

**CAPITOLA CITY COUNCIL  
REGULAR MEETING MINUTES  
THURSDAY, MAY 10, 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 present.

**2. PRESENTATIONS**

A. Public Service Week Proclamation

B. Presentation of Check from Capitola Public Safety Foundation to Support Scholarships for Junior Guards [485-10/1050-10]

**3. REPORT ON CLOSED SESSION**

Attorney Condotti said the Council discussed the negotiations and no reportable action was taken.

**4. ADDITIONAL MATERIALS**

A. Item 9.A – Three public communications

B. Item 9.E – Memo with modifications to proposed ordinance language

**5. ADDITIONS AND DELETIONS TO AGENDA****6. PUBLIC COMMENTS**

Tony Lazzerini explained that emergency vehicles, ride services, and others have difficulty finding residents of upper Cherry Avenue who access their homes from the alley above. He asked for a street sign. Staff noted that it would need to work with emergency services on a new street name. Mr. Lazzerini also asked for improved street conditions.

Marcos Vasquez, Topaz resident, asked for action on ongoing traffic concerns.

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

Treasurer Wilk followed up on a previous meeting comment about a drop in quarterly sales tax and suggested adding a marijuana tax would cover the current expected gap.

City Manager Jamie Goldstein said the draft budget will be distributed tomorrow.

Public Works Director Steve Jesberg announced his department will be holding two workshops next week on the wharf and Park Avenue sidewalk.

Council Members Harlan and Bertrand are attending the Queer Youth Awards recognizing outstanding youth and allies this weekend.

Mayor Termini noted installation has begun for the Art and Cultural Commission public art railing project on Capitola Avenue. In response to a resident's letter, he asked if the City can work with PG&E and Brookvale Terrace on failing transformers. Local firm Fuse Architects will oversee work on renovating Wharf buildings.

**8. CONSENT CALENDAR**

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

- A. Consider the April 26, 2018, City Council Regular Meeting Minutes  
RECOMMENDED ACTION: Approve minutes.
- B. Approve a Side Letter with Capitola Mid-Management Employees Outlining a New Job Description and Salary for the Building Official  
RECOMMENDED ACTION: Approve the side letter with the new job description and salary for the Building Official reflecting a shared services role with Scotts Valley.
- C. Approve 2018 Slurry Seal Project Plans and Authorize Bidding  
RECOMMENDED ACTION: Approve the plans, specifications, and construction estimate for the 2018 Slurry Seal Project and authorize the Public Works Department to advertise for bids, setting the bid opening date for June 20, 2018.

**9. GENERAL GOVERNMENT / PUBLIC HEARINGS**

- A. Finalize the Scope of Work for the Jetty Rehabilitation Project  
RECOMMENDED ACTION: Finalize the scope of work for the beach jetty rehabilitation project without the addition of a walking pathway on top of the jetty and direct staff to proceed with the final plans and permitting.

Director Jesberg presented the staff report, noting studies of sand movement have been conducted to assure the desired beach preservation. Workshop and community conversations included the option to add a pathway to the top of the jetty, but it was not popular with most respondents due to \ impacts to the beach between Esplanade Park and the jetty.

Mayor Termini asked if grants are available. Director Jesberg replied he does not believe there are any for the jetty within the time frame, but staff is exploring options for the Wharf.

Council Member Bertrand attended the workshops and confirmed the public input. He asked if there was any way to know if the original plans reflect what was built. Director Jesberg said height and length match and will be replicated.

Council Member Bottorff asked if the price range could be narrowed. Director Jesberg said it varies with the amount of rock required, but he estimates \$300,000. The pathway would increase costs by \$125,000 to \$150,000.

During public comment, resident Jack Digby said Operation Surf shows the beach is handicapped accessible and he opposes a sidewalk on the beach.

Council Member Bottorff said while a walkway initially seemed appealing, it is not prudent.

<b>MOTION:</b>	<b>APPROVE THE RECOMMENDED SCOPE OF WORK FOR THE JETTY WITHOUT A PATHWAY AND DIRECT STAFF TO PROCEED.</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Stephanie Harlan, Council Member
<b>SECONDER:</b>	Jacques Bertrand, Vice Mayor
<b>AYES:</b>	Harlan, Bottorff, Termini, Bertrand, Petersen

- B. Introduce an Ordinance Amending Chapter 13.02 Pertaining to Water Conservation Plumbing Fixture Retrofit Requirements  
RECOMMENDED ACTION: Approve the first reading of an ordinance amending Municipal Code Chapter 13.02 - Water Conservation Plumbing Fixture Retrofit Requirements

Director Jesberg presented the staff report and noted the action comes at the request of Soquel Creek Water District.

Mayor Termini asked about the impacts of trying to keep the requirement in place. Director Jesberg said enforcement involves tracking properties sold and conducting inspections, and the City does not have staff to oversee this. City Manager Goldstein noted with real property that maintaining the requirement and not enforcing it could prevent the closing on a sale.

Shelly Flock, conservation manager of Soquel Creek Water District, explained the change was driven by both staff time and diminishing returns. Retrofit programs have succeeded and there are few non-complying structures remaining. In addition, point-of-sale and building code regulations have supported these efforts.

There was no other public comment.

Mayor Termini expressed a desire to continue to encourage water conservation and retrofits.

<b>MOTION:</b>	<b>APPROVE FIRST READING</b>
<b>RESULT:</b>	<b>PASSED FIRST READING [UNANIMOUS]</b>
<b>MOVER:</b>	Ed Bottorff, Council Member
<b>SECONDER:</b>	Stephanie Harlan, Council Member
<b>AYES:</b>	Harlan, Bottorff, Termini, Bertrand, Petersen

C. Recreation Division Report

RECOMMENDED ACTION: Receive report.

City Manager Goldstein presented the staff report. He noted that program participants skew toward women and above age 40. The division has also seen a decline in sports leagues. The Camp Capitola enrollment decline is due in part to competition from Boys and Girls Club and Simpkins Swim Center programs. To maintain league standards for competition, Junior Guards staffing costs increased and enrollment was reduced with an impact of more than \$100,000.

Mayor Termini confirmed that Junior Guards is not self-funding when overhead is included in costs.

Council Member Bertrand explained he asked for this report in part because of future costs to maintain the building. He would like future outreach on the types of programs desired to serve more of the community, and is especially interested in serving youth. Council Member Harlan suggested asking for ideas in the City newsletter.

<b>RESULT:</b>	<b>RECEIVED REPORT</b>
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D. Consider a Resolution Opposing the Industry-Backed “Tax Fairness, Transparency, and Accountability Act of 2018” Ballot Initiative

RECOMMENDED ACTION: Adopt **Resolution No. 4111**.

City Manager Goldstein presented the staff report, noting the change in the tax threshold to two-thirds for voters and Council actions have potentially significant impact on the City’s ability to raise revenue.

Mayor Termini confirmed that, if qualified and passed, this initiative would increase the vote threshold for the marijuana tax Council is considering for the November ballot.

<b>MOTION:</b>	<b>ADOPT THE RESOLUTION</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>	Harlan, Bottorff, Termini, Bertrand, Petersen

E. Introduce an Ordinance Amending Chapter 10.36.170 Curb Markings

RECOMMENDED ACTION: Approve the first reading of an ordinance amending Municipal Code Chapter 10.36.170 Curb Markings to allow establishment of site-by-site time limits in loading zones.

language, though not of intent or direction, that was revised after agenda distribution. He noted a recommendation to make an additional change in Section 2 from "two-hour" to "posted times."

There was no public comment.

Council Member Bottorff thanked staff for bringing this item back as requested.

<b>MOTION:</b>	<b>APPROVE THE FIRST READING WITH THE UPDATED LANGUAGE AS PRESENTED</b>
<b>RESULT:</b>	<b>PASSED FIRST READING [UNANIMOUS]</b>
<b>MOVER:</b>	Stephanie Harlan, Council Member
<b>SECONDER:</b>	Ed Bottorff, Council Member
<b>AYES:</b>	Harlan, Bottorff, Termini, Bertrand, Petersen

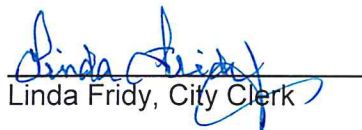
**10. ADJOURNMENT**

The meeting adjourned at 8:01 p.m.



Michael Termini, Mayor

ATTEST:



Linda Fridy, City Clerk

**MINUTES APPROVED MAY 24, 2018**

