



## TENTATIVE AGENDA

### Regular Meetings of the CAPITOLA CITY COUNCIL/ REDEVELOPMENT AGENCY

Thursday, July 24, 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)

Surf & Sand LLC vs. City of Capitola (Surf & Sand Mobile Home Park)

#### **CONFERENCE WITH LABOR NEGOTIATORS** (Govt. Code §54957.6)

Bargaining Units: Police Captains

Negotiator: Rich Hill, City Manager

#### **LIABILITY CLAIMS** (Govt. Code §54956.95)

Claimant: John C. Kinstler Jr.

#### **6:30 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

**C. CONSENT CALENDAR - Continued**

3. Approval of Contract with Carolyn Flynn for an amount not to exceed \$34,375 for Professional Services Related to RDA Affordable Housing Administration and Economic Development RDA Projects in FY 2008-09.
4. Adopt Agency Resolution Authorizing Applied Development Economics (ADE) and Consultant Carolyn Flynn to Receive and Examine Sales and Use Tax Records regarding the Capitola Redevelopment Agency for the Capitola Comprehensive Economic Development Strategy.

**D. PUBLIC HEARINGS**

JOINT PUBLIC HEARINGS OF THE  
CAPITOLA CITY COUNCIL/REDEVELOPMENT AGENCY  
*The Capitola Redevelopment Agency and City Council will meet jointly at  
this time to consider the following items:*

1. Joint Public Hearing on Amendment to the FY 08-09 Agency Housing Fund Budget for Housing Rehabilitation Grant and Loan Expenditures, Amending a Predevelopment and Acquisition Loan Agreement to Increase the Loan Amount from \$765,000 to \$1,365,000 in Agency Housing Funds with First Community Housing for the Bay Avenue Senior Apartments Project, and Making Findings Of Benefit To The Project Area. Presentation: Community Development Department
2. Joint Public Hearing on Adoption of a Historic Facade Easement for the Rispin Mansion Property located at 2000 Wharf Road (APNs 035-371 -01 & -02). Presentation: Community Development Department

**E. REGULAR BUSINESS - None****F. ADJOURNMENT**

Adjourn to a Regular Meeting of the Capitola Redevelopment Agency to be held on Thursday, August 14, 2008, at 7:00 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 \* \* \***

Capitola Police Department Awards for the Year 2007

Andrew Dally, Police Officer of the Year

Lorrie Wilson, Police Department Civilian Employee of the Year

**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 May 22, 2008
- C. Award Contract to Chrisp Company in an amount not to exceed \$18,865 for Citywide Bike Lane Striping and Sharrow Painting.
- D. Approval of Administrative Policy Pertaining to Anti-Fraud and Whistleblower Protection.
- E. Approve Contract with Endeman, Lincoln, Turek & Heater, LLP, for Professional Legal Services related to the City’s Mobile Home Park Rent Control Ordinance for FY 2008-09.
- F. Approve Purchase of Police Patrol Vehicle from Downtown Ford, Sacramento, with Included Police Equipment Package in the Amount of \$30,771, and Authorize Expenditure of \$4,800 in SLESF (COPS) Grant Funds, and \$26,000 from General Fund Vehicle Replacement Budget to Purchase the Vehicle, and Authorize Public Works to Surplus the Replaced Vehicle (1999 Crown Victoria).
- G. Approve Donation from the El Dorado County Sheriff’s Department of K-9 Equipment for a Patrol Vehicle.
- H. Adopt Resolution Repealing Resolution No. 3705, and Adopting a New Resolution Ordering an Election, Requesting County Elections to Conduct the Election, and Requesting Consolidation of the General Municipal Election in the City of Capitola on November 4, 2008, in order to Change the Date Contained in the Ballot Measure Question and Text to December 31, 2017, and receive revised Timeline for Filing Arguments, Rebuttals, and Impartial Analysis for the City Measure.

### 3. CONSENT CALENDAR - Continued

- I. Adopt Ordinance Amending Section 16 of Ordinance No. 880 by Extending the Termination Date of an Existing Transactions and Use Tax of the City of Capitola to be Administered by the State Board of Equalization to December 31, 2017. [2<sup>nd</sup> Reading]
- J. Deny Claim of John C. Kinstler, Jr., for an Unspecified Amount and Forward to the City's Liability Insurance Carrier.
- K. Approve Contract with Carolyn Flynn for Professional Services Related to CDBG Program Administration and Technical Assistance with Implementation of the City's Economic Development Grants.
- L. Adopt Resolution Amending the 2007/2008 Budget by Authorizing the Public Art Fund Expenditure of \$15,000 for the Esplanade Plaza Public Art Project.
- M. Receive Departmental Quarterly Financial Report – 4<sup>th</sup> Quarter.
- N. Approve Special Event Permit, Encroachment Permit, Sign Permit and Entertainment Permit to the Capitola Begonia Festival Committee for the 56<sup>th</sup> Annual Begonia Festival Activities to be held in Capitola Village from August 29 through September 1, 2008; and Approval of a City Grant of all Costs Associated with Permits and Police and Public Works Fees in the amount of \$9,202.

### 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.

#### 4. PUBLIC HEARINGS - Continued

- A. Public Hearing on Project Application #07-032 - 1750 41<sup>st</sup> Avenue: Appeal of a Planning Commission Denial of an Architectural and Site Review for an Exterior Remodel to an Existing Retail Store (Long's Drugs), a Sign Permit, and Amendment of a Conditional Use Permit to Add a Drive-Thru Pharmacy in the CC (Community Commercial) Zoning District. (APN 034-131-16) Property Owner: Long's Drugs, Inc.; Applicant: Laile Giansetto, PSM Architects, Inc. Presentation: Community Development Department.

#### JOINT PUBLIC HEARINGS OF THE

#### CAPITOLA CITY COUNCIL/REDEVELOPMENT AGENCY

*The Capitola Redevelopment Agency and City Council convened jointly during the Regular Redevelopment Agency Meeting, under Items D.1. and D.2., for the following items: (There will be no discussion on these items at this time.)*

- B. Joint Public Hearing on Amendment to the FY 08-09 Agency Housing Fund Budget for Housing Rehabilitation Grant and Loan Expenditures, Amending a Predevelopment and Acquisition Loan Agreement to Increase the Loan Amount from \$765,000 to \$1,365,000 in Agency Housing Funds with First Community Housing for the Bay Avenue Senior Apartments Project, and Making Findings Of Benefit To The Project Area. Presentation: Community Development Department.
- C. Joint Public Hearing on Adoption of a Historic Facade Easement for the Rispin Mansion Property located at 2000 Wharf Road (APNs 035-371-01 & -02). Presentation: Community Development Dept.

#### 5. OTHER BUSINESS

- A. Resolution Approving a Memorandum of Understanding with the Captains of the Capitola Police Department for the Period of July 1, 2008, to June 30, 2011. Staff recommendation: adopt resolution.
- B. Morning Village Parking Permit Program. Staff recommendation: Adopt Resolution Approving a Year-Round Morning Village Parking Permit Program and Amending the City's Fee Schedule Resolution No. 3703 to Add a "Morning Village Parking Permit Fee" in the amount of \$50 per year under "Police Department Fees – Parking Permits."

**5. OTHER BUSINESS - Continued**

- C. Designation of Voting Delegate and Alternate for the League of California Cities Annual Conference to be held in Long Beach September 24 to 27, 2008. Staff recommendation: City Council determination.
- D. Contract with Julianne Ward for Consulting Services Related to the Housing Element Update During FY 2008-2009. Staff recommendation: approve sole source contract with Julianne Ward in an amount not to exceed \$38,500.

*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, August 14, 2008, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.