

December 11, 2008
 Capitola, California

CAPITOLA CITY COUNCIL

MINUTES OF A REGULAR MEETING

6:00 P.M. CLOSED SESSION – CITY MANAGER’S OFFICE CAPITOLA REDEVELOPMENT AGENCY & CITY COUNCIL

At 6:06 p.m. in the City Hall Council Chambers, Mayor/Chairperson Begun noted that all City Council Members/Redevelopment Agency Directors were present, and he made an announcement regarding the items to be discussed in Closed Session, as follows:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Govt. Code § 54956.8)

Property: Rispin Mansion Property, 2000 & 2005 Wharf Road
 APN 035-371-01 & 02
 Agency/City Negotiator: Rich Hill, City Manager
 Negotiating parties: Rispin Partners LLC, City of Capitola, and City of
 Capitola Redevelopment Agency
 Under Negotiation: Lease and Development Agreement

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Govt. Code §54956.9a) Vieira Enterprises vs. City of Capitola (Cabrillo Mobile Estates)

Mayor/Chairperson Begun asked if anyone wished to address items on the Closed Session agenda. Seeing no one, the council/agency recessed at 6:07 p.m. to the closed session.

CAPITOLA REDEVELOPMENT AGENCY – *(See Redevelopment Agency Minutes)*

CITY COUNCIL REGULAR MEETING

Mayor Begun called the Regular Meeting of the City Council to order at 7:15 p.m. in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

ROLL CALL AND PLEDGE OF ALLEGIANCE

PRESENT: Council Members Ron Graves, Sam Storey, Kirby Nicol, Dennis Norton, and Mayor Robert “Bob” Begun; City Treasurer Jacques Bertrand
ABSENT: None
STAFF: City Manager Rich Hill, Deputy City Attorney Celestial Cassman, Finance Director Lauren Lai, Community Development Director Jamie Goldstein, Public Works Director Steve Jesberg, Chief of Police Rick Ehle, Assistant to the City Manager Lisa Murphy, and City Clerk Pamela Greeninger

*** PRESENTATIONS ***

Capitola Police Chief Rick Ehle Recognition of Community Service Volunteers in Policing [480-60]

Chief of Police Rick Ehle asked the Volunteers in Policing (VIPs) being recognized to come forward. He noted that Kriss Banuelos was not able to attend the meeting due to recovery from surgery. Chief Ehle said the VIPs are under the direct supervision of the VIP Coordinator, Michael Banks, who has recruited a number of new volunteers since the program’s inception. Chief of Police Ehle then presented Certificates of Appreciation to the following individuals: Diana Cunningham, Gayle Brock, Dave Dominguez, Linda Banks, and Mike Banks.

1. REPORT ON CLOSED SESSION [520-25]

Deputy City Attorney Cassman reported that the City Council met in Closed Session at 6:00 p.m. All council members were present. City Manager Hill provided an update on the matter pertaining to the Rispin Mansion Property real property negotiations. The council provided instructions to its negotiator. No reportable action was taken. Ms. Cassman then stated there was no discussion regarding the existing litigation matter, Vieira Enterprises vs. City of Capitola.

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda – None

B. Public Comments

1) Stephanie Harlan reported on Santa Cruz County Conference and Visitor's Council activities and the state of tourism in Santa Cruz County. She discussed the professional bicycle race coming to Santa Cruz in February, and she encouraged the council to contact the organizer to see if Capitola could assist in some way with visitors of the race.

2) Susie Rogoff read a prepared statement regarding an incident involving Capitola police officers relating to charges of trespassing on her neighbor's property. She informed the council that she had to obtain the assistance of an attorney and also expressed concern that no one contacted her witness. In closing, Ms. Rogoff summarized her concerns and stated she was falsely accused.

Mayor Begun asked the Chief of Police to comment. Chief Ehle said he has spoken with Ms. Rogoff's attorney and is awaiting a response from her attorney.

C. Staff Comments – None

D. City Council/Treasurer Comments/Committee Reports

1) Council Member Norton asked for an update on what happened at Washington Mutual Bank today. Chief of Police Ehle reported that a bank robbery occurred at Washington Mutual Bank on 41st Avenue in the afternoon, and he announced the primary suspect is in custody. He said the suspect had also been at Comerica Bank earlier in the day.

2) Mayor Begun reported on the LAFCO meeting he attended.

E. Committee Appointments

Mayor Begun said appointments would be made under Item 5.A. later on the agenda.

F. Approval of Check Register Report [300-10]

Staff responded to questions of council members regarding several checks.

Council discussion was followed by this action:

ACTION: Council Member Storey moved, seconded by Council Member Graves, to approve the Check Register Report dated November 21 and November 26, 2008, including checks numbered 57544 through 57607 in the amount of \$94,025.14, and checks numbered 57608 through 57712 in the amount of \$103,972.31, respectively; and payroll disbursements for the November 21, 2008, payroll in the amount of \$190,942.41, for a Grand Total of \$388,939.86, as submitted. The motion carried on the following vote: AYES: Council Members Graves, Storey, Nicol, Norton, and Mayor Begun. NOES: None. ABSENT: None. ABSTAIN: None.

3. CONSENT CALENDAR

Mayor Begun briefly described the items on the Consent Calendar and asked if there were any items members of the council or the public wished to pull for separate discussion. Council Member Graves said the council received an email regarding continuation of Item 3.G. City Clerk Greeninger confirmed that staff is requesting that Item 3.G., the Resolution Setting the Interest Rate on Tenant Security Deposits for 2009, be continued to the next meeting. Council Member Norton pulled Item 3.D. regarding handgun replacement.

Council Member Storey had a brief question on Item 3.F. regarding GreenWaste Recovery. *(See comments under Item 3.F. below.)*

Mayor Begun advised Item 3.D. would be discussed at the end of the meeting following Other Business Item 5.A. *(See discussion and action on Page 11273.)*

CONSENT CALENDAR ACTION: Council Member Storey moved, seconded by Council Member Nicol, to approve the Consent Calendar with the exception of Items 3.D. and 3.G., as recommended. The motion carried on the following vote: AYES: Council Members Graves, Storey, Nicol, Norton, and Mayor Begun. NOES: None. ABSENT: None. ABSTAIN: None. *(NOTE: Council Member Norton abstained on Item 3.B. only, Approval of Minutes.)*

- 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.**

ACTION: The City Council unanimously approved the reading by title of all Ordinances and Resolutions and declared 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 – Minutes of the Regular Meetings of November 13 and 25, 2008.**

ACTION: Council Member Storey moved, seconded by Council Member Nicol, to approve the Minutes of the Regular Meetings of November 13 and 25, 2008, as submitted. The motion carried on the following vote: AYES: Council Members Graves, Storey, Nicol, and Mayor Begun. NOES: None. ABSENT: None. ABSTAIN: Council Member Norton.

- C. Planning Commission Action Minutes - None**

- D. Accept Donation of Handgun Replacement from the Capitola Public Safety Foundation and Accept Grant from Cabrillo College Public Safety Division for the Purchase of Handgun Holsters with Lights.**

This item was pulled for separate discussion. (See discussion and action on Page 11273.)

- E. Accept Donation of \$3,216 from the Capitola Public Safety and Community Service Foundation for the Purchase of Three Tasers and Additional Cartridges. [370-40/330-10]**

ACTION: Council Member Storey moved, seconded by Council Member Nicol, to accept the donation from the Capitola Public Safety & Community Service Foundation in the amount of \$3,216 for the purchase of Tasers and cartridges, as requested. The motion carried on the following vote: AYES: Council Members Graves, Storey, Nicol, Norton, and Mayor Begun. NOES: None. ABSENT: None. ABSTAIN: None.

- F. Adopt Resolution Authorizing Increase in the Residential and the Commercial Garbage Collection Rates Effective January 1, 2009. [940-45]**

Prior to action being taken on the Consent Calendar, Council Member Storey asked if there has been a report on GreenWaste's service. Assistant to the City Manager Murphy said there has not, and staff has not received many complaints.

3. F. CONSENT CALENDAR (Continued)

Mayor Begun believes they are doing a good job. Council Member Graves said he received lots of complaints from residents about not being notified of the Fall clean-up dates. Assistant to the City Manager Murphy said they took care of that by providing notification and providing the service on another week.

Council discussion was followed by this action:

ACTION: Council Member Storey moved, seconded by Council Member Nicol, to adopt **Resolution No. 3730, Resolution Increasing the Residential and Commercial Garbage Rates by 3.45% and an Additional 12.1% as authorized in the Franchise Agreement dated April 24, 2008, effective January 1, 2009**, as submitted. The motion carried on the following vote: AYES: Council Members Graves, Storey, Nicol, Norton, and Mayor Begun. NOES: None. ABSENT: None. ABSTAIN: None.

Following action on the Consent Calendar, separate action was taken on Item 3.G.:

G. Adopt Resolution Setting Interest Rate for Tenant Security Deposits for 2009 at 0.23%. [750-10]

ACTION: Council Member Graves moved, seconded by Council Member Nicol, to continue this item to the next regularly scheduled meeting to be held in January. The motion carried unanimously.

4. PUBLIC HEARINGS

A. Public Hearing on the Capitola Village Comprehensive Parking Analysis. Presentation: Community Development Department. [470-40]

Public Works Director Jesberg summarized the written agenda report and introduced Frederik Venter from RBF Consulting, who provided details of their report and responded to questions of council members.

At 8:55 p.m. Council Member Norton asked if the Council could hear from the Blue Ribbon Parking Committee at this time and then open these items to the public.

ACTION: It was the consensus of the Council to receive the report for Item 4.B. at this time.

B. Public Hearing to Receive the Blue Ribbon Parking Committee's Recommendations. Presentation: Police Department. [470-40]

Chief of Police Ehle summarized the written agenda report on this item. He said the committee's goal was to discuss Village Parking and to provide a report to the council with its recommendations.

Chief of Police Ehle then turned the presentation over to Gary Wetsel, President of the Capitola Village and Wharf Business Improvement Area, a business owner in the Village, and a resident. Utilizing a PowerPoint Presentation, Mr. Wetsel provided an overview of the committee, its members and charter. He reviewed the summary and recommendations from the committee dated December 1, 2008, and responded to questions of council members.

Committee member Steven Woodside, a part-time resident of the Village area, commented on the committee process and the conflicts between business and resident interests. He said there was a great deal of compromising. He emphasized the need to review with precision the counting of onsite parking spaces and to obtain an accurate inventory of resident off-street parking. He also commented on business owner's concerns about residents parking in front of their business and said everyone liked the free parking at Pacific Cove parking lot during the summer. Mr. Woodside believes residents of the Village should be able to purchase permits to park at Pacific Cove.

4. A. & B. PUBLIC HEARINGS (Continued)

At 9:27 p.m., Mayor Begun opened the public hearing for both Items 4.A. and 4.B.

Ann Schroedel and Jeanne Roddy, residents of Pacific Cove Mobile Home Park, addressed the Council regarding Ms. Roddy's written communication dated December 9, 2008, which was submitted to the council prior to the meeting. Ms. Roddy discussed the Pacific Cove Parking Lot Usage Summary and Photographic Documentation report included in her letter.

Mayor Begun closed the public hearing at 9:44 p.m.

Considerable Council discussion was followed by this action:

ACTION: Council Member Storey moved as follows:

1) That the City Council accept both the Parking Analysis for the Capitola Village Area prepared by RBF Consulting dated December 1, 2008, and the Blue Ribbon Parking Committee Report Summary and Recommendations dated December 1, 2008, and approve the recommended action that staff begin preparation of the Village Parking Management Implementation Plan and bring it back to the Council in March of 2009;

2) that the City immediately raise parking rate fees in the Village in the amounts recommended by the Blue Ribbon Parking Committee for the meters, as well as for the permit parking;

3) that there be a parking commission established, and that the commission determine how much of those additional revenues would be restricted and set aside for the future parking plan implementation; and

4) that Village residents be allowed to purchase parking permits for the Pacific Cove Parking lot.

For purposes of discussion, Council Member Nicol seconded the motion.

There was further discussion by each council member.

Council Member Nicol asked if the recommended action for Item 4.A., paragraph 2) with respect to authorization of an expenditure of up to \$5,000 for a technical Parking Meter/Management Options analysis was included in the motion. At first Council Member Storey said yes; however, after further discussion Council Member Storey said no, his motion does not include authorization of the \$5,000 expenditure.

Council Member Norton expressed concern that the council really hasn't discussed the long term solutions, and he recommended continuing the public hearing and to set another hearing date in January in order for the council to formulate a good plan.

The motion carried on the following vote: AYES: Council Members Graves, Storey, Nicol, and Mayor Begun. NOES: Council Member Norton. ABSENT: None. ABSTAIN: None.

Council Member Graves asked if Council Member Norton would like to bring forth a motion for a long-term solution. After further discussion, the following additional direction was given:

ACTION: It was the consensus of the City Council to direct staff to bring back an item on the City Council's second meeting in January for discussion of long-term solutions to parking.

At 10:19 p.m., the City Council took a short break and reconvened at 10:37 p.m.

5. OTHER BUSINESS

A. City Council Representation on City and County/Multi-County Boards, Commissions, & Committees, and Council Appointments/ Reappointments of Public Members to Various City Advisory Bodies. [110-10]

The City Council reviewed its appointments and took the following actions:

CITY BOARDS, COMMISSIONS AND COMMITTEES

ARCHITECTURAL AND SITE REVIEW COMMITTEE [740-15]

ACTION: Council Member Storey moved, seconded by Council Member Nicol, to reappoint Frank Phanton, Architect member, to appoint Carolyn Swift as the Historian member, and to appoint Susan Suddjian as the Landscape Architect member to the Architectural and Site Review Committee with terms expiring on 12/31/10. The motion carried unanimously.

ART AND CULTURAL COMMISSION [1010-60] (Norton)

ACTION: Council Member Storey moved, seconded by Council Member Graves, to appoint Council Member Norton as the Council Member representative to the Art & Cultural Commission.

Council Member Nicol moved, seconded by Council Member Storey, to reappoint Joyce Murphy to serve as an "At Large" Member with the term expiring 12/31/10.

The City Council continued the Appointment of the Planning Commission representative to the January 8, 2009 meeting pending recommendation from the Planning Commission.

COMMISSION ON THE ENVIRONMENT [430-05] (Norton)

ACTION: The following appointments were made to the Commission on the Environment:

Council Member Norton was appointed to serve on behalf of the Mayor as the Council Member Representative; Council Member Nicol appointed Kathleen Perry to replace Ken Nemire; Council Member Storey reappointed Barbara Graves; and Council Member Graves appointed Kristin Jensen Sullivan as his appointee to the Commission on the Environment.

City Manager Hill explained the Ex-Officio Members, Steven Peters and John Ricker, who do not need to be reappointed.

Council Member Storey moved, seconded by Council Member Nicol, to reappoint Jessica Nemire as the Youth Member on the Commission on the Environment. The motion carried unanimously.

The City Council continued the Appointment of the Planning Commission representative to its January 8, 2009, meeting.

FINANCE ADVISORY COMMITTEE [330-40] (Mayor Begun and Council Member Nicol)

Vice Mayor Storey said that Council Member Nicol has offered to continue to serve on the Finance Advisory Committee in his behalf. Mayor Begun and Council Member Nicol confirmed they would serve on the committee.

5. A. OTHER BUSINESS (Finance Advisory Committee – Continued)

Council Member Storey said that since he will not be on the Finance Advisory Committee he would like to appoint Maureen O'Malley Moore; Council Member Norton appointed Linda Hansen; and Council Member Graves reappointed Susan Westman.

City Clerk Greeninger informed the council that Toni Castro, CEO of the Capitola-Soquel Chamber of Commerce, has recommended reappointment of Lou Tuosto. Mayor Begun asked if Debbie Johnson had requested to stay on the committee and City Clerk Greeninger said she had. He then pointed out that Mr. Tuosto is not a Capitola resident, and Ms. Johnson is a resident. Mayor Begun also commented on the meeting attendance record of those members.

There was discussion regarding the Chamber's recommendation to reappoint Lou Tuosto to serve as Business Representative. He said Debbie Johnson is a Capitola resident and business owner, and he would recommend she be appointed to that category.

Council Member Nicol moved, seconded by Council Member Storey, to appoint Debbie Johnson as the Business Representative to the Finance Advisory Committee. The motion carried unanimously.

PLANNING COMMISSION [740-50]

ACTION: The following appointments/reappoints were made to the Planning Commission:

Mayor Begun reappointed Ron Burke
 Council Member Nicol reappointed Ed Newman
 Council Member Graves reappointed Stephanie Harlan
 Council Member Storey appointed Michael Termini, and
 Council Member Norton appointed Gayle Ortiz

VILLAGE MASTER PLAN ADVISORY COMMITTEE [740-20] (Council Member Graves)

ACTION: Council Member Graves was reappointed to serve as the Council Member representative; Council Member Nicol reappointed Anne Nicol as his appointment; and Council Member Norton appointed Matt Arthur to serve as his "Resident At Large" appointment.

Council Member Norton asked if there were any openings for merchants. City Clerk Greeninger said there is a vacancy for a Capitola Village and Wharf Business Improvement Area representative. Council Member Norton said the owner of Cava Wine Bar has expressed an interest in serving on the Village Master Plan Advisory Committee. City Clerk Greeninger suggested he contact the BIA (Capitola Village and Wharf Business Improvement Area), as it is their appointment, which is ratified by the council.

The City Council continued its appointment of the Planning Commission and the Art & Cultural Commission representatives to its January 8, 2009, meeting.

WHARF WORKING GROUP [280-10] (Mayor Begun and Council Member Graves)

Mayor Begun and Council Member Graves volunteered to continue to serve as the council member representatives on the Wharf Working Group.

ACTION: Council Member Nicol moved, seconded by Council Member Storey, to reappoint Mayor Begun and Council Member Graves. The motion carried unanimously.

5. A. OTHER BUSINESS (Continued)

COUNTY AND MULTI-COUNTY BOARDS, COMMISSIONS AND COMMITTEES

Mayor Begun announced that the council would now review its representation on the various County and Multi-County Boards, Commissions and Committees. The following appointments/nominations were made:

ADVISORY COUNCIL OF THE AREA AGENCY ON AGING (SENIORS COUNCIL OF SANTA CRUZ & SAN BENITO COUNTIES) [150-70] (Sandra Williams; Graves, Alternate)

ACTION: Council Member Storey moved, seconded by Council Member Nicol, to reappoint Sandra Williams to serve as City's representative on the Advisory Council of the Area Agency on Aging, and appointed Council Member Graves to serve as alternate. The motion carried unanimously.

AMBAG & AMBAG SANCTUARY SCENIC TRAIL COMMITTEE – [150-10] (Norton; Graves, Alternate)

Council Member Graves said he was looking for someone to replace him on the AMBAG Board. Council discussion was followed by this action:

ACTION: It was the consensus of the City Council to appoint Council Member Norton to serve as the city's representative to AMBAG and the AMBAG Sanctuary Scenic Trail Committee. Council Member Graves will serve as alternate.

COMMUNITY TELEVISION OF SANTA CRUZ COUNTY – [160-25] (Doree Steinmann)

Mayor Begun said Doree Steinmann would like to continue to serve as the city's representative on the Board of Directors of the Community Television of Santa Cruz County. She is currently the board vice chairperson.

ACTION: It was the consensus of the City Council to reappoint Doree Steinmann to serve as the City's representative on the Community Television of Santa Cruz County Board of Directors for a four-year term ending November 2012.

COMMUNITY ACTION BOARD OF SANTA CRUZ COUNTY – [150-40] (George Winslow; Begun, Alternate)

City Clerk Greeninger said she spoke with George Winslow and he would be happy to continue to serve as the city's representative.

ACTION: It was the consensus of the City Council to reappoint George Winslow to serve as the City's representative. Mayor Begun was appointed to serve as Alternate.

CRIMINAL JUSTICE COUNCIL OF SANTA CRUZ COUNTY – [150-70] (Nicol and Begun)

There was discussion that this council is currently inactive.

ACTION: It was the consensus of the City Council to reappoint Council Member Nicol and Mayor Begun to continue to serve as the city's representatives to the Criminal Justice Council if and when it meets.

CULTURAL COUNCIL OF SANTA CRUZ COUNTY – [1000-05] (Storey)

Council Member Storey volunteered to serve as the city's representative to the Cultural Council of Santa Cruz County.

ACTION: It was the consensus of the City Council to appoint Council Member Storey as its representative to the Cultural Council of Santa Cruz County.

5. A. OTHER BUSINESS (Continued)

HAZARDOUS MATERIALS ADVISORY COMMISSION – [430-50] (Gene Bensen; Term Expires 4/1/2011)

City Clerk Greeninger said this is a City Selection Committee appointment and that Gene Bensen's term will expire in 2011. No action is necessary at this time.

LAFCO (Santa Cruz Local Agency Formation Commission) – [140-55]

City Clerk Greeninger said no action is necessary at this time.

LIBRARY JOINT POWERS BOARD – [230-10] (Storey)

Council Member Storey volunteered to serve on the Library Joint Powers Board.

ACTION: It was the consensus of the City Council to appoint Council Member Storey to serve as the city's representative on the Library Joint Powers Board.

LIBRARY FINANCING AUTHORITY – [230-10] (Begun; Storey, Alternate)

Mayor Begun said he would like be the city's representative on the Library Financing Authority, stating he believes it should be someone other than the person serving on the JPA Board. Council Member Storey said he could be the alternate.

ACTION: It was the consensus of the City Council to appoint Mayor Begun to serve as the city's representative on the Library Financing Authority, and Council Member Storey to serve as alternate.

MONTEREY BAY UNIFIED AIR POLLUTION CONTROL DISTRICT – [430-50] (Storey)

It was noted that no action was necessary at this time.

SANTA CRUZ COUNTY SANCTUARY INTER-AGENCY TASK FORCE - [430-80] (Harlan)

ACTION: It was the consensus of the City Council to reappoint Stephanie Harlan to continue to serve as the city's representative on the Santa Cruz County Sanctuary Inter-Agency Task Force.

SANTA CRUZ COUNTY CHILDREN'S NETWORK - [140-70] (Storey)

ACTION: Mayor Begun announced that Council Member Storey has volunteered to serve on the Santa Cruz County Children's Network Board.

SANTA CRUZ COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT, ZONE 5 – [900-10] (Nicol; Graves, Alternate)

ACTION: It was the consensus of the City Council to reappoint Council Member Nicol as the city's representative to the Zone 5 Board, and Council Member Graves as alternate.

SANTA CRUZ COUNTY INTEGRATED WASTE MANAGEMENT LOCAL TASK FORCE – [930-55] (Norton; Lisa Murphy, Alternate)

Council Member Norton said he would serve as the council representative on this task force. Council Member Graves said Assistant to the City Manager Murphy usually attends the meetings on behalf of the city.

ACTION: It was the consensus of the City Council to appoint Council Member Norton to serve as the city's representative on the Santa Cruz County Integrated Waste Management Local Task Force, and designated Assistant to the City Manager Lisa Murphy to continue serving as the city's alternate.

5. A. OTHER BUSINESS (Continued)

SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION - [770-05] (Nicol; Begun, Alternate)

Mayor Begun and Council Member Nicol said they would like to continue to serve on the Santa Cruz County Regional Transportation Commission.

ACTION: It was the consensus of the City Council to reappoint Council Member Nicol to serve as the city's representative on the Santa Cruz County Regional Transportation Commission, with Mayor Begun as alternate.

SANTA CRUZ COUNTY SANCTUARY INTER-AGENCY TASK FORCE - [430-80] (Harlan; Norton, Alternate)

ACTION: It was the consensus of the City Council to reappoint Stephanie Harlan to serve as its representative to the Santa Cruz County Sanctuary Inter-Agency Task Force, with Council Member Norton serving as Alternate.

SANTA CRUZ COUNTY SANITATION DISTRICT – [1130-10] (Ron Graves; Sam Storey, Alternate)

ACTION: It was the consensus of the City Council to reappoint Council Member Graves as the city's representative to the Santa Cruz County Sanitation District Board. Council Member Storey will serve as the city's alternate.

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT – [1170-30] (Kirby Nicol)

City Clerk Greeninger said no action was necessary for this board, as Council Member Nicol's term does not expire until 2010.

Council Member Storey said he thinks the city's representative on the Transit District Board should be someone other than the city's representative on the Santa Cruz County Regional Transportation Commission. There was Council discussion and interest expressed by Mayor Begun to be the city's representative.

Council Member Nicol discussed a number of items being considered by the district and his interest in continuing to serve. He said he would need to resign from that appointment.

Council discussion was followed by this action:

ACTION: It was the consensus of the City Council to appoint Mayor Begun to serve as the city's representative on the Santa Cruz Metropolitan Transit District upon resignation of Council Member Nicol.

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

3. CONSENT CALENDAR (*Items pulled for separate discussion.*)**D. Accept Donation of Handgun Replacement from the Capitola Public Safety Foundation and Accept Grant from Cabrillo College Public Safety Division for the Purchase of Handgun Holsters with Lights. [370-40/330-10]**

Council Member Norton said he pulled this item. He appreciates that officers should have the best equipment; however, he expressed concern that these guns do not go to the public sector. Chief of Police Ehle responded to his concerns and said to his knowledge the weapons go to reputable dealer who sells them to other governmental agencies.

Council discussion was followed by this action:

3. D. CONSENT CALENDAR *(Items pulled for separate discussion - Continued)*

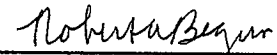
ACTION: Council Member Nicol moved, seconded by Council Member Graves, to accept the donation of handgun replacement from the Capitola Public Safety & Community Service Foundation, and a donation of holsters and flashlights from the Cabrillo College Public Safety Division, as requested. The motion carried on the following vote: AYES: Council Members Graves, Storey, Nicol, and Mayor Begun. NOES: Council Member Norton. ABSENT: None. ABSTAIN: None.

6. **COUNCIL/STAFF COMMENTS**

Mayor Begun asked if the city manager was anticipating a special meeting being called. City Manager Hill said there is a possibility a special meeting would be necessary for labor negotiations next week; however, he is not certain what day that might be at this time.

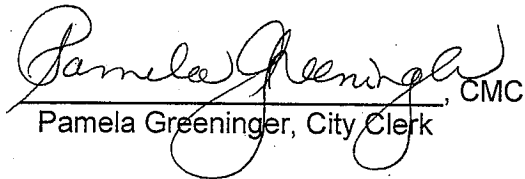
7. **ADJOURNMENT**

The City Council adjourned at 11:30 p.m. to its next Regular Meeting to be held on Thursday, January 8, 2009, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California. Mayor Begun announced that Vice Mayor Storey would chair the January 8, 2009 meeting, as he will be on a trip.



Robert A. Begun, Mayor

ATTEST:



CMC
Pamela Greeninger, City Clerk

MINUTES WERE UNANIMOUSLY APPROVED BY THE CITY COUNCIL ON 1/8/09