



## AGENDA COVER

### CAPITOLA CITY COUNCIL/ REDEVELOPMENT AGENCY MEETING DATE: THURSDAY, SEPTEMBER 24, 2009

CITY COUNCIL CHAMBERS: 420 CAPITOLA AVENUE, CAPITOLA

**CLOSED SESSION**  
**REDEVELOPMENT AGENCY MEETING**  
**REGULAR COUNCIL MEETING**

**6:00 P.M.**  
**6:55 P.M.**  
*Immediately following RDA Meeting*

#### *Elected Officials*

*Robert "Bob" Begun, Mayor*  
*Sam Storey, Vice Mayor*  
*Kirby Nicol, Council Member*  
*Ron Graves, Council Member*  
*Dennis Norton, Council Member*  
  
*Jacques Bertrand, City Treasurer*

#### *City Staff Members*

*Rich Hill, City Manager*  
*John G. Barisone, City Attorney*  
*Pamela Greeninger, City Clerk*  
*Steven Jesberg, Public Works Director*  
*Richard Ehle, Interim Chief of Police*  
*Jamie Goldstein,*  
*Community Development Director*

**Notice regarding City Council Meetings:** The City Council meets regularly on the 2nd and 4th Thursday of each month immediately following the Redevelopment Agency Meeting, at approximately 7:00 p.m., in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

**Notice regarding Redevelopment Agency Meetings:** Redevelopment Agency meetings are held on the 2nd and 4th Thursday of each month commencing between 6 p.m. and 7 p.m. The exact time of commencement will be determined by the Executive Director (based upon his/her estimate of time required) and shall be set forth in the notice of meeting posted at the place of meeting in accordance with Govt. Code §54954.2(a). Exceptions are the 2<sup>nd</sup> meeting in November is held on the 4<sup>th</sup> Tuesday, and in December when there is only one regular meeting on the 2<sup>nd</sup> Thursday of the month.

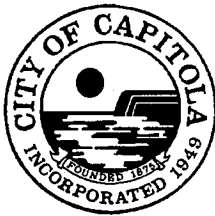
**Agenda and Agenda Packet Materials:** The City Council/Redevelopment Agency Agenda and the complete Agenda Packet are available on the Internet at the City's website: [www.ci.capitola.ca.us](http://www.ci.capitola.ca.us). Agendas are also available at the Capitola Post Office located at 826 Bay Avenue, Capitola.

**Agenda Document Review:** The complete agenda packet is available at City Hall and at the Capitola Branch Library, 2005 Wharf Road, Capitola, on the Monday prior to the Thursday meeting. Need more information? Contact the City Clerk's office at 831-475-7300.

**Agenda Materials Distributed after Distribution of the Agenda Packet:** Pursuant to Government Code §54957.5, materials related to an agenda item submitted after distribution of the agenda packet are available for public inspection at the Reception Office at City Hall, 420 Capitola Avenue, Capitola, California, during normal business hours.

**Americans with Disabilities Act:** Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the City Clerk's office at least 24 hours in advance of the meeting at (831) 475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

**Televised Meetings:** City Council/Redevelopment Agency meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be replayed at 12:00 Noon on the Saturday following the meetings on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25). Meetings can also be viewed from the City's website: [www.ci.capitola.ca.us](http://www.ci.capitola.ca.us).



## TENTATIVE AGENDA

Regular Meetings of the  
**CAPITOLA CITY COUNCIL/  
REDEVELOPMENT AGENCY**  
Thursday, September 24, 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 REAL PROPERTY NEGOTIATOR (Govt. Code §54956.8)**

Property: 4140 Jade Street, APN 034-641-08  
City Negotiator: Rich Hill, City Manager  
Owner: John and Karen Huffman  
Under Negotiation: Purchase of Property by City

#### **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)  
Soquel Union Elementary School District vs. City of Capitola

### **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.*

**CAPITOLA REDEVELOPMENT AGENCY – Continued**

1. Approval of RDA Minutes – Regular Meeting of September 10, 2009.
2. Approval of RDA Check Register Report

**D. PUBLIC HEARINGS – None**

**E. REGULAR BUSINESS - None**

**F. ADJOURNMENT**

Adjourn to the next Regular Meeting of the Capitola Redevelopment Agency to be held on Thursday, October 8, 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

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

**2. ORAL COMMUNICATIONS (Continued)****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 – Special Meeting of August 27, 2009, and the Regular Meeting of September 10, 2009.
- C. Request by Steve Westin for a Minor Special Event Permit, Entertainment Permit, and Encroachment Permit for a Block Party on Gilroy Drive, between Beverly Drive and Center Street, on Saturday, October 3, 2009, from 4:00 to 7:00 p.m., and Request for a Grant of all Permit Fees.
- D. Adopt Resolution Authorizing Participation in the Housing Authority of Santa Cruz County's Application to the State of California Debt Allocation Committee for an Allocation of Mortgage Credit Certificates.

**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 Amending the City's Fee Schedule Resolution No. 3756 to Correct the General Plan Maintenance Fee under Planning Department Fees. Presentation: City Manager's Department. *(Continued from the September 10, 2009 meeting.)*

**5. OTHER BUSINESS**

- A. FY 2009/2010 Budget Status Report and Amendments. Staff recommendation: Adopt Resolution Amending the FY2009/2010 City Fund Budgets.
- B. Presentation of the "41<sup>st</sup> Avenue Corridor Economic Development/ Mixed-Use Revitalization Study." Staff recommendation: Accept the CDBG-funded 41<sup>st</sup> Avenue Corridor Economic Development/ Mixed-Use Revitalization Study.

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, October 8, 2009, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.