

**CAPITOLA CITY COUNCIL  
REGULAR MEETING MINUTES  
TUESDAY, NOVEMBER 20, 2018**

**CALL TO ORDER**

Mayor Termini called the meeting to order at 6:30 p.m.

No members of the public were present and the Council adjourned to the City Manager's Office with the following items to be discussed in Closed Session:

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to Govt. Code § 54956.9(d)(2).  
(one potential case)

**REGULAR MEETING OF THE CAPITOLA CITY COUNCIL – 7 PM****1. ROLL CALL AND PLEDGE OF ALLEGIANCE**

Council Member Stephanie Harlan: Present, Council Member Ed Bottorff: Present, Mayor Michael Termini: Present, Vice Mayor Jacques Bertrand: Present (arrived late), Council Member Kristen Petersen: Excused.

**2. PRESENTATIONS**

A. Retirement Proclamation for Eddie Ray Garcia

Mayor Termini presented the proclamation recognizing 30 years of service to Mr. Garcia, who thanked his coworkers and his wife.

**3. REPORT ON CLOSED SESSION**

John Barisone reported there was no action taken, and noted that only Council Members Harlan and Bottorff and Mayor Termini were present.

Council Member Bertrand joined the meeting at this time.

**4. ADDITIONAL MATERIALS**

A. Item 9.C – One public comment email.

**5. ADDITIONS AND DELETIONS TO AGENDA - None****6. PUBLIC COMMENTS**

Carin Hanna praised Eddie Ray Garcia and welcomed Matt Kotila as he takes over responsibility for the Public Works crew. She also invited the community to the expanded Tree lighting Saturday following Surfin' Santa.

Jay Brown, new resident, invited the community to a November 30 event in the Village focusing on managing anxiety.

**7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS**

Council Member Harlan encouraged participation in the Friends of the Capitola Library and praised its fundraising efforts. It hosts a book sale at Capitola Mall and is expanding holiday hours.

Council Member Bertrand said he would like to schedule a future report on senior issues, including senior loneliness.

Council Member Bottorff thanked Council Member Harlan and Mayor Termini for their service as their terms end at the next meeting.

Mayor Termini reported the City celebrated the library groundbreaking November 9, which was extremely well attended.

**8. CONSENT CALENDAR**

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

- A. Consider the November 8, 2018, City Council Regular Meeting Minutes  
RECOMMENDED ACTION: Approve minutes.
- B. Planning Commission Action Minutes  
RECOMMENDED ACTION: Receive minutes.
- C. Approval of City Check Registers Dated October 5, October 12, October 19 and October 26, 2018  
RECOMMENDED ACTION: Approve check registers.
- D. Traffic Calming Measures in the Jewel Box  
RECOMMENDED ACTION: Approve the speed table plan, signs, and budget transfer for previously approved traffic calming measures in the Jewel Box and authorize staff to advertise for bids.

**9. GENERAL GOVERNMENT / PUBLIC HEARINGS**

- A. Approve Contract with the City of Santa Cruz for Beach Lifeguard Services  
RECOMMENDED ACTION: Authorize the City Manager to sign a one-year contract for \$83,152 between the City of Santa Cruz and the City of Capitola to perform lifeguard services commencing May 2019 through October 2019.

City Manager Jamie Goldstein presented the staff report to extend lifeguard services. He noted staff is working with Central Fire to train Junior Guard instructors this summer.

Santa Cruz Fire Chief Frawley praised the cooperative program of several years. His team will offer opportunities to shadow and support for Central Fire as a transition develops.

Central Fire Chief Steven Hall thanked Santa Cruz's marine safety division for the opportunity and looks forward to being ready in 2020.

The Council thanked Santa Cruz for its ongoing service.

<b>MOTION:</b>	<b>APPROVE CONTRACT AS RECOMMENDED</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ed Bottorff, Council Member
<b>SECONDER:</b>	Stephanie Harlan, Council Member
<b>AYES:</b>	Stephanie Harlan, Ed Bottorff, Michael Termini, Jacques Bertrand
<b>ABSENT:</b>	Kristen Petersen

B. Review Recreation and Junior Guard Fees

RECOMMENDED ACTION: Adopt the recommended fees and include them in the amended Fiscal Year 2018-19 Fee Schedule in Item 9.E.

Recreation Supervisor Nikki Bryant LeBlond presented the staff report and outlined the process for determining the suggested increase in fees. The new one-week session would include a pilot teen program to serve older youth than Camp Capitola's usual age range.

Mayor Termini asked how fees compare to other programs. Supervisor Bryant LeBlond responded it is hard to compare because of the variety of choices locally, but they are on par with other recreational programs.

There was no public comment.

<b>MOTION:</b>	<b>APPROVE NEW FEES AS RECOMMENDED</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Stephanie Harlan, Council Member
<b>SECONDER:</b>	Ed Bottorff, Council Member
<b>AYES:</b>	Stephanie Harlan, Ed Bottorff, Michael Termini, Jacques Bertrand
<b>ABSENT:</b>	Kristen Petersen

C. Consider a Capitola Beach Public Art Project

RECOMMENDED ACTION: Approve the recommended "sea life relief sculpture" public art project at a Capitola Beach entrance.

Assistant to the City Manager Larry Laurent presented the staff report. The Art and Cultural Commission recommends installation at the "main" entrance to the beach, not adjacent to Esplanade Park.

Council Member Harlan confirmed the sculptures would be securely installed to prevent theft. Assistant Manager Laurent confirmed the art is tactile but not intended for climbing.

There was no public comment.

Council Member Bottorff said he is concerned it will be climbed on, and while he loves

the art, he wants another location. Council Members Harlan and Bertrand concurred.

<b>MOTION:</b>	<b>RETURN THE ITEM TO THE ART &amp; CULTURAL COMMISSION TO IDENTIFY AN ALTERNATIVE LOCATION.</b>
<b>RESULT:</b>	<b>ADOPTED AS AMENDED [3 TO 1]</b>
<b>MOVER:</b>	Ed Bottorff, Council Member
<b>SECONDER:</b>	Stephanie Harlan, Council Member
<b>AYES:</b>	Stephanie Harlan, Ed Bottorff, Jacques Bertrand
<b>NAYS:</b>	Michael Termini
<b>ABSENT:</b>	Kristen Petersen

- D. Consider a Resolution Dissolving the Library Advisory Committee 230-10  
RECOMMENDED ACTION: Adopt **Resolution No. 4131.**

City Manager Goldstein presented the staff report and the background for the recommended dissolution. He noted the group had a lot of cross membership with other library groups and the Ad Hoc Design Committee will continue through construction to address any issues that arise.

There was no public comment.

<b>MOTION:</b>	<b>APPROVE AS RECOMMENDED</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Stephanie Harlan, Council Member
<b>SECONDER:</b>	Kristen Petersen, Council Member
<b>AYES:</b>	Harlan, Bottorff, Termini, Bertrand,
<b>ABSENT:</b>	Kristen Petersen

- E. Consider a Cannabis Retail Application Fee

RECOMMENDED ACTION:

1. Conduct the noticed public hearing regarding the addition of the proposed Retail Cannabis Application Fee to the Fiscal Year 2018-19 Fee Schedule; and
2. Adopt **Resolution No. 4132** repealing Resolution No. 4119 and establishing an amended Fiscal Year 2018-19 Fee Schedule including the new Retail Cannabis Application Fee and revised recreation fees.

Finance Director Jim Malberg presented the staff report. Council Member Bottorff asked if the new cannabis fee was comparable compared to other jurisdictions and was told the City and County of Santa Cruz have similar rates. Council Member Bottorff noted that Watsonville charges almost \$9,000. Director Malberg explained the cost recovery evaluation. Chief McManus confirmed he is comfortable with the process and has met with other police departments.

In public comment, resident Jay Brown asked whether CBD products fall under these regulations. He will speak with staff.

Council Member Bottorff expressed concern that the City "undersells" its fees. City Manager Goldstein noted it is a one-time fee and hopefully retailers will be successful and remain long-term.

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

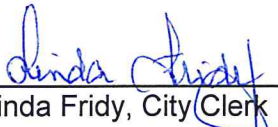
**10. ADJOURNMENT**

The meeting adjourned at 7:57 p.m.



Michael Termini, Mayor

ATTEST:



Linda Fridy, City Clerk

**MINUTES APPROVED DECEMBER 13, 2018**

