



TENTATIVE AGENDA
Regular Meetings of the
**CAPITOLA CITY COUNCIL/
REDEVELOPMENT AGENCY**
Thursday, August 9, 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)

1. 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
2. Property: Rispin Property and Peery Park, Capitola
Agency Negotiator: City Manager, Public Works Director
Under Negotiation: Acquisition of P.G.& E. Easement across City-owned Property

LIABILITY CLAIMS (Govt. Code §54956.95)

Claimant: Edward Bustamantez

6:45 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 Redevelopment Agency Minutes – Regular Meetings of June 28, 2007 and July 12, 2007
2. Approval of Check Register

C. CONSENT CALENDAR (Continued)

3. Report on 2006/2007 FY Redevelopment Agency Carry-Forward Requests. Staff recommendation: accept report and adopt Agency Resolution Amending the 2006/07 and 2007/08 Agency Budgets to Carry Forward Expenditures of \$5,000 for the Operating Fund and \$1,000 for the Housing Fund.

D. PUBLIC HEARINGS – None**E. REGULAR BUSINESS**

The Capitola Redevelopment Agency and City Council will convene jointly during the Regular City Council Meeting (Item 5.A.) for the following item:

1. Approval of a Purchase/Sale Agreement with Pacific Gas and Electric Company for Easements Through Peery Park and Rispin Property for a Gas Transmission Line. Staff recommendation: RDA and Council approval.

F. ADJOURNMENT

The Capitola Redevelopment Agency to adjourn to a Regular Meeting of the Redevelopment Agency to be held on Thursday, September 13, 2007, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

* * *

REGULAR MEETING OF THE CITY COUNCIL

(Immediately following the Redevelopment Agency Meeting)

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

* * * **PRESENTATION** * * *

Juvenile Alcohol Grant and Enforcement Programs
by Police Officer Jason Grogan

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.
- B. Approval of Minutes –Regular Meeting of July 12, 2007.
- C. Receipt of Planning Commission Action Minutes for the Regular Meeting of August 2, 2007.
- D. Deny Claim for Damages from Edward Bustamantez and forward it to the City’s liability insurance.

3. CONSENT CALENDAR (Continued)

- E. Adopt Ordinance Amending Section 9.12.015 of the Capitola Municipal Code Pertaining to Mechanical Sweeping Devices, Parking Lot Vacuum Machines, and Leaf Blowers (2nd Reading).
- F. Adopt Resolution Repealing Resolution No. 3581 Pertaining to Hours of Operation for Leaf Blowers at Retail/Commercial Centers Pursuant to Municipal Code Section 9.12.015 C.
- G. Adopt Ordinance Amending Capitola Municipal Code Sections 18.02.020, 18.02.030, 18.02.060 A, and 18.02.070 A Pertaining to the Provisions of Affordable (Inclusionary) Housing in the City of Capitola to Include Creation of Mobile Home Parcels (2nd Reading).
- H. Approve Closure of City Hall to the Public on August 17, 2007, for City Hall Clean Up Day.
- I. Report on 2006/07 FY City Carry-Forward Report Requests. Staff recommendation: Accept Report and Adopt Resolution Amending the 2006/07 and 2007/08 General Fund Operating Budgets to Carry Forward \$178,200 in Revenues and \$187,600 in Expenditures, amending the Equipment Acquisition & Replacement Fund to Carry Forward \$22,300 in Expenditures and amending the Capital Improvement Program Funds to Carry Forward \$150,400 in Expenditures.
- J. Approve Request for Special Event Permit, Encroachment Permit and Entertainment Permit by the Capitola-Soquel Chamber of Commerce for the 25th Annual Art and Wine Festival in Capitola Village and Live Music in Esplanade Park on Saturday and Sunday, September 8 & 9, 2007; and Approve Grant for Permits and Police and Public Works Fees in the Amount of \$4,200.
- K. Resolution Amending the City's Bail Schedule to Increase Existing Fines, Correct Municipal Code Section Numbers, and Add New Fines to the City's Bail Schedule. Staff recommendation: adopt resolution.
- L. Accept Transient Occupancy Revenue Report – Fiscal Year Ended June 30, 2007 (unaudited).
- M. Approval of Contract with RBF Consulting to Conduct the Capitola Village Comprehensive Parking Study in the amount of \$27,000.

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. 420 Capitola Avenue – Project Application #06-031, Public Hearing on 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 for Metro PCS. Presentation: Community Development Department.
- B. Public Hearing to Consider Adoption of an Ordinance Amending Certain Time Limitations with respect to the Redevelopment Plan for the Capitola Redevelopment Project. Presentation: Finance Director.
- C. Public Hearing on Application to the State of California Community Development Block Grant (CDBG) Program for a Planning and Technical Assistance Grant of \$35,000 for Preparation of a 41st Avenue Corridor Economic Development Mixed-Use Study. Presentation: Community Development Department.

5. OTHER BUSINESS

**JOINT MEETING OF THE CAPITOLA
CITY COUNCIL/REDEVELOPMENT AGENCY**

- A. Purchase/Sale Agreement with Pacific Gas and Electric Company for Easements through Peery Park and Rispin Property for a Gas Transmission Line. Staff recommendation: RDA/Council approval.

5. OTHER BUSINESS (Continued)

- B. Resolution Amending Resolution No. 3013 to Change the Direction of Vehicle Traffic Flow on Stockton Avenue between Cherry Avenue and Capitola Avenue to One-Way Northbound. Staff recommendation: adopt resolution.
- C. Consideration of an Urgency Ordinance pertaining to the Conversion of Mobilehome Parks to Resident Ownership by use of the Subdivision Process. (1st reading). Staff recommendation: Council direction.
- D. Contract in an amount not to exceed \$10,000 with Bowman and Williams for Design Services for a Retaining Wall Replacement in Pacific Cove Mobile Home Park and Budget Amendment Resolution transferring \$80,000 from Contingency Reserves to a newly created Capital Improvement Project Fund for the Pacific Cove Mobile Home Park Retaining Wall Repair. Staff recommendation: approve contract and adopt resolution.
- E. City Council Meeting Decorum. Staff recommendation: Council direction.
- F. Improvement of Capitola Village Public Area. Staff recommendation: Council direction.

6. ORAL COMMUNICATIONS**7. ADJOURNMENT**

Adjourn to a Special Meeting of the Capitola City Council regarding “Mission, Vision and Values” to be held on Thursday, August 16, 2007, beginning at 7:00 p.m. in the City Hall Community Room, 420 Capitola Avenue, Capitola, California.