeting tools (Revenue Task Force).
3. Authorize the Mayor to appoint a City Council Ad Hoc Task Force to review existing City fees that may be negatively impacting the City's business competitiveness or may be functioning as economic development disincentives (Competitiveness Task Force).

**General Business (continued)****16. Fiscal Year 2012 Mid-Year Budget and Redevelopment Agency Status and Recommendations. (CM)**

That the City Council:

1. Accept the Fiscal Year 2012 Mid-Year Budget Status;
2. Approve mid-year budget reductions in the amount of \$400,000 effective July 1, 2012;
3. Resolution opposing the elimination of Redevelopment Agencies and urging the California Legislature to take immediate action to continue redevelopment.

**17. City of Santa Cruz Organizational Review Report. (CM)**

Motion to accept the City of Santa Cruz Organizational Review and direct the City Manager to return with recommendations by or as part of the FY 2013 Budget hearings.

**Council Memberships in City Groups and Outside Agencies**

18. The Presiding Officer will provide councilmembers with the opportunity to update Council and the public regarding city groups and outside agencies.

**City Attorney Report on Closed Session****Oral Communications**

Community members wishing to address the Council about any matter not on the agenda may do so at the time Oral Communications is announced by the Mayor. Oral Communications will be heard beginning at approximately 5:00 p.m. or soon thereafter. The time will be set to ensure the flow of business is not interrupted. Speakers will be invited up to the lectern by the Mayor and are asked to keep comments to two minutes or less, and encouraged to state name and community of residence. Up to 30 minutes will be allocated for Oral Communications.

Note, under the provisions of the California Government Code, the City Council is prohibited from [discussing or] taking immediate action on any unagendized item unless it can be demonstrated to be of an emergency nature or the need to take immediate action arose after the posting of the agenda.

**Adjournment** - The City Council will adjourn from the Regular Meeting of January 10, 2012 to the next Special Meeting of January 17, 2012 for an open session after the hour of 7:00 p.m.

**Adjournment** - The City Council and Redevelopment Agency will adjourn from the Regular Meeting of January 10, 2012 to the next Regular Meeting of January 24, 2012 for a closed session 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. and 7:00 p.m. in the Council Chambers.



### Advisory Body Appointments

The following at-large positions are will be open for reappointment and or appointment in January 2012. Council will interview candidates at the meeting of January 17, 2012 and make appointments at the meeting of January 24, 2012.

Arts Commission	Two (2) reappointments
Downtown Commission	One (1) vacancy and two (2) reappointments
Historic Preservation Commission	One (1) vacancy and one (1) reappointment
Measure K Oversight Committee	Two (2) vacancies (Beiers', Madrigal's apptmts)
Parks and Recreation Commission	One (1) vacancy
Planning Commission	Two (2) vacancies and one (1) reappointment
Sister Cities Committee	Four (4) vacancies and one (1) reappointment
Transportation & Public Works Commission	Two (2) vacancies and one (1) reappointment
Water Commission	Two (2) vacancies and one (1) reappointment

### 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

**City Council Agenda Legislative History Addendum (continued)**

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 - JANUARY 10, 2012**  
**INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS**  
(Copies available in the Central Branch Library at the Reference Desk)

City Clerk	Resignation of Jade Taylor from the Sister Cities Committee 12/13/11 (CC FYI 141)
	2011 Advisory Body Attendance Reports 12/13/11 (CC FYI 142)
Finance Department	Monthly Financial Reports for October 2011 12/6/11 (FN FYI 194)
	Portfolio Management Report - Pooled Cash and Investments as of November 30, 2011 12/12/11 (FN FYI 195)
Public Works Department	San Lorenzo River Environmental Restoration and Flood Control Project Request - Amendment to Corps/City Project 5 Cooperation Agreement for Advanced Funding 12/8/11 (PW FYI 0079)

**ADDENDUM TO CITY COUNCIL AGENDA - JANUARY 10, 2012**

**MAYOR'S PROCLAMATIONS**

1. Proclaiming Tuesday, December 13, 2011 as "Ryan Coonerty Day" and encouraging members of the community to join me and my colleagues on the City Council in congratulating him for his outstanding service to our community.
2. Proclaiming December 30, 2011 as "Jack Dilles Day" and urging all citizens to join in thanking him for his exemplary service as Finance Director and wishing him well in his retirement.