

**CAPITOLA CITY COUNCIL  
REGULAR MEETING MINUTES  
THURSDAY, JANUARY 11, 2018 - 7:00 PM**

**1. ROLL CALL AND PLEDGE OF ALLEGIANCE**

Council Member Stephanie Harlan: Absent, 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. ADDITIONAL MATERIALS**

- A. Item 7.A – 94 public comment emails
- B. Item 7.D – 3 public comment emails

**3. ADDITIONS AND DELETIONS TO AGENDA - None****4. PUBLIC COMMENTS**

John Holgren spoke to the plan for a Nissan dealership at the end of 41st Avenue and homeless issues.

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

Council Member Bottorff praised the Business Improvement Association's iSkate event, which attracted more than 1,300 skaters.

Council Member Petersen announced that on Saturday there will be a "Breaking the Glass Ballot" program for women interested in running for office.

Council Member Bertrand announced Village Santa Cruz is celebrating its first anniversary.

Mayor Termini announced the meeting will be held and adjourned in honor of Lena Gotti, a multi-property owner, active citizen, and matriarch of Capitola who died recently.

Treasurer Wilk noted areas that the City could focus on for fiscal improvement: legal fees and consulting fees, especially within Public Works and the ongoing Zoning Code update.

**6. CONSENT CALENDAR**

Council Member Petersen thanked the advisory bodies for updating bylaws to allow youth members.

<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, Michael Termini, Jacques Bertrand, Kristen Petersen
<b>ABSENT:</b>	Stephanie Harlan

- A. Consider the December 14, 2017, City Council Regular Meeting Minutes  
RECOMMENDED ACTION: Approve minutes.

- B. Receive Planning Commission Action Minutes for the Regular Meeting of December 7, 2017.  
RECOMMENDED ACTION: Receive minutes.
- C. Approval of City Check Register Reports Dated November 3, November 9, November 17 and November 22, 2017  
RECOMMENDED ACTION: Approve check registers.
- D. Schedule Appeal of a Director Decision Not To Relinquish a Public Right-of-Way  
RECOMMENDED ACTION: Schedule the appeal hearing for the regular City Council meeting of March 22, 2018.
- E. Consider Interim Building Official Contract Amendment [500-10]  
RECOMMENDED ACTION: Authorize the City Manager to execute a contract amendment with 4Leaf, Inc., in an amount not to exceed \$90,000 to provide a consulting interim building official.
- F. Consider a Resolution Updating Library Advisory Committee Membership [230-10]  
RECOMMENDED ACTION: Adopt **Resolution No. 4097**.
- G. Consider a Resolution Amending the Art & Cultural Commission Bylaws [1010-60]  
RECOMMENDED ACTION: Adopt **Resolution No. 4098**.
- H. Consider a Resolution Amending the Historical Museum Bylaws  
RECOMMENDED ACTION: Adopt **Resolution No. 4099**.
- I. Consider Medicare Agreement Resolution [500-10]  
RECOMMENDED ACTION: Adopt **Resolution No. 4100** to allow employees hired prior to April 1, 1986, to be covered by Medicare and direct the City Manager to sign the required application and agreement.
- J. Reauthorize an Ordinance Implementing the Provisions of the Digital Infrastructure and Video Competition Act  
RECOMMENDED ACTION: Approve the second reading of **Ordinance No. 1016** reauthorizing and amending Ordinance No. 934 regarding Municipal Code Chapter 13.06 State Video Service Franchisee.

## 7. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Presentation Regarding the Santa Cruz Branch Rail Line Right-of-Way  
RECOMMENDED ACTION: Receive presentations and, upon completion of the draft Unified Corridor Study, schedule a future hearing to consider the study findings.

Public Works Director Steve Jesberg introduced the background on the rail corridor and Unified Corridor Study.

Following a coin toss to determine which presenter would go first, Mark Mesiti-Miller of Friends of the Rail Trail (FORT) presented his organization's perspective, supporting the existing Monterey Bay Rail Trail Master Plan.

Bud Colligan of Greenway presented his organization's vision for a bike/pedestrian-only trail.

Members of the public addressed the Council in support of both positions, the staff recommendation, and other specific concerns. The following spoke:

Ted Burke  
Buzz Anderson  
Nels Westman  
Robert Singleton, Santa Cruz Business Council  
Miles Reiter  
Ryan Sarnataro  
Robert Stephens  
Jason Smith  
Carin Hanna  
Patrick Thomas  
Sebastian DeCongesta  
Tom Evans  
Gail McNulty  
Paul Elerick  
Jim Mekis  
Michael Setty  
Barry Scott  
Josh Stephens  
Charlie Zimmerman  
Jenny Sarmiento, Watsonville Planning Commission  
Suzi Merriam  
Dina Jones  
William Menchine  
Jim Jansen  
Jane Claussen  
Chris Curtis  
Bruce Sawhill  
Ashley Wynn  
Alex Clifford, METRO  
Felipe Hernandez, Watsonville City Council  
Richelle Noroyan, Santa Cruz City Council  
Piet Canin, Ecology Action  
Dennis Norton  
Karena Pushnik  
Nancy Connolly  
Dean Cutter  
Craig Wilson  
Ron Goodman  
Sydney Aratin  
Carey Pico

Each group presented closing comments.

Council members thanked the participants and public, and several noted that there appears to be a difference between what Capitola would prefer and what the greater county population wants. They expressed hope that the study will help clear up conflicting information.

Mayor Termini asked for and received Council support to bring back an item asking the Regional Transportation Commission to address City concerns about the trestle’s safety for large, heavy trains. It also supported considering opposition to oil drilling in the Monterey Bay.

<b>MOTION:</b>	<b>APPROVE STAFF RECOMMENDATION WITH NOTE THAT THE ISSUE SHOULD RETURN TO COUNCIL PRIOR TO ANY REGIONAL TRANSPORTION COMMISSION VOTE FOR COUNCIL TO PROVIDE DIRECTION TO ITS VOTING MEMBER.</b>
<b>RESULT:</b>	<b>ADOPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Ed Bottorff, Council Member
<b>SECONDER:</b>	Jacques Bertrand, Vice Mayor
<b>AYES:</b>	Ed Bottorff, Michael Termini, Jacques Bertrand, Kristen Petersen
<b>ABSENT:</b>	Stephanie Harlan

There was a 10-minute recess at 9:50 p.m. following item 7.A

- B. Consider Approval of Skate Park Mural Artist Contract [500-10; 1010-50]  
RECOMMENDED ACTION: Approve the Monte Family Skatepark mural project and contract with Taylor Reinhold and Jimbo Phillips in the amount of \$10,000.

Assistant to the City Manager Larry Laurent presented the staff report, noting that the Art and Cultural Commission sought a project that would both enhance the park and discourage graffiti. The selected artists are iconic in the skate community.

Laurie Hill of the Art and Cultural Commission spoke in support of project.

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

- C. Consider Approval of Esplanade Park Climbable Sculpture Contract 500-10  
RECOMMENDED ACTION: Approve the Esplanade Park climbable sculpture project and contract with Kim Chavez and Chavez Bronzeworks in the amount of \$50,000.

Assistant Manager Laurent presented the staff report, noting the call for artists attracted a large response. The selected artist has worked with the City before.

Council Member Bottorff expressed concerns about heat on a metal sculpture in the sun. Assistant Manager Laurent said the artist will attempt to reduce that effect.

<b>MOTION:</b>	<b>APPROVE THE PROJECT AND CONTRACT 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>	Ed Bottorff, Michael Termini, Jacques Bertrand, Kristen Petersen
<b>ABSENT:</b>	Stephanie Harlan

D. First Reading of Zoning Code Update [730-85]

**RECOMMENDED ACTION:** Introduce an Ordinance rescinding and readopting the Zoning Code of Capitola Municipal Code Chapter 17; rescinding the Capitola Village Design Guidelines and 41<sup>st</sup> Avenue Design Guidelines; moving Floodplain District and Green Building Regulations into Title 15 Building and Construction; and adopting a new zoning map.

Senior Planner Katie Herlihy presented the staff report, noting that the latest version incorporates direction from previous meetings.

Council Member Bertrand confirmed that a two-story building with an attractive roof would be possible on the north side.


There was no public comment.

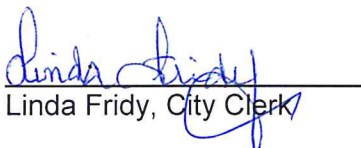
<b>MOTION:</b>	<b>APPROVE FIRST READING</b>
<b>RESULT:</b>	<b>FIRST READING ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jacques Bertrand, Vice Mayor
<b>SECONDER:</b>	Ed Bottorff, Council Member
<b>AYES:</b>	Ed Bottorff, Michael Termini, Jacques Bertrand, Kristen Petersen
<b>ABSENT:</b>	Stephanie Harlan

8. **ADJOURNMENT**

The meeting adjourned at 10:16 p.m.

ATTEST:

  
Michael Termini, Mayor

  
Linda Fridy, City Clerk

**MINUTES WERE APPROVED ON JANUARY 25, 2018**

