



## AGENDA COVER

### CAPITOLA CITY COUNCIL/ REDEVELOPMENT AGENCY MEETING DATE: TUESDAY, NOVEMBER 25, 2008

CITY COUNCIL CHAMBERS: 420 CAPITOLA AVENUE, CAPITOLA

**CLOSED SESSION**  
**REDEVELOPMENT AGENCY MEETING**  
**REGULAR COUNCIL MEETING**

**6:00 P.M.**

**6:55 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*  
*Jamie Goldstein,*  
*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 Hall Council Chambers located at 420 Capitola Avenue, Capitola.

**Notice regarding Redevelopment Agency Meetings:** Redevelopment Agency meetings are held on the 2nd and 4th Thursday of each month commencing between 6 p.m. and 7 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 the 2<sup>nd</sup> meeting in November is held on the 4<sup>th</sup> Tuesday, and in December when there is only one regular meeting on the 2<sup>nd</sup> Thursday of the month.

**Agenda and Agenda Packet Materials:** The City Council/Redevelopment Agency Agenda and the complete Agenda Packet are available on the Internet at the City's website: [www.ci.capitola.ca.us](http://www.ci.capitola.ca.us). Agendas are also available at the Capitola Post Office located at 826 Bay Avenue, Capitola.

**Agenda Document Review:** The complete agenda packet 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 at 831-475-7300.

**Agenda Materials Distributed after Distribution of the Agenda Packet:** Pursuant to Government Code §54957.5, materials related to an agenda item submitted after distribution of the agenda packet are available for public inspection at the Reception Office at City Hall, 420 Capitola Avenue, Capitola, California, during normal business hours.

**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). Meetings can also be viewed from the City's website: [www.ci.capitola.ca.us](http://www.ci.capitola.ca.us).



## TENTATIVE AGENDA

Regular Meetings of the  
**CAPITOLA CITY COUNCIL/  
REDEVELOPMENT AGENCY**  
Tuesday, November 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.

#### **CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Govt. Code §54956.8)**

Property: Rispin Mansion Property, 2000 & 2005 Wharf Road  
APN 035-371-01 & 02  
Agency/City Negotiator: Rich Hill, City Manager/RDA Executive Director  
Negotiating parties: Rispin Partners LLC, City of Capitola, and City of Capitola  
Redevelopment Agency  
Under Negotiation: Lease and Development Agreement

#### **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Govt. Code §54956.9a)** Vieira Enterprises vs. City of Capitola (Cabrillo Mobile Estates)

### **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 November 13, 2008.
2. Approval of RDA Check Register Report.
3. Receipt of RDA Treasurer's Report for the Quarter Ended September 30, 2008 (Unaudited).

**C. CONSENT CALENDAR - Continued**

4. Authorize an Agreement with McDonough, Holland & Allen for Legal Services to the Capitola Redevelopment Agency for FY 2008-2009 in an amount not to exceed \$10,000.

**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, December 11, 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 \* \* \***

Certificates of Appreciation to  
 Randy Watts for Donation of \$1,600 to the  
 Capitola Public Safety & Community Service Foundation  
 for the Police Department Canine Program  
 and to  
 Explorer Shane Presco for his efforts in  
 raising over \$2,100 for Canine Vests

**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.**

**2. ORAL COMMUNICATIONS - Continued****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 November 20, 2008.
- D. Receive California Public Employees Retirement System Annual Actuarial Valuation Report for June 30, 2007.
- E. Approve Agreement with The Active Network, Inc., for Capitola Recreation Department Credit Card Transaction Processing and Management Programming for a minimum amount of \$10,000 per year, and an additional \$2,800 in the first year for training.
- F. Adopt Resolution Amending the City's Fee Schedule by Increasing Various Recreation Department Fees.

**4. PUBLIC HEARINGS – None****5. OTHER BUSINESS**

- A. Reconsideration of Tiki Statue Public Art Donation. Staff recommendation: receive the Art & Cultural Commission's recommendation to accept the Public Art Donation of a Tiki Statue to be placed in Esplanade Park and authorize execution of a Sculpture Donation Agreement.
- B. Update by the City Clerk regarding the Results of the City's General Municipal Election held November 4, 2008. Staff recommendation: receive update and, if necessary, reschedule the Special Meeting of December 2, 2008, for reciting the Election Results.

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

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

Adjourn to a Special Meeting of the City Council to recite the Capitola Election Results to be held on Tuesday, December 2, 2008, at 6:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.