



TENTATIVE AGENDA

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

Thursday, June 11, 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: The Rispin 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 vs. City of Capitola
Soquel Union Elementary School District vs. City of Capitola
Vieira Enterprises vs. City of Capitola (Cabrillo Mobile Estates)

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.

1. Approval of RDA Minutes – The Special Joint Budget Study Sessions of the City Council/Redevelopment Agency of May 13 and May 21, 2009.

C. CONSENT CALENDAR - Continued

2. Approval of RDA Check Register Report
3. Receive Treasurer's Report for the Quarter Ended March 31, 2009 (Unaudited).

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

1. Adoption of the Final 2009/2010 Fiscal Year Redevelopment Agency Budget. Staff recommendation: 1) Adopt Agency Resolution Adopting the 2009/10 Fiscal Year Budget; and 2) Adopt Agency Resolution Making a Determination regarding the Planning and Administration Expenditures of the Low and Moderate Income Housing Fund for Fiscal Year 2009/10.

F. ADJOURNMENT

Adjourn to the next Regular Meeting of the Capitola Redevelopment Agency to be held on Thursday, June 25, 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

- *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.

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 – The Special Joint Budget Study Sessions of the City Council/Redevelopment Agency of May 13 and May 21, 2009, and the Regular Meeting of May 14, 2009.
- C. Receive the Planning Commission Action Minutes for the Regular Meeting of June 4, 2009
- D. Receive the City Treasurer's Report for the Month Ended April 30, 2009 (Unaudited).
- E. Approve Request by Wharf to Wharf Race, Incorporated, for a Special Event Permit, Entertainment Permit, Encroachment Permit, and Sign Permit for the 37th Annual Wharf to Wharf Foot Race to be held on Sunday, July 26, 2009, and Request for a Grant of all Permits, Police and Public Works Fees in the amount of \$8,855.

3. CONSENT CALENDAR - Continued

- F. Accept the 2008 Slurry Seal Program as Complete at a Final Cost of \$132,520.25 and Authorize the Release of the Contract Retention of \$13,252.03 in 35 days following the recordation of the Notice of Completion.

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 Accept the California Coastal Commission Approval of Amendments to the Capitola Local Coastal Program related to the City's Village Valet Parking Program, Beach Shuttle, and McGregor Drive Parking Lot. Staff recommendation: adopt Resolution Accepting Coastal Commission Modifications and an Ordinance Rescinding Ordinance No. 910 and Amending/Adding Various Sections of Capitola Municipal Code Title 17. Presentation: Community Development Department.
- B. Public Hearing to Consider a Resolution Amending the City's Fee Schedule to Increase Various City Fees by the Consumer Price Index or by Actual Cost of Service and to Add New Fees Under Planning Department Fees. Presentation: City Manager's Department.
- C. Public Hearing to Consider Applications to State of California Community Development Block Grant (CDBG) Program for Two Planning and Technical Assistance Grants of \$35,000 each, and Adopt Resolutions Approving Applications for the Strategic Re-Visioning Plan for the 41st Avenue/Capitola Mall Area and the Green Economy/Carbon Footprint Study. Presentation: Community Development Department.

5. OTHER BUSINESS

- A. Adoption of the Final 2009/2010 Fiscal Year City Budget. Staff recommendation: 1) provide further budget direction; and 2) adopt proposed Resolution Adopting the 2009/10 Fiscal Year City Budget.
- B. Set Public Hearing Date to Consider Request from the Residents of Pacific Cove Mobile Home Park to Purchase the Site from the City. Staff recommendation: set date for hearing.
- C. Emergency Fiscal Assessment and Response Plan. Staff recommendation: accept the Emergency Fiscal Assessment and Response Plan.
- D. Nomination of Supervisor Mark Stone to the California Coastal Commission, Central Coast Region. Staff recommendation: take action as appropriate.

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 be held on Thursday, June 18, 2009, at 6:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.