



AGENDA COVER

CAPITOLA CITY COUNCIL/ REDEVELOPMENT AGENCY MEETING DATE: THURSDAY, JULY 22, 2010

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

Sam Storey, Mayor
Dennis Norton, Vice Mayor
Robert "Bob" Begun, Council Member
Ron Graves, Council Member
Kirby Nicol, Council Member

Jacques Bertrand, City Treasurer

City Staff Members

Jamie Goldstein, City Manager
John G. Barisone, City Attorney
Pamela Greeninger, City Clerk
Mike Card, Chief of Police
Derek Johnson,
Community Development Director
Steven Jesberg, Public Works 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, July 22, 2010

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 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

6:40 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 Regular Meeting of the Redevelopment Agency of June 24, 2010
2. Approval of RDA Check Register Report

C. CONSENT CALENDAR - Continued

3. Approve Redevelopment Agency Contract with Carolyn Flynn for an Amount not to exceed \$15,000 for Professional Services Related to Administration of the Affordable Housing and Economic Development Projects in FY 2010-2011.

D. PUBLIC HEARINGS - None**E. REGULAR BUSINESS**

1. Authorize Expenditures Necessary to Obtain Permits to Demolish the Rispin Mansion. Staff recommendation: direct staff to initiate environmental review for the demolition of the Rispin Mansion; authorize the expenditure of not more than \$15,000 in Redevelopment Agency funds to obtain permits to demolish the Rispin Mansion; and authorize the expenditure of not more than \$10,000 in Redevelopment Agency funds as a contingency for security measures on the site that may become necessary.

F. ADJOURNMENT

Adjourn to the next Regular Meeting of the Capitola Redevelopment Agency to be held on Thursday, August 12, 2010, 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, Norton, Nicol, Begun and Mayor Storey

***** PRESENTATIONS *****

Introduction of Community Development Director
Derek Johnson

Mayor's Proclamation in Remembrance of Peter Hubback

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.

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 Regular Meeting of June 24, 2010.

3. CONSENT CALENDAR - Continued

- C. Set Public Hearing on Thursday, August 12, 2010, for the Appeal by Raleys/Nob Hill Foods and NexCycle of the Planning Commission's denial of Application #10-038 for a Proposed Amendment to a Master Use Permit for Nob Hill Center located at 809 Bay Avenue to Relocate the Recycling Facilities on the Site located in the CC (Community Commercial) Zoning District. APN 035-021-43. Property Owner: Bay Creek Properties. Representative: Craig French.
- D. Adopt Resolution Amending the FY2009-2010 General Fund Budget in the amount of \$46,000 for the Safe Routes to School Grant, the Housing Trust Fund Budget in the amount of \$20,000 for Wage Compliance Monitoring of the Bay Avenue Senior Apartment Project, and Amending the FY2010-2011 to Correct the Capital Improvement Program (CIP) Fund Revenues and Expenditures by \$250,000 to Reflect New Funding Only.
- E. Adopt Resolution Amending the FY 2010-2011 Budget by Transferring \$9,700 from the Public Art Fund to the Art & Cultural Commission Budget, and increasing the Art & Cultural Commission Material & Supplies Budget by \$9,700.
- F. Approve Contract with Carolyn Flynn for an Amount not to exceed \$13,437 for Professional Services Related to the Community Development Block Grant (CDBG) Program Administration and Implementation of the City's Economic Development Grants.
- G. Accept 2010 Transient Occupancy Tax Audit Report.
- H. Approve Contract with Daniel Kostelec for Building Inspector Services for an Amount not to exceed \$30,000.
- I. Approve Contract with Brian Martin for an Amount not to exceed \$35,000 for FY 2010-2011 for Police Administrative and Consultation Services; and Adopt Resolution Amending the FY 2010-2011 Supplemental Law Enforcement Services Fund (SLESF) Budget by transferring \$35,000 from SLESF Salaries & Benefits to SLESF Contract Services.

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 Receive Information Pertaining to the Installation of SmartMeters in the City of Capitola by PG&E. Presentation: City Manager's Department.

5. OTHER BUSINESS

A. General Plan Update: Review Work Plan and Authorization to Issue Request for Proposals for Consultation Contract. Staff recommendation: authorize staff to issue a Request for Proposals (RFP) for a General Plan Consultation Contract.

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

6. COUNCIL/STAFF COMMUNICATIONS

7. ADJOURNMENT

Adjourn to a Special Closed Session Meeting of the City Council pertaining to Existing Litigation between the City of Capitola vs. Soquel Union Elementary School District to be held on Monday, August 2, 2010, at 5:30 p.m., in the City Manager's Office, and then to a Special Meeting of the City Council pertaining to Pacific Cove Mobile Home Park to be held on Wednesday, August 11, 2010, at 6:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.