



TENTATIVE AGENDA
Regular Meetings of the
**CAPITOLA CITY COUNCIL/
REDEVELOPMENT AGENCY**
Thursday, July 26, 2007

**6:00 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 REAL PROPERTY NEGOTIATORS (Govt. Code §54956.8)

Property: 1720 Wharf Road, Capitola (Golino Property-Golino Family as
Tenants in Common, Owners)

Agency Negotiator: City Manager

Under Negotiation: Purchase of Property by City

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Govt. Code §54957)

Title: City Manager regarding Succession Planning

LIABILITY CLAIMS (Govt. Code §54956.95)

Claimant: Dawn Cochran

6:30 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 Meeting of June 28, 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 Regular Meeting of the Redevelopment Agency to be held on Thursday, August 9, 2007, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

* * *

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

- o *Presentations will be limited to THREE MINUTES per speaker*
- o *Individuals may not speak more than once during Oral Communications*
- o *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.
- B. Approval of Minutes – Special Closed Session and Regular Meeting of June 28, 2007.
- C. Receipt of Planning Commission Action Minutes for the Regular Meeting of July 19, 2007.
- D. Approve Special Event Permit, Encroachment Permit, Sign Permit and Entertainment Permit to the Capitola Begonia Festival Committee for the 54th Annual Capitola Begonia Festival Activities to be held in Capitola Village from September 1 through 4, 2007; and Approval of a City Grant of all Costs Associated with Permits and Police and Public Works Fees in the Amount of \$8,568.00.
- E. 420 Capitola Avenue – Project Application #06-031, Appeal of Planning Commission Decision To Deny a Coastal Permit, Conditional Use Permit and Architectural & Site Review for Construction of a Wireless Communications Facility in the PF/VS (Public Facility/Visitor Serving) Zoning District (APN 035-141-33). Filed 5/26/05 *1. Property Owner: City of Capitola. Representative: Peacock Associates, Evan Shepherd Reiff. Staff recommendation: set public hearing for August 9, 2007.
- F. Approve Purchase to Replace One Police Patrol Vehicle and One Detective Vehicle and Adopt Resolution Amending the 2007-2008 FY Budget.
- G. Approve the Purchase of a Replacement Riding Mower for the Parks Department at a cost of \$18,125.38.

3. CONSENT CALENDAR (Continued)

- H. Approve Contract Amendment with Harris & Associates for the Design of the Soquel Creek Lagoon Wetland in the amount of \$12,900, and Approval of Contract with Coastal Watershed Council for Development and Implementation of a Water Monitoring Plan in the amount of \$53,720.
- I. Receive Report on Contract for Construction of the Library Tot Lot Project; reject all bids received and direct Public Works Director to redesign project to reduce construction cost to \$130,000.
- J. Deny Claim for Damages from Dawn Cochran and forward to the City's liability insurance.
- K. Receipt of Preliminary Treasurer's Report for the Month Ended June 30, 2007 (Unaudited).

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. Continued Public Hearing to Consider an Ordinance Amending Section 9.12.015 of the Capitola Municipal Code Pertaining to Mechanical Sweeping Devices, Parking Lot Vacuum Machines, and Leaf Blowers (1st Reading). Staff recommendation: adopt ordinance. Presentation: Community Development Department.
- B. Ordinance Amending Chapter 18.02 of the Capitola Municipal Code, Pertaining to the Provisions of Affordable (Inclusionary) Housing in the City of Capitola to Include Creation of Mobile Home Parcels (1st Reading). Staff recommendation: adopt ordinance. Presentation: Community Development Department.

5. OTHER BUSINESS

- A. Resolution Establishing Parking Time Limits for Three (3) Parking Spaces along Reposa Avenue at the Intersection with 41st Avenue. Staff recommendation: adopt resolution.
- B. Resolution Amending the 2006-07 FY Budget by Transferring \$11,000 from the City Council Department, Contract Services Budget to the City Attorney Department Contracts Account increasing the Mobile Home Litigation Contract Expenditures by \$11,000 for Mobile Home Park Rent Control Litigation Services. Staff recommendation: adopt resolution.
- C. Contract with Endeman, Lincoln, Turek & Heater, LLP, for Professional Legal Services related to the City's Mobile Home Park Rent Control Ordinance for FY 2007-08. Staff recommendation: approve contract in an amount not to exceed \$40,000.
- D. Resolution Amending the City's Fee Schedule Resolution No. 3645 to Increase Boarding Fees of Impounded Animals. Staff recommendation: adopt resolution.
- E. Set Special Meeting Date to Consider the Matter of the City's Mission, Vision and Values. Staff recommendation: Set date and time for special meeting.
- F. Resolution Approving the Sixth Amendment to the City Manager's Employment Agreement. Staff recommendation: adopt resolution.
- G. Ordinance Amending Section 2.04.110 of the Capitola Municipal Code pertaining to Time of Regular Meetings of the City Council. (2nd Reading) Staff recommendation: Council direction.

6. ORAL COMMUNICATIONS

7. ADJOURNMENT

Adjourn to a Regular Meeting of the Capitola City Council to be held on Thursday, August 9, 2007, beginning at 7:00 p.m. in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.