

City of Capitola Agenda

Mayor: Stephanie Harlan
Vice Mayor: Michael Termini
Council Members: Jacques Bertrand
Ed Bottorff
Kristen Petersen

Treasurer: Peter Wilk



CAPITOLA CITY COUNCIL REGULAR MEETING

THURSDAY, AUGUST 24, 2017

7:00 PM

CITY COUNCIL CHAMBERS
420 CAPITOLA AVENUE, CAPITOLA, CA 95010

CLOSED SESSION – 6:00 PM CITY MANAGER’S OFFICE

An announcement regarding the items to be discussed in Closed Session will be made in the City Hall Council Chambers prior to the Closed Session. Members of the public may, at this time, address the City Council on closed session items only. There will be a report of any final decisions in City Council Chambers during the Open Session Meeting.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

[Govt. Code § 54956.9(d)(1)]

Friends of Monterey Park v. the City of Capitola
Santa Cruz Superior Court Case No. CV 16CV01091

LIABILITY CLAIMS [Govt. Code § 54956.95]

Claimant: Liberty Mutual
Agency claimed against: City of Capitola

REGULAR MEETING OF THE CAPITOLA CITY COUNCIL - 7:00 PM

All correspondences received prior to 5:00 p.m. on the Wednesday preceding a Council Meeting will be distributed to Councilmembers to review prior to the meeting. Information submitted after 5 p.m. on that Wednesday may not have time to reach Councilmembers, nor be read by them prior to consideration of an item.

All matters listed on the Regular Meeting of the Capitola City Council Agenda shall be considered as Public Hearings.

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council Members Kristen Petersen, Michael Termini, Jacques Bertrand, Ed Bottorff, and Mayor Stephanie Harlan

2. PRESENTATIONS

A. Proclamation Naming the Begonia the Official City Flower

RECOMMENDED ACTION: Designate the tuberous begonia as Capitola's official city flower.

B. Children's Cancer Awareness Month Proclamation

3. REPORT ON CLOSED SESSION

4. ADDITIONAL MATERIALS

Additional information submitted to the City after distribution of the agenda packet.

5. ADDITIONS AND DELETIONS TO AGENDA

6. PUBLIC COMMENTS

Oral Communications allows time for members of the Public to address the City Council on any item not on the Agenda. Presentations will be limited to three minutes per speaker. Individuals may not speak more than once during Oral Communications. All speakers must address the entire legislative body and will not be permitted to engage in dialogue. All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the minutes. A MAXIMUM of 30 MINUTES is set aside for Oral Communications at this time.

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

City Council Members/City Treasurer/Staff may comment on matters of a general nature or identify issues for staff response or future council consideration.

8. CONSENT CALENDAR

All items listed in the "Consent Calendar" will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time the Council votes on the action unless members of the public or the City Council request specific items to be discussed for separate review. Items pulled for separate discussion will be considered following General Government.

Note that all Ordinances which appear on the public agenda shall be determined to have been read by title and further reading waived.

- A. Consider the July 27, 2017, City Council Regular Meeting Minutes
RECOMMENDED ACTION: Approve minutes.
- B. Receive Planning Commission Action Minutes for the Regular Meeting of July 20, 2017
RECOMMENDED ACTION: Receive minutes for the meeting of July 20, 2017. The regular Planning Commission meeting of August 3, 2017, was canceled.
- C. Approval of City Check Register Reports Dated July 7, July 14, July 21 and July 28, 2017
RECOMMENDED ACTION: Approve check registers.
- D. Liability Claim of Liberty Mutual
RECOMMENDED ACTION: Deny liability claim.
- E. Consider a Hearing Date for the Appeal of the Planning Commission's Decision Regarding 2205 Wharf Road
RECOMMENDED ACTION: Set the date to hear the appeal of the Planning Commission's decision regarding application #16-041, 2205 Wharf Road, during the regular City Council meeting of October 12, 2017.
- F. Consider Amending the Memorial Program Policy
RECOMMENDED ACTION: Approve the proposed amendment to the Memorial Program Policy.
- G. Consider Purchase of New Electric Vehicle Charging Stations and Authorize Related Use Fee
RECOMMENDED ACTION: (1) Approve the purchase and installation of two Clipper Creek CS-40 electric vehicle (EV) charging stations in the amount of \$5,930 to replace the existing two EV stations in Beach and Village Parking Lot 1, and (2) approve a resolution adding a 50-cents/hour use-fee for the stations to the City's 2017/2018 Fee Schedule.
- H. Consider a Five-Year, Sole-Source Contract for Fish and Wildlife Monitoring of Soquel Creek
RECOMMENDED ACTION: Approve a sole-source contract with D.W. Alley and Associates for monitoring of Soquel Creek as mandated under the City's permits for an estimated annual cost of \$36,323, adjusted annually for up to five years.

9. **GENERAL GOVERNMENT / PUBLIC HEARINGS**

All items listed in "General Government" are intended to provide an opportunity for public discussion of each item listed. The following procedure pertains to each General Government item: 1) Staff explanation; 2) Council questions; 3) Public comment; 4) Council deliberation; 5) Decision.

- A. Consider Capitola Village on ICEE Special Event Permit
RECOMMENDED ACTION: Review the Capitola Village Wharf and Business Improvement Association's request for a Special Event Permit, including an Encroachment Permit and an Amplified Sound Permit, for the Capitola Village on ICEE and provide direction.
- B. Consider Extending Red-Light Photo Enforcement Contract
RECOMMENDED ACTION: Extend the existing contract with American Traffic Solutions (ATS) for red-light photo enforcement services for a period of two years and authorize the city manager or his designee to sign the agreement.
- C. Drone Regulation Options Report
RECOMMENDED ACTION: Accept presentation and provide direction.
- D. Discuss Youth Membership on City Advisory Bodies
RECOMMENDED ACTION: Review information and provide staff direction.

10. **ADJOURNMENT**

Note: Any person seeking to challenge a City Council decision made as a result of a proceeding in which, by law, a hearing is required to be given, evidence is required to be taken, and the discretion in the determination of facts is vested in the City Council, shall be required to commence that court action within ninety (90) days following the date on which the decision becomes final as provided in Code of Civil Procedure §1094.6. Please refer to code of Civil Procedure §1094.6 to determine how to calculate when a decision becomes "final." Please be advised that in most instances the decision become "final" upon the City Council's announcement of its decision at the completion of the public hearing. Failure to comply with this 90-day rule will preclude any person from challenging the City Council decision in court.

Notice regarding City Council: The City Council meets on the 2nd and 4th Thursday of each month at 7:00 p.m. (or in no event earlier than 6:00 p.m.), in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

Agenda and Agenda Packet Materials: The City Council Agenda and the complete Agenda Packet are available for review on the City's website: www.cityofcapitola.org and at Capitola City Hall and at the Capitola Branch Library, 2005 Wharf Road, Capitola, prior to the meeting. Agendas are also available at the Capitola Post Office located at 826 Bay Avenue, Capitola. Need more information? Contact the City Clerk's office at 831-475-7300.

Agenda Materials Distributed after Distribution of the Agenda Packet: Pursuant to Government Code §54957.5, materials related to an agenda item submitted after distribution of the agenda packet are available for public inspection at the Reception Office at City Hall, 420 Capitola Avenue, Capitola, California, during normal business hours.

Americans with Disabilities Act: Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act

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of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the City Clerk's office at least 24-hours in advance of the meeting at 831-475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

Televised Meetings: City Council meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be rebroadcasted at 8:00 a.m. on the Wednesday following the meetings and at 1:00 p.m. on Saturday following the first rebroadcast on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25). Meetings are streamed "Live" on the City's website at www.cityofcapitola.org by clicking on the Home Page link "**Meeting Video.**" Archived meetings can be viewed from the website at anytime.