



TENTATIVE AGENDA

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

Thursday, April 9, 2009

5:30 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)

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

LIABILITY CLAIMS (Govt. Code §54956.95)

Claimant: Jake Ingram

PERFORMANCE EVALUATION (Govt. Code §54957)

Title: City Attorney

6:55 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.

C. CONSENT CALENDAR - Continued

- 1. Approval of RDA Minutes – Special Joint Closed Session Meeting of the Capitola City Council/Redevelopment Agency of March 24, 2009, and the Regular Meeting of March 26, 2009
- 2. Approval of RDA Check Register Report

D. PUBLIC HEARINGS – None

E. REGULAR BUSINESS

- 1. Appointment of Redevelopment Agency Treasurer. Staff recommendation: Director appointment or direction to staff to continue recruitment.

F. ADJOURNMENT

Adjourn to a Regular Meeting of the Capitola Redevelopment Agency to be held on Thursday, April 23, 2009, 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 Graves, Storey, Nicol, Norton, and Mayor Begun

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 – Minutes of the Special Joint Closed Session Meeting of the Capitola City Council/Redevelopment Agency of March 24, 2009.

C. Receive Planning Commission Action Minutes for the Regular Meeting of April 2, 2009.

D. Adopt Resolution Authorizing Submittal of Local Coastal Program Amendments to the City’s Local Coastal Program for Parking Meter Zones/Rates (Capitola Municipal Code Section 10.36.055) to the California Coastal Commission for Certification.

E. Deny Claim of Jake Ingram in the amount of \$5,000 and Forward the Claim to the City’s Liability Insurance Carrier.

F. Authorize the City to Apply for and Receive COPS Hiring Grant Funds in the Amount of \$200,000 over 3 Years.

3. CONSENT CALENDAR – Continued

- G. Authorize the City to Submit Funding Request Application for the Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) in the Amount of \$34,233.
- H. Adopt Resolution Supporting California Assembly Joint Resolution 51 and Opposing Lifting of the Offshore Oil Drilling Moratorium on the California Outer Continental Shelf.

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 to Consider Amendments to Capitola Municipal Code Title 17 and Title 18 and to the Local Coastal Program: 1) Amend Chapter 17.27 to Allow Mixed-Use Residential Development as a Conditional Use in the Community Commercial (CC) Zoning District; and 2) Add Chapter 18.03 Pertaining to Residential Density Bonus to Allow for a Range of Greater Residential Densities in Exchange for Levels of Affordability. [1st Readings] Presentation: Community Development Department.

5. OTHER BUSINESS

- A. Annual Report of the Capitola Art & Cultural Commission. Staff recommendation: receive report.
- B. Ordinance Amending Sections 8.36.020, 8.36.030, 8.36.040, 8.36.050, and 8.36.070 of the Capitola Municipal Code pertaining to the Use of Polystyrene Foam and Biodegradable and Compostable Disposable Food Service Ware [1st Reading]. Staff recommendation: adopt ordinance.
- C. Coast Guard Ship Visit to Capitola during the City’s 60th Birthday Celebration Year. Staff recommendation: Council direction.

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, April 23, 2009, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.