



TENTATIVE AGENDA

Regular Meetings of the CAPITOLA CITY COUNCIL/ REDEVELOPMENT AGENCY

Thursday, April 10, 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 REAL PROPERTY NEGOTIATORS (Govt. Code §54956.8)

Property: McGregor Drive
City Negotiator: City Manager
Under Negotiation: Lease or Sale of Property for Hotel Construction

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 27, 2008
2. Approval of Check Register

CAPITOLA REDEVELOPMENT AGENCY (Continued)

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 24, 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 * * ***

Introduction of New Records Coordinator
Michele Deiter

Presentation on Senior Citizens Legal Services
by Directing Attorney Terry Hancock

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

2. ORAL COMMUNICATIONS (Continued)

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 27, 2008

C. Receive Planning Commission Action Minutes for the Regular Meeting of April 3, 2008.

D. Accept and File the Housing Element Progress Report for 2007.

E. Approve a Sole Source Contract with Moffatt & Nichol for a Capitola Wharf Pile Inspection and Report in the amount of \$14,402.

F. Award a Construction Contract to Monterey Peninsula Engineering in the amount of \$131,270, and a Construction Management Contract to Harris & Associates in the amount of \$25,000 for the 41st Avenue Overcrossing Traffic Improvement Project.

G. Approve Request to Suspend Facility Use Fees at the Jade Street Community Center for an Art in the Park Event on Seven (7) Saturdays from April through October.

3. CONSENT CALENDAR (Continued)

- H. Adopt Resolution Amending the 2007/2008 Budget Transferring \$25,000 from the Contingency Reserve Fund to the City Attorney's Department Contract Services Account increasing City Attorney Contract Expenditures by \$25,000.
- I. Approve 2nd Amendment to the Agreement with Endeman, Lincoln Turek & Heater, LLP, for Professional Legal Services in the amount of \$40,000, and Adopt Resolution Amending the 2007/08 Budget by Transferring \$40,000 from the Contingency Reserve Fund to the City Attorney Department Contract Services Account Increasing City Attorney Contract Expenditures by an Additional \$40,000 for Litigation Expenses Related to Defending the City's Mobile Home Park Rent Control Ordinance.
- J. Adopt Resolution Approving a Sole Source Contract with Mark Lamoreaux for Records Retention and File Backup of the Police Department's Law Enforcement Automated Data System (LEADS) in the amount of \$3,000, and Amend the FY 2007/08 Budget Authorizing Transfer of \$1,000 from the City Manager's Contract Services Account to the Police Department's Contract Services Account.
- K. Adopt Resolution Authorizing Participation in the Housing Authority of Santa Cruz County's Application to the State of California Debt Credit Allocation Committee for an Allocation of Mortgage Credit Certificates.
- L. Receive Departmental Quarterly Financial Status Report – 3rd Quarter Ending March 31, 2008.

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.

4. PUBLIC HEARINGS (Continued)

- A. Public Hearing on the “One-Way Traffic Analysis in the Capitola Village Area” prepared by RBF Consulting. Presentation: Public Works Director

5. OTHER BUSINESS

- A. McGregor Drive Property Letter of Interest to Construct a Hotel. Staff recommendation: Provide direction to staff.
- B. Approval of Voter Survey Questions. Staff recommendation: Council approval of proposed questions.
- C. FY2007/08 Sales Tax Revenue Update as of December 31, 2007. Staff recommendation: Accept report and provide direction.
- D. Membership on the Capitola Commission on the Environment. Staff recommendation: Adopt resolution Amending Section 3 of Resolution No. 3610 regarding Membership on the Commission.
- E. Discussion of Santa Cruz County Regional Transportation Commission’s Schedule for Acquisition of the Union Pacific Railroad Line. Staff recommendation: Council discretion.

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 24, 2008, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.