

AGENDA

Special Joint Budgeting Principles Session of the CAPITOLA CITY COUNCIL/REDEVELOPMENT AGENCY Thursday, February 17, 2011 *REVISED* – <u>7:00</u> p.m. City Hall Council Chambers 420 Capitola Avenue, Capitola, CA

5:00 P.M - CLOSED SESSION - CITY MANAGER'S OFFICE

An announcement regarding the items to be discussed in Closed Session will be made in the City Hall Council Chambers prior to the Closed Session. Members of the public may, at this time, address the City Council/Redevelopment Agency Directors on closed session items <u>only</u>.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Govt. Code §54956.9a)

Surf and Sand, LLC vs. City of Capitola, et al (Surf & Sand Mobile Home Park) [Superior Court of the State of California for County of Santa Cruz, Case #CV 167716]

Surf and Sand, LLC vs. City of Capitola, et al (Surf & Sand Mobile Home Park) [U.S. District Court N.D., Case No. C09-05542 RS (Judge Richard Seeborg)]

Los Altos/El Granada Investors vs. City of Capitola, et al (Castle Mobile Estates) [U.S. District Court N.D., Case No. CV 04-05138 JF (Judge Jeremy Fogel)]

Vieira Enterprises, Inc. vs. City of Capitola (Cabrillo Mobile Estates)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Government Code §54956.9: One Case: Vieira Enterprises, Inc. vs. City of Capitola (Cabrillo Mobile Estates)

The City is in receipt of a December 30, 2010, Fair Return rent increase application for Cabrillo Mobilehome Park, which claims that if it is not granted in its entirety, the City will be liable for the unconstitutional taking of Mr. Vieira's property and further claims that the City's past enforcement of its rent control ordinance has already functioned to effect such a taking.

REVISED <u>7:00</u> P.M. – OPEN SESSION

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council Members/Directors Harlan, Termini, Nicol, Storey, and Mayor/ Chairperson Norton

2. ORAL COMMUNICATIONS

Oral Communications allows time for members of the Public to address the City Council on any item not on the Agenda. Presentations will be limited to three minutes per speaker. All speakers must address the entire City Council and will not be permitted to engage in dialogue. All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the Minutes.

3. BUSINESS

- A. Introduction by City Manager/RDA Executive Director
- B. Review by City Manager of Prior Year's Goals and Status
- C. Mid-Year 2010-2011 Fiscal Year Budget Financial Report. Staff recommendation: adopt resolution accepting report and amending FY 2010-11 City Budgets.
- D. City Manager presentation on Budgeting Principles. Staff recommendation: adopt Budgeting Principles for the 2011/12 Fiscal Year.

4. ADJOURNMENT

Adjourn to the next Regular Joint Meeting of the City Council/ Redevelopment Agency to be held on Thursday, February 24, 2011, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

If you require special assistance in order to attend the meeting, including needs addressed by ADA, please notify the City at 831-475-7300 at least 3 days prior to meeting.

This meeting will be telecast "Live" on Charter Communications Cable Community Channel 8

Item #: 3.B.



CITY COUNCIL AGENDA REPORT

SPECIAL MEETING OF FEBRUARY 17, 2011

FROM: CITY MANAGER'S DEPARTMENT

DATE: FEBRUARY 7, 2011

SUBJECT: REPORT ON 2010 CITY GOALS

Recommended Action: Receive report on the 2010 City Council Goals.

BACKGROUND

On Wednesday, January 20, 2010, the City Council conducted a special meeting to consider goals to be accomplished during the next year. The seven goals that were approved by the City Council were: 1) Pacific Cove Mobile Home Park Long Term Use Resolution; 2) Fill Gottschalk's space at Capitola Mall and foster economic development throughout the City; 3) McGregor Property Use Study; 4) Resolve the Jade Street park concerns in a manner that will best preserve the City's interests in the property; 5) Determine Location for New Capitola Branch Library; 6) Resolve Mobile Home Litigation and 7) Resolve Use of Rispin Property.

DISCUSSION

Below is a brief discussion on each of the goals.

1) Pacific Cove Mobile Home Park Long Term Use Resolution

On August 11, 2010 the City Council held a public hearing regarding the long term plans for the Pacific Cove Mobile Home Park. After hearing testimony from the public the City Council directed staff to further investigate legal and permit issues with subdividing the property into multiple pieces. Staff was further directed to continue the past practice of the City purchasing mobile home coaches as they are place for sale. Staff anticipates returning to the City Council in the near future as resources are available and the necessary analysis is completed.

2) Fill Gottschalk's space at Capitola Mall and foster economic development throughout the City

The Gottschalk's space was purchased by Target in 2010. The City approved a conditional use permit in (CUP) September 2010. An appeal of the CUP was submitted and ultimately withdrawn. Target plans to improve the building with a comprehensive remodel. It is currently anticipated that a Building Permit application will be submitted in early June 2011 and opening would occur in Summer/Fall 2012.

3) McGregor Property Use Study

On September 23, 2010, the Council held a hearing concerning future uses of McGregor Drive property. At this hearing the Council heard testimony from staff regarding the development potential for the property and current restraints. The Council provided direction to staff to continue to seek development projects for the site and in the mean time work with the sewer and water districts whenever possible to bring utilities to the property. The Council also provided direction for staff to work

with the Soquel Creek Water District to facilitate the District's need for a booster pump station on or near the property.

Staff has met with water district and they are proceeding with developing a proposal for further city consideration.

4) Resolve the Jade Street Park concerns in a manner that will best preserve the City's interests in the property

The City of Capitola and Soquel Unified School District reached a settlement in August 2010 in which the City agreed to support Phase I development which included the development of preschool, kindergarten, and 1st grade school facilities on the north-east portion of property. The settlement agreement provides the City with the ability to work with the school district on Phase II which expands the development envelope under Phase I. Phase II will allow the school district to expand enrollment to 2nd through 5th grade. Phase II development would impact existing recreation facilities.

The District's Public Works Plan is pending approval with the California Coastal Commission and City staff has been working with Commission Staff to approve the Public Works Plan, while preserving the ability address City concerns under Phase II.

5) Determine Location for New Capitola Branch Library

The Library Task Force selected the current library site as the proposed location of the future library. The City kicked off a program and needs assessment after an extensive process to select a team of uniquely qualified professions to develop a library program that incorporates a service model that meets Capitola's needs. The program and needs assessment will be completed this year and the next phase will be to design the proposed library based on the findings in the needs and program report.

6) **Resolve Mobile Home Litigation: Actively working to resolve all related mobile home** litigation prior to the end of the FY10-11 Fiscal Year

Ongoing discussions are occurring between park owners, residents, and the City to resolve mobile home litigation.

7) Resolve Use of Rispin Property

The City Council is currently considering five options to resolve the use of the Rispin Property. These options range from demolishing the Rispin Mansion to a mansion stabilization and park project. The City Council requested proposals from the development and philanthropic community in December 2010 and one proposal was received which would construct a hotel in two phases. The City Council was prepared to make a decision in late January 2011, but the Governor's proposal to abolish Redevelopment Agencies postponed action until the City had a firm understanding of how a decision on the Rispin Project would impact existing agreements and obligations. The City Council will likely continue discussions at the regularly scheduled meeting on February 24, 2011.

FISCAL IMPACT - None

ATTACHMENTS - None

Report Prepared By: Lisa Murphy Assistant to the City Manager

> Reviewed and Forwarded By City Manager:

Item #: 3.C.



CITY COUNCIL AGENDA REPORT

SPECIAL MEETING OF FEBRUARY 17, 2011

FROM: CITY MANAGER'S DEPARTMENT

DATE: FEBRUARY 10, 2011

SUBJECT: MID-YEAR 2010-2011 FISCAL YEAR BUDGET FINANCIAL REPORT

Recommended Action: By motion and roll call vote, that the City Council adopt the proposed Resolution accepting the City FY2010/11 Mid-Year Budget Report and Amending the FY10/11 City Fund Budgets in accordance with Council direction,

BACKGROUND

The purpose of the Mid-Year Fiscal Status Report is to project the year-end fiscal status of the City based on the City's actual revenues and expenditures through 12/31/10. This Mid-Year Fiscal Status Report provides the opportunity for the Council to analyze mid-year budget transactions and make adjustments as needed. The amended FY10-11 Budget includes \$13,049,988 in expenditures and \$12,604,796 in revenues, plus a beginning fund balance of \$701,056. This Report projects Operating Expenditures of \$12,960,413 and Revenues of \$12,349,941, and a Beginning Fund Balance of \$395,000.

The result of the Mid-Year projections is an estimated \$215,472 General Fund shortfall. This report will look at General Fund revenues and expenditures and present recommendations to close the funding shortfall. Below is a summary of the FY 10-11 General Fund Budget.

		FY 2010-11					
General Fund	Ad	Adopted Budget		Amended Budget		Mid-Year Budget	
Sources							
Beg. Fund Balance	\$	701,056	\$	701,056	\$	395,000	
Revenues	\$	12,330,191	\$	12,604,796	\$	12,349,941	
Total Source	\$	13,031,247	\$	13,305,852	\$	12,744,941	
Uses							
Operating Expenditures	\$	11,619,500	\$	12,339,988	\$	12,250,413	
Fund Transfers	\$	710,000	\$	710,000	\$	710,000	
Total Use	\$	12,329,500	\$	13,049,988	\$	12,960,413	
Shortfall					\$ (2´	15,472)	

REVENUES:

The chart below shows a decrease of \$254,855 in revenue between the amended budget and the projected year-end budget. The major portion of this decrease can be attributed to an estimated \$132,500 reduction in Charges for Services. Of that amount, \$120,000 is from the Village parking meters. The budgeted meter revenue assumed that new pay stations would be installed by Fall 2010; staff is now confident the pay stations will be installed by early Spring 2011. The second largest contributor to the decrease is the expected reduction in Community Development revenues, about \$35,000 which is related to a significant decline in planning applications.

Fines and Forfeitures are projected to be \$40,000 short because State Courts have blocked local government jurisdictions from implementing local government fine retention programs for municipal code violations.

Importantly, Sales Tax is projected to meet the adopted budget. To date, the City has final sales tax figures for first quarter FY 2010-11 only (July-September). First quarter actual sale tax revenue was 1.9% above Budget. Given the weak economy and the slightly improved first quarter performance, the Mid-Year estimate maintains the original budget assumptions for full year sales tax revenue. Staff will continue to update the Council as Sales Tax figures are released.

SALES TAX MID YEAR ESTIMATE - FULL YEAR										
	REVENUE				\$			%		
				2010-11	2010-11		2010-11 2010-11			
		Adopted	2010-11	Ν	/lid-Year Est.	Mid-Year Est.		Mid-Year Est.	Mid-Year Est.	
	2009-10	2010-11	Mid-Year		vs. 2009-10	vs. 2010-11		vs. 2009-10	vs. 2010-11	
	Actual	Budget	Est.		Actual	Budget		Actual	Budget	
Bradley Burns (3/4%)	\$2,992,923	\$3,094,599	\$3,087,332	3	\$ 94,409	\$	(7,267)	3.2%	-0.2%	
Triple Flip (1/4%)	\$ 777,207	\$1,021,218	\$1,026,723	e e	\$ 249,516	\$	5,505	32.1%	0.5%	
Measure D District Tax (1/4%)	\$ 858,103	\$ 869,774	\$ 871,536	ę	\$ 13,433	\$	1,762	1.6%	0.2%	
SBOE Adjustment	\$ 380,245	\$-	\$-	ę	\$ (380,245)	\$	-	-100.0%	n/a	
Full Year	\$5,008,478	\$4,985,591	\$4,985,591	\$	\$ (22,887)	\$	-	-0.5%	0.0%	

However overall, Taxes will not meet the projected budget target by approximately \$52,700, primarily due to Transient Occupancy Tax (TOT). The Budget assumed the Fairfield would be operation in April 2011, which now appears infeasible. Some of that decline is off-set by an increase of \$25,000 in property taxes. Use of Money & Property is down due to Interest Earnings in the City's LAIF account.

Revenue	FY10-11 Adopted Budget	FY10-11 Amended Budget	FY10-11 Mid-Year Est	Diff
TX – Taxes	\$8,091,991	\$8,091,991	\$8,039,291	(\$52,700)
LP - Licenses and permits	\$229,000	\$229,000	\$231,450	\$2,450
IR - Intergovernmental revenues	\$386,900	\$657,505	\$645,505	(\$12,000)
CFS - Charges for services	\$2,360,000	\$2,360,000	\$2,227,500	(\$132,500)
FF - Fines and forfeitures	\$859,000	\$859,000	\$819,000	(\$40,000)
UMP - Use of money & property	\$339,800	\$339,800	\$325,095	(\$14,705)
OR - Other revenues	\$63,500	\$63,500	\$58,100	(\$5,400)
OFS - Other financing sources	\$0	\$4,000	\$4,000	\$0
Revenue Totals:	\$12,330,191	\$12,604,796	\$12,349,941	(\$254,855)
Fund Balance:	\$701,056	\$701,056	\$395,000	
Revenue Grand Totals:	\$13,031,247	\$13,305,852	\$12,744,941	

Expenditures:

Expenditures through the end of this fiscal year are estimated to be \$89,575 less than budgeted. The estimated savings are primarily in Salaries and Benefits. Several departments currently have unfilled vacancies; the Police Department has two vacancies and Public Works has one, all of which will be filled before year-end. The Finance Director position was funded for 60% of the year but will not be filled in this fiscal year. Contract Services will be over budget, primarily due to \$50,000 for City Attorney Department.

Expenditures	FY10-11	FY10-11		
	Adopted	Amended	FY10-11	
	Budget	Budget	Mid-Year Est	Diff
PER - Personnel	\$7,527,500	\$7,638,816	\$7,462,779	\$176,037
CS - Contract services	\$2,467,500	\$3,030,282	\$3,111,779	(\$81,497)
SUP - Supplies	\$490,000	\$524,186	\$529,151	(\$4,965)
GS - Grants and Subsidies	\$275,000	\$275,000	\$275,000	\$0
CAP - Capital outlay	\$0	\$12,204	\$12,204	\$0
ISFC - Internal service fund	\$859,500	\$859,500	\$859,500	\$0
Fund Transfers	\$710,000	\$710,000	\$710,000	\$0
Expenditure Totals	\$12,329,500	\$13,049,988	\$12,960,413	\$89,575

Several departments are over budget and are shown in the (negative). The *City Attorney Department* will be over budget due to ongoing mobile home litigation. Although earlier in the year \$350,000 of Fund Balance was transferred into the Attorney fund it is estimated an additional \$50,000+ will be needed if the current expenditure rate continues. *Parking Enforcement* will be over due to a combination of overages in contract services. The Recreation Department will be slightly over in staffing, which is off-set with corresponding revenues in fees.

	FY10-11 Adopted	FY10-11 Amended	FY10-11	
Department Expenditures	Budget	Budget	Mid-Year Est	Diff
City Council	\$87,100	\$87,100	\$87,100	\$0
City Manager	\$766,200	\$770,700	\$753,594	\$17,106
Personnel	\$197,600	\$197,600	\$197,500	\$100
City Attorney	\$273,600	\$668,900	\$718,900	(\$50,000)
Finance	\$690,800	\$690,800	\$609,294	\$81,506
Community Grants	\$275,000	\$275,000	\$275,000	\$0
Police-Law Enforcement	\$5,116,000	\$5,262,065	\$5,161,745	\$100,320
Police-Parking	\$448,800	\$448,800	\$504,800	(\$56,000)
Police-Lifeguard	\$91,200	\$91,200	\$92,200	(\$1,000)
Police-Animal Services	\$14,200	\$14,200	\$17,200	(\$3,000)
Public Works	\$2,012,700	\$2,152,412	\$2,128,611	\$23,801
Community Development	\$694,000	\$724,911	\$728,734	(\$3,823)
Recreation	\$836,800	\$836,800	\$855,565	(\$18,765)
Museum	\$67,200	\$67,200	\$67,870	(\$670)
Arts & Culture	\$48,300	\$52,300	\$52,300	\$0
Sub Total	\$11,619,500	\$12,339,988	\$12,250,413	\$89,575
Fund Transfers				
Compensated Absences	\$120,000	\$120,000	\$120,000	
Pension Obligation Bond	\$240,000	\$240,000	\$240,000	
Parking Reserve Fund	\$100,000	\$100,000	\$100,000	
CIP Projects	\$250,000	\$250,000	\$250,000	
Sub Total - Fund Transfer	\$710,000	\$710,000	\$710,000	
Expenditure Grand Total	\$12,329,500	\$13,049,988	\$12,960,413	\$89,575

OPTIONS TO ADDRESS THE FY 2010-2011 SHORTFALL

General Fund expenditures will exceed available fund balance and revenues by \$215,500. Staff proposes to address the shortfall by <u>not</u> transferring \$215,500 of the \$240,000 in the General Fund to the PERS Internal Service Fund. The PERS Internal Service Fund is currently overfunded. Even with the recommended fund transfer and the annual payments to both PERS and the Pension Obligation Bond, the PERS Internal Service Fund would end the fiscal year with an available fund balance of \$560,000.

Additional options include: defunding slurry seals for one year and pushing the Esplanade Retaining Wall project to FY11-12. The Equipment Replacement Fund will have a fund balance of \$300,000 at year end. \$44,000 of this could be transferred into the General Fund. In addition, both the Contingency Reserve and the Emergency Reserve funds are funded at higher levels than required by City policy, and some money from those funds could be appropriated to help balance the budget. City Policy calls for the Contingency Reserve fund to be funded at 10% of General Fund Expenditures and the Emergency Reserve Fund at 5% of General Fund Expenditures. The Contingency Fund has an excess of \$22,000 and the Emergency Reserve Fund has an excess of \$14,500 above the required amounts.

Options to Resolve Short	fall c	of \$215,500
Option 1 PERS Fund Transfer	\$	215,500
Option 2		
Slurry seals	\$	70,000
Esp retaining wall	\$	65,000
Contingency reserve	\$	22,000
Emergency Reserve	\$	14,500
Equip. Replacement Fund	\$	44,000
Sub Total	\$	215,500

ATTACHMENT

Draft Budget Resolution

Report Prepared By: Lisa Murphy, Assistant to the City Manager

Reviewed and Forwarded By City Manager:

DRAFT

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA ACCEPTING THE FISCAL YEAR 2010-2011 MID-YEAR BUDGET REPORT AND AMENDING THE 2010-2011 CITY BUDGETS ACCORDINGLY

WHEREAS, the staff presented the City's FY 2010-11 Mid-Year Budget Report to the City Council at a special meeting held February 17, 2011; and

WHEREAS, the City Council has reviewed the report and recommended adjustments to the City operating budgets.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Capitola hereby accepts the City's FY 2010-2011 Mid-Year Budget Report as submitted and approves the budget adjustments as follows:

General Fund: (see below)

- Decrease beginning fund balance by \$306,056
- Decrease General Fund Revenues by \$254,800
- Decrease General Fund Expenditures by \$89,900
- Decrease Fund Transfers by \$215,500

Budget
753,700
425,600
,776,700
,128,612
728,711
15,500
12,000
80,500
38,000
17,200
855,500
718,900
,550,923
24,500
-

Revenue:

	Increase/					
Revenue: Decreases	Budget		0	Decrease	New Budget	
Revenue: Taxes	\$	8,091,911	\$	(52,700)	\$	8,039,211
License & Permits	\$	229,000	\$	2,500	\$	231,500
Internal Government Revenues	\$	657,505	\$	(12,000)	\$	645,505
Charges For Services	\$	2,227,500	\$	(132,500)	\$	2,095,000
Municipal Code Violations	\$	40,000	\$	(40,000)	\$	-
Use of Money & Property	\$	339,800	\$	(14,700)	\$	325,100
Other Revenues	\$	63,500	\$	(5,400)	\$	58,100
Subtotal			\$	(254,800)		

BE IT FURTHER RESOLVED that the Finance staff is directed to record these changes into the City's accounting records in accordance with appropriate accounting practices.

I HEREBY CERTIFY that the above and foregoing resolution was passed and adopted by the City Council of the City of Capitola at a Special Meeting held on the 17th day of February, 2011, by the following vote:

AYES: NOES: ABSENT: ABSTAIN: DISQUALIFIED:

ATTEST:

Dennis R. Norton, Mayor

____, MMC

Pamela Greeninger, City Clerk

Item #: 3.D.



CITY COUNCIL AGENDA REPORT

SPECIAL MEETING OF FEBRUARY 17, 2011

FROM: CITY MANAGER'S DEPARTMENT

DATE: FEBRUARY 9, 2011

SUBJECT: BUDGETING PRINCIPLES FOR THE 2011-12 FISCAL YEAR

Recommended Action: By motion and roll call vote adopt of set of budgeting principles for the 2011-2012 fiscal year that will serve as a guide in staff's preparation of the annual budget.

BACKGROUND

As required by law, the City prepares and adopts an annual budget. At a basic level, budget provides a financial plan against which actual performance can be measured. At a higher level, the budget is at the very heart of the City's operations, giving direction from the City Council to the City Manager about how to run the day to day City functions.

To ensure the draft budget is prepared consistent with the Council's direction, many municipalities establish budgeting principles early in the annual budgeting process. These principles can range from general policy statements to specific funding for target projects and programs.

Over the past few years the City Council has established annual goals for a given calendar year that focused on projects and policy implementation, but these goals were not reflected in the City budget. By identifying budgeting principles, staff will be able to ensure they are addressed in the budget and resources necessary to implement the projects are identified.

DISCUSSION

Staff suggests first identifying several broad categories for budget principles, these can help to organize and identify the areas in which the City Council has prioritized. In general, staff would suggest three basic categories for budgeting principles:

- 1. Fiscal Policy
- 2. Public Services
- 3. Public Improvement

Under those three basic categories, staff suggests no more than three budgeting principles per category. Based on previous goal setting sessions, existing financial policies, and past Council directions and practices staff has developed the following principles for consideration:

- 1. Fiscal Policy Principles
 - Maintain a balanced budget without depleting reserves or selling assets solely for the purpose of balancing the budget
 - Support economic development programs along 41st Avenue and other commercial areas
 - Maintain responsible levels of fees for service throughout the city organization
- 2. Public Services Principles
 - Maintain a transparent government by ensuring programs are in place that insure public access to city officials and staff, financial reports, project data, and other information
 - Recognize the high priority the community puts on public safety by funding a fully budgeted Police Department
 - Recognize and continue to support Capitola's rich art and cultural programs
- 3. Public Improvement Principles
 - Continue to maintain the City infrastructure by providing maximum funding for the pavement management system throughout the city.
 - Ensure programs are in place to judiciously respond to development projects on the Rispin, McGregor and other public and private properties
 - Maintain and improve Capitola's natural recreation resources and support programs that keep Capitola government and the community green.

Unlike the City's Financial Management Policies, it is important to remember that these principles are for the fiscal year 2011-12 and will be reviewed annually. It is anticipated that the City Council will deliberate and modify the above principles or recommended different principles altogether.

FISCAL IMPACT

None

ATTACHMENTS

None

Report Prepared By: Steven Jesberg Public Works Director

Reviewed and Forwarded By City Manager: