



TENTATIVE AGENDA

Regular Meetings of the
**CAPITOLA CITY COUNCIL/
REDEVELOPMENT AGENCY**
Thursday, September 25, 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.

PUBLIC EMPLOYEE EVALUATION (Govt. Code §54957)
Title: City Manager Position

CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Govt. Code §54956.8)
Property: 504 Beulah Drive [APN 035-141-33]
City Negotiator: Public Works Director
Under Negotiation: Sale of City Property

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
Vieira Enterprises vs. City of Capitola (Cabrillo Mobile Estates)

CONFERENCE WITH LABOR NEGOTIATORS (Govt. Code §54957.6)
Bargaining Unit: Police Captains
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 – None

C. CONSENT CALENDAR - Continued

- 2. Approval of RDA Check Register Report.
- 3. Receipt of RDA Treasurer’s Report for the Quarter Ended June 30, 2008 (Unaudited).
- 4. Accept RDA 2007-2008 Fiscal Year-End Unaudited 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, October 9, 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 by Community Service Officer Chad Keane regarding the Capitola Animal Services Unit

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.*

2. ORAL COMMUNICATIONS - Continued

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 – None

C. Receive Planning Commission Action Minutes for the Regular Meeting of September 18, 2008.

D. Receipt of Treasurer's Report for the Month Ended August 31, 2008 (Unaudited).

E. Approve Special Event Permit and Request for Grant of City Fees in the Amount of \$233.00 for the 2008 Women on Waves Surf Contest to be held at Capitola Beach on Saturday, November 22, 2008, from 7:00 a.m. to 5:00 p.m.

3. CONSENT CALENDAR - Continued

- F. Accept Donation of a Picnic Table from Friends of Noble Gulch Park.

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 regarding Charter Communications Cable Television Service Complaints. Presentation: Assistant to the City Manager.

5. OTHER BUSINESS

- A. Ordinance Adding Chapter 13.06 to the Capitola Municipal Code Pertaining to State Video Service Franchisees and Implementing the California Digital Infrastructure and Video Competition Act of 2006. (DIVCA) [2nd Reading] Staff recommendation: adopt ordinance.
- B. City Year-End Fiscal Report for 2007-2008. Staff recommendation: receive report.
- C. Financial System Purchase. Staff recommendation: approve contract with New World Systems for the purchase and implementation of a new Financial System, and approve purchase of associated hardware and software in the aggregate amount of \$258,500.
- D. Report on Grants for Staff Time in Connection with Special Event Applications. Staff recommendation: receive report.
- E. Status Report Regarding the Environmentally Acceptable Packaging Materials Ordinance. Staff recommendation: receive report.

5. OTHER BUSINESS - Continued

- F. Resolution Approving a Memorandum of Understanding with the Police Captains for the Period July 1, 2008, through June 30, 2011.
Staff recommendation: adopt resolution.

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

6. COUNCIL/STAFF COMMUNICATIONS**7. ADJOURNMENT**

Adjourn to the next Regular Meeting of the City Council to be held on Thursday, October 9, 2008, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.