



AGENDA COVER

CAPITOLA CITY COUNCIL/ REDEVELOPMENT AGENCY MEETING DATE: THURSDAY, NOVEMBER 12, 2009

CITY COUNCIL CHAMBERS: 420 CAPITOLA AVENUE, CAPITOLA

CLOSED SESSION
REDEVELOPMENT AGENCY MEETING
REGULAR COUNCIL MEETING

5:45 P.M.

6:40 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 2nd meeting in November is held on the 4th Tuesday, and in December when there is only one regular meeting on the 2nd 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. 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.



TENTATIVE AGENDA

Regular Meetings of the
**CAPITOLA CITY COUNCIL/
REDEVELOPMENT AGENCY**
Thursday, November 12, 2009

5:45 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: 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
Vieira Enterprises vs. City of Capitola (Cabrillo Mobile Estates)
Los Altos/El Granada Investors vs. City of Capitola (Castle Mobile Estates)
Save the Habitat vs. City of Capitola (Rispin Mansion Project)

CONFERENCE WITH LABOR NEGOTIATOR (Govt. Code §54957.6)

Negotiator: Lisa Murphy, Assistant to the City Manager
Employee Organizations: Association of Capitola Employees, Confidential Employees,
Mid-Management Group, City Manager, Community Development Director, and
Public Works Director

LIABILITY CLAIMS (Govt. Code §54956.95)

Claimant: Julie Talbert

6:40 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.

CAPITOLA REDEVELOPMENT AGENCY – Continued**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 October 8 and October 22, 2009, and the Special Joint Closed Session Meeting of the City Council/Redevelopment Agency of October 30, 2009
2. Approval of RDA Check Register Report

D. 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) Director Comments; 4) Close public portion of the Hearing; 5) Director discussion; and 6) Decision.

1. Public Hearing to Consider Adoption of an Agency Resolution Approving and Adopting the 2010-2014 Implementation Plan and 2004-2014 Housing Strategy Update for the Capitola Redevelopment Project. Staff recommendation: Adopt Resolution. Presentation: Community Development Department.
2. Continued Joint Public Hearing of the City Council/Redevelopment Agency to Consider Options for a Site/Location for a Future 7,000 Square Foot Library Building. Presentation: City Manager's Department. [Note: This Continued Joint Public Hearing with the City Council will take place under Public Hearing Item 4.A. on the City Council's Agenda.]

E. REGULAR BUSINESS – None**F. ADJOURNMENT**

Adjourn to a Continued Joint Public Hearing with the City Council under Public Hearing Item 4.A. on the City Council's November 12, 2009, Regular Meeting Agenda, and then to the next Regular Meeting of the Capitola Redevelopment Agency to be held on **Tuesday**, November 24, 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.

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.

- 1) Receive Status Report from the Capitola Traffic and Parking Commission.

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 Regular Meetings of October 8 and October 22, 2009, the Special Closed Session Meeting of October 15, 2009, and the Special Joint Closed Session Meeting of the City Council/Redevelopment Agency of October 30, 2009.
- C. Receive Planning Commission Action Minutes for the Regular Meeting of November 5, 2009.
- D. Deny Claim of Julie Talbert in Excess of \$2,500 and Forward the Claim to the City's Liability Insurance Carrier.
- E. Adopt Resolution Authorizing Staff to Submit a Bicycle Transportation Account (BTA) Grant Application for the Purchase and Installation of Video Bicycle Sensor Systems at Eight Signalized Intersections and Agree to Provide Funds in the Amount of \$38,000 to be used as the local match for the BTA Grant.
- F. Approve Request from the Capitola Soquel Chamber of Commerce for the Suspension of Parking Meter Enforcement in Capitola Village from Friday, November 27, 2009 through Saturday, December 26, 2009.
- G. Adopt Resolution Authorizing the City Manager to Sign a Master Agreement Administering Agency-State Agreement for Federal-Aid Projects, Agreement No. 05-SCR-0-CPTL, on Behalf of the City for a Safe Routes to School Grant.

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.

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**JOINT PUBLIC HEARING OF THE CITY COUNCIL/
REDEVELOPMENT AGENCY**

- A. Continued Joint Public Hearing of the City Council/Redevelopment Agency to Consider Options for a Site/Location for a Future 7,000 Square Foot Library Building. Presentation: City Manager's Department. *[Note: The Public Portion of this hearing has been closed.]*

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- B. Public Hearing to Consider Adopting an Information Technology Fee and Amending Resolution No. 3756, the City's Fee Schedule, by Adding an Information Technology Fee in the Amount of 5% to All Applicable Community Development, Building and Public Works Permits. Presentation: Building Department.

5. OTHER BUSINESS

- A. Pacific Cove Mobile Home Park Rent Increase. Staff recommendation: Authorize Staff to Begin the Process to Increase Space Rents at the Pacific Cove Mobile Home Park for Owners who are Considered to be Part-time Residents and Therefore are Exempt from Rent Control.
- B. Striping and Signing of Southbound Bike Lane on Monterey Avenue. Staff recommendation: Approve Installation of Striping and Signage to Create a Bike Lane on the Southbound Portion of Monterey Avenue between Washburn and Bay Avenue between 2:00 p.m. and 4:00 p.m. when New Brighton School is in Session.

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 **Tuesday**, November 24, 2009, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.