

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



JOINT CITY COUNCIL - SUCCESSOR AGENCY AGENDA

Regular Meeting

February 25, 2014

- 1:30 P.M. CLOSED LITIGATION SESSION, COURTYARD CONFERENCE ROOM**
- 2:30 P.M. CONSENT, GENERAL BUSINESS AND PUBLIC HEARINGS,
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 or Channel 26.

Written material for every item listed in the open sessions is available for review at the Downtown 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 - 3 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. The Cal-Relay system number: 1-800-735-2922.

Closed Litigation Session

1:30 PM

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

Referral to Closed Session

1. [Referral to Closed Session - 716-718 Frederick Street \(APN 011-032-41\) Easement Acquisition \(PW\)](#)

Motion to refer to closed session for discussion regarding acquisition of an easement on private property at 716-718 Frederick Street (APN 011-032-41) for the purpose of instructing the negotiator concerning price, terms or both.

Closed Session

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

1. Claimant: Melinda C. DeLeon
2. Claimant: Jose L. Garcia
3. Claimant: Raymond M. Daniel
4. Claimant: Toni Hollis

Claims against the City.

B. Real Property Negotiations (Government Code §54956.8).

1. 716-718 Frederick St - APN 011-032-41 - City Negotiator - Bonnie Lipscomb, Economic Development Director - Negotiating Party - Under Negotiation - Easement Acquisition.

Closed Session (continued)

C. Labor Negotiations (Government Code Section 54956.6)

1. Employee Organizations - Bargaining Units: a) SEIU, regular & temps; b) IAFF & Fire Management; c) Police Officers' Association & Police Management; d) OE3, Mid-Managers and Supervisors; and e) Unrepresented.

Tina Shull - City Negotiator

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

(1 case to be discussed)

1. Potential Initiation of Litigation by City

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

(3 cases to be discussed)

1. Braquet v. City of Santa Cruz, Santa Cruz Superior Court Case No. CV172492.
2. Meyberg v. City: The New Santa Cruz Surf School Superior Court Case CV 178403.
3. Ocean Street Extension Neighborhood Association v. City: Santa Cruz Cemetery Corporation Superior Court Case CV 178705

Joint City Council/Successor Agency

2:30 PM

Call to Order

Roll Call

Pledge of Allegiance

Introduction of New Employees

Presentation

1. [Executive Director Kathy Bisbee to Update Council on Community TV Changes Currently Underway.](#)
2. [Presentation - Introduction of Community Action Board Executive Director Maria Elena De La Garza.](#)

Presiding Officer's Announcements

Statements of Disqualification

Additions and Deletions

Oral Communications Announcement - Community members may address the Council about any matter not on the agenda during Oral Communications. The Mayor determines when Oral Communications will commence but generally it will occur at approximately 5 p.m. but may occur before or after 5 p.m. **Speakers will be invited up to the lectern by the Mayor and are asked to keep comments to three minutes or less**, and are encouraged to state name and community of residence. Up to 30 minutes will be allocated for Oral Communications. Note that in the absence of an emergency, California law prohibits the Council from discussing or taking immediate action on comments offered in Oral Communications.

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Consent Agenda

3. [Minutes of the October 8, 2013 Successor Agency Meeting \(CC\)](#)

Motion to approve as submitted.

4. [Minutes of the January 21, 2014 Special City Council Meeting \(CC\)](#)

Motion to approve as submitted.

5. [Minutes of the January 28, 2014 City Council Meeting \(CC\)](#)

Motion to approve as submitted.

6. [California Assembly Bill 1603, Outdoor Environmental Education and Recreation Program - Resolution of Support \(CN\)](#)

Resolution to support the establishment of an Outdoor Environmental Education and Recreation Program under the California Department of Parks and Recreation to increase the ability of underserved and at-risk populations to participate in outdoor recreation and educational experiences.

7. [Liability Claims Filed Against City of Santa Cruz \(FN\)](#)

Motion to reject liability claims of a) Melinda C. DeLeon, b) Jose L. Garcia, c) Raymond M. Daniel, and d) Toni Hollis, based on staff recommendation.

8. [Placement of Cigarette Butt Receptacles Downtown \(PW\)](#)

Motion to approve staff's proposal on the placement of cigarette butt receptacles within the Downtown Parking District and the marketing of a 100% rebate for Bait Tank receptacles to Downtown Business Owners.

Consent Agenda (continued)

9. [716-718 Frederick Street \(APN 011-032-41\) - Easement Acquisition for Minor Street Widening \(PW\)](#)

Resolution authorizing and directing the City Manager to execute documents as approved to form by the City Attorney, to acquire permanent and construction easements on private property for the purpose of minor widening to extend the bike lane and right-turn lane, and widen the sidewalk at 716-718 Frederick Street.

10. [Encroachment Permit for 704 Escalona Drive \(APN 006-102-19\) \(PW\)](#)

Resolution granting an encroachment permit with North Point Investment for the installation and maintenance of a 3-foot tall concrete block retaining wall at 704 Escalona Drive (APN 006-102-19).

11. [Initial Study and Mitigated Negative Declaration for the Branciforte Creek Bridge and Multi-Use Path \(PW\)](#)

Resolution authorizing the City Manager to acknowledge and adopt the environmental determination for the planned Branciforte Creek Bridge and Multi-Use Path.

End Consent Agenda

Public Hearing

12. [Ordinance No. 2014-02 Amending Section 9.04.060 of the Santa Cruz Municipal Code Pertaining to the Child Protection Curfew \(CA\)](#)

Final adoption of Ordinance No. 2014-02.

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General Business

13. [Public Safety Citizen Task Force Follow-up \(CM\)](#)

Motion to receive the City's update on the Public Safety Citizen Task Force recommendations, and direct staff to:

- 1) Develop a budget and accountability matrices for initiatives approved thus far by Council; and
- 2) Report back to Council on the Top 100 Chronic Offender program when planning is reportable and Council action is required. At

- that time, Council will be asked to consider funding options; and
- 3) Initiate a City of Santa Cruz-Santa Cruz City School Committee meeting to explore after-school programming opportunities; and
 - 4) Develop a list of Task Force and Council priorities not addressed in this report; and
 - 5) Assemble a strategy and budget request for implementation (or rejection) of such priorities; and
 - 6) Bring the strategy and budget request before the City Council's Public Safety Committee to consider, amend or approve and report the Committee's recommendations to the City Council.

14. [Successor Agency and City Council Approval of the Successor Agency Long-Range Property Management Plan, Approval of Excess 2004 Bond Expenditure Agreement, and Approval of the Recognized Obligation Payment Schedule for July 1, 2014 through December 31, 2014 \(ROPS 14-15A\) with its corresponding Administrative Budget \(ED\).](#)

Successor Agency resolutions approving and adopting:

1) Long-Range Property Management Plan, 2) 2004 Bond Expenditure Agreement, and 3) Recognized Obligation Payment Schedule for the July 1, 2014 through December 31, 2014 period (ROPS 14-15A) with its corresponding Administrative Budget.

City Council resolution approving and adopting the 2004 Bond Expenditure Agreement.

15. [Traffic Impact Fee Request for Adjustment of Fees - 711 Pacific Avenue \(PW\).](#)

Motion to deny the Traffic Impact Fee Request for Adjustment of Fees for permit CP13-0026 for development of the upstairs of 711 Pacific Avenue (APN 007-021-06) as KC's Sports Bar.

General Business (continued)

16. [Animal Control Administrative Citation Program—Introduction of an Ordinance for Publication \(CM\)](#)

Motion to introduce for publication an ordinance adding Chapter 8.10 to the Santa Cruz Municipal Code pertaining to the administrative enforcement of animal control regulations.

[Council Meeting Calendar](#)

17. [The City Council will review the meeting calendar attached to the agenda and revise it as necessary.](#)

[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](#)

Adjournment - The Successor Agency will adjourn from the Regular Meeting of February 25, 2014 to the next Regular Meeting of March 11, 2014 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 2:30 p.m. and 7:00 p.m. in the Council Chambers.

[Recess - The City Council will recess to the 7:00 p.m. session.](#)

6:00 PM - 7:00 PM

Community Gathering in Remembrance of Fallen Santa Cruz Police Sergeant Loran “Butch” Baker and Officer Elizabeth Butler in the City Hall Courtyard.

[City Council](#)

[7:00 PM](#)

[Call to Order](#)

[Roll Call](#)

[Public Hearing](#)

1. [Declaration of Water Shortage Emergency \(WT\)](#)

Resolution Declaring a Water Shortage Emergency within the City of Santa Cruz Water Service Area.

[Adjournment - The City Council will adjourn from the Regular Meeting of February 25, 2014 to the next Regular Meeting of March 11, 2014 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 2:30 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	One (1) vacancy (Councilmember Lane's direct appointment)
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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 - FEBRUARY 25, 2014

INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS

(Copies available in the Central Branch Library at the Reference Desk)

City Manager	Public Safety Citizen Task Force Follow-Up 2/4/14 (CM FYI 193)
Economic Development	National Oceanic and Atmospheric Administration Monterey Bay National Marine Sanctuary Marine Protected Area Mobile Display Program on the Santa Cruz Wharf 2/4/14 (ED FYI 001)

ADDENDUM TO CITY COUNCIL AGENDA - FEBRUARY 25, 2014

MAYOR'S PROCLAMATIONS

1. Proclaiming February 14, 2014 as "Violence Against Women Awareness Day" and encourage members of our community to participate in activities to raise awareness and work together to prevent violence in our world.

