



TENTATIVE AGENDA

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

Thursday, July 23, 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
Save the Habitat vs. City of Capitola (Rispin Mansion Project)

PERFORMANCE EVALUATION (Govt. Code §54957)

Title: City Manager

6:45 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 June 25 and July 9, 2009
2. Approval of RDA Check Register Report

CAPITOLA REDEVELOPMENT AGENCY – Continued

- 3. Approve Contract with Carolyn Flynn for an Amount not to Exceed \$35,000 for Fiscal Year 2009-2010 for Professional Services related to Administration of the Redevelopment Agency Affordable Housing Programs and Economic Development Projects.
- 4. Adopt Agency Resolution Amending the Fiscal Year 2008-2009 Operating Budget by Transferring \$45,600 from Redevelopment Agency Fund Balance to the Redevelopment Agency Operating Budget and Increasing Expenditures in the Professional Services Budget by \$45,600 for Save the Habitat Settlement Costs.

D. PUBLIC HEARINGS – None

E. REGULAR BUSINESS

- 1. Report on the Rispin Mansion Fire Investigation. Staff recommendation: receive report.

F. ADJOURNMENT

Adjourn to the next Regular Meeting of the Capitola Redevelopment Agency to be held on Thursday, August 13, 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 * * ***

Recognition of Excellence to the
Capitola Finance Department Staff for Outstanding Service

- Linda Benko, Account Clerk
- Helen Marchese, Account Clerk
- Denice Pearson, Account Technician
- Lisa Saldana, Supervising Accountant
- Lonnie Wagner, Accountant II

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) Appointment of Christine Buechting as the Business Representative to the Finance Advisory Committee.

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 Special Meeting of the City Council of June 18, 2009, and the Regular Meetings of the City Council of June 25 and July 9, 2009.
- C. Receive Planning Commission Action Minutes for the Special Meetings of July 8 and July 16, 2009.
- D. Approve Request for Minor Special Event Permit, including Encroachment Permit for a Tie-Dye Event to be Held in Esplanade Park on Saturday, August 1, 2009; and Deny Applicant, Raina Snyder, the Grant Request for Permit Fees in the Amount of \$110.00.
- E. Approve Request for Special Event Permit including Encroachment Permit, Entertainment Permit and Sign Permit to Hang Banner for the 57th Annual Capitola Begonia Festival to be held Friday, September 4, 2009 through Monday, September 7, 2009; Authorize the Capitola Police Department to Issue Permits; and Provide the Capitola Begonia Festival Committee with a Grant in the Amount of \$6,108.00.
- F. Approve Request for Special Event Permit, Encroachment Permit and Entertainment Permit by the Capitola-Soquel Chamber of Commerce for the 27th Annual Art and Wine Festival in Capitola Village and Live Music in Esplanade Park on Saturday and Sunday, September 12 and 13, 2009; and Approve Grant for Permits and Police and Public Works Department Fees in the Amount of \$1,618.00.
- G. Adopt Resolution Amending FY 2009-10 Budget Authorizing Acceptance of an Office of Homeland Security – Commercial Equipment Direct Assistance Program (CEDAP) Grant, Consisting of a Bullard TacSight SE35 Thermal Imager with a Value of \$15,000.
- H. Adopt Resolution Amending the General Fund Fiscal Year 2009-10 Operating Budget to Accept FY 09 Recovery Act Edward Byrne Memorial Justice Assistance Grant Funds in the Amount of \$34,233 and Authorizing Budget Expenditures of \$34,233 for Radio Infrastructure Improvements.

3. CONSENT CALENDAR - Continued

- I. Approve Contract with Carolyn Flynn for an Amount not to Exceed \$16,550 for Fiscal Year 2009-2010 for Assistance with the City's Economic Development Community Development Block Grant (CDBG) Planning and Technical Assistance Grants and Overall Administration of the City's CDBG Program.
- J. Adopt Ordinance Adding Chapter 17.20 to Title 17 of the Capitola Municipal Code Pertaining to an Affordable Housing Overlay (AHO) District [2nd Reading]; and Adopt Resolution Authorizing Submittal to the California Coastal Commission for the Certification of Amendments to the Local Coastal Program to Create an Affordable Housing Overlay District and Modification of the Community Commercial Zoning District to Allow Mixed-Use.
- K. 750 47th Avenue – Project Application #09-011 - Set Public Hearing for the City Council Meeting of August 13, 2009, to Consider an Appeal of a Coastal Development Permit and the Sufficiency of a Relocation Impact Report for the Closure of Surf and Sand Mobile Home Park in the MHE (Mobile Home Exclusive) Zoning District and Located in the Coastal Zone.

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 a Request by the Pacific Cove Mobile Home Park Homeowner's Association to Purchase Pacific Cove Mobile Home Park from the City. Presentation: Community Development Department

5. OTHER BUSINESS

- A. General Plan Update: Work Plan and Authorization to Issue Request for Proposals. Staff recommendation: Accept the General Plan Update Work Plan, authorize staff to issue Request for Proposals, and authorize the creation and recruitment of a 2-year “General Plan Coordinator” staff position.

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

6. COUNCIL/STAFF COMMUNICATIONS

7. ADJOURNMENT

Adjourn to the next Regular Meeting of the City Council to be held on Thursday, August 13, 2009, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.