



## AGENDA COVER

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

CITY COUNCIL CHAMBERS: 420 CAPITOLA AVENUE, CAPITOLA

**CLOSED SESSION \* Note Time**  
**REDEVELOPMENT AGENCY MEETING**  
**REGULAR COUNCIL MEETING**

**\*12:00 NOON**

**6:30 P.M.**

*Immediately following RDA Meeting*

### *Elected Officials*

*Stephanie Harlan, Council Member*  
*Kirby Nicol, Council Member*  
*Dennis Norton, Council Member*  
*Sam Storey, Council Member*  
*Michael Termini, 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 2<sup>nd</sup> meeting in November is held on the 4<sup>th</sup> Tuesday, and in December when there is only one regular meeting on the 2<sup>nd</sup> 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](http://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](http://www.ci.capitola.ca.us).



## TENTATIVE AGENDA

Regular Meetings of the  
**CAPITOLA CITY COUNCIL &  
REDEVELOPMENT AGENCY**  
Thursday, December 9, 2010

### **12:00 NOON - 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 – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b) of Government Code §54956.9.  
One Case: Macquarie Capitola Villas Inc.

#### **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Govt. Code §54956.9a)**

Surf and Sand, LLC vs. City of Capitola (Surf & Sand Mobile Home Park)  
Los Altos/El Granada Investors vs. City of Capitola (Castle Mobile Estates)  
Vieira Enterprises vs. City of Capitola (Cabrillo Mobile Estates)

### **6:30 P.M. - CAPITOLA REDEVELOPMENT AGENCY**

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

Directors Harlan, Nicol, Norton, Storey, and Termini (*Chairperson to be determined on December 8, 2010*)

#### **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 November 23, 2010
2. Approval of RDA Check Register Report

**D. PUBLIC HEARINGS – None**

**E. REGULAR BUSINESS**

1. Consideration of Amending Section 3.02 of the Redevelopment Agency Bylaws Pertaining to Regular Meeting Times. Staff recommendation: adopt Agency Resolution Amending Resolution No. 7-01 by Amending Section 3.02 A. of the Bylaws of the Redevelopment Agency of the City of Capitola regarding Board Meeting Times.
2. Resolution authorizing appropriation and expenditure of \$50,000 of Redevelopment Agency Operating Fund monies for preparation of required environmental review documents and consideration of Coastal Development permits pertaining to demolition of the Rispin Mansion. Staff recommendation: adopt resolution.
3. Review and approval of Library Program Consultant and Project Management Services Contract with Critical Solutions, Inc. to prepare a Library Needs Assessment, Space Programming, Budget Estimate and Project Schedule in an amount not to exceed \$47,356. Staff recommendation: approve contract.

**F. ADJOURNMENT**

Adjourn to the next Regular Meeting of the Capitola Redevelopment Agency to be held on Thursday, January 13, 2011, 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 Harlan, Nicol, Norton, Storey, and Termini

*(Note: Mayor to be determined at Special Meeting to be held December 8, 2010)*

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

Certificate of Appreciation to  
Jim Turcotte, Mechanic  
for Thirty Years of Service to the City of Capitola

**Certificates of Appreciation to Outgoing Advisory Committee Members:**

Linda Hanson for service on the Finance Advisory Committee  
from December 2008 to December 2010

Darcy Horton for service on the Capitola Historical Museum Board  
from August 2006 to December 2010

Dana Michelosen for service on the Commission on the Environment  
from June 2008 to December 2010

Jeanne Roddy for service on the Traffic & Parking Commission  
from May 2009 to December 2010

Presentation by Catherine Patterson-Valdez, Program Director  
from Community Bridges – Lift Line Program

Presentation by Lisa Berkowitz, Program Director  
from Community Bridges - Meals on Wheels

**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.*

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.*

*Note: Appointments will be made under Other Business Item 5.B. for City Council Representation on City and County/Multi-County Boards, Commissions, and Committees, and City Council appointments/reappointments of public members to various City Advisory Bodies.*

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 – None

C. Adopt Resolution Setting Interest Rate for Tenant Security Deposits for 2011 at 0.06% Consistent with the County of Santa Cruz.

D. Adopt Ordinance Amending Section 15.04.010 Pertaining to Adoption of Model Codes to become effective January 1, 2011. [2<sup>nd</sup> Reading]

E. Adopt Resolution Repealing Resolution No. 3744 and Revising the City's Parking Penalties to Reflect State Mandated Surcharges for Certain Parking Violations.

4. **PUBLIC HEARINGS – None**

**5. OTHER BUSINESS**

- A. Reconsideration of an Agreement between Macquarie Capitola Villas Inc. and the City of Capitola for Rental of Capitola Beach Villas, located at 1066 41st Avenue, for an interim period of six years. Staff recommendation: Council direction. If approved, authorize staff to execute an agreement with Macquarie Capitola Villas Inc., and approve Notice of Exemption pursuant to CEQA Section 15301.
  
- B. City Council representation on City and County/Multi-County Boards, Commissions, and Committees, and City Council appointments/reappointments of public members to various City Advisory Bodies. Staff recommendation: Council determination.

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 13, 2011, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

*Happy Holidays*

*City Hall Administrative Offices will be Closed  
December 24 through December 31, 2010*