



AGENDA COVER

CAPITOLA CITY COUNCIL/ REDEVELOPMENT AGENCY MEETING DATE: THURSDAY, MARCH 27, 2008

CITY COUNCIL CHAMBERS: 420 CAPITOLA AVENUE, CAPITOLA

CLOSED SESSION
REDEVELOPMENT AGENCY MEETING
REGULAR COUNCIL MEETING

6:00 P.M.

6:55 P.M.

Immediately following RDA Meeting

Elected Officials

Kirby Nicol, Mayor
Bob Begun, Vice Mayor
Ronald Graves, Council Member
Sam Storey, Council Member
Michael Termini, Council Member

Tony Gualtieri, City Treasurer

Rich Hill, City Manager
John G. Barisone, City Attorney
Pamela Greeninger, City Clerk
Lauren Lai, Finance Director
Steven Jesberg, Public Works Director
Richard Ehle, Chief of Police
*Juliana Rebagliati, Community
Development Director*

Notice regarding City Council Meetings: The City Council meets regularly on the 2nd and 4th Thursday of each month immediately following the Redevelopment Agency Meeting, at approximately 7:00 p.m., in the City Council Chambers at 420 Capitola Avenue, Capitola.

Notice regarding Redevelopment Agency Meetings: Redevelopment Agency meetings will be held on the 2nd and 4th Thursday of each month commencing between 6:00 p.m. and 7:00 p.m. The exact time of commencement will be determined by the Executive Director (based upon his/her estimate of time required) and shall be set forth in the notice of meeting posted at the place of meeting in accordance with Govt. Code §54954.2(a). Exceptions are: 2nd meeting in November is held on the 4th Tuesday, and there is only one regular meeting in December on the 2nd Thursday of the month. (See attached Redevelopment Agency Agenda.)

Agenda on the Internet: The City Council/Redevelopment Agency Agendas are available through the Internet at www.ci.capitola.ca.us. You can access the document on the Monday prior to the Thursday meeting. Agendas are also available at Capitola Post Office, 826 Bay Avenue, Capitola.

Agenda Document Review: The full agenda packet including all back up information is available at City Hall and at the Capitola Branch Library, 2005 Wharf Road, Capitola, on the Monday prior to the Thursday meeting. Need more information? Contact the City Clerk's office, 831-475-7300.

Americans with Disabilities Act: Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the City Clerk's office at least 24 hours in advance of the meeting at (831) 475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

Televised Meetings: City Council/Redevelopment Agency meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be replayed at 12:00 Noon on the Saturday following the meetings on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25).

It is the intent of the City Council to adjourn by 11:30 p.m.



TENTATIVE AGENDA

Regular Meetings of the
**CAPITOLA CITY COUNCIL/
REDEVELOPMENT AGENCY**
Thursday, March 27, 2008

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

Save the Habitat vs. City of Capitola (Rispin Mansion Project)
Soquel Union Elementary School District vs. City of Capitola
Surf & Sand LLC vs. City of Capitola (Surf & Sand Mobile Home Park)
Vieira Enterprises vs. City of Capitola (Cabrillo Mobile Estates)
Los Altos El Granada Investors vs. City of Capitola (Castle Mobile Estates)

CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION

(Govt. Code §54956.9b)
Bob Yount – Outdoor Smoking/ADA

CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Govt. Code §54956.8)

Property: 504 Beulah Drive
City Negotiator: Public Works Director
Under Negotiation: Sale of City Property

6:55 P.M. – CAPITOLA REDEVELOPMENT AGENCY

A. ROLL CALL

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

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. Approve Redevelopment Agency Minutes – Regular Meeting of March 13, 2008
2. Approval of Check Register Report

D. **PUBLIC HEARINGS** – None

E. **REGULAR BUSINESS** – None

F. **ADJOURNMENT**

Adjourn to a Regular Meeting of the Capitola Redevelopment Agency to be held on Thursday, April 10, 2008, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

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REGULAR MEETING OF THE CITY COUNCIL

(Immediately following the Redevelopment Agency Meeting)

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

*** * * PRESENTATIONS * * ***

Presentation on California Grey Bears
by Executive Director Lynda Francis

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/Committee Reports

Council Members/City Treasurer may comment on matters of a general nature or identify issues for staff response or future council consideration. Council Members/Committee Representatives may present oral updates from standing committees at this time.

E. Committee 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. Approve 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. Approve City Council Minutes – Regular Meeting of March 13, 2008.
- C. Receive Planning Commission Action Minutes for the Regular Meeting of March 20, 2008.
- D. Receive Treasurer's Report for Month Ended February 29, 2008 (Unaudited).
- E. Approve the Plans and Specifications for the 2007/08 Street Resurfacing Project on McCormick Court, Center Street, and Opal Street (49th Ave. to Prospect Ave.), and Authorize the Public Works Department to Advertise for Bids with Bid Opening on 4/30/08.
- F. Approve Expenditure of \$10,880 to Earthworks Paving Contractor for Emergency Repairs to the Eastbound Approach to Stockton Avenue Bridge.
- G. Approve Request from the Capitola Public Safety and Community Service Foundation for a Special Event Permit for the 3rd Annual Capitola Rod & Custom Classic Car Show to be held in Capitola Village on Saturday and Sunday, June 7 and 8, 2008, and Approve Grant in the Amount of \$196.
- H. Approve Art & Cultural Commission Public Art Historic Sign Project.

3. CONSENT CALENDAR (Continued)

- I. Adopt Ordinance Adding Chapter 9.30 to the Capitola Municipal Code Pertaining to Regulation of Surf Schools (2nd Reading), and Direct Staff to prepare an Administrative Policy for Implementation of the Regulations and to Return with a Resolution Amending the City's Fee Schedule to add an Annual Surf School Permit Fee.

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 the Rispin Mansion Restoration & Inn: Project Application #08-014 to Amend Applications #97-95 and #05-005: Conditional Use Permit, Architectural and Site Review, and Coastal Permit for the Proposed 25-Room Inn at Rispin Mansion Project located at 2000 and 2005 Wharf Road in the AR/VS/PD "Automatic Review/Visitor Serving/Planned Development" Zoning District. [APNs 035-371-01 and -02 (Rispin) and APN 034-541-34 (Clares Street/Wharf Road) Presentation: Community Development Dept.)

5. OTHER BUSINESS

- A. Art & Cultural Commission Public Art Project: Sea Wall Tile Art. Staff recommendation: approve project.
- B. Painting Contract for Capitola City Hall. Staff recommendation: Award Contract to Performance Painting in the amount of \$20,920 for the Painting of City Hall.

AT THIS POINT, ITEMS REMOVED FROM CONSENT CALENDAR WILL BE CONSIDERED

6. ORAL COMMUNICATIONS

7. ADJOURNMENT

Adjourn to the next Regular Meeting of the Capitola City Council to be held on Thursday, April 10, 2008, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.