



TENTATIVE AGENDA

Regular Meetings of the CAPITOLA CITY COUNCIL/ REDEVELOPMENT AGENCY

Thursday, May 8, 2008

5:00 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 LABOR NEGOTIATORS (Govt. Code §54957.6)

Bargaining Units: Police Captains & Capitola Police Officers Association
Negotiator: Rich Hill, City Manager

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. Approval of RDA Minutes – Regular Meeting of April 24, 2008.
2. Approval of RDA Check Register Report.
3. Receipt of RDA Treasurer's Report for the Quarter ended March 31, 2008 (Unaudited).

D. PUBLIC HEARINGS – None

E. REGULAR BUSINESS – None

F. ADJOURNMENT

Adjourn to a Special Joint Budget Study Session of the Capitola City Council, Redevelopment Agency and Finance Advisory Committee to be held on Wednesday, May 14, 2008, at 6:00 p.m. 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 Storey, Begun, Graves, Termini, and Mayor Nicol

*** * * PRESENTATIONS * * ***

Presentation by John Patterson, Executive Director of
Community Television of Santa Cruz County

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/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.

2. ORAL COMMUNICATIONS (Continued)

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 April 10, 2008.

C. Receive Planning Commission Action Minutes for the Regular Meeting of May 1, 2008.

D. Approve Memorial Tree Application from Robert Baker and Authorize the Public Works Department to Plant an Arbutus Marina Tree in Noble Gulch Park.

E. Adopt Resolution Repealing Resolution No. 3679 and Establishing Parking Penalties to Increase Existing Fines for Parking Violations.

F. Approve Contract for City Attorney Services for FY2008-2009 in an amount not to exceed \$140,000 per year with the Law Firm of Atchison, Barisone, Condotti and Kovacevich.

G. Approve Contract with Hope Services for Beach and Esplanade Cleaning in an amount not to exceed \$12,900.

H. Accept Bids and Award Contract to Granite Construction Company in the amount of \$115,716 for the 2007/2008 Street Resurfacing Project on McCormick Court, Center Street, and Opal Street (49th Avenue to Prospect Avenue).

3. CONSENT CALENDAR (Continued)

- I. Declare Property Currently Stored at the Corporation Yard as Surplus Property and Direct the Public Works Department to Sell or Dispose of the Property.

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 to Consider Adoption of an Ordinance Amending Title 17 of the Capitola Municipal Code by Adding Chapter 17.10 Pertaining to Green Building Regulations. [1st Reading] Presentation: Building and Community Development Departments.
- B. Public Hearing for Appeal of Project Application #07-052 for 1816 Wharf Road - Coastal Permit and Architectural and Site Review for the Construction of a New Two-Story Single Family Residence with a request for variances to the Front Yard and Riparian Habitat Setbacks and Parking, in the AR/R-1 (Automatic Review/Single-Family Residence) Zoning District. (APN 035-111-17) filed 08/06/07 *2. Property Owner/Applicant: Neils and Joanne Kisling. Representative: Frank Phanton. Presentation: Community Development Department.

5. OTHER BUSINESS

- A. Consideration of an Ordinance Amending Section 10.36.070 of the Capitola Municipal Code Pertaining to the Use of Streets for the Storage of Vehicles and Adding Section 10.36.180 to the Municipal Code Pertaining to the Parking of Vehicles Six Feet or Greater in Height. [1st Reading] Staff recommendation: Adopt Ordinance.

5. OTHER BUSINESS (Continued)

- B. Report on Process for the Joint Facilitated Meeting with the Soquel Union Elementary School District on Jade Street Park/Opal Cliff School prepared by Consultant Catherine Tornbom, Center for Strategic Facilitation. Staff recommendation: Receive report.

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

6. ORAL COMMUNICATIONS

7. ADJOURNMENT

Adjourn to a Special Joint Budget Study Session of the Capitola City Council, Redevelopment Agency and Finance Advisory Committee to be held on Wednesday, May 14, 2008, at 6:00 p.m. in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.