

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



CITY COUNCIL AGENDA

Regular Meeting

June 11, 2019

- 12:00 P.M. CLOSED SESSION, COURTYARD CONFERENCE ROOM
- 12:30 P.M. CONSENT, PUBLIC HEARING, GENERAL BUSINESS, AND CONSENT
PUBLIC HEARINGS, COUNCIL CHAMBERS
- 7:00 P.M. ORAL COMMUNICATIONS, COUNCIL CHAMBERS
- 7:30 P.M. GENERAL BUSINESS, COUNCIL CHAMBERS

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:

- Staff Presentation
- Public comment - 2 minutes each; maximum total time may be established by the Presiding Officer at the beginning of the item
- Council 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 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, and receiving public testimony. Thereafter, the councilmembers will move to the Courtyard Conference Room and the meeting will be closed to the public.

Closed Session**A. [Real Property Negotiations \(Government Code §54956.8\)](#)**

Property: 125 Coral Street

APNs: 008-171-24 and 008-171-25

Owner: James P. Gillespie and one Jean Gillespie, Trustees, and Harley F. and Sandra I. Gillespie, Co-trustees

City Negotiator: Bonnie Lipscomb

Negotiating Parties: City and Owners

Under Negotiation: Potential purchase of property

B. [Conference With Legal Counsel - Existing Litigation \(Government Code §54956.9\(d\)\(1\)\)](#)

1. R.G. & G.R. Harris Funeral Homes, Inc. v. Equal Employment Opportunity Commission, et al.

Supreme Court of the United States, Docket No. 18-107 - (request for amicus support)

2. Altitude Express Inc., et al. v. Melissa Zarda, as Executor of the Estate of Donald Zarda, et al.

Supreme Court of the United States, Docket No. 17-1623 - (request for amicus support)

3. Gerald Lynn Bostock v. Clayton County, Georgia

Supreme Court of the United States, Docket No. 17-1618 - (request for amicus support)

City Council**12:30 PM****Call to Order****Roll Call**

Pledge of Allegiance

Introduction of New Employees

Presentations

1. [Claraty Arts Presentation](#)
2. [418 Project - Future of Dance Education and Training](#)
3. [Woodies on the Wharf 25th Anniversary](#)

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. Oral Communications will be held at the beginning of the evening session, which will occur on or about 7:00 p.m. 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 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 Attorney Report on Closed Session

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

Consent Agenda

4. [Minutes of the May 28, 2019 City Council Meeting \(CC\)](#)
Motion to approve as submitted.
5. [Minutes of the June 4, 2019 City Council Special Meeting \(CC\)](#)

Motion to approve as submitted.

6. [Support for Assembly Bill 857, the Public Banking Act \(CN\)](#)

Motion to approve resolution of support for Assembly Bill 857, the Public Banking Act, which would allow a local government to apply for a banking charter from the Department of Business Oversight.

7. [Support for Janus of Santa Cruz Labor Negotiations \(CN\)](#)

Resolution in support of resolving labor negotiations between employees and management at Janus of Santa Cruz.

8. [American Geophysicist's Union's Centennial Project Support Grant and Urban Sustainability Directors Network's Innovation Fund Grant - Grant Acceptance, Authorization and Appropriation \(CM\)](#)

Resolution authorizing the City Manager to apply for, accept, and appropriate funds from the American Geophysicist's Union's Centennial Project Support Grant for the development of a virtual reality sea level rise application outreach activity station at three library branches and to apply for, accept, and appropriate funds from the Urban Sustainability Directors Network's Innovation Fund to develop a digital storytelling arc and podcast series as outreach tools supporting the Resilient Coast Santa Cruz initiative.

Consent Agenda (continued)

9. [Approval of Phased Approach to Complete Local Coastal Program Parks and Recreation Policy 1.7.6 and Address Sea Level Rise in a Local Coastal Program Update through the Resilient Coast Santa Cruz Initiative \(CM\)](#)

Motion to approve and support a phased approach to completing Local Coastal Program Parks and Recreation Policy 1.7.6 and address sea level rise in a Local Coastal Program update through the Resilient Coast Santa Cruz Initiative.

10. [1520 K-2 Pacific Avenue - Kiosk Lease Agreements with Sunny Kivil dba Opulence \(ED\)](#)

Motion to authorize and direct the City Manager to execute kiosk lease agreements and any documents, amendments or extensions of a non-

substantive nature, in a form approved by City Attorney, with Sunny Kivil dba Opulence for the kiosk located at 1520 K-2 Pacific Avenue.

11. [1520 K-1 Pacific Avenue Kiosk Lease Agreement with Tsegereda Embaye dba Red Sea Eritrean Foods \(aka NahNa\).\(ED\)](#)

Motion to authorize and direct the City Manager to assign and execute a kiosk lease agreement and any documents, amendments or extensions of a non-substantive nature, in a form approved by City Attorney, with Tsegereda Embaye dba Red Sea Eritrean Foods (aka NahNa), for the kiosk located at 1520 K-1 Pacific Avenue.

12. [Statewide Park Development and Community Revitalization Program - Grant Application for Improvements to the Santa Cruz Riverwalk and Parklands Project and the Rail Trail Segment 7 - Phase II Project \(ED/PR/PW\)](#)

Resolutions (two) authorizing the City Manager to apply for, accept, and appropriate funds from the State of California Department of Parks and Recreation and to execute any documents, agreements, amendments, or other such administrative actions necessary for the application, acceptance, and implementation of said grant funded projects for 1) the Santa Cruz Riverwalk and Parklands Rehabilitation Project (Riverwalk); and, 2) the Rail Trail Segment 7 Phase II Project.

Consent Agenda (continued)

13. [Resolution Amending the City of Santa Cruz Personnel Complement and Classification and Compensation Plans for the Parks and Recreation and Police Departments.\(HR\)](#)

1) Resolution amending the Classification and Compensation Plans for the new FY 2020 Budget Personnel Complement by implementing position and classification changes as recommended by the Parks and Recreation, Police and Human Resources Departments to be approved by the City Council for the new FY 2020 budget.

2) Resolution amending the FY 2020 budget to reflect adjustments between the Parks and Recreation and Police budgets for changes in FY 2020 ranger non-salary personnel costs.

3) Resolution amending the FY 2020 budget to reflect adjustments between the Parks and Recreation and Police budgets for changes in FY 2020 ranger and personnel salary and benefits costs.

14. [San Lorenzo River Parkway Phase III/Trestle Trail Project \(c401807\) - Notice of Completion \(PW\)](#)

Motion to accept the work of Cushman Contracting Corporation (Goleta, CA) as completed per plans and specifications and authorizing the filing of a Notice of Completion for the San Lorenzo River Parkway Phase III/Trestle Trail Project (c401807).

15. [Updates to Downtown Parking Resolution: Phase 2 \(PW\)](#)

Resolution updating parking in lieu fees and related regulations in Parking District Number 1, and rescinding Resolution No. NS-29,464.

16. [Carbon Fund Transportation Demand Management Recommendations \(PW\)](#)

Motion approving the proposed investments in Transportation Demand Management for City employees through the use of the Carbon Fund.

Consent Agenda (continued)

17. [Memorandum of Understanding with the Santa Cruz County Regional Transportation Commission for Commute Management Platform \(PW\)](#)

Motion authorizing and directing the City Manager to execute the Memorandum of Understanding (MOU) with the Santa Cruz County Regional Transportation Commission (SCCRTC) for the Commute Management Platform.

18. [Residential Permit Parking Program Rate Increase Fiscal Year \(FY\) 2020 \(PW\)](#)

Resolution to adopt the recommended rate increase as proposed to the residential parking permit fees for FY 2020 and rescinding Resolution No. NS-27,980.

19. [Approval of Contract with Santa Cruz METRO for Downtown Employee Transit Passes \(PW\)](#)

Motion to approve the contract with Santa Cruz METRO for the Downtown Employee Transit Pass Program and direct the City Manager to execute the contract in a form acceptable to the City Attorney.

20. [Citywide Safe Routes to School Crossing Improvement Program \(c401617\) - Advertise for Bids and Award Contract \(PW\)](#)

Motion to approve the plans and specifications for the Citywide Safe Routes to School Crossing Improvement Program (c401617) 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 No. NS-27,563.

21. [Sole Source Vendor and Power Purchase Agreement for Dimeo Lane Landfill Photovoltaic Solar Array \(c401811\) \(PW\)](#)

Motion to authorize the City Manager to execute a sole source vendor and Power Purchase Agreement (PPA) with Sandbar Solar of Santa Cruz (Santa Cruz, CA) for the Resource Recovery Facility Photovoltaic Solar Array (c401811) at Dimeo Lane in a form acceptable to the City Attorney.

Consent Agenda (continued)

22. [Chestnut Street Emergency Sewer Repair \(c401511\) - Notice of Completion \(PW\)](#)

Motion to accept the work of K.J. Woods Construction, Inc. (San Francisco, CA) as completed per plans and specifications and authorize the filing of the Notice of Completion for the Chestnut Street Emergency Sewer Repair (c401511).

23. [Program Management Services with HDR Engineering, Inc. - Contract Amendment No. 2020-01 \(WT\)](#)

Motion authorizing the City Manager to execute Contract Amendment No. 2020-01 with HDR Engineering, Inc. for Service Order No. 5 in the amount of \$5,226,000 in a form to be approved by the City Attorney.

Motion authorizing the transfer of portion of previously authorized fee in the amount \$442,557 from Service Order 4 to Service Order 5.

24. [Annual Adjustment of Water Department Miscellaneous Fees \(WT\)](#)

Resolution adjusting the Water Department's miscellaneous fees for services due to labor cost increases and rescinding Resolution No. NS-29,354.

25. [Graham Hill Water Treatment Plant Concrete Tanks Replacement Project - Adoption of a Mitigated Negative Declaration, Adoption of a Mitigation Monitoring and Reporting Program, and Project Approval \(WT\)](#)

Resolution adopting the Mitigated Negative Declaration for the Graham Hill Water Treatment Plant Concrete Tanks Replacement Project, adopting the Mitigation Monitoring and Reporting Program, and approving the Graham Hill Water Treatment Plant Concrete Tanks Replacement Project.

Motion to direct staff to evaluate noise resulting from current operations at the Graham Hill Water Treatment Plant and to implement best management practices as appropriate with all future projects.

End Consent Agenda

Public Hearing

26. [Appeal of the Planning Commission's Approval of the Rail Trail Phase II of Segment 7 - Coastal, Design, Slope Modification/Variance and Heritage Tree Removal Permits \(PL/PW\)](#)

Resolution denying the appeal of the Planning Commission's action, adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Exhibit "B"), and approving the Coastal Permit, Design Permit, Slope Modification/Variance and Heritage Tree Removal Permit based on the Findings listed in the attached draft resolution and the Conditions of Approval (Exhibit "A").

General Business

27. [Fiscal Year 2020 Proposed Budget Adoption \(FN\)](#)

Resolution adopting the Fiscal Year (FY) 2020 Budget, effective July 1, 2019, with amendments to fully fund the FY 2020 General Fund as directed by Council on May 8, May 28 and June 11, 2019; authorizing the City Manager to allocate within the applicable Funds the FY 2020 Budget Solutions and items within the June 11, 2019 Schedule of Budget Changes to the appropriate accounting classifications and to approve related and applicable transfer in/out between funds; and authorizing the Finance Director to create additional appropriations to provide for commitments carried over from the prior fiscal year.

Motion to authorize the City Manager to implement the contingent budget solutions (items E1-E4) necessary to fund any Rental Housing Task Force budget allocation.

Motion to accept the Water Commission's recommendations regarding the Water Department's FY 2020 Operating and Capital Investment Program (CIP).

Motion to adopt revisions to Council Policy 1.3 regarding Risk Management.

Consent Public Hearings

28. [Downtown Association - Parking and Business Improvement Area Assessments for FY 2020 \(ED\)](#)

Resolution confirming the Parking and Business Improvement Area FY 2020 Plan prepared by the Downtown Association and levying the Parking and Business Improvement Area Assessments for FY 2020.

29. [Cooperative Retail Management Business Real Property Improvement District Assessments for FY 2020 \(ED\)](#)

Resolution confirming the Cooperative Retail Management Business Real Property Improvement District Annual Plan FY 2020 and levying Cooperative Retail Management Business Real Property Improvement District Assessments for FY 2020.

30. [2nd Reading and Adoption of Ordinance No. 2019-10 - Cannabis Ordinance Amendment - Tax Rates \(FN\)](#)

2nd Reading and Adoption of Ordinance No. 2019-10 - Cannabis Ordinance Amendment - Tax Rates.

31. [Continuation of 2nd Reading and Final Adoption of Ordinance No. 2019-06 Amending Title 24 of the Santa Cruz Municipal Code and the Local Coastal Implementation Plan Amending Section 24.12.1400 Regarding Requirements for "Small Cell" Wireless Telecommunications Facilities in the Public Right of Way \(PL\)](#)

Continued to the June 25, 2019 meeting of the City Council.

32. [Coastal Permit and Request to Vacate Nine Square Feet of the Brook Avenue Right-of-Way Located at the Southwest Corner of the Property Known as 118 Brook Avenue \(PL/PW\)](#)

Resolution approving the Coastal Permit and Street Right-of-Way Vacation and finding that the proposed vacation is in conformance with the City of Santa Cruz 2030 General Plan, will serve the public interest, and is a public benefit.

Council Meeting Calendar

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

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

City Council

7:00 PM

Call to Order

Roll Call

[Oral Communications](#)

[7:30 PM](#)

General Business

1. [Final Rental Housing Situation Assessment Report \(PL\)](#)

Accept the Rental Housing Situation Assessment report produced by the Consensus and Collaboration Program and Sacramento State University and, by motion, provide direction to staff on a preferred course of action.

Adjournment

INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS

[ADDENDUM TO CITY COUNCIL AGENDA - JUNE 11, 2019](#)

1. [Public Works Department - Vehicle Acquisition Update - 5/21/19 \(PW FYI 0102\)](#)

MAYOR'S PROCLAMATIONS

[ADDENDUM TO CITY COUNCIL AGENDA - JUNE 11, 2019](#)

1. [Proclaiming June 7, 2019 as “Nina Simon Day” and encouraging all citizens to join in recognizing her for her incredible community service.](#)
2. [Proclaiming June 22, 2019 as “Santa Cruz Woodies Day” and encouraging all citizens to join in celebrating Woodies on the Wharf as a uniquely Santa Cruz event.](#)

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) opening
Downtown Commission	One (1) opening
Equal Employment Opportunity Committee	One (1) opening

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.