



# AGENDA

## Regular Joint Meeting of the CAPITOLA CITY COUNCIL/REDEVELOPMENT AGENCY Thursday, January 27, 2011

### 5:30 P.M - CLOSED SESSION - CITY MANAGER'S OFFICE

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)

Talbert vs. City of Capitola, et al [U.S. District Court Case No. C 10-03113 JW (N.D. Cal.)]

Surf and Sand, LLC vs. City of Capitola, et al (Surf & Sand Mobile Home Park) [Superior Court of the State of California for County of Santa Cruz, Case #CV 167716]

Surf and Sand, LLC vs. City of Capitola, et al (Surf & Sand Mobile Home Park) [U.S. District Court N.D., Case No. C09-05542 RS (Judge Richard Seeborg)]

Los Altos/El Granada Investors vs. City of Capitola, et al (Castle Mobile Estates) [U.S. District Court N.D., Case No. CV 04-05138 JF (Judge Jeremy Fogel)]

Vieira Enterprises, Inc. vs. City of Capitola (Cabrillo Mobile Estates)

#### **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b) of Government Code §54956.9:  
One Case: Vieira Enterprises, Inc. vs. City of Capitola (Cabrillo Mobile Estates)

The City is in receipt of a December 30, 2010, Fair Return rent increase application for Cabrillo Mobilehome Park, which claims that if it is not granted in its entirety, the City will be liable for the unconstitutional taking of Mr. Vieira's property and further claims that the City's past enforcement of its rent control ordinance has already functioned to effect such a taking.

#### **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** (Govt. Code §54956.8)

Property: McGregor Drive, APN 36-341-02 (City of Capitola, Owner)

City Negotiator: City Manager

Negotiating Parties: City and Soquel Creek Water District

Under Negotiation: Real Property Lease/Sale

**REGULAR JOINT MEETING  
OF THE CAPITOLA CITY COUNCIL/REDEVELOPMENT AGENCY**

**ROLL CALL AND PLEDGE OF ALLEGIANCE**

Council Members/Directors Harlan, Termini, Nicol, Storey,  
and Mayor/Chairperson Norton

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

Oath of Office Ceremony for Standby City Council Members  
Ron Graves and Mark Sullivan

**1. REPORT ON CLOSED SESSION**

**2. ORAL COMMUNICATIONS**

A. Additions and Deletions to Agenda

B. Public Comments

*Oral Communications allows time for members of the Public to address the City Council/Redevelopment Agency on any item not on the Agenda. 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 legislative body 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. A MAXIMUM of 30 MINUTES is set aside for Oral Communications at this time.*

C. Staff Comments

D. City Council/RDA Director/Treasurer Comments/Committee Reports

*City Council Members/Redevelopment Agency Directors/City Treasurer may comment on matters of a general nature or identify issues for staff response or future council/RDA consideration. Council Members/RDA Directors/Committee Representatives may present oral updates from standing committees at this time.*

E. Committee Appointments

*Council Members/RDA Directors/Committee Representatives may present oral updates from standing committees at this time. Committee appointments may also be made by the City Council/Redevelopment Agency at this time.*

## 2. E. Committee Appointments (Continued)

- 1) City Council appointments to the General Plan Advisory Committee. Staff recommendation: confirm appointments and adopt Resolution Appointing Members to the General Plan Advisory Committee.
- 2) Confirmation of Planning Commission appointments to the Art and Cultural Commission, the Commission on the Environment, and the Traffic and Parking Commission.

F. Approval of Check Register Reports

- 1) City: Approval of City Check Register Reports dated January 7 and January 14, 2011.
- 2) RDA: Approval of Redevelopment Agency Check Register Report dated January 7, 2011.

3. **CONSENT CALENDAR**

*All matters listed under "Consent Calendar" are considered by the City Council/ Redevelopment 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 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 of the Regular Meeting of December 9, 2010, the Special City Council Workshop of January 10, 2011, and the Special Closed Session Meeting of January 10, 2011.
- C. Receive Planning Commission Action Minutes for the Regular Meeting of January 20, 2011.
- D. Receive City Treasurer's Report for the month ended December 31, 2010 (Unaudited).
- E. Adopt Resolution Accepting an Offer of Dedication of land on Hill Street, APN 036-022-37, from J. Edison Corporation for street and pedestrian purposes, and approve Subdivision Agreement for the Hill Street Minor Land Division.

**4. PUBLIC HEARINGS – None**

**5. OTHER BUSINESS**

- A. Council determination regarding new Community Grant applications for FY 2011-2012. Staff recommendation: Council to determine whether or not to allow a new agency or organization to apply for a Community Grant for FY 2011-2012.
- B. RDA: Rispin Mansion proposal. Staff recommendation: consider a proposal to save and restore the Rispin Mansion and provide direction to staff.
- C. Consider Letter in Opposition to Governor Brown’s Proposal to Eliminate Redevelopment. Staff recommendation: authorize the Mayor to execute letters to State officials.
- D. Village Parking Pay Station Program. Staff recommendation: approve the selection of Cale Parking Systems, USA, Inc., for the implementation of the Village Pay By Space Station Program and authorize the Public Works Director to negotiate and execute a final contract with Cale for replacing all parking meters along the Esplanade with pay stations at an estimated cost of \$100,000.
- E. Grant for Electric Vehicle Charging Station Installation. Staff recommendation: approve recommended action accepting grant from Coulomb Technologies, Inc., authorizing the City Manager to execute agreements, approve installation of charging stations in Pacific Cove Parking Lot, and approve Notice of Exemption from CEQA for the installation of the charging stations.

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

**6. COUNCIL/RDA DIRECTOR/STAFF COMMUNICATIONS**

**7. ADJOURNMENT**

Adjourn to the next Regular Joint Meeting of the City Council/ Redevelopment Agency to be held on Thursday, February 10, 2011, at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.