



AGENDA COVER

CAPITOLA CITY COUNCIL/ REDEVELOPMENT AGENCY MEETING DATE: THURSDAY, DECEMBER 10, 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 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, December 10, 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 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)

CONFERENCE WITH LABOR NEGOTIATOR (Govt. Code §54957.6)

Negotiator: Rich Hill, City Manager
Employee Organizations: Association of Capitola Employees, Confidential Employees,
Mid-Management Group, City Manager, Community Development Director, and
Public Works Director

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Govt. Code §54956.8)

Property: 2091 Wharf Road, APN 034-241-05
City Negotiator: Rich Hill, City Manager
Owner: Joseph K. and Debbie A. Genge
Under Negotiation: Purchase of Property by City

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.

1. Approval of RDA Minutes – Minutes of the Regular Meeting of November 12, 2009
2. Approval of RDA Check Register Report
3. Receive RDA Treasurer's Report for the Quarter Ended September 30, 2009 (Unaudited).

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, January 14, 2010, 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.

- 1) City Council Appointments/Reappointments to the Art & Cultural Commission. Staff recommendation: Appointment of (1) Arts Professional Member, (1) Artist or Arts Organization Representative, and (2) At Large Members.

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 Meeting of November 12, 2009.
- C. Receive Planning Commission Action Minutes for the Regular Meeting of December 3, 2009.
- D. Set Annual City Goal Setting Session for Wednesday, January 20, 2010, at 6:00 p.m. in the City Hall Council Chambers.
- E. Adopt Resolution Setting Interest Rate for Tenant Security Deposits for 2010 at 0.10% Consistent with the County of Santa Cruz.

3. CONSENT CALENDAR - Continued

- F. Adopt Ordinance Amending Municipal Code Sections 8.38.030 and 8.38.050, and Adding Section 8.38.055 to the Capitola Municipal Code pertaining to Smoking Regulations [2nd Reading].
- G. Adopt Resolution Approving a 0.085% Increase in the Residential and Commercial Garbage Collection and Recycling Rates in Capitola effective January 1, 2010.
- H. Accept the 41st Avenue Reconstruction Project as Complete at a Final Cost of \$355,130.15, and Authorize the Release of the Contract Retention of \$35,512.02 in 35 days following the Recordation of the Notice of Completion.
- I. Approve Professional Services Agreement with Daniel Kostelec for Building Inspection and Plan Review Services to the City of Capitola in the Amount of \$27,500 for FY2009/2010.

4. PUBLIC HEARINGS – None**5. OTHER BUSINESS**

- A. City Council Consideration of Reorganization - Selection of a New Mayor and Vice Mayor. Staff recommendation: City Council determination.
- B. Presentation to Outgoing Mayor Robert “Bob” Begun
- C. Comments from Outgoing Mayor Begun
- D. Comments from New Mayor
- E. Review of City Council Representation on City and County/Multi-County Boards, Commissions, and Committees. Staff recommendation: Council determination/direction regarding representation on the Finance Advisory Committee and the Commission on the Environment, and Nomination of a Council Member to serve on the Monterey Bay Unified Air Pollution Control District Board.

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, January 14, 2010, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Happy Holidays !

*Capitola City Hall Administrative Offices
will be Closed
December 25 through January 1*