

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



CITY COUNCIL AGENDA

Regular Meeting

Updated 9/5/14

September 09, 2014

- 1:00 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

1:00 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 Items 1 and 2, 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 - Potential Disposition of City-owned Real Property Located at 915 Cedar Street, APN 005-048-10 \(ED\)](#).

Motion to approve a referral to closed session of the potential disposition of city-owned real property at 915 Cedar Street (APN 005-048-10) for the purpose instructing the Director of Economic Development regarding price, terms, or both.

2. [Referral to Closed Session - City-owned Property at 100 Laurel Street, APN 005-152-13 \(ED\)](#).

Motion to refer to closed session the city-owned property located at 100 Laurel Street for the purpose of instructing the staff regarding an appraisal.

Closed Session

The below item was updated to include item #3

- A. [Real Property Negotiations \(Government Code §54956.8\)](#).

1. 915 Cedar Street; APN 005-048-10; City Negotiator - Bonnie Lipscomb, Economic Development Director; City of Santa Cruz - Seller, Balam O. Letona - Buyer; Under Negotiation - Disposition
2. 100 Laurel Street; APN 005-152-13; City of Santa Cruz - Seller, LHH Partners LLC - Buyers; City Negotiator - Bonnie Lipscomb, Economic Development Director; Appraisal
3. Skypark (Mt. Herman/Kings Village Road) Property Sale (Property Development Centers - Buyer; APN Nos. 022-721-07, 022-721-08, 022-721-09; City Negotiator - Bonnie Lipscomb

Closed Session (continued)

B. [Conference With Legal Counsel - Existing Litigation \(Government Code §54956.9\(a\)\).](#)

1. Woodford v. City of Santa Cruz; US District Court, Northern District of California, San Jose, Docket No. 14-03531-BLF

C. [Conference With Legal Counsel - Anticipated Litigation \(Government Code §54956.9\(b\)\).](#)

(Significant Exposure to Litigation - 3 potential cases to be discussed)

[City Council](#)

[2:30 PM](#)

[Call to Order](#)

[Roll Call](#)

[Pledge of Allegiance](#)

[Introduction of New Employees](#)

[Presentation](#)

1. [Recognition of 25 Years of Service to Ted Donnelly.](#)
2. [Recognition of 30 Years of Service to Mike Venezia.](#)

[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 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.

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

Consent Agenda

3. Minutes of the July 22, 2014 City Council Meeting (CC).

Motion to approve as submitted.

4. Community Program Grant Contract Deadline - Homeless Services Center Security Improvements (CM).

Motion to authorize the release of the FY 2015 Homeless Services Center Day Resource Center grant, thereby waiving the August 27, 2015 security improvement project completion deadline, with all funding (Red Cross and FY 2014 and FY 2015 Day Resource Center grants) forfeit and immediately reimbursable should the project fail to be fully operational by February 27, 2015.

5. Council Policy 25.2 “Discrimination and Harassment Policy” - Resolution Adopting Non-Substantive, Clerical Changes (CM).

Resolution revising Council Policy 25.2 “Discrimination and Harassment Policy” with clerical changes only.

6. City’s Classification and Compensation Plans in Compliance with the California Minimum Wage Law (HR).

Resolution amending the Classification and Compensation Plans by increasing the bottom of the wage scales for temporary classifications which as of July 1, 2014 fall below California’s minimum wage.

7. City’s Classification and Compensation Plans and the FY 2015 Budget Personnel Complement - Finance Department (HR).

Resolution amending the Classification and Compensation Plans and the FY 2015 Budget Personnel Complement by re-classifying one Finance Manager position to a reinstated classification and position of Risk and Safety Manager.

Consent Agenda (continued)

8. [City's Classification and Compensation Plans and the FY15 Budget Personnel Complement - Information Technology Department \(HR\)](#)

Resolution amending the Classification and Compensation Plans and the FY15 Budget Personnel Complement by changing the salary ranges for Programmer Analyst I/II alternately staffed classification and changing the Bargaining unit.

9. [City's Classification and Compensation Plans and the FY15 Budget Personnel Complement - Planning and Community Development \(HR\)](#)

Resolution amending the Classification and Compensation Plans and the FY15 Budget Personnel Complement by adding one part-time position with the associated new classification of Sustainability and Climate Action Coordinator to the Planning and Community Development Department.

10. [Purchase of Golf Course Grounds Maintenance Equipment from Turfstar, Inc. \(Hayward, CA\) in the amount of \\$115,049.00 \(PK\)](#)

Motion to authorize the City Manager to execute a contract amendment in a form acceptable to the City Attorney for the purchase of golf course grounds maintenance equipment from Turfstar, Inc. (Hayward, CA) in the amount of \$115,049.00.

11. [Emergency Ocean Street Sanitary Sewer Directional Drill Project \(m409682\) - Notice of Completion \(PW\)](#)

Motion to accept the work of Monterey Peninsula Engineering (Monterey, CA) as completed per the plans and specifications and

authorize the filing of the Notice of Completion for the Emergency Ocean Street Sanitary Sewer Directional Drill Project (m409682).

12. [Sole Source Purchase - Articulated Dump Truck for the Resource Recovery Facility \(PW\)](#)

Motion to approve the Refuse Fund purchase of one (1) used 2007 Caterpillar Model 725 Articulated Dump Truck in the amount of \$220,968.75, from Peterson Tractor Co. (San Leandro, CA).

Consent Agenda (continued)

13. [Emergency Repair of Sinkhole at West Cliff and Woodrow \(c401420\) - Notice of Completion \(PW\)](#)

Motion to accept the work of Monterey Peninsula Engineering (Monterey, CA) as completed per plans and specifications and authorize the filing of the Notice of Completion for the Emergency Repair of Sinkhole at West Cliff and Woodrow (c401420).

14. [Parking Services - Increase for Purchase of All-Electric Enforcement Scooters - \\$26,000 Budget Adjustment \(PW\)](#)

Resolution transferring funds and amending the Fiscal Year 2015 Capital Outlay budget in the amount of \$26,000.

15. [Resource Recovery Purchase of TYMCO Street Sweeping Vehicle \(PW\)](#)

Motion to authorize the purchase of a TYMCO Model 500X Street Sweeper from GCS Environmental Services, Inc. (Woodland, CA) in the amount of \$270,000.

16. [Pacific Avenue Railroad Crossing Improvement Agreement \(PW\)](#)

Motion to authorize the City Manager to execute an Agreement between the City, Santa Cruz County Regional Transportation Commission, and Santa Cruz and Monterey Bay Railway for the installation and maintenance of the Pacific Avenue railroad crossing equipment at the approved Beach/Pacific (Wharf) Intersection roundabout in a form acceptable to the City Attorney.

End Consent Agenda

Public Hearing

17. [Update on Outreach for Single-Use Bag Reduction Ordinance Amendment and Final Adoption of Ordinance No. 2014-08 \(PW\)](#)

Final adoption of Ordinance No. 2014-08.

General Business

18. [Beach\Pacific \(Wharf\) Intersection Roundabout Project \(c400035\) - Budget Adjustment \(PW\)](#)

Resolution transferring funds and amending the FY2015 budget to allocate \$600,000 in Measure H funds for paving the intersection and adjacent streets and \$932,000 in Traffic Impact Fees to fully fund project construction.

19. [General Fund Surplus Reserve Policy \(FN\)](#)

Motion to establish the General Fund Surplus Policy as presented or modified by the City Council.

20. [Economic Development Trust Reserve Policy \(FN\)](#)

Motion to establish the Economic Development Trust Reserve Policy (Stabilization Arrangement) and Establish the Economic Development Trust Fund.

21. [Amendment of Section 6.04.080 \(Where Smoking Not Regulated\) of the Santa Cruz Municipal Code \(CA\)](#)

Motion to introduce for publication an amendment to Santa Cruz Municipal Code Section 6.04.080 to eliminate the reference to permitted smoking in City parks, beaches, trails and outdoor recreation areas.

22. [Public Safety Citizen Task Force Update \(CN\)](#)

Motion to accept the Public Safety Citizen Task Force Report update, consider recommendations from the Public Safety Committee and provide direction to staff as appropriate.

General Business (continued)

23. [Downtown Accountability Program Update - Budget Adjustment \(CM\)](#)

Motion to extend the Downtown Accountability Program (DAP) eight-month pilot through the end of FY 2015; and

Resolution transferring funds and amending the FY 2015 budget in the amount of \$57,000 to cover DAP staffing and office costs through the end of FY 2015, conditioned upon the County of Santa Cruz extending their participation in the pilot through FY 2015 and appropriating funds for staffing and office costs.

24. [Water Supply Advisory Committee Second Status Report and Community Survey Proposal \(CN\)](#)

Motion to accept the progress report from the Water Supply Advisory Committee on its work to date and outreach and community engagement plans, authorize the proposed plan for conducting a community attitudinal survey, and provide feedback to the WSAC and staff, as appropriate.

[Council Meeting Calendar](#)

25. [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](#)

26. [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](#)

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

City Council

7:00 PM

Call to Order

Roll Call

Public Hearing

The below item was updated to include attachments: Ordinance (Attachment 4) and Final DA (Attachment 4A)

1. [215 Beach Street - La Bahia Hotel - Application CP13-0059 \(PL\)](#)
 1. Adopt a resolution certifying the Final EIR; and
 2. Adopt a resolution adopting Findings of Fact, a Mitigation Monitoring Program and a Statement of Overriding Considerations; and
 3. Adopt a resolution approving the Residential Demolition Authorization Permit, Historic Demolition Permit, Historic Alteration Permit, Building Survey Deletion, Planned Development, Coastal, Design, Administrative and Special Use Permits, and Boundary Line Adjustment; and
 4. Introduce for publication an Ordinance approving a Development Agreement.

[Adjournment - The City Council will adjourn from the Regular Meeting of September 9, 2014 to the next Regular Meeting of September 23, 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.

Commission for the Prevention of Violence Against Women	One (1) vacancy, Councilmember Posner's nomination
Sister Cities Committee	One (1) vacancy
Transportation and Public Works Commission	One (1) vacancy

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 - SEPTEMBER 9, 2014
INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS
(Copies available in the Central Branch Library at the Reference Desk)

City Clerk

Resignation of Bates Marshall from the
Transportation and Public Works Commission
8/12/14 (CC FYI 167)

Resignation of Jacqueline Seydel from the
Commission for the Prevention of Violence
Against Women 8/13/14 (CC FYI 168)

Economic Development Department	Garfield Park Village Rehabilitation Project 7/15/14 (PK FYI 014)
	603 Front Street - William Fisher Architecture, Inc. Extension of Lease Term 8/13/14 (ED FYI 015)
Finance Department	Portfolio Management Report - Pooled Cash and Investments as of July 31, 2014 8/25/14 (FNFYI 241)
Human Resources Department	CitySERVE Volunteer Program Quarterly Report (4 th Quarter FY 14) 7/21/14 (HR FYI 014)
Public Works Department	Beach/Pacific Roundabout (Wharf Intersection) Public Meetings - Response to Comments 8/21/14 (PW FYI 0091)
Water Department	New Statewide Water Use Regulations 7/30/14 (WT FYI 065)

ADDENDUM TO CITY COUNCIL AGENDA - SEPTEMBER 9, 2014

MAYOR'S PROCLAMATIONS

1. Proclaiming July 22, 2014 as "Carolyn Coleman Day" and encouraging all citizens to join in recognizing her as a dedicated community leader, expressing heartfelt appreciation for her contributions, and advocating for community-based services that support the most vulnerable members of our community.
2. Proclaiming the month of September 2014 as "Childhood Cancer Awareness Month" and encouraging all citizens to join in honoring Jacob's Heart Children's Cancer Support Services for its 16 years of outstanding support to our community and acknowledging its contributions to Childhood Cancer Awareness Month, honoring children with cancer in our community.

3. Proclaiming July 27, 2014 as “Ice Cream Sunday Day” and encouraging all citizens to join in visiting one of the many locations in Downtown Santa Cruz that serves ice cream and to partake in a delectable frozen dessert.
4. Proclaiming Thursday, July 24, 2014 as “Kathie Keeley Day” and urging all residents, visitors, businesses, and civic organizations to join in recognizing her career achievements and congratulating her on her well-earned retirement.
5. Proclaiming July 23, 2014 as “Diane Talbert Day” and encouraging all citizens to join in thanking her for her good work, expressing heartfelt appreciation for her service to our community as president of the Sempervirens Fund, and recognizing the Sempervirens Fund as a worthy and important institution in our community.
6. Proclaiming the month of September 2014 as “Childhood Cancer Awareness Month” and calling upon local citizens to recognize and support the compassionate efforts of the many dedicated individuals and organizations who work to help those affected by childhood cancer.
7. Proclaiming Saturday, September 6, 2014 as “Cliff and Morgan Hodges Day” and encouraging all citizens to join in expressing heartfelt congratulations as they celebrate their wedding day, and wishing them all the best in their future together.
8. Proclaiming Wednesday, August 27, 2014 as “Irving C. Weill Day” and urging all citizens to join in wishing him a Happy 100th Birthday, and acknowledging the example that he has set of living a long, rich life composed of service to others and love of life, family, and friends.