



TENTATIVE AGENDA

Regular Meetings of the
**CAPITOLA CITY COUNCIL/
REDEVELOPMENT AGENCY**
Wednesday, February 11, 2009

5:00 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 REAL PROPERTY NEGOTIATOR (Govt. Code §54956.8)

Property: McGregor Property, APN 36-341-02 (City of Capitola,
Owner)
City Negotiator: City Manager for Lessor
Negotiating Parties: Patti Boe
Under Negotiation: Lease/Purchase Negotiation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Govt. Code §54956.9a)

Surf and Sand, LLC vs. City of Capitola
Soquel Union Elementary School District vs. City of Capitola

CONFERENCE WITH LABOR NEGOTIATOR (Govt. Code §54957.6)

Negotiator: Rich Hill, City Manager
Employee Organizations: Association of Capitola Employees, Capitola Police
Captains, Capitola Police Officers Association, Confidential Employees, Mid-
Management Group, Building Official, Chief of Police, City Manager, Finance
Director, Community Development Director, and Public Works Director

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Govt. Code §54957)

Title: City Manager

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6:50 P.M. - CAPITOLA REDEVELOPMENT AGENCY**A. ROLL CALL**

Directors Graves, Storey, Nicol, Norton, and Chairperson Begun

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 Meetings of January 8 and January 22, 2009
2. Approval of RDA Check Register Report
3. Receive Treasurer's Report for the Quarter Ended December 31, 2008 (Unaudited).

D. PUBLIC HEARINGS – None**E. REGULAR BUSINESS**

1. Rispin Mansion Project: I-Bank Loan Preliminary Application. Staff recommendation: approve the submittal of the preliminary application for an I-Bank loan.

F. ADJOURNMENT

Adjourn to a Regular Meeting of the Capitola Redevelopment Agency to be held on Thursday, February 26, 2009, 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 Graves, Storey, Nicol, Norton, and Mayor Begun

*** * * PRESENTATIONS * * ***

Capitola Police Department Awards:

Medals of Merit presented to Police Officers
Guillermo Vazquez and Christian Thompson

Chief's Certificate of Commendation presented to
Community Service Officer Tony Mendoza

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.

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 Meetings of January 8 and January 22, 2009, the Adjourned Regular Meeting of January 23, 2009, and the Special Goal Setting Session of January 28, 2009.
- C. Receive Planning Commission Action Minutes for the Regular Meeting of February 5, 2009.
- D. Receive Memo from Community Development Department regarding the Planning Commission and Architectural & Site Review Committee Meeting Schedule.
- E. Approve Special Event Permit Request by the Capitola Art & Cultural Commission for the 2009 Twilight Concert Series at the Bandstand in Esplanade Park on 11 Wednesday Evenings from June 24 to September 2, 2009, and the Hanging of a Banner prior to each Concert.
- F. Approve Engineering Contract with Harris & Associates in the amount of \$77,000 for the 2008-2009 Street Resurfacing Project.
- G. Accept Treasurer's Report for the Month Ended December 31, 2008 (Unaudited).
- H. Adopt Resolutions for the Installation of Stop Signs on Pilgrim Drive at the Intersection of Burlingame Avenue and Beulah Drive and on McCormick Avenue at the Intersection of Washburn Avenue.
- I. Adopt Resolution Repealing Resolution No. 3099 and Setting a Per Meeting Salary for Planning Commissioners and Public Professional Members on the Architectural and Site Review Committee.
- J. Accept the Quarterly Departmental Financial Report for the Second Quarter Ending December 31, 2008.

3. CONSENT CALENDAR - Continued

- K. Adopt Resolution Amending Resolution No. 3697 Pertaining to Parking Penalties to Reflect the January 1, 2009, State Mandated \$3.00 Surcharge for Certain Parking Violations.
- L. Adopt Resolution Amending the City's Fee Schedule Resolution No. 3703 by Increasing Existing Fees for Recreation Services.

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. Continued Public Hearing regarding Coastal Development Permit Application #09-002 and Proposed Ordinance Amending Capitola Municipal Code Section 10.36.055 to Split Parking Meter Zone A into Two Zones and to Set Parking Meter Rates for All Zones. [1st Reading] Presentation: Public Works Director.

5. OTHER BUSINESS

- A. Formation of a Special Cable Television Review Committee to Review the Charter Communications Cable System Performance and Quality of Service. Staff recommendation: authorize the formation of a special cable television review committee.
- B. Cost Analysis for the Installation of a Modular Office Building at Pacific Cove Mobile Home Park. Staff recommendation: Council direction.
- C. Schedule a Joint Meeting of the City Council and Planning Commission. Staff recommendation: Set date and time for a Special Joint Meeting with the Planning Commission.

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

6. COUNCIL/STAFF COMMUNICATIONS

7. ADJOURNMENT

Adjourn to a Regular Meeting of the City Council to be held on Thursday, February 26, 2009, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.