

**CAPITOLA CITY COUNCIL  
REGULAR MEETING MINUTES  
THURSDAY, SEPTEMBER 27, 2018**

**CALL TO ORDER**

Mayor Termini called the meeting to order at 6 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 LABOR NEGOTIATOR [Govt. Code § 54957.6]**

Negotiator: Dania Torres Wong/Larry Laurent

Employee Organizations: (1) Capitola Police Officers Association

**CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

**[Govt. Code § 54956.9 (d)(1)]**

City of Capitola v. Linda Fridy & Gail Pellerin (Juan Escamilla Real Party in Interest)  
Santa Cruz Superior Court Case No. 18CV02200

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

**[Govt. Code § 54956.9(d)(4)]**

(1 potential case)

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

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

Treasurer Peter Wilk was present.

Note: Mayor Termini left the meeting prior to open session and Vice Mayor Bertrand chaired the meeting.

**2. PRESENTATIONS****A. PANS Awareness Proclamation**

Rachel Sortino, a local mother whose children have PANS, expressed her appreciation for local recognition and support.

**B. Pink Patch Project**

Sergeant Sarah Ryan introduced the second year of the Pink Patch Project and noted the Capitola Police Department is once again partnering with WomenCARE.

**3. REPORT ON CLOSED SESSION**

Attorney John Barisone reported there were discussions on labor negotiations with instructions provided, the City Council authorized but did not direct an appeal for Capitola vs. Fridy et al, and for the anticipated litigation it provided Attorney Anthony Condotti with instructions but took no reportable actions

**4. ADDITIONAL MATERIALS**

A. Item 9.A – Eight public comment emails.

**5. ADDITIONS AND DELETIONS TO AGENDA - None****6. PUBLIC COMMENTS - None****7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS**

Council Member Petersen said Capitola has been invited by a coastal Mexican town to become a sister city and requested the item be placed on a future agenda.

Vice Mayor Bertrand said he recently attended the Climate Adaptation Summit in Sacramento and will share information in the future. At the annual California League of Cities conference in Long Beach, attended with Council Member Harlan, the City received the platinum level climate award recognizing the City's 26 percent reduction in greenhouse gasses, which he presented to staff.

Council Member Bottorff reminded the community that the first annual Capitola Beach Festival is this weekend.

**8. CONSENT CALENDAR**

Council Member Bottorff clarified that a check in Item 8.D for \$1.2 million to CalPERS (Public Employee Retirement System) is an annual lump-sum payment toward the unfunded liability and that by making a single payment the City saves about \$45,000.

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

- A. Consider the September 13, 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 June 1, June 8, June 15, June 22 and June 29, 2018  
RECOMMENDED ACTION: Approve check registers.
- D. Approval of City Check Registers for July 6, July 13, July 20 and July 27, 2018  
RECOMMENDED ACTION: Approve check registers.
- E. Approval of City Check Registers for August 3, August 10, August 17, August 24 and August 31, 2018.  
RECOMMENDED ACTION: Approve check registers.

- F. Capitola Village and Wharf Business Improvement Area Budget Amendment  
RECOMMENDED ACTION: Approve a budget amendment for the Capitola Village and Wharf Business Improvement Area Fiscal Year 2018-19 budget increasing expenditures to use approximately \$12,000 of the fund balance.

**9. GENERAL GOVERNMENT / PUBLIC HEARINGS**

- A. Consider an Appeal of the Planning Commission's Approval of a Design Permit, Variance, and Coastal Development Permit for Application #18-0184, 205 Magellan  
RECOMMENDED ACTION: Uphold the Planning Commission's decision to approve the project as conditioned.

Planner Matt Orbach presented the staff report, addressing the specific concerns identified in the appeal.

Appellant Terrie Sterling said she is worried about privacy for her adjacent property, which she rents long-term. She is especially concerned about sound and the deck.

Scott Harway and his wife Minnie, applicants, spoke in favor of the project. Mr. Harway shared their efforts to address privacy and Mrs. Harway emphasized the support of their neighbors.

Kent and Julie Cramer shared their support. He has not felt a lack of privacy from adjoining two-story homes and decks.

Steve Cramer, 41-year resident who has a daughter in the neighborhood as well, said he supports additions with decks.

Gail Shank spoke in support of the project. She shared a letter from fellow neighbors, the Walbridges.

Maria Marico also spoke in support and read a letter from another neighbor.

Ari Lessin, neighbor and designer, spoke in support of the project, addressing efforts to create an appropriate addition.

Steve Shenk, long-time neighbor, praised the changes to the area made over time.

Council Member Petersen noted the amount of support neighbors have shown for the project and said she has confidence in the planning staff and Planning Commission. She moved to uphold the decision.

Council Member Bottorff echoed support for the knowledge of staff and the commission, but he also supports the right of a neighbor to have concerns and appeal a decision regardless of tenancy. He added a friendly amendment to include in the conditions the applicants' offer to add lattice to the fence and extend a hedge.

Vice Mayor Bertrand said he believes that should the appellant occupy her Capitola home, she will not find her privacy invaded and that she would be a good neighbor as well.

<b>MOTION:</b>	<b>UPHOLD THE PLANNING COMMISSION DECISION WITH THE ADDITIONAL CONDITIONS.</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kristen Petersen, Council Member
<b>SECONDER:</b>	Ed Bottorff, Council Member
<b>AYES:</b>	Ed Bottorff, Jacques Bertrand, Kristen Petersen
<b>ABSENT:</b>	Stephanie Harlan, Michael Termini

- B. City Goals for Developing Capitola's Social Media Presence  
RECOMMENDED ACTION: Receive presentation and provide direction.

Records Coordinator Chloe Woodmansee presented the staff report, sharing how other jurisdictions are also using social media. She noted an administrative policy is being developed that will focus content on four areas:

- Community Building
- City Business
- Outreach
- Tourism

Development of the policy also will emphasize positive and professional content.


Council Member Petersen praised an increased online presence and asked about using "boosted" posts to gain followers. Assistant to the City Manager Larry Laurent said the Art and Cultural Commission has occasionally done this for events.

Council Member Bottorff said a social media outreach program is long overdue and he is pleased to see more activity. He would support directing funds to this effort.

<b>RESULT:</b>	<b>RECEIVED REPORT</b>
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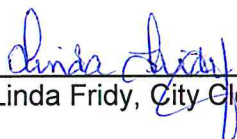
#### 10. ADJOURNMENT

The meeting was closed at 8:21 p.m.



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Jacques Bertrand, Vice Mayor

ATTEST:



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Linda Fridy, City Clerk

**MINUTES APPROVED OCTOBER 11, 2018**