



## TENTATIVE AGENDA

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

Thursday, June 10, 2010

#### **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)

Julie Talbert vs. City of Capitola

City of Capitola vs. Soquel Union Elementary School District

C. Lee Horstman vs. City of Capitola Police Department

#### **6:55 P.M. - CAPITOLA REDEVELOPMENT AGENCY**

##### **A. ROLL CALL**

Directors Graves, Norton, Nicol, Begun and Chairperson Storey

##### **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 Session of the Redevelopment Agency/City Council of May 20, 2010.

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, June 24, 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, Norton, Nicol, Begun and Mayor Storey

**\* \* \* PRESENTATIONS \* \* \***

Presentation to Matthew Bray in Recognition of his quick actions  
by Calling 911 which saved his Mother's Life,  
and an Update on Santa Cruz Regional 911 Operations  
by Scotty Douglass  
General Manager of Santa Cruz Regional 911

**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*

- o Presentations will be limited to THREE MINUTES per speaker*
- o Individuals may not speak more than once during Oral Communications*
- o 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.*

**2. ORAL COMMUNICATIONS – Continued****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 Session of the City Council/Redevelopment Agency of May 20, 2010.

C. Receive Planning Commission Action Minutes for the Regular Meeting of June 3, 2010.

D. Adopt Ordinance Changing Title 17 of the Capitola Municipal Code related to the Parking Requirements and Allowed Uses in the CC (Community Commercial) Zoning District, and the Addition of Definitions for “Floor Area Available for Dining” and “Restaurant” [2<sup>nd</sup> Reading].

E. Adopt Ordinance Adding Chapter 1.40 to the Capitola Municipal Code Pertaining to Limitations on Campaign Contributions. [2<sup>nd</sup> Reading].

F. Adopt Resolution Repealing Resolution No. 2968 pertaining to Maximum Contributions to Candidates for Elective Offices.

G. Adopt Resolution Setting the 2010-2011 Appropriation Limit as Required by Article XIIB of the California Constitution.

### 3. **CONSENT CALENDAR** - Continued

- H. Direct the City Manager to Execute Retirement Agreements between the City of Capitola and Darrell Harrison, Police Sergeant, and Sharon Presco, Records Manager.
- I. Approve Employment Agreement with Derek Johnson for the Position of Community Development Director, effective July 11, 2010.
- J. Approve a One-Year Contract with Atchison, Barisone, Condotti & Kovacevich for City Attorney Services in the amount of \$133,560 for Fiscal Year 2010/2011.
- K. Approve Contract with Applied Development Economics for As-Needed Grant Services Relating to the Community Development Block Grant (CDBG) Economic Development Program and Other Economic Development Grant Opportunities.
- L. Declare Police Department Patrol Unit 002, a 2000 Ford Crown Victoria (VIN #2FAFP71W2YX202584) and an Unmarked Police Vehicle, a 1982 Toyota Pickup Truck (VIN #JT4RN485D0058995) as Surplus Property and Allow for the Disposal of Such Equipment.

### 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 become "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 the Levy of Capitola Village & Wharf Business Improvement Area Assessments for Fiscal Year 2010/2011. Staff recommendation: adopt resolution. Presentation: CVWBIA Executive Directors.

**5. OTHER BUSINESS**

- A. Discussion of Capitola Branch Library Hours and Use of Library Volunteers. Staff recommendation: Council direction.

*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, June 24, 2010, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.