



AGENDA COVER

CAPITOLA CITY COUNCIL/ REDEVELOPMENT AGENCY MEETING DATE: THURSDAY, SEPTEMBER 9, 2010

CITY COUNCIL CHAMBERS: 420 CAPITOLA AVENUE, CAPITOLA

CLOSED SESSION
REDEVELOPMENT AGENCY MEETING
REGULAR COUNCIL MEETING

5:15 P.M.

6:55 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, September 9, 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 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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Government Code §54956.9:
One Case

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)

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.

C. CONSENT CALENDAR - Continued

1. Approval of RDA Minutes – None
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, September 23, 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 on Steelhead Monitoring in Soquel Creek
by Don Alley of D.W. Alley & Associates

Presentation by Ama Delevett, Assistant Program Manager
of Survivors Healing Center

Presentation by Merle Smith, Executive Director
of the Santa Cruz AIDS Project

1. REPORT ON CLOSED SESSION

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

2. ORAL COMMUNICATIONS - Continued

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 Special Closed Session Meetings of August 10 and August 11, 2010, and the Special Meeting of August 11, 2010.
- C. Receive Planning Commission Action Minutes for the Regular Meeting of September 2, 2010.

3. CONSENT CALENDAR – Continued

- D. Authorize the City Manager to Sign the 2010 Local Agency Biennial Notice for the City of Capitola determining that amendments are necessary, and direct staff to bring back necessary amendments to the City's Conflict of Interest Code for Adoption no later than its Regular Meeting of Tuesday, November 25, 2010.
- E. Receive City Treasurer's Report for the Month Ended June 30, 2010 (Preliminary, Unaudited).
- F. Approve a 5-Year Lease Agreement with Tri-County Business Systems for a Copier Lease and Maintenance Agreement in the amount of \$308.61 per month plus tax; \$20,229 over five years.
- G. Adopt Resolution Approving the Final Map for a Six-Unit Condominium Subdivision on Kennedy Drive, Tract No. 1562, John J. McCoy Developer.

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. Presentation: Community Development Department.
- B. Public Hearing on the Capitola Road Traffic Calming Project to Review Traffic Safety Improvements between 41st Avenue and 42nd Avenue. Presentation: Public Works Department.

4. PUBLIC HEARINGS - Continued

- C. Public Hearing to Consider Extending Conditional Use Permit and Architectural and Site Review Permit #97-95 and Coastal Development Permit #05-005 for a 25-Room Inn at Rispin Mansion Project located at 2000 and 2005 Wharf Road in the AR/VS/PD (Automatic Review/Visitor Serving/Planned Development) Zoning District. APN(s): Rispin Property 035-371-01 & -02; Clares Street/Wharf Road Property 034-541-34. Presentation: Community Development Department.

5. OTHER BUSINESS

- A. Consider a Community Video Tour Book on the City's Web Page. Staff recommendation: approve a Three-Year Agreement with CGI Communications, Inc.
- B. Reconsideration of the City Council's action taken at the Special Meeting of August 11, 2010, regarding the Long-Term Uses of Pacific Cove Mobile Home Park located at 426 Capitola Avenue (APN 035-141-33). Staff recommendation: Council direction.
- C. Consider Adoption of a Resolution Designating Three (3) Parking Spaces along Reposa Avenue West of the Intersection with 41st Avenue as a 2-Hour Parking Zone. Staff recommendation: Council direction.
- D. Review of Proposed Central Fire Protection District Amendments to the 2010 Fire Code. 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, September 23, 2010, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.