

**CAPITOLA CITY COUNCIL
REGULAR MEETING MINUTES
THURSDAY, DECEMBER 13, 2018**

Mayor Termini called the meeting to order at 6 p.m.

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council Member Stephanie Harlan: Absent, Council Member Ed Bottorff: Present, Mayor Michael Termini: Present, Vice Mayor Jacques Bertrand: Present, Council Member Kristen Petersen: Present.

Treasurer Peter Wilk was present.

2. ADDITIONAL MATERIALS - None

3. ADDITIONS AND DELETIONS TO AGENDA - None

4. PUBLIC COMMENTS - None

5. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

Treasurer Wilk noted a \$65,000 check was issued for Measure L legal fees. Additionally, with the passage of Measure K making the treasurer an appointed position, he will resign his position in a few weeks.

Mayor Termini shared the artwork of the second place plein air winner, and noted the staff holiday party was a success.

Council Member Bottorff asked the Council to consider dissolving the Traffic and Parking Commission on a future agenda.

6. CONSENT CALENDAR

MOTION:	APPROVE AS RECOMMENDED
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jacques Bertrand, Vice Mayor
SECONDER:	Kristen Petersen, Council Member
AYES:	Ed Bottorff, Michael Termini, Jacques Bertrand, Kristen Petersen
ABSENT:	Stephanie Harlan

A. Consider the November 20, 2018, City Council Regular Meeting Minutes
RECOMMENDED ACTION: Approve minutes.

B. Receive Audit Report for Fiscal Year 2017-18
RECOMMENDED ACTION: Receive report.

C. 38th Avenue Sidewalk Project Notice of Completion
RECOMMENDED ACTION: Approve the Notice of Completion and Contract Change Order Number 2 for the 38th Avenue sidewalk project by Earthworks Paving Contractors with a final cost of \$144,420 and direct the Public Work Department to record the Notice of Completion.

- D. Adopt a Resolution Setting the Interest Rate for Tenants' Security Deposits for 2019 at Zero Percent (0.00%) [750-10]
RECOMMENDED ACTION: Adopt **Resolution No. 4133**.
- E. Consider a Resolution Approving a New Hourly and Seasonal Pay Schedule [600-10]
RECOMMENDED ACTION: Adopt **Resolution No. 4134** repealing Resolution No. 4095 and approving a New Hourly/Seasonal Pay Schedule.
- F. Consider a Resolution Authorizing an Increase in the Residential and Commercial Garbage Collection [930-45]
RECOMMENDED ACTION: Adopt **Resolution No. 4135** approving the Rate Schedule for Residential and Commercial Garbage Collection and Recycling in Capitola effective January 1, 2019.

7. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Consider a Resolution Confirming and Approving the Canvass of Returns and Results of the General Municipal Election [560-10]
RECOMMENDED ACTION: Adopt **Resolution No. 4136** confirming election results and thereby:
 1. Adopt a Cannabis Tax ordinance (**Ordinance No. 1023**)
 2. Adopt an ordinance amending the Transient Occupancy Tax rate (**Ordinance No. 1024**)
 3. Adopt an ordinance making the treasurer an appointed position (**Ordinance No. 1025**)
 4. Adopt an ordinance adding Chapter 8.72 "Greenway Capitola Corridor" to Title 8 "Health and Safety." (**Ordinance No. 1026**)

The City Clerk presented the staff report.

In public comment, Tom Fredricks, Felton, asked the Council to consider the ramifications of adopting Measure L and its impacts on regional transportation.

Barry Scott, Aptos, echoed those concerns.

City Attorney John Barisone confirmed that the City has no leeway in adopting voter-approved measures.

MOTION:	ADOPT AS RECOMMENDED
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ed Bottorff, Council Member
SECONDER:	Kristen Petersen, Council Member
AYES:	Ed Bottorff, Michael Termini, Jacques Bertrand, Kristen Petersen
ABSENT:	Stephanie Harlan

- B. Recognition of Outgoing Council Members
RECOMMENDED ACTION: Thank retiring Council Member Stephanie Harlan and Mayor Michael Termini.

Mayor Termini noted that Council Member Harlan was not able to attend but shared gifts recognizing her many years of service. Council Member Bottorff noted her passion for the Monterey Bay and preserving the sanctuary. Council Member Petersen thanked her

for her encouragement and mentorship. Council Member Bertrand praised her dedication to reaching out to the community to gauge its desires. Mayor Termini remembered her willingness to stand her ground.

Council Member Bottorff presented a gift and reviewed Mayor Termini's tenure, many additional community volunteer hours, and his personal appreciation for Mayor Termini's guidance. Council Member Petersen praised his example. Council Member Bertrand thanked him for representing the spirit of Capitola. Mayor Termini thanked staff and the former and current council members who set a thoughtful tone regardless of differing opinions, and celebrated the joy of small town government. He then handed the meeting off to Vice Mayor Bertrand.

C. Oath of Office Ceremony for Newly Elected and Re-elected Council Members and Seating of Newly Elected Officials [520-50]

RECOMMENDED ACTION: Administer the oath of office and receive comments from new Council Members.

Santa Cruz Mayor Martine Watkins swore in Council Member Yvette Brooks, and City Clerk Linda Fridy swore in Council Members Sam Storey and Jacques Bertrand. They took their places at the dais.

At the end of the meeting, Council Member Brooks thanked the current council and supporters, and said she looks forward to serving the community.

Council Member Storey thanked his family for election support and thanked community members that hosted candidate meetings for all. He also acknowledged the departing Council members' inspiration, saying for him they are Mr. and Ms. Capitola.

Mayor Bertrand remembered his first election efforts supporting recycling in San Francisco and many issues over the years. He thanked Council Member Storey for giving him his first local appointment.

D. City Council Reorganization for the Selection of Mayor and Vice Mayor [120-37]

RECOMMENDED ACTION: City Council members nominate and elect a new mayor and mayor pro tempore (vice mayor).

Council Member Petersen nominated Vice Mayor Bertrand to serve as Mayor. and Council Member Peterson as Vice Mayor (mayor pro tempore).

MOTION:	APPOINT JACQUES BERTRAND AS MAYOR.
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristen Petersen, Council Member
SECONDER:	Sam Storey, Council Member
AYES:	Jacques Bertrand, Ed Bottorff, Yvette Brooks, Kristen Petersen, and Sam Storey

MOTION:	APPOINT KRISTEN PETERSEN AS VICE MAYOR.
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sam Storey, Council Member
SECONDER:	Yvette Brooks, Council Member
AYES:	Jacques Bertrand, Ed Bottorff, Yvette Brooks, Kristen Petersen, and Sam Storey

E. Review Initial Council Appointments

RECOMMENDED ACTION: Appoint representatives to boards with early January meetings:

1. Capitola Planning Commission
2. Santa Cruz County Sanitation District Board
3. Association of Monterey Bay Area Governments

The City Clerk presented the staff report and Council made appointments as follows:

Planning Commission individual appointments:

- Council Member Bottorff reappointed TJ Welch.
- Mayor Bertrand reappointed Edward Newman.
- Vice Mayor Petersen appointed Peter Wilk.
- Council Member Brooks appointed Courtney Christiansen.
- Council Member Storey appointed Mick Routh.

For the Santa Cruz County Sanitation District Board, Mayor Bertrand, who has been serving as alternate, offered to serve as representative and Council Member Storey offered to be the alternate. The Council concurred.

For AMBAG (Association of Monterey Bay Area Governments), Vice Mayor Petersen offered to continue as representative and Council Member Bottorff offered to continue as alternate. The Council concurred.

F. Consider the 2019 Meeting Schedule for the City Council/Successor Agency [520-40]
RECOMMENDED ACTION: Determine the summer meeting dates and consider if the Council wishes to change the 7 p.m. City Council open session meeting start time, then adopt the 2019 meeting schedule.

City Manager Jamie Goldstein presented the staff report. Council Member Storey asked staff to check that submittal dates remain consistent prior to agenda distribution.

Council Member Brooks requested that the Council retain the 7 p.m. regular start time and Council agreed. Council Member Bottorff said he would like to try to begin the general government agenda portion by 7:30 p.m. Other Council members agreed and staff will bring back suggestions.

The Council agreed that it will hold meetings on the fourth Thursdays only in both July and August for 2019.

MOTION:	ADOPT THE MEETING SCHEDULE AS RECOMMENDED WITH A 7 P.M. START TIME AND AN AUGUST 22 MEETING.
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ed Bottorff, Council Member
SECONDER:	Kristen Petersen, Council Member
AYES:	Jacques Bertrand, Ed Bottorff, Yvette Brooks, Kristen Petersen, and Sam Storey

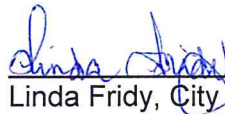
8. ADJOURNMENT

The meeting adjourned at 7:10 p.m.



Jacques Bertrand, Mayor

ATTEST:



Linda Fridy, City Clerk

MINUTES APPROVED JANUARY 10, 2019