



TENTATIVE AGENDA
Regular Meetings of the
**CAPITOLA CITY COUNCIL/
REDEVELOPMENT AGENCY**
Thursday, May 24, 2007

**6:15 P.M. - CLOSED SESSION - CITY MANAGER'S OFFICE
CAPITOLA REDEVELOPMENT AGENCY & CITY COUNCIL**

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 only.

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant Exposure to litigation pursuant to Govt. Code Section 54956.9(b): One Case

6:50 P.M. – CAPITOLA REDEVELOPMENT AGENCY

A. ROLL CALL

Directors Begun, Nicol, Graves, Storey, and Chairperson Termini

B. ORAL COMMUNICATIONS

Oral Communications allows time for members of the Public to address the Redevelopment Agency on any item not on the Agenda. Presentations will be limited to three minutes per speaker. All speakers must address the entire RDA Board 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.

C. CONSENT CALENDAR

All matters listed under "Consent Calendar" are considered by the Agency to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time the Directors vote on the action unless members of the public or the Agency request specific items to be discussed for separate review.

1. Approval of Minutes – Regular/Joint Meeting of the City Council and the Redevelopment Agency of April 26, 2007.

2. Approval of Check Register

D. PUBLIC HEARINGS – None

E. REGULAR BUSINESS

1. Rispin Status Report. Staff recommendation: receive report.

F. ADJOURNMENT

The Capitola Redevelopment Agency to adjourn to a Special Joint Budget Study Session of the Redevelopment Agency and City Council to be held on Wednesday, May 30, 2007, beginning at 6:00 p.m. in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, CA.

7:00 P.M. – REGULAR MEETING OF THE CITY COUNCIL**ROLL CALL AND PLEDGE OF ALLEGIANCE**

Council Members Begun, Nicol, Graves, Storey, and Mayor Termini

1. REPORT ON CLOSED SESSION**2. ORAL COMMUNICATIONS****A. Additions and Deletions to Agenda****B. Public Comments**

A MAXIMUM of 30 MINUTES is set aside for Oral Communications at this time

- *Presentations will be limited to THREE MINUTES per speaker*
- *Individuals may not speak more than once during Oral Communications*
- *All speakers must address the entire 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.

C. Staff Comments**D. City Council/Treasurer Comments**

Council Members/City Treasurer may comment on matters of a general nature or identify issues for staff response or future council consideration.

E. Committee Reports/Appointments

Council Members/Committee Representatives may present oral updates from standing committees at this time. Committee appointments may also be made by the City Council at this time.

F. Approval of Check Register Report**3. CONSENT CALENDAR**

All matters listed under “Consent Calendar” are considered by the City Council to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time the Council votes on the action unless members of the public or the Council request specific items to be discussed for separate review. Items pulled for separate discussion will be considered following “Other Business.”

- A. Waive Reading of all Ordinances and Resolutions on the Agenda.**
Staff recommendation: Approve the reading by title of all Ordinances and Resolutions and declare that said titles which appear on the public agenda shall be determined to have been read by title and further reading waived.

3. CONSENT CALENDAR (Continued)

- B. Approval of Minutes – Regular/Joint Meeting of the City Council and the Redevelopment Agency of April 26, 2007.
- C. Receipt of Planning Commission Action Minutes for the Regular Meeting of May 17, 2007.
- D. Receipt of Treasurer's Report for the Month Ended April 30, 2007 (Unaudited).
- E. Ordinance Amending Section 3.34.040 of the Capitola Municipal Code Pertaining to the Mobile Home Park Administrative Service Fee to Require Mobile Home Park Owners to Provide the City with Park Resident Information (2nd reading). Staff recommendation: adopt ordinance.
- F. Ordinance Adding Capitola Municipal Code Section 10.36.065 Pertaining to Parking Meter Tampering (2nd reading). Staff recommendation: adopt ordinance.
- G. Confirmation of the City's Investment Policy, Administrative Policy Number III-1.
- H. Adopt Resolution Setting the 2007/08 Fiscal Year Appropriation Limit Pursuant to Article XIIIB of the California Constitution.
- I. Adopt Resolution Exercising the City's Option to Renew the Contract for City Attorney Services with Atchison, Barisone, Condotti & Kovacevich for FY 2007-08, at the Same Rates and Fees as the Existing Contract.
- J. Approve Facility Agreement with the Santa Cruz Chapter of the American Red Cross to Allow them to Use the New Brighton Middle School Gymnasium as an Emergency Shelter.
- K. Ratify Payment to Earthworks Paving for Citywide Street Patching in the Amount of \$21,300.
- L. Approval to Purchase Picnic Tables for New Brighton Middle School and Approval of Plaque in recognition of the students recycling efforts. Staff recommendation: authorize purchase of 4 picnic tables from Summit Supply in the amount of \$4,095, and approve language and purchase of plaque in the amount of \$150.

3. CONSENT CALENDAR (Continued)

- M. Request by Wharf to Wharf Race, Incorporated, for a Special Event Permit, Entertainment Permit, Encroachment Permit, and Sign Permit, for the 35th Annual Wharf to Wharf Foot Race through Capitola to End on the Esplanade on Sunday, July 22, 2007, and Request for a Grant of all Permits, Police and Public Works Fees in the amount of \$7,897. Staff recommendation: approve request and authorize the Police Department to issue permits.
- N. Adopt Resolution Approving the Change in Title from Counter/Records Technician to Development Services Technician, Approving a New Job Description for the Development Services Technician Position, and Amending the Association of Capitola Employees MOU to Reflect those Changes.

4. PUBLIC HEARINGS

Public Hearings are intended to provide an opportunity for public discussion of each item listed as a Public Hearing. The following procedure is followed for each Public Hearing listed: 1) Staff Explanation; 2) Public Discussion; 3) Council Comments; 4) Close public portion of the Hearing; 5) City Council discussion; and 6) Decision.

NOTE: 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 court action within ninety (90) days following the date on which the decision becomes final as provided in Code of Civil Procedure §1094.6. Please refer to code of Civil Procedure §1094.6 to determine how to calculate when a decision becomes "final." Please be advised that in most instances the decision become "final" upon the City Council's announcement of its decision at the completion of the public hearing. Failure to comply with this 90-day rule will preclude any person from challenging the City Council decision in court.

- A. Public Hearing on Improving Canine Recreational Services in the City. Presentation: Public Works Director

5. OTHER BUSINESS

- A. 2007/2008 Fiscal Year Capitola Village and Wharf Business Improvement Area Assessments. Staff recommendation: approve plan, adopt resolution of intention to levy a business improvement assessment and schedule public hearing for June 14, 2007.
- B. Continued discussion regarding Change in Regular City Council Meeting Day. Staff recommendation: Council discretion.

5. OTHER BUSINESS (Continued)

- C. Discussion regarding Possible Amendment to Capitola Municipal Code Section 2.01.140 Pertaining to Authority to Place Matters on the Council Agenda. Staff recommendation: Council direction.
- D. Appointment of two Council Members to serve on an Ad Hoc Committee to negotiate a new Recycling, Refuse and Yard Waste Collection Agreement (Franchise) with GreenWaste Recovery, Inc.

6. ORAL COMMUNICATIONS**7. ADJOURNMENT**

Adjourn to a Special Joint Meeting of the Capitola City Council and the Redevelopment Agency be held on Wednesday, May 30, 2007, beginning at 6:00 p.m. in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.