

**CAPITOLA CITY COUNCIL
REGULAR MEETING MINUTES
THURSDAY, JANUARY 9, 2020**

Mayor Petersen called the meeting to order at 5:30 p.m. with the following in attendance:

Council Member Jacques Bertrand: Present; Council Member Ed Bottorff: Present; Council Member Sam Storey: Present; Vice Mayor Yvette Brooks: Present; Mayor Kristen Petersen: Present.

There were no members of the public present and the Council adjourned to the City Manager's Office to discuss the following items in closed session:

CONFERENCE WITH LABOR NEGOTIATOR [Govt. Code § 54957.6]

Negotiators: Larry Laurent, Samantha Zutler

Employee Organizations: (1) Association of Capitola Employees; (2) Capitola Police Captains, (3) Confidential Employees; (4) Mid-Management Group; and (5) Department Heads

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to Gov't Code § 54956.9(d)(4).

(One potential case)

LIABILITY CLAIMS [Gov't Code § 54956.95]

Claimant: Stacy Austin

Agency claimed against: City of Capitola

REGULAR MEETING OF THE CAPITOLA CITY COUNCIL – 7 PM

1. PLEDGE OF ALLEGIANCE

2. REPORT ON CLOSED SESSION

City Attorney Samantha Zutler reported that Council discussed the listed items and provided direction. The claim will be voted on later on the consent calendar.

3. ADDITIONAL MATERIALS - None

4. ADDITIONS AND DELETIONS TO AGENDA - None

5. PUBLIC COMMENTS

Cherie McCoy addressed the redevelopment of Capitola Mall.

Carin Hanna invited the community to the Business Improvement Area's (BIA) February 8 Sip and Stroll, which benefits the Capitola Foundation for CPR training and Capitola Parks and Recreation. All Business Improvement Area events support local nonprofits.

6. CITY COUNCIL / STAFF COMMENTS

Council Member Brooks invited the community to five-year strategic plan release events for the County Office of Education on January 21 and January 28.

Council Member Sam Storey noted today is law enforcement appreciation day and thanked the members of Capitola Police for their service.

Council Member Bertrand encouraged participation in the Recreation Division and Regional Transportation Commission surveys.

Council Member Bottorff announced he will miss a few regular meetings through March 26.

7. CONSENT CALENDAR

MOTION:	APPROVE OR REJECT AS RECOMMENDED
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ed Bottorff, Council Member
SECONDER:	Sam Storey, Council Member
AYES:	Bottorff, Bertrand, Storey, Petersen, Brooks

- A. Consider the December 19, 2019, City Council Regular Meeting Minutes
RECOMMENDED ACTION: Approve minutes.
- B. Liability Claim of Stacy Austin [Claims Binder]
RECOMMENDED ACTION: Reject liability claim.

8. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Consider Contracts with the City of Santa Cruz Marine Safety Division for Beach Lifeguard Services and with Central Fire Protection District for Lifeguard Training Services
RECOMMENDED ACTION: Authorize the City Manager to sign one-year contracts in an amount not to exceed \$91,500 with the City of Santa Cruz Marine Safety Division and \$13,000 with Central Fire Protection District.

Recreation Supervisor Nikki Bryant LeBlond presented the staff report, noting there are two different contracts and fire departments involved. Plans to transition to Central Fire Protection District for all services were delayed by its consolidation with Aptos/La Selva Beach Fire District.

There was no public comment.

MOTION:	AUTHORIZE THE CONTRACTS AS RECOMMENDED
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sam Storey, Council Member
SECONDER:	Yvette Brooks, Vice Mayor
AYES:	Bottorff, Bertrand, Storey, Petersen, Brooks

- B. Report on Damage Sustained on the Capitola Wharf
RECOMMENDED ACTION: Receive a report on the January 1, 2020, damage to the Capitola Wharf; ratify emergency actions taken to protect the wharf; if necessary, approve additional emergency actions to facilitate repairs to the wharf; and authorize associated expenditures from Measure F funding.

Public Works Director Steve Jesberg presented the staff report. Emergency repairs from the January 1 damage have been completed with a steel beam and a safety railing installed. It reopened January 9. Estimated costs are \$25,000 to date. The broken pilings need replacement and the landing rebuilt. Inspections will still be required. No additional

action is required at this time.

In public comment, Willie Case, owner of the Wharf House, thanked Director Jesberg and his staff for their expedient work to reopen the wharf.

Council encouraged staff to include work from the larger wharf improvement project as allowed and directed that any new pile should be of the type planned for the repairs.

MOTION:	RATIFY EMERGENCY ACTIONS AND AUTHORIZE ASSOCIATED EXPENDITURES FROM MEASURE F.
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ed Bottorff, Council Member
SECONDER:	Jacques Bertrand, Council Member
AYES:	Bottorff, Bertrand, Storey, Petersen, Brooks

C. Consider Items for a Municipal Code Title 2 Administration Cleanup Ordinance
RECOMMENDED ACTION: Provide direction.

The City Clerk presented the staff report, requesting direction for the removal process for planning commissioners, how referrals to advisory bodies should be handled, and whether to retain language allowing board and commission chairs the right to unilaterally place an item on a Council agenda. Council also requested including a process for removal of a mayor.

Council supported creating two options for planning commissioner removal: by the appointing Council member or by majority action of the Council. There was extended debate over whether it should require a regular or super majority to remove either a planning commissioner or a mayor, and if a supermajority is preferred, is it of the members present or of the total Council membership.

Council held a lengthy discussion about referrals to an advisory body. Some members see referrals and requests as synonymous while others said asking a body if it wishes to review an item is a different action. The majority supported requiring a referral to be agendized by a vote of the Council.

Council unanimously supported removing language allowing advisory chairs to place items on Council agendas.

RESULT:	DIRECTION PROVIDED
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D. Annual Donations Report
RECOMMENDED ACTION: Receive the donations and contributions report.

Finance Director Jim Malberg presented the staff report. He noted many of the Art & Cultural programs, such as concerts and movies, are supported annually by local business donations. The library paver program has also been very successful.

RESULT:	RECEIVED REPORT
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9. **ADJOURNMENT**

The meeting adjourned at 8:52 p.m.



Kristen Petersen, Mayor

ATTEST:



Linda Fridy, City Clerk

MINUTES APPROVED JANUARY 23, 2020