

City of Capitola Agenda



Mayor: Michael Termini
Vice Mayor: Stephanie Harlan
Council Members: Kirby Nicol
Dennis Norton
Sam Storey
Treasurer: Jacques Bertrand

CAPITOLA CITY COUNCIL/REDEVELOPMENT AGENCY REGULAR JOINT MEETING THURSDAY, JANUARY 26, 2012

CLOSED SESSION – 5:00 PM **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 – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Govt. Code §54956.9:
Two cases: 1) Noble Gulch Storm Drain Failure in Pacific Cove Mobile Home Park
2) Pacific Cove Mobile Home Park Flooding and Closure

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

Kevin Calvert, D.D. S. and Pamela Calvert vs. City of Capitola, et al. [Superior Court of the State of California for County of Santa Cruz, Case #CV 172804]

CONFERENCE WITH LABOR NEGOTIATOR (Govt. Code §54957.6)

Negotiator: Jamie Goldstein, City Manager
Employee Organizations: Association of Capitola Employees, Capitola Police Captains, Capitola Police Officers Association, Confidential Employees, Mid-Management Group, and Department Head Group

LIABILITY CLAIMS (Govt. Code §54956.95)

Claimant: William Hoey Morris
Agency claimed against: City of Capitola

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code §54957)

Title: City Manager

**REGULAR JOINT MEETING OF THE
CAPITOLA CITY COUNCIL/REDEVELOPMENT AGENCY – 7:00 PM**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE:

Council Members/Directors Stephanie Harlan, Dennis Norton, Kirby Nicol, Sam Storey, and Mayor/Chairperson Michael Termini

2. PRESENTATIONS

3. REPORT ON CLOSED SESSION

4. 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

F. Approval of Check Register Reports

1. City: Approval of City Check Register Reports dated January 6, 2012 and January 13, 2012.
2. RDA: Approval of Redevelopment Agency Check Register Report dated January 13, 2012.

ALL MATTERS LISTED ON THE REGULAR JOINT MEETING OF THE CAPITOLA CITY COUNCIL/REDEVELOPMENT AGENCY AGENDA SHALL BE CONSIDERED AS PUBLIC HEARINGS.

5. CONSENT CALENDAR

All items listed in the "Consent Calendar" 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 City Council/Redevelopment Agency request specific items to be discussed for separate review. Items pulled for separate discussion will be considered following General Government.

Note that all Ordinances and Resolutions which appear on the public agenda shall be determined to have been read by title and further reading waived.

- A. Deny liability claim of William Hoey Morris in the amount of \$1,500 and forward to the City's liability insurance carrier.
RECOMMENDED ACTION: Deny Liability Claim.

- B. RDA: Receive RDA Quarterly Treasurer's Report for the quarter ended December 31, 2011.
RECOMMENDED ACTION: Receive Report.

- C. Receive City Treasurer's Report for Month ended December 31, 2011 (Unaudited).
RECOMMENDED ACTION: Receive Report.

- D. Consideration of approval of City's participation in PG&E On-Bill Financing Program for retrofit of City owned streetlights to energy efficient LED lights.
RECOMMENDED ACTION:
 - 1. Approve a PG&E Off-Bill and On-Bill Financing Loan Agreement authorizing the City's participation in PG&E's On-Bill Financing Program; and
 - 2. Approve a PG&E Products and Services Agreement for the retrofit of city owned streetlight to LED lights; and
 - 3. Authorize the Public Works Director to sign both agreements on behalf of the City.

6. GENERAL GOVERNMENT

General Government items are intended to provide an opportunity for public discussion of each item listed. The following procedure is followed for each General Government item: 1) Staff explanation; 2) Council questions; 3) Public comment; 4) Council deliberation; 5) Close public comment; 5) Decision.

- A. Consideration of concept plans for the skate park and related improvements at Monterey Park.
RECOMMENDED ACTION:
 - 1. Approve concept plans for the skate park and related improvements at Monterey Park and direct staff to develop cost estimates for permitting, design and construction of this plan; and
 - 2. Direct staff to continue working with the community on skate park fund raising efforts; and
 - 3. Direct staff to begin environmental review and development permit applications for a skate park as funding is available.

- B. Consideration of a financing plan for the Pacific Cove Mobile Home Park closure.
RECOMMENDED ACTION:
1. Adopt a resolution implementing the financing plan for the Pacific Cove Mobile Home Park relocation; and
 2. Amend the FY 11/12 budget to include \$2.375 million in additional revenue from debt proceeds, and authorize its expenditure pursuant to this financing plan; and
 3. Authorize staff to issue the six-month written notice of termination of tenancy to the residents of the Pacific Cove Mobile Home Park.
- C. Consideration of a contract with AutoTemp in an amount not to exceed \$117,500 for relocation of the Pacific Cove Mobile Home Park residents, and authorizing the City Manager to execute a contract.
RECOMMENDED ACTION: Approve contract.
- D. Consideration of the following: (1) Adoption of an amended Enforceable Obligation Payment Schedule (EOPS); and (2) Ongoing funding for Capitola Chamber of Commerce and Santa Cruz County Conference and Visitors Council.
RECOMMENDED ACTION:
1. Adopt amended Enforceable Obligation Payment Schedule.
 2. Council Direction.
- E. Consideration of a staff report analyzing the Finance Advisory Committee Report regarding Long-Term City Revenue/Expenditure Projections.
RECOMMENDED ACTION: Continue item to a future City Council Agenda when members of the Finance Advisory Committee are available.
- F. Consideration of a contract for public opinion polling.
RECOMMENDED ACTION:
1. Authorize the City Manager to utilize up to \$10,000, in partnership with the City of Santa Cruz, to complete a focused public opinion polling effort with Gene Bregman & Associates; or
 2. Authorize the City Manager to enter into a contract with FM3 in the amount of \$23,000 to conduct public opinion research to determine if a revenue ballot measure should be pursued and to assess current community perception of City services, and approve an amendment to the FY 11/12 budget moving \$13,000 from Contingency Reserves to contract services.
- G. Consideration of increasing the existing half time Building Inspector position to a full time position.
RECOMMENDED ACTION:
1. Approve increasing the existing half time Building Inspector positions to a permanent full time position effective February 5, 2012; and
 2. Approve a budget amendment resolution increasing expenditures in the Green Building Fund by \$25,000, reducing the Public Works Contract Services by \$5,000, increasing the Community Development Department revenues by \$25,000 and increasing the Community Development Department Personnel costs by \$30,000 to cover the increased salary expenditures for the remainder of fiscal year 2011/12.

7. COUNCIL/RDA DIRECTOR/STAFF COMMUNICATIONS**8. ADJOURNMENT**

Adjourn to the next Regular Joint Meeting of the City Council to be held on Thursday, February 9, 2012, at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

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.

Notice regarding City Council/Redevelopment Agency Meetings: The Capitola City Council and Redevelopment Agency meet jointly on the 2nd and 4th Thursday of each month at 7:00 p.m. (or in no event earlier than 6:00 p.m.), in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

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 are streamed “Live” on the City’s website at www.ci.capitola.ca.us by clicking on the Home Page link “View Capitola Meeting Live On-Line.” Archived meetings can be viewed from the website at anytime.