



AGENDA COVER

CAPITOLA CITY COUNCIL/ REDEVELOPMENT AGENCY MEETING DATE: THURSDAY, JUNE 12, 2008

CITY COUNCIL CHAMBERS: 420 CAPITOLA AVENUE, CAPITOLA

CLOSED SESSION
REDEVELOPMENT AGENCY MEETING
REGULAR COUNCIL MEETING

6:00 P.M.

6:40 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, June 12, 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)

CONFERENCE WITH LABOR NEGOTIATORS (Govt. Code §54957.6)

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

LIABILITY CLAIMS (Govt. Code §54956.95)

Claimant: Kathryn Ann Christopher

6:40 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 – None
2. Approval of RDA Check Register Report.

D. PUBLIC HEARINGS – None

E. REGULAR BUSINESS

The following item will be discussed jointly with the City Council at this time. It is included on the City Council's Agenda under Item 5.A. The presentation, discussion and action on this item will take place during the Redevelopment Agency meeting and recorded in the minutes of the Council.

JOINT MEETING WITH THE CAPITOLA CITY COUNCIL

1. Presentation of the FY 2007-08 Annual Housing Programs Report. Staff Recommendation: City Council and Redevelopment Agency acceptance of the FY 2007-08 Annual Housing Programs Report and direction to staff to return with materials needed to further consider and/or implement recommendations contained in the report.

F. ADJOURNMENT

Adjourn to a Special Joint Budget Study Session of the Capitola Redevelopment Agency and the City Council to be held on Wednesday, June 18, 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 of Certificates of Recognition to
New Brighton Middle School Students
Seb Crampton, Tommy Linebarger, and Jackson Brady
for Recycling Phone Books

Presentation by Maggie Ivy,
CEO/Executive Vice President of the
Santa Cruz County Conference & Visitors Council

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.

- 1) Appointment of At-Large Member to the Commission on the Environment.

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 May 8, 2008.

3. CONSENT CALENDAR - Continued

- C. Receive Planning Commission Action Minutes for the Regular Meeting of June 5, 2008.
- D. Adopt Resolution Setting the 2008/2009 Fiscal Year Appropriation Limit Pursuant to Article XIII B of the California Constitution.
- E. Set Public Hearing on June 26, 2008, on the Appeal of a Planning Commission Approval of Project Application #08-018, 1820 41st Avenue (APNs 034-131-22, 034-131-24), Conditional Use-Permit with Off-Site Sale of Alcohol and Limited Consumption of Alcohol on Premises for a Retail Business Establishment (BEVMO) in the CC (Community Commercial) Zoning District.
- F. Receive the City Treasurer's Report for the Month Ended April 30, 2008 (Unaudited).
- G. Deny Claim of Kathryn Ann Christopher in the amount of \$189.95 and forward to the City's Liability Insurance Carrier.
- H. Confirmation of the City's Investment Policy (Administrative Policy #III-1).
- I. Approve Request by Wharf to Wharf Race, Incorporated, for a Special Event Permit, Entertainment Permit, Encroachment Permit, and Sign Permit for the 36th Annual Wharf to Wharf Foot Race on Sunday, July 27, 2008, and Request for a Grant of all Permits, Police and Public Works Fees in the amount of \$8,604.00.
- J. Adopt Resolution Opposing the CDFA Aerial Spraying of the Light Brown Apple Moth (LBAM).
- K. Approve a Sole Source Contract with Phoenix Group for Purchase of Four Hand-Held Electronic Parking Citation Data Terminals in the amount of \$17,966, and a one-year Annual Maintenance Fee in the amount of \$2,100, for a total Expenditure of \$20,066.
- L. Set Public Hearing on July 10, 2008, on the Appeal of a Planning Commission Denial of Project Application #07-032, 1750 41st Ave. (APN 034-131-16), Architectural & Site Review for an Exterior Remodel to an Existing Retail Store (Longs Drugs), Sign Permit, and Amendment of Conditional Use Permit to Add a Drive-Thru Pharmacy in the CC (Community Commercial) Zoning District.

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 becomes "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 the Levy of Capitola Village and Wharf Business Improvement Area Assessments for Fiscal Year 2008/09. Presentation: Finance Director and CVWBIA Executive Directors.
- B. Public Hearing on Project Application #08-003, 1911 42nd Avenue, Preliminary Development Plan for a Proposed Planned Development Rezoning for a 14-Lot Subdivision and Construction of 14 Single Family Homes in the RM-M (Multiple Family Residence: Medium) Zoning District (APN 034-201-033) Filed 2/4/08. Property Owner/Applicant: Mark DeMattei. Representative: Tom Thacher, Thacher & Thompson Architects. Presentation: Community Development Department.
- C. Public Hearing to Consider a Resolution Amending the City's Fee Schedule to Add New Fees and Increase Existing Fees for Various City Services. Presentation: Assistant to the City Manager.

5. OTHER BUSINESS

JOINT MEETING WITH THE CAPITOLA REDEVELOPMENT AGENCY

The following item will be discussed jointly with the Redevelopment Agency under Item E.1. on the RDA Agenda at 6:40 p.m. The presentation, discussion and action on this item will take place during the Redevelopment Agency meeting and recorded in the City Council minutes.

- A. Presentation of the FY 2007-08 Annual Housing Programs Report. Staff Recommendation: City Council and RDA acceptance of the Annual Housing Programs Report and direction to staff to return with materials needed to further consider and/or implement recommendations contained in the report.

5. OTHER BUSINESS - Continued

- B. Proposition 1B Local Streets and Roads Funding Proposals. Staff Recommendation: Authorize Public Works Director to file funding proposals with the State Dept. of Finance as proposed.

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 and the Redevelopment Agency to be held on Wednesday, June 18, 2008, at 6:00 p.m. in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.