

**CAPITOLA CITY COUNCIL
REGULAR MEETING MINUTES
THURSDAY, DECEMBER 14, 2017**

CALL TO ORDER

Mayor Harlan called the meeting to order at 6:30 p.m. with the following items to be discussed in Closed Session:

LIABILITY CLAIMS [Govt. Code § 54956.95]

Claimant: Grey Smith

Agency claimed against: City of Capitola

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

[Govt. Code § 54956.9(d)(1)]

City of Capitola v. Water Rock Construction, Inc.

Santa Clara Superior Court Case No. 16CV295795

There was no public comment; therefore, the City Council recessed to the 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 Ed Bottorff: Present, Council Member Jacques Bertrand: Present, Mayor Stephanie Harlan: Present, Vice Mayor Michael Termini: Present, Council Member Kristen Petersen: Present.

Treasurer Peter Wilk was present.

2. PRESENTATIONS

- A. Capitola Police Department Herb Ross Community Achievement - Officer of the Year Award

Police Chief Terry McManus introduced and recognized Sergeant Cliff Sloma as this year's recipient of the Herb Ross Community Achievement Officer of the Year of Award.

3. REPORT ON CLOSED SESSION

City Attorney Condotti reported that the liability item will be voted on the consent calendar and there was no reportable action on the existing litigation.

4. ADDITIONAL MATERIALS

- A. Item 9.A – Art and Cultural Commission appointment recommendations and applications.

5. ADDITIONS AND DELETIONS TO AGENDA - None

6. PUBLIC COMMENTS

Martina O'Sullivan, 35-year resident and co-chair of the Second Harvest Food Bank Holiday Food Drive, thanked the Council and City for its ongoing support for those who suffer from food insecurity and encouraged continuing donations.

7. COUNCIL REORGANIZATION

- A. City Council Reorganization for the Selection of Mayor and Vice Mayor [120-37]
RECOMMENDED ACTION: City Council consideration of a new Mayor and Mayor Pro Tempore.

MOTION:	APPOINT MICHAEL TERMINI AS MAYOR
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ed Bottorff, Council Member
SECONDER:	Kristen Petersen, Council Member
AYES:	Bottorff, Bertrand, Harlan, Termini, Petersen

MOTION:	APPOINT JACQUES BERTRAND AS VICE MAYOR
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Stephanie Harlan, Council Member
SECONDER:	Kristen Petersen, Council Member
AYES:	Bottorff, Bertrand, Harlan, Termini, Petersen

8. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

Treasurer Wilk noted a difficulty with an overzealous spam filter and apologized if emails were not received. He reported that he spoke with state finance officials and confirmed that the city is not allowed to invest in equities, an option the Finance Advisory Committee had asked to investigate.

Council Member Bottorff noted that iSkate Capitola opens Dec. 15.

Council Member Harlan invited the public to Sotola's second anniversary event Monday and encouraged the public to visit the Museum over the holidays.

Council Member Petersen thanked retiring Mayor Harlan for her work and congratulated the incoming mayor and vice mayor.

Former Mayor Harlan said she looks forward to planning the new mall and would love to see more community space, perhaps in the spirit of Santa Cruz's new Abbott Square.

Incoming Vice Mayor Bertrand thanked the council for the opportunity. He shares Council Member Harlan's enthusiasm for developing public spaces.

Mayor Termini vowed to continue the thoughtful approach and respectful deliberations for which the City Council is known.

9. **BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS**

- A. Review Annual Advisory Body Appointments
RECOMMENDED ACTION: Make appointments.

Art and Cultural Commission: The Council approved the Commission's recommended appointments as follows:

At-Large: Mary Beth Cahalen, Rick Gross, Laurie Hill, and James Wallace.

Arts Professional: Roy Johnson

Artist: Mary Jo Connolly

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

Finance Advisory Committee: The Mayor and Vice Mayor agreed to serve on the commission and the remaining council members made the following appointments:

Paul Estey (Bottorff)

Will O'Sullivan (Harlan)

Marilyn Warter (Petersen)

The Council also confirmed Business Representative Toni Castro as recommended by the Chamber of Commerce.

Library Advisory Committee: Council members made the following appointments:

Toni Campbell (Harlan)

Ariel Gray (Bottorff)

Gayle Ortiz (Termini)

Lisa Steingrube (Petersen)

Stephen Walsh (Bertrand)

MOTION:	APPOINT MAYOR TERMINI AS THE COUNCIL REPRESENTATIVE TO THE LIBRARY ADVISORY COMMITTEE
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ed Bottorff, Council Member
SECONDER:	Jacques Bertrand, Council Member
AYES:	Bottorff, Bertrand, Harlan, Termini, Petersen

Multi-Jurisdiction Board Representation: The Council approved by consensus the following positions:

Community Television of Santa Cruz County Board of Directors

- Larry Laurent

Criminal Justice Council of Santa Cruz County

- Michael Termini (Representative)
- Jacques Bertrand (Representative)

Santa Cruz County Children's Network

- Jacques Bertrand (Representative)
- Michael Termini (Alternate)

Santa Cruz County Flood Control & Water Conservation District, Zone 5

- Stephanie Harlan (Representative)
- Jacques Bertrand (Alternate)

Santa Cruz County Library Financing Authority

- Michael Termini (Representative)
- Jacques Bertrand (Alternate)

Santa Cruz County Integrated Waste Management Local Task Force

- Larry Laurent (Representative)
- Jacques Bertrand (Alternate)

Santa Cruz County Sanitation District

- Stephanie Harlan (Representative)
- Jacques Bertrand (Alternate)

10. CONSENT CALENDAR

MOTION:	APPROVE OR DENY ITEMS AS RECOMMENDED
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ed Bottorff, Council Member
SECONDER:	Kristen Petersen, Council Member
AYES:	Bottorff, Bertrand, Harlan, Termini, Petersen

- A. Consider the November 21, 2017, City Council Regular Meeting Minutes and November 29, 2017, Special Meeting Minutes
RECOMMENDED ACTION: Approve minutes.
- B. Liability Claim of Grey Smith [Claims Binder]
RECOMMENDED ACTION: Deny liability claim.
- C. Adopt a Resolution Setting the Interest Rate for Tenant' s Security Deposits for 2018 at Zero Percent (0.00%) [750-10]
RECOMMENDED ACTION: Adopt **Resolution No. 4094**.
- D. Consider a Resolution Approving a New Hourly and Seasonal Pay Schedule [600-10]
RECOMMENDED ACTION: Adopt **Resolution No. 4095** repealing Resolution No. 4075 and approving a new Hourly/Seasonal Pay Schedule.
- E. Consider a Resolution Authorizing an Increase in the Residential and Commercial Garbage Collection [930-45]
RECOMMENDED ACTION: Adopt **Resolution No. 4096** approving the Rate Schedule for Residential and Commercial Garbage Collection and Recycling in Capitola effective January 1, 2018.
- F. Receive Audit Report for Fiscal Year 2016-2017
RECOMMENDED ACTION: Receive report.

11. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Consider Purchase of Police Communication Infrastructure
RECOMMENDED ACTION: Approve the purchase of Police Department communications infrastructure and required budget amendments.

Assistant to the City Manager Larry Laurent presented the staff report. Assistant Manager Laurent noted that the radio location had been budgeted, but the timeline for replacing equipment was moved up by the county.

Council Member Bertrand confirmed that the new laptop computers are up to Department of Justice encryption standards.

There was no public comment.

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

B. Review 2014 Community Development Block Grant Accomplishments
RECOMMENDED ACTION: Direct staff to submit final reports and CDBG closeout package to the state.

Community Development Director Rich Grunow presented the staff report on the two funded housing programs. He noted there are many households on a waiting list for safety improvements in anticipation of a second grant.

There was no public comment.

Council Member Harlan expressed strong support for these programs and encouraged seeking additional funding sources.

MOTION:	CLOSE OUT GRANT AND SUBMIT REPORTS AS RECOMMENDED
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Stephanie Harlan, Council Member
SECONDER:	Kristen Petersen, Council Member
AYES:	Bottorff, Bertrand, Harlan, Termini, Petersen

C. Reauthorize an Ordinance Implementing the Provisions of the Digital Infrastructure and Video Competition Act
RECOMMENDED ACTION: Approve an emergency ordinance and introduce an ordinance reauthorizing Ordinance No. 934 regarding Municipal Code Chapter 13.06 State Video Service Franchisee.

Assistant to the City Manager Laurent presented the staff report.

Council Member Harlan noted the City has no authority to address recent programming changes by providers.

There was no public comment.

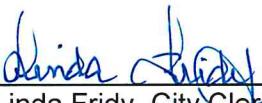
MOTION:	APPROVE URGENCY ORDINANCE AND FIRST READING AS RECOMMENDED
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ed Bottorff, Council Member
SECONDER:	Jacques Bertrand, Council Member
AYES:	Bottorff, Bertrand, Harlan, Termini, Petersen

12. ADJOURNMENT

The meeting was adjourned at 7:51 p.m.


Michael Termini, Mayor

ATTEST:


Linda Fridy, City Clerk

MINUTES WERE APPROVED JANUARY 11, 2018.