

**CAPITOLA CITY COUNCIL
REGULAR MEETING ACTION MINUTES
THURSDAY, MAY 24, 2018**

CALL TO ORDER

Mayor Termini called the meeting to order at 6 p.m. with the following item to be discussed in Closed Session:

CONFERENCE WITH LABOR NEGOTIATOR [Govt. Code § 54957.6]

Negotiator: Dania Torres Wong

Employee Organizations: (1) Association of Capitola Employees; (2) Capitola Police Captains, (3) Capitola Police Officers Association, (4) Confidential Employees; (5) Mid-Management Group; and (6) Department Heads

There was no public comment; therefore, the City Council recessed to Closed Session in the City Manager's Office.

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, Council Member Kristen Petersen: Present.

Treasurer Peter Wilk was absent.

2. PRESENTATIONS**A. Capitola Public Safety Foundation Update**

Lin Banks of the Public Safety and Community Service Foundation provided an overview of the 13-year-old nonprofit, which supports the Capitola Police Department, community partners, and other nonprofits. The foundation presented a check for \$2,500 to Operation Surf, one of the events it sponsors. This year the foundation's total donations will exceed \$50,000.

3. REPORT ON CLOSED SESSION

City Manager Jamie Goldstein noted the Council received a report from the labor negotiator and took no reportable action.

4. ADDITIONAL MATERIALS**A. Item 10.B – Seven public communications****5. ADDITIONS AND DELETIONS TO AGENDA – None****6. PUBLIC COMMENTS**

Gary Arnold spoke about his concern regarding the erosion of local government.

Laurie Hill congratulated Council Member Ed Bottorff on his selection as the Chamber of

Commerce's Man of the Year. She noted the former Begonia Festival has two donations on the consent agenda, and the Capitola Beach Festival is hoping to follow the festival tradition. She hopes it can include a lighted boat parade.

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

Public Works Director Steve Jesberg noted the annual closure of Soquel Creek and creation of the lagoon was completed this afternoon.

Mayor Termini said the City's Regional Transportation Commission board members will be discussing the Progressive Rail negotiations and he expressed ongoing concerns about the safety of allowing trains to cross the trestle in its current state.

8. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS

A. Consider Area Agency on Aging Appointments

RECOMMENDED ACTION: Appoint both a representative and alternate.

City Manager Jamie Goldstein and City Clerk Linda Fridy provided background and confirmed that the alternate position has been vacant for the current term and appointments are needed for the July 2018 to June 2020 term.

Council Member Harlan, the current representative, said she has taken applicant Carolyn Sigstedt with her to meetings but would like her to attend more before her appointment.

Mayor Termini said he has spoken with the applicant as well and is comfortable making the appointment at this time.

MOTION:	APPOINT STEPHANIE HARLAN AS THE REPRESENTATIVE FOR THE TERM BEGINNING JULY 2018 AND APPOINT CAROLYN SIGSTEDT AS THE ALTERNATE BEGINNING IMMEDIATELY AND FOR THE NEW TERM.
RESULT:	ADOPTED [4 TO 1]
MOVER:	Ed Bottorff, Council Member
SECONDER:	Jacques Bertrand, Vice Mayor
AYES:	Ed Bottorff, Michael Termini, Jacques Bertrand, Kristen Petersen
NAYS:	Stephanie Harlan

9. CONSENT CALENDAR

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

A. Consider the May 10, 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 April 6, April 13, April 20 and April 27, 2018.
RECOMMENDED ACTION: Approve check registers.
- D. Consider a Resolution of Intention to Levy Business Improvement Assessments for Fiscal Year 2018-2019[140-05]
RECOMMENDED ACTION: Adopt **Resolution No. 4112** receiving the Capitola Village and Wharf Business Improvement Area Annual Report and the proposed Fiscal Year 2018-2019 Budget, and set and notice a public hearing.
- E. Accept a Donation to the Historical Museum and the Art and Cultural Commission from the Former Begonia Festival
RECOMMENDED ACTION: Accept donations.
- F. Adopt an Ordinance Amending Chapter 13.02 Pertaining to Water Conservation Plumbing Fixture Retrofit Requirements
RECOMMENDED ACTION: Approve the second reading and adopt **Ordinance No. 1018** amending Municipal Code Chapter 13.02.- Water Conservation Plumbing Fixture Retrofit Requirements.
- G. Adopt an Ordinance Amending Chapter 10.36.170 Curb Markings
RECOMMENDED ACTION: Approve the second reading and adoption of the **Ordinance No. 1019** amending Municipal Code Chapter 10.36.170 Curb Marking to allow establishment of site-by-site time limits in loading zones.

10. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Food Cupboard Current Zoning Update
RECOMMENDED ACTION: Accept staff presentation and continue to prohibit unsupervised food distribution in residential areas.

Council Member Harlan recused herself and left the dais since she lives near the cupboard referenced in the staff report.

Community Development Director Katie Herlihy presented the staff report and recent history of the issue. Cupboards are allowed as an accessory use in commercial zones and she walked the Council through the different standards given the recent zoning update that has not yet taken effect in the coastal zone. Another option is a food pantry distribution sites, which are allowed as an accessory use, often with a conditional use permit.

Mayor Termini clarified that allowing cupboards in residential areas would require a change in the zoning code and additional staff to monitor the food.

Melanie Arao, resident and emergency room nurse, said she opposes cupboards because she has seen many cases where children ingest dangerous items, most recently a child that apparently got marijuana-laced gummy bears and is in a coma. She worries what items may end up in unsupervised cupboards.

Council Member Bertrand said he supports the staff recommendation and members concurred. Mayor Termini noted he had promised a full discussion to supporters.

MOTION:	ACCEPT THE REPORT AND CONTINUE TO PROHIBIT UNSUPERVISED FOOD DISTRIBUTION IN RESIDENTIAL AREAS
RESULT:	ADOPTED [4 TO 0]
MOVER:	Jacques Bertrand, Vice Mayor
SECONDER:	Ed Bottorff, Council Member
AYES:	Ed Bottorff, Michael Termini, Jacques Bertrand, Kristen Petersen
RECUSED:	Stephanie Harlan

B. Review Potential Traffic Calming Options for Topaz Street and the Jewel Box Neighborhood

RECOMMENDED ACTION: Review options for traffic calming for Topaz Street and the Jewel Box neighborhood, receive public testimony, and authorize staff to proceed with a facilitated public workshop.

Director Jesberg presented the staff report and history of the recent discussions to address traffic concerns in the neighborhood. These efforts now focus on measures that would not require California Environmental Quality Act review or permits. He reviewed five options and a sample of how they could be combined to slow traffic and discourage cut-through traffic.

He offered some options to move discussions forward:

- Continue to refine and further develop traffic calming plans
- Conduct another survey
- Conduct additional traffic monitoring
- traffic counts (measure volume & speed)
- Blue tooth and license plate surveys (measure traffic patterns)
- Develop a speed table/speed bump policy

Council Member Bertrand confirmed there would be some lost parking installing a bulb out. Director Jesberg also responded that the earliest a community meeting could be held would be three to four weeks and explained the options for tracking traffic through Bluetooth or license plates.

Most public comment was supportive of the new options, although some residents expressed frustration with how long the process has taken. Specific concerns include the ability of larger vehicles to maneuver around traffic circles and notes that 49th Avenue is wider than 47th Avenue. Many neighbors want to avoid more divisiveness.

The following members of the public spoke:

Neil Savage, Opal Street
 Beverly, Emerald Street
 Alan Cable, Topaz Street
 Annie Morocco, Topaz Street
 Christie Donaldson, Opal Street and 47th Avenue (full comments on file)
 John Nicol, 49th Avenue
 Mick Routh, Crystal Street
 Karl Shubert, Topaz Street
 Marcos Vescovi, Topaz Street
 Jim Donaldson, Opal Street
 Ron Burke, 47th Avenue

Al Carlson, Jewel Street
David Aaron, Garnet Street
Cherry McDonald, Jewel Street (full comments on file)
Rose Filicetti, Opal Street
Judy Panick, Emerald Street

Council Member Harlan supports an ongoing conversation on the options and noted more traffic counts may be needed.

Council Member Bertrand said although Topaz neighbors started the conversation, the problem is neighborhood-wide. He appreciates support for the new direction with traffic calming as the goal. He supports a neighborhood meeting, perhaps with a facilitator.

Council Member Peterson also supports the direction toward calming efforts and a community meeting.

Council Member Bottorff said the reason he supported rescinding the first decision was because of difficulties that arose with permitting. He would still like a solution that stops cars from coming into the Jewel Box and keeps traffic on Capitola Road and Portola. Any solution will have some impact on residents. He asked if traffic on Jade Street could be closed, at least eastbound.

Mayor Termini wants to be sure that a speed table policy is one of the options developed and that the policy addresses how costs are shared.

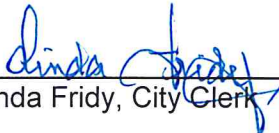
MOTION:	DIRECT STAFF TO DEVELOP A SPEED TABLE POLICY AND TO HOLD A COMMUNITY MEETING THAT INCLUDES THE PRESENTED OPTIONS ALONG WITH INVESTIGATING CLOSING JADE STREET TO THROUGH TRAFFIC OR ONE-WAY TRAFFIC WESTBOUND.
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristen Petersen, Council Member
SECONDER:	Jacques Bertrand, Vice Mayor
AYES:	Harlan, Bottorff, Termini, Bertrand, Petersen

11. ADJOURNMENT

The meeting adjourned at 8:36 p.m.

ATTEST:


Michael Termini, Mayor


Linda Fridy, City Clerk

MINUTES APPROVED JUNE 14, 2018

