



AGENDA COVER

CAPITOLA CITY COUNCIL/ REDEVELOPMENT AGENCY MEETING DATE: THURSDAY, AUGUST 12, 2010

CITY COUNCIL CHAMBERS: 420 CAPITOLA AVENUE, CAPITOLA

CLOSED SESSION
REDEVELOPMENT AGENCY MEETING
REGULAR COUNCIL MEETING

5:15 P.M.

6:15 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, August 12, 2010

**5:15 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)
Karine Karczewski vs. City of Capitola
Michael Urquhart vs. City of Capitola
City of Capitola vs. Soquel Union Elementary School District

CONFERENCE WITH LABOR NEGOTIATOR (Govt. Code §54957.6)

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

6:15 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 Meetings of the Redevelopment Agency of July 8 and 22, 2010

C. CONSENT CALENDAR - Continued

2. Approval of RDA Check Register Report
3. Accept Treasurer's Report for the Quarter Ended June 30, 2010 (Preliminary, unaudited)

D. PUBLIC HEARINGS - None

E. REGULAR BUSINESS

1. Approval of Redevelopment Agency Contracts for Professional Services Related to the Administration of Various RDA Housing Programs in FY 2010-2011. Staff recommendation: approve contracts with the Housing Authority of the County of Santa Cruz for an amount not to exceed \$25,000; the Community Action Board of Santa Cruz County, Inc. for an amount not to exceed \$95,000; and Goldfarb and Lipman for an amount not to exceed \$20,000.
2. Rispin Mansion Demolition and Coastal Development Permit Options. Staff recommendation: consider options for demolition of the Rispin Mansion and provide direction to staff to begin preparation of demolition plans for the preferred option(s); and consider requesting a one-year extension of the Coastal Development Permit for the Rispin Hotel Project.

F. ADJOURNMENT

Adjourn to the next Regular Meeting of the Capitola Redevelopment Agency to be held on Thursday, September 9, 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 * * ***

Certificate of Appreciation to the Capitola City Council for its Support in Encouraging Capitola Residents to Participate in the 2010 Census by Karen Mallory of the U.S. Census Bureau

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.

- 1) Appointment of Youth Member to the Commission on the Environment. Staff recommendation: Council appointment of a Youth Member to fill unexpired term ending December 2010.

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.

3. CONSENT CALENDAR - Continued

- B. Approve City Council Minutes – The Regular Meetings of July 8 and July 22, 2010, and the Special Closed Session Meeting of August 2, 2010.
- C. Receive Planning Commission Action Minutes for the Regular Meeting of August 5, 2010.
- D. Accept Transient Occupancy Revenue Report for Fiscal Year Ended June 30, 2010.
- E. Adopt Resolution Authorizing the City Manager to Submit Local Coastal Program Amendments to the California Coastal Commission for Certification contained in Ordinance No. 947 adopted June 10, 2010, which amended Municipal Code Sections 17.27.040, 17.27.060, and 17.27.120 pertaining to Allowed Uses and Parking in the CC (Community Commercial) Zoning District, Renumbering Section 17.03.247, Freeway to 17.03.248, and adding Sections 17.03.247 and 17.03.535 to define “Floor Area, Available for Dining” and “Restaurant”.
- F. Accept the Beulah House Demolition as Complete at a Final Cost of \$17,963 and Authorize the Release of the Contract Retention of \$1,796.30 in 35 Days Following the Recordation of the Notice of Completion.
- G. Approve Contracts for FY 2010-2011 for Professional Services related to the Administration of City Housing Programs with the Housing Authority of the County of Santa Cruz in an amount not to exceed \$18,300; and Goldfarb and Lipman in an amount not to exceed \$10,000.
- H. Adopt Resolution Approving the Application for Grant Funds for the Sustainable Communities Planning Grant and Incentive Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) in the amount of \$100,000 for the proposed General Plan Sustainability Planning Program.
- I. Deny Claim of Michael L. Urquhart and forward to the City’s Liability Insurance Carrier.

3. CONSENT CALENDAR - Continued

- J. Resolution Accepting a One-Year State Office of Traffic Safety (OTS) Grant in the amount of \$51,208 and Amending the FY10-11 Budget to Increase the OTS Revenue by \$51,208 and Police Expenditure by \$51,208 for Administration of a Speed Awareness and Child Safety Seat 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 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 on Project Application #10-038, 809/815/819 Bay Avenue, to Consider Appeal of a Planning Commission Denial for a Proposed Amendment to a Master Use Permit (Nob Hill Center) to Relocate the Recycling Facilities on the Site Located in the CC (Community Commercial) Zoning District; APN: 035-021-43; Filed 5/18/10; Property Owner: Bay Creek Properties; Representative: Craig French. *[This item will be continued to the City Council Meeting of September 9, 2010]*

5. OTHER BUSINESS

- A. Art & Cultural Commission Public Art Project - Wharf Road Mural. Staff recommendation: approve the Art & Cultural Commission Wharf Road Mural Public Art Project and Professional Services Agreement between the City and Artist John Ton.
- B. Report on Compliance of the City's Smoking Regulations Pertaining to Prohibition of Smoking in Outdoor Places. Staff recommendation: receive report.

5. OTHER BUSINESS - Continued

- C. Consider Application to the State of California Community Development Block Grant (CDBG) Program for a Planning and Technical Assistance Grant. Staff recommendation: approve the preparation of an application to the State CDBG Program for a \$70,000 Planning and Technical Assistance (PTA) Grant for the Village Hotel Site Design/Parking Financing Plan.
- D. Discussion regarding City Flag. Staff recommendation: Council direction.
- E. Response to June 29, 2010 Grand Jury Report: Saving the Branches May Kill the Tree, The Fate of the Santa Cruz City/County Public Libraries. Staff recommendation: authorize the Mayor to execute response on behalf of the City.

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, September 9, 2010, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.