

**CAPITOLA CITY COUNCIL
REGULAR MEETING MINUTES
THURSDAY, APRIL 12, 2018**

CALL TO ORDER

Mayor Termini called the meeting to order at 5:30 p.m. with the following items 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

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Gov't. Code § 54956.9(d)(2).
(One potential case)

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: Absent, Council Member Kristen Petersen: Present.

Treasurer Peter Wilk was present.

2. PRESENTATIONS**A. Introduce New Public Works Project Manager Kailash Mozumder**

Public Works Director Steve Jesberg introduced Project Manager Kailash Mozumder. Manager Mozumder noted he has been a resident of the City since 2014 and is looking forward to contributing to his community as a staff member.

3. REPORT ON CLOSED SESSION

City Attorney Tony Condotti reported that Council met and conferred with the labor negotiator and received a report on potential litigation.

4. ADDITIONAL MATERIALS

A. Item 10.B – Three public comment emails

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

Treasurer Wilk noted there is a rare empty lot for sale in the Village and suggested the City look into purchasing it for parking or perhaps even as an investment.

Council Member Petersen recently attended the local Soroptimists' Live Your Dream reception and honored Joanna Ronsse, Capitola resident, as one of the winners. Following up on her remarks at the last meeting about a Community Action Board (CAB) program, she saw there is some confusion about the agency, and would like to invite CAB to a future meeting for a presentation.

Mayor Termini said he and City Manager Jamie Goldstein along with other Capitola library supporters recorded a 30-minute item for Community TV. The Capitola Mall has provided the Friends of the Library with free space by Starbucks to hold book sales, currently the first weekend each month. The annual Easter Egg hunt was a success. He asked for a future agenda item, preferably at the next meeting, to discuss community pantries and library boxes.

8. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS

A. Consider Traffic and Parking Commission Application

RECOMMENDED ACTION: Approve the appointment of Melanie Arao for the remaining Village Resident term.

This item was heard after item 10.A to allow the applicant to arrive from work. City Clerk Linda Fridy presented the staff report. Council Member Bottorff expressed concerns that applicant does not live within the Central Village district and others may have applied if it was open to a greater area.

Council Member Harlan said the applicant lives quite near the zone edge and she supports the appointment.

MOTION:	APPOINT AS RECOMMENDED
RESULT:	ADOPTED [3 TO 1]
MOVER:	Stephanie Harlan, Council Member
SECONDER:	Kristen Petersen, Council Member
AYES:	Stephanie Harlan, Michael Termini, Kristen Petersen
NAYS:	Ed Bottorff
ABSENT:	Jacques Bertrand

9. CONSENT CALENDAR

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

A. Consider the March 22, 2018, City Council Regular Meeting Minutes
RECOMMENDED ACTION: Approve minutes.

- B. Consider a Resolution Allocating the 2019 Road Maintenance and Rehabilitation Account Funds
RECOMMENDED ACTION: Adopt **Resolution No. 4108**.

10. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Consider a Resolution Making Changes to the Yellow, Green, and Red Curb Markings along Capitola Avenue from Bay Avenue to Plum Street
RECOMMENDED ACTION: Approve **Resolution No. 4109** designating a yellow loading zone in front of 704 Capitola Avenue and modify curb markings on Capitola Avenue between Bay Avenue and Plum Street.

Public Works Director Steve Jesberg presented the staff report. He noted that shortening some red curb zones would add two parking spaces and along with green zone repeals would create a total of four long-term spaces.

Sergeant Andrew Dally presented the results of the Problem-Oriented Policing (POP) project related to concerns at the Bay/Capitola intersection. Officer Weagle identified the double-parking problem and spoke with business and residents, then coordinated with Director Jesberg to address the problems. The department will continue to assess parking in the area.

Gerry Jensen, Bay Avenue resident, thanked the City for responding to the community's concerns.

Council Member Bottorff likes the proposal and heard from businesses about support for a loading zone. He is concerned that the zone timing from 8 a.m. prevents earlier parking by delivery drivers. Staff noted the loading zone hours are set by the Municipal Code and amendments would require an ordinance change. Council Member Bottorff also asked if more red zone length could be removed and asked to meet with staff in the field.

Council Member Petersen asked if there were any emergency response concerns from the smaller red zones. Staff said the zones in that area are sight distance issues.

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

- B. Framework for Retail Marijuana Sales Ordinances
RECOMMENDED ACTION: Provide direction.

Community Development Director Rich Grunow presented the staff report and a recommended timeline to get the related tax measure on the November 2018 ballot. He clarified that the security best practices outlined for the recommended Retail Cannabis Permit would be handled by the Police Department as part of the permitting process and not codified to allow for changes as more information is obtained through

experience. The property owner would need to apply for a Conditional Use Permit and the business for the Retail Cannabis Permit. The retail permit would be issued to the operator and not run with the property.

Director Grunow asked if Council supported the proposed approach and requested direction regarding the tax, whether to poll the community, and any other questions.

Mayor Termini asked about the recommended 500-foot separation between locations. Police Chief McManus responded that it is a public safety issue, not crime-related, due to potential nuisance increases with two neighboring locations.

Council also clarified that earmarking just a portion of the proceeds would require a two-thirds vote majority to pass.

Resident Yvette Brooks asked that 1 percent of the proposed tax proceeds be dedicated to a children's fund. (Full comments on file.) She would favor polling the community and aiming for a two-thirds vote.

David Brody, First Five Santa Cruz County, supports the 1 percent suggestion.

Council Member Harlan supports polling for both general support and specific to a children's fund.

Council Member Bottorff likes the idea of bringing the decision to the voters and the plans as proposed. He favors a tax not to exceed 8 percent and a maximum of two locations. He would prefer to stay at simple majority vote for the tax.

Staff confirmed that estimated polling costs are \$17,000 to \$20,000. Treasurer Wilk said that polling on multiple items may make the effort more worth the expense, and Council concurred.

RESULT:	GAVE DIRECTION TO CONTINUE WITH THE ORDINANCES AND TIMELINE AS PROPOSED AND BRING BACK A CONTRACT TO POLL VOTERS, INCLUDING THE OPTION FOR A DEDICATED CHILDREN'S PORTION OF THE TAX AND OTHER ISSUES.
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C. Consider Building Official Options

RECOMMENDED ACTION: Direct staff to:

1. Prepare a contract for a shared Building Official with the City of Scotts Valley; and
2. Meet with appropriate Employee Groups to discuss changes to job descriptions and salary schedules.

City Manager Goldstein presented the staff report, noting that the contract outline comes from his discussions with Scotts Valley management.

Mayor Termini confirmed the potential savings based on a half-time development technician position. City Manager Goldstein cautioned the Council that the market for building officials remains very competitive and even with these changes, recruitment may still be challenging.

MOTION:	UPON SCOTTS VALLEY CITY COUNCIL AGREEMENT TO THE GENERAL PRINCIPLES, PREPARE THE CONTRACT AND MEET WITH EMPLOYEE GROUPS AS RECOMMENDED
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristen Petersen, Council Member
SECONDER:	Ed Bottorff, Council Member
AYES:	Stephanie Harlan, Ed Bottorff, Michael Termini, Kristen Petersen
ABSENT:	Jacques Bertrand

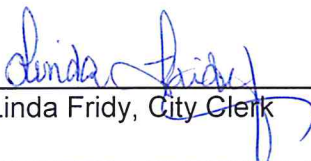
11. ADJOURNMENT

The meeting adjourned at 8:15 p.m.



Michael Termini, Mayor

ATTEST:



Linda Fridy, City Clerk

MINUTES APPROVED APRIL 26, 2018

