



## TENTATIVE AGENDA

Regular Meetings of the  
**CAPITOLA CITY COUNCIL/  
REDEVELOPMENT AGENCY**  
Thursday, October 23, 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 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 LEGAL COUNSEL - INITIATION OF LITIGATION BY THE CITY**

(Govt. Code §54956.9c) - One case to be discussed

### **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
2. Approval of RDA Check Register Report.
3. Approval of Changes to the First Time Homebuyer Loan Program Policies and Procedures Manual.

**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, November 13, 2008, 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 \* \* \***

Mayor's Proclamation Designating October 24, 2008  
as "Habitat for Humanity Day" in Recognition of  
20 Years of Service to 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 – None

C. Receive Planning Commission Action Minutes for the Regular Meeting of October 16, 2008.

D. Approval of Changes to the First Time Homebuyer Loan Program Policies and Procedures Manual.

E. Approve Capitola Soquel Chamber of Commerce Request for Suspending Parking Meter Enforcement in the Village from November 28, 2008 through December 26, 2008.

F. Direct Staff to Obtain Proposals for Actuarial Services to Meet Requirements of Governmental Accounting Standards Board (GASB) Statement 45 Reporting for “Other Post-Employment Benefits” (OPEB).

G. Receive Report on Soquel Union Elementary School 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.*

#### 4. PUBLIC HEARINGS

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. Continued Public Hearing regarding Charter Communications Cable Television Service Complaints. Presentation: Assistant to the City Manager. *(To be continued to the City Council Meeting of November 13, 2008)*

#### 5. OTHER BUSINESS

- A. New Homeowner Rehabilitation Manual for CDBG, HOME and CalHOME Funding. Staff recommendation: adopt resolution Approving New Homeowner Rehabilitation Manual and Authorizing the Community Development Director to Revise the Manual as required to meet changes in Federal and State Regulations and to Approve and Execute Loans under the Program.
- B. NPDES Storm Water Management Plan. Staff recommendation: approve a revised joint Storm Water Management Plan for the City of Capitola in Partnership with the County of Santa Cruz and authorize the Director of Public Works to file the Plan with the Central Coast Regional Water Quality Control Board.
- C. 41<sup>st</sup> Avenue Overcrossing Improvement Project Change Order. Staff recommendation: Receive additional information to be presented by Public Works Director and consider authorizing the City Manager to approve a Contract Change Order with Monterey Peninsula Engineering in an amount to be determined.

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, November 13, 2008, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.