

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



CITY COUNCIL AGENDA

Regular Meeting

June 23, 2015

Updated on June 19, 2015

- 12:00 P.M. CLOSED LITIGATION SESSION, COURTYARD CONFERENCE ROOM
- 1:00 P.M. CONSENT, GENERAL BUSINESS AND PUBLIC HEARINGS, COUNCIL CHAMBERS
- 7:30 p.m. GENERAL BUSINESS, PUBLIC HEARINGS AND MATTERS OF PUBLIC INTEREST,
LOUDEN NELSON COMMUNITY CENTER , 301 CENTER STREET

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

12:00 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 Properties, 100 Laurel Street, APN 005-152-13, 326 Front Street , APN 005-151-34 and 328 Front Street , APN 005-151-35 \(ED\)](#)

Motion to approve a referral to closed session the potential disposition of city-owned properties located at 100 Laurel Street, APN 005-152-13, 326 Front Street, APN 005-151-34, 328 Front Street, APN 005-151-35, for the purpose of instructing the negotiator concerning price, terms, or both.

2. [Referral to Closed Session - Potential Easement Acquisition - APN 005-283-10 and APN 005-541-05 \(PW\)](#)

Motion to approve a referral to closed session the potential acquisition of temporary construction easement, nonexclusive access easement and a permanent easement for properties located at 107 Dakota Avenue, APN 005-283-10, owned by Marjorie and Sherman Hauser, and 111 Dakota Avenue, APN 005-541-05 owned by Owners of Common Area of PM 38-7 for the purpose of instructing the negotiator concerning price, terms, or both.

Closed Session

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

1. Potential Easement Acquisition Negotiation (Price/Terms/or Both)
Properties:

107 Dakota Avenue - APN 005-283-10

Property Owners - Marjorie and Sherman Hauser

111 Dakota Avenue - APN 005-541-05

Property Owners - Common Area Owners

City Negotiator: Mark Dettle

2. Pacific Station Project - Negotiation of Potential Disposition of City
Parcels

(Price/Terms/or Both)

Properties:

100 Laurel - APN 005-152-13

326 Front St - APN 005-151-34

328 Front St - APN 005-151-35

City Negotiator: Bonnie Lipscomb

B. [Conference With Legal Counsel - Liability Claims \(Government Code §54956.95\)](#)

1. Claimant: Yasmine Safi Abdallah
2. Claimants: Cypress Point Re Investors, LLC and Braddock & Logan Services, Inc.

Claims against City of Santa Cruz

City Representatives: Marcus Pimentel & Patty Haymond

C. [Conference With Legal Counsel - Anticipated Litigation \(Government Code §54956.9\(b\)\).](#)
[\(Significant Exposure to Litigation - 3 potential cases to be discussed\)](#)

Closed Session (continued)

D. [Conference with Labor Negotiators - \(Government Code §54957.6\)](#)

City Negotiators: Lisa Murphy, Marcus Pimentel, and Tim Davis
Employee Organizations - Bargaining Units: 1) SEIU regular; 2) IAFF & Fire Management; 3) Police Officers' Assoc'n & Police Management; 4) OE3, Mid-Managers and Supervisors; and 5) Unrepresented

City Council

1:00 PM

Call to Order

Roll Call

Pledge of Allegiance

Introduction of New Employees

Presentations

1. [July is Parks and Recreation Month](#)

Presiding Officer's Announcements

Statements of Disqualifications

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

2. [Minutes of the June 2, 2015 City Council Closed Personnel Session \(CC\)](#)

Motion to approve as submitted.

3. [Minutes of the June 2, 2015 City Council Study Session \(CC\)](#)

Motion to approve as submitted.

4. [Minutes of the June 9, 2015 City Council Meeting \(CC\)](#)

Motion to approve as submitted.

5. [Homeless Services Center Emergency Funding \(CM\)](#)

Motion to direct staff to continue discussions with the Homeless Services Center, Homeless Action Partnership and the County of Santa Cruz to respond to the anticipated closure of Homeless Services Center programs, and develop recommendations for City of Santa Cruz participation in emergency funding and support to be considered by the City Council in August 2015.

6. [Independence Day 2015 - Safety Enhancement Zone Designation \(CM\)](#)

Resolution designating the area within the City of Santa Cruz geographic boundaries to the Pacific Ocean a temporary safety enhancement zone for Independence Day 2015 in effect from 12:01 a.m. on July 3, 2015 to 11:59 p.m. on July 5, 2015, increasing fines and penalties for certain municipal code violations in the safety

enhancement zone during the effective time of the safety enhancement zone.

Consent Agenda (continued)

7. [Downtown Management Corporation - Twenty-first Amendment to Agreement with City of Santa Cruz \(ED\)](#)

Resolution authorizing the City Manager to execute the Twenty-first Amendment, in a form acceptable to the City Attorney, to the Agreement with the Downtown Management Corporation (DMC) providing for the fees collected by the Department of Finance from assessments levied on downtown properties and revenues collected from leasing and licensing of kiosks as well as café and retail extension areas in the downtown.

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

Motion to reject liability claims of a) Yasmine Safi Abdallah, and b) Cypress Point Re Investors, LLC and Braddock & Logan Services, Inc., based on staff recommendation.

9. [General Obligation Refunding Bonds - Tax Rate Authorization \(FN\)](#)

Resolution setting the tax rate for FY 2016 with respect to the City's General Obligation Refunding Bonds.

10. [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 2016, with amendments thereto, if any.

Consent Agenda (continued)

The following agenda item was updated to reflect new recommendation language as well include an additional resolution to add one limited-term principal management analyst position.

11. [FY 2016 Proposed Budget \(FN\)](#)

Resolution Motion adopting the FY 2016 Budget, effective July 1, 2015 with amendments and addenda as directed by Council on May 12, May 26, May 27, and June 9; and authorizing the Finance Director

to create additional appropriations to provide for commitments carried over from the prior fiscal year.

Resolution adding ~~Motion to add~~ one limited-term principal management analyst position to the FY 2016 classification plan to provide for City of Santa Cruz coordination of the Bob Lee Partnership for Accountability, Connection and Treatment Program (PACT), as directed by the City Council on May 26, 2015.

12. [\(PLACEHOLDER\) Service Employee International Union Local 521 Memorandum of Understanding \(HR\)](#)

Resolution adopting a Tentative Agreement with the Service Employee International Union Local 521.

This is a placeholder item to allow for Council action in the event a Tentative Agreement is reached with the Service Employee International Union Local 521.

13. [\(PLACEHOLDER\) Mid-Management Association of the City of Santa Cruz Memorandum of Understanding \(HR\)](#)

Resolution adopting a Tentative Agreement with the Mid-Management Association of the City of Santa Cruz.

This is a placeholder item to allow for Council action in the event a Tentative Agreement is reached with the Mid-Management Association of the City of Santa Cruz.

Consent Agenda (continued)

14. [Cowell Beach/Wharf Public Access \(PK\)](#)

Resolution adopting the extension of the Cowell Beach/Wharf Public Access Policy authorizing the public's use of the dry sand portion of the beach during the hours of one hour before sunrise to midnight with the provision that the dry sand portion of the beach may be used at all hours to access the wet sand portion of the beach and with the understanding that the wet sand portion of the beach will remain open to the public 24 hours a day in accordance with all currently applicable rules for beach use (e.g. no camping, no alcohol, no smoking etc.) and for all uses by members of the public for which the beach may currently be used (e.g. fishing, jogging, kayak, paddle board and surfboard launching and landing, walking, meditating, swimming, sightseeing, nature observation, special events, etc.) from July 22, 2015 until November 13, 2019 .

Motion directing that the Cowell Beach Public Access Policy shall

automatically sunset on November 13, 2019 to be consistent with the California Coastal Commission's approval of the 2014 Beach Management Plan, which allows the curfew to continue for the lifetime of the plan, so long as the curfew does not lapse during the plan's timeframe.

Motion declaring that the documented conditions requiring implementation of the Cowell Beach Public Access Policy constitute a public nuisance.

15. [Preliminary Negotiations with Santa Cruz Shakespeare Regarding Use of the Upper DeLaveaga Park for a Summer Theatre Series Beginning 2016 \(PK\)](#)

Motion to authorize the City Manager to engage in negotiations with Santa Cruz Shakespeare for use of the Upper DeLaveaga Park for a Summer Theatre Series beginning 2016, with details and a final agreement to be returned to the City Council for action in August 2015.

Consent Agenda (continued)

16. [Citywide Traffic Signal Improvements Project \(c401514\) - Authorization to Advertise for Bids and Award Contract \(PW\)](#)

Motion to approve the plans and specifications for Citywide Traffic Signal Improvements Project (c401514) and authorize staff to advertise for bids and award the contract. The City Manager is hereby authorized and directed to execute the contract as authorized by Resolution NS-27,563 in a form approved by the City Attorney.

17. [Spring 2014 Overlay Project - Western Drive \(c400809\) - Notice of Completion \(PW\)](#)

Motion to accept the work of Graniterock Company, San Jose, CA, as completed per plans and specifications and authorize the filing of a Notice of Completion for the Spring 2014 Overlay Project - Western Drive (c400809).

18. [Summer 2014 Overlay Project - Laurel Street \(c400809\) - Notice of Completion \(PW\)](#)

Motion to accept the work of Graniterock Company, San Jose, CA, as completed per the plans and specifications and authorize the filing of a Notice of Completion for the Summer 2014 Overlay Project - Laurel Street (c400809).

19. [Highway Safety Improvement Program \(HSIP\) Cycle 7 Grant Applications \(PW\)](#)

Motion to authorize the City Manager to apply for a grant from the California Department of Transportation Highway Safety Improvement Program (HSIP) Cycle 7 for (1) Bay Street Bicyclist/Pedestrian Safety Project and (2) Bay Street Sidewalk Completion Project.

Consent Agenda (continued)

20. [Broadway Street Sewer Replacement \(c401511\) - Authorization to Advertise and Award \(PW\)](#)

Motion to approve specifications for the Broadway Street Sewer Replacement (c401511) project and authorize staff to advertise for bids. The City Manager is hereby authorized and directed to execute the contract in a form approved by the City Attorney as authorized by Resolution NS-27,563.

21. [West Cliff Drive Multi-Use Path Rehabilitation Project - Phase 2 \(Project No. m400819\) - Contract Change Order No. 1 and Notice of Completion \(PW\)](#)

Motion to approve Contract Change Order No. 1 in the amount of \$41,100.00 and accept the work of Santana Paving and Grading Inc. (Capitola, CA) as completed per the plans and specifications and authorize the filing of the Notice of Completion for the West Cliff Drive Multi-Use Path Rehabilitation Project - Phase 2 (Project No. m400819).

22. [Contract Renewal with Hope Services, Inc. for the Resource Recovery Facility \(PW\)](#)

Motion to authorize and direct the City Manager to execute a renewal of an agreement, in a form approved by the City Attorney, with Hope Services, Inc., of Santa Cruz, CA, for recycling and litter control services at the City's Resource Recovery Facility on Dimeo Lane.

23. [San Lorenzo River Parkway Levee Improvements \(c401416\) - Authorization to Reject Bids and Re-Advertise \(PW\)](#)

Motion to reject all bids received on June 4, 2015 for the San Lorenzo River Parkway Levee Improvement Project and to re-advertise. The City Manager is hereby authorized to execute the contract as authorized by Resolution No. NS-24,563.

Consent Agenda (continued)

24. [FY2016 Budget for Implementation for Stage 3 Water Rationing - Budget Appropriation \(WT\)](#)

The following agenda item was updated to reflect new recommendation language.

Motion authorizing a modification to the FY 2016 Water Department budget, and its incorporation into the final FY 2016 Adopted Budget, ~~Resolution appropriating funds and revising the Water Department's FY2016 Adopted Budget~~ to include an additional \$213,253 to address the financial impact of managing Stage 3 water rationing.

25. [North Coast System Rehabilitation Project-Phase 3 - Approval of Drawings and Specifications, and Authorization to Advertise for Bids and Award Contract \(WT\)](#)

Motion to approve the drawings, specifications and contract documents for the North Coast System Rehabilitation Project-Phase 3 and authorize staff to advertise for bids. The City Manager is hereby authorized and directed to execute the contract in a form approved by the City Attorney and as authorized by Resolution No. NS-27,563.

End Consent Agenda

Public Hearings

26. [Ordinance No. 2015-09 Amending Chapter 16.04.041 of the Santa Cruz Municipal Code Pertaining to Connection of New Water Services \(WT\)](#)

Final adoption of Ordinance No. 2015-09.

27. [FY 2016 Cooperative Retail Management Business Real Property Improvement District Assessments \(ED\)](#)

Resolution confirming the FY 2016 Cooperative Retail Management Business Real Property Improvement District Annual Plan and levying business improvement assessments for Fiscal Year 2016.

Public Hearings (continued)

28. [Parking and Business Improvement Area Assessments for FY 2016 \(ED\)](#)

Resolution adopting the FY 2016 Parking and Business Improvement Area annual plan and levying the business improvement assessments for FY 2016.

29. [Minor Zoning Amendment to Title 24 \(Zoning Ordinance\) of the Santa Cruz Municipal Code and the Local Coastal Implementation Plan, to Allow Outdoor Extension Areas for Districts Outside of the Downtown Recovery Area Plan \(Environmental Determination: Exempt from CEQA\) \(City, Applicant/filed 3/29/2012\) \(PL\)](#)

Introduce for publication the proposed ordinance amendment to Title 24 (Zoning Ordinance) Section 24.12.192 regarding outdoor extension areas.

Resolution accepting the suggested modifications from the Coastal Commission.

30. [Ordinance Amendment A15-0002 - City-wide - Amendments to Title 24 \(Zoning Ordinance\) of the Santa Cruz Municipal Code Multi-family and Off-street Parking Sections and the Local Coastal Implementation Plan to Help Legalize or Create Additional Multi-family Residential Units \(Environmental Determination: Exempt from CEQA\) \(City of Santa Cruz, Applicant\) \(PL\)](#)

Introduce for publication an ordinance amending portions of Title 24 and the Local Coastal Implementation Plan pertaining to certain multi-family, off-street parking and accessory structure standards.

General Business

31. [Corridor Planning Process and Rezoning Update \(PL\)](#)

Motion to continue the presentation of the Phase I of the Corridor Planning Process to August 4, 2015.

General Business (continued)

32. [Pilot Paddling Program Advisory Group Findings and Recommendations \(CM\)](#)

Motion to accept the Lower San Lorenzo River Pilot Paddling Advisory Group report and provide direction on whether or not to pursue a pilot paddling program at this time and the components of such a pilot program.

33. [Approval of Exclusive Negotiation Agreement with Cruzio Internet \(ED\)](#)

Motion approving an Exclusive Negotiation Agreement (ENA) and directing the City Manager to execute the agreement in a form approved by the City Attorney with Cruzio Internet to continue to pursue a public-private partnership opportunity to expand gigabit broadband infrastructure in the City of Santa Cruz.

34. [Pacific Station - Consideration to Proceed with Project Development \(ED\)](#)

Motion approving the Pacific Station design Options 1 and 2 and directing staff to proceed with further project development including the preliminary preparation of environmental documents and other actions as necessary to enable the future submittal of grant applications to support the public elements of the project.

Council Meeting Calendar

35. [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

36. [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 7:30 p.m. session located at the Loudon Nelson Community Center, 301 Center Street, Room 3 for a Joint City Council / Water Supply Advisory Committee (WSAC) meeting.

**Joint City Council / Water Supply Advisory Committee (WSAC)
Loudon Nelson Community Center
301 Center Street, Room 3
Santa Cruz, CA 95060**

7:30 PM

Call to Order

Roll Call

General Business

1. [Joint Study Session Between the Santa Cruz City Council and the Council Appointed Water Supply Advisory Committee on Technical Analysis and Committee Work to Date \(WT\)](#)

Discussion of Water Supply Advisory Committee technical analysis and work to date and direction to the Committee and staff as needed.

Adjournment - The City Council will adjourn from the Regular Meeting of June 23, 2015 to the next Special Meeting of August 4, 2015 for a Study Session after the hour of 7:00 p.m. and then to the next Regular Meeting of August 11, 2015 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.

PLEASE NOTE: The City Council will not convene meetings in the month of July.

Advisory Body Appointments

The following positions are vacant. Council will make appointments at a future meeting.

County Latino Affairs Commission	One (1) opening
Measure K Oversight Committee	Three (3) openings, Councilmember Chase's, Comstock's, and Noroyan's direct appointments

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 - JUNE 23, 2015

INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCIL MEMBERS

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

City Manager	* Road Use Agreement with Redwood Empire Sawmills 6/5/15 (WT FYI 067)
Economic Development Department	Salinas Tallow Co. - Renewal of the Municipal Wharf License for the Business Located on the Municipal Wharf 6/15/15 (ED FYI 012)
Water Department	* Road Use Agreement with Redwood Empire Sawmills 6/5/15 (WT FYI 067)

* Report submitted jointly by departments.

ADDENDUM TO CITY COUNCIL AGENDA - JUNE 23, 2015

MAYOR'S PROCLAMATIONS

1. Proclaiming the week of June 21-27, 2015 as "Amateur Radio Week" and calling on all residents to support this very important emergency preparedness exercise and recognize the tremendous contributions that the Santa Cruz County Amateur Radio Club, Santa Cruz County Emergency Radio Services, San Lorenzo Valley Amateur Radio Club, and the UCSC Amateur Radio Club Operators have made to our community.
2. Proclaiming June 19, 2015 as "Marguerite Remde Day" and encouraging all citizens to join in congratulating her on being named a "2015 Farmer of the Year" by the Santa Cruz County Farm Bureau.
3. Proclaiming June 19, 2015 as "Chris Banthien Day" and encouraging all citizens to join in congratulating her on being named a "2015 Farmer of the Year" by the Santa Cruz County Farm Bureau.

