



TENTATIVE AGENDA

Regular Meetings of the
**CAPITOLA CITY COUNCIL/
REDEVELOPMENT AGENCY**
Thursday, May 28, 2009

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)

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

PERFORMANCE EVALUATION (Govt. Code §54957)

Title: City Manager

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.

C. CONSENT CALENDAR - Continued

- 1. Approval of RDA Minutes – The Joint Special Meeting of the City Council/Redevelopment Agency of May 7, 2009, and the Regular Meeting of the Redevelopment Agency of May 14, 2009.
- 2. Approval of RDA Check Register Report.
- 3. Approval of Professional Services Agreement with Teaman, Ramirez & Smith for RDA Auditing Services for Fiscal Years 2009-10 and 2010-11 for \$5,800 Per Year.

D. PUBLIC HEARINGS – None

E. REGULAR BUSINESS

- 1. Rispin Amendments to the Lease and Development Agreement (LDA). Staff recommendation: provide direction to staff.
- 2. Request from the Santa Cruz County Conference and Visitors Council for Funding in the Amount of \$5,000 for a Conversion Study and a Visitor Intercept Survey. Staff recommendation: provide direction.

F. ADJOURNMENT

Adjourn to a Regular Meeting of the Capitola Redevelopment Agency to be held on Thursday, June 11, 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

*** * * PRESENTATIONS * * ***

Proclamation Declaring May as
Elder and Dependent Adult Abuse Prevention Month

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

- *Presentations will be limited to THREE MINUTES per speaker*
- *Individuals may not speak more than once during Oral Communications*
- *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.

- 1) Mayor Begun's At Large Member Appointment to the Capitola Traffic and Parking Commission.

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.

3. CONSENT CALENDAR - Continued

- B. Approve City Council Minutes – The Regular Meeting of April 23, 2009, and the Joint Special Meeting of the City Council/Redevelopment Agency of May 7, 2009.
- C. Confirmation of the City's Investment Policy (Administrative Policy #III-1).
- D. Adopt Resolution Setting the 2009/2010 Fiscal Year Appropriations Limit Pursuant to Article XIII B of the California Constitution.
- E. Approve Three-Year Agreement with Clean Building Maintenance for Janitorial Services in an amount not to exceed \$42,504 per Year.
- F. Approval of a Three-Year Sole Source Contract with D.W. Alley and Associates for Fish and Wildlife Monitoring of Soquel Creek.
- G. Adopt Ordinance Amending the Zoning Map of the Zoning Ordinance of the Capitola Municipal Code for a .95 Acre site located at 1911 42nd Avenue, Assessor's Parcel Number 034-201-33 by way of Rezoning this Property from the RM-M "Multiple-Family Residence: Medium" District to the PD "Planned Development" District (2nd Reading).
- H. Approval of Professional Services Agreement with Teaman, Ramirez & Smith for City Auditing Services for Fiscal Years 2009-10 and 2010-11 for \$25,400 and \$25,500, respectively.
- I. Approve Purchase of One Police Patrol Vehicle from Downtown Ford Sacramento with Included Police Equipment Package in the amount of \$30,278.02 and Authorize Expenditure of \$30,278.02 from the General Fund Vehicle Replacement Budget.
- J. Approve 1st Amendment to Professional Services Agreement with Ariana Green in the amount of \$5,000 to assist with the City's Housing Element Update.

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 the Levy of Capitola Village & Wharf Business Improvement Area Assessments for Fiscal Year 2009/2010. Presentation: CVWBIA Executive Directors.
- B. Public Hearing to Consider an Ordinance Adding Chapter 17.20 to Title 17 of the Capitola Municipal Code Pertaining to an Affordable Housing Overlay (AHO) District and to Amend the City Zoning Map and General Plan to Apply the Affordable Housing Overlay to Assessor Parcel Numbers 034-124-20, 034-124-21 (Capitola Gardens Site), 036-151-15 (600 Park Avenue Site), and to 036-341-02 (City-Owned McGregor Drive Site). Presentation: Community Development Department.
- C. Public Hearing to Accept California Coastal Commission Amendments to Update the City’s Local Coastal Program. Presentation: Community Development Department. Staff recommendation: CONTINUE TO THE JUNE 11, 2009, MEETING.

5. OTHER BUSINESS

- A. Update Report on the Implementation of the City’s Green Building Regulations, Municipal Code Chapter 17.10. Staff recommendation: accept update report.
- B. Community Development Block Grant (CDBG) Economic Development Planning and Technical Assistance 2009 Grant Applications. Staff recommendation: direct staff to return with two applications for CDBG PTA Grants at the meeting of June 11, 2009.

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, June 11, 2009, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.