

**CAPITOLA CITY COUNCIL  
REGULAR MEETING ACTION MINUTES  
THURSDAY, APRIL 13, 2017**

**CLOSED SESSION – 5:45 PM**

**CALL TO ORDER**

Mayor Harlan called the meeting to order at 5:45 p.m. with the following items to be discussed in Closed Session:

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

**[Govt. Code § 54957(b)]**

City Council's Performance Evaluation of the City Manager

**CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

**[Govt. Code § 54956.9(d)(1)]**

1. City of Capitola v. Water Rock Construction, Inc.  
Santa Clara Superior Court Case No. 16CV295795
2. City of Capitola v. D'Angelo  
Santa Cruz County Superior Court Case No. CV 181659

There was no one in the audience; 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.

City Treasurer Peter Wilk was present.

**2. PRESENTATIONS**

- A. Presentation of Check from Capitola Public Safety Foundation to Operation Surf [485-10/1050-10]

Michael Termini, chairperson of the Capitola Public Safety Foundation, presented a check for \$2,500 to Operation Surf representative Laura Miller.

**3. REPORT ON CLOSED SESSION**

City Attorney Tony Condotti reported on the three items heard in closed session. The Council received reports and no reportable action was taken.

**4. ADDITIONAL MATERIALS - None**

**5. ADDITIONS AND DELETIONS TO AGENDA - None**

6. PUBLIC COMMENTS - None

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

Council Member Bertrand recently attended the local jurisdictions Ad Hoc Homeless Governance Committee and said progress is being made regarding the odor from the pump station near the Nob Hill center.

Council Member Termini noted that the City's Junior Guard program has been officially chartered. The Red Cross will offer a fire safety program on April 22 and invited volunteers. He asked that a discussion about repairing the basketball courts at Jade Street Park be agendized. The Easter Bunny will be in town April 15 for the egg hunt on the beach.

Mayor Harlan attended a recent Chamber of Commerce lunch and noted Capitola made a Scottish newspaper travel section.

Treasurer Peter Wilk as chair of the Committee on the Environment discussed the ban on plastics and new enforcement by both Capitola and Santa Cruz County. He also asked about funding for road repair for Fanmar Way and encouraged the community to provide feedback ahead of the upcoming budget preparation.

City Manager Goldstein commended Assistant to the City Manager Larry Laurent for his work on chartering the Junior Guard program, and also thanked Santa Cruz and Central Fire for their support. He noted the February storms have been declared federal disasters, which will help fund repairs.

8. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS

A. Council Appointment to Commission on the Environment

RECOMMENDED ACTION: That Council Member Termini appoint a representative to the Commission on the Environment.

Council Member Michael Termini met with applicant Megan Sixt to fill his appointment to the Commission on the Environment and nominated Ms. Sixt for the position.

**RESULT: COUNCIL CONSENSUS APPROVING THE APPOINTMENT OF MEGAN SIXT TO THE UNFINISHED TERM ON THE COMMISSION ON THE ENVIRONMENT**

9. CONSENT CALENDAR

**MOTION: APPROVE ITEMS AS RECOMMENDED**  
**RESULT: ADOPTED [UNANIMOUS]**  
**MOVER:** Michael Termini, Vice Mayor  
**SECONDER:** Ed Bottorff, Council Member  
**AYES:** Bottorff, Bertrand, Harlan, Termini, Petersen  
**ABSTAIN:** Termini (item B.1)

A. Consider the March 23, 2017, Special Joint Meeting Minutes and City Council Regular Meeting Minutes

RECOMMENDED ACTION: Approve minutes.

B. Approval and Acceptance of the McGregor Park Improvement Project and the Stockton Avenue and Esplanade Intersection Improvements

RECOMMENDED ACTION: Accept the following two projects as complete and authorize the Public Works Department to file Notices of Completion and release all retentions held.

1. McGregor Park constructed by Earthworks Paving Inc., at a final cost of \$369,483.96. The final price was \$184,448.96 over the original project bid price due to extensive soil remediation that became necessary once the project started. The retention amount is \$36,948.40.
2. Stockton Avenue and Esplanade Intersection Improvements by Anderson Pacific Engineering at a final cost of \$382,369.91. The final price is \$158,441.91 over the original bid amount due to additional work that was added to the project to extend the sidewalk replacement and completely repave Stockton Avenue. The retention amount is \$19,118.50.

10. GENERAL GOVERNMENT / PUBLIC HEARINGS

A. Code Enforcement Protocol within the Central Village [570-10]

RECOMMENDED ACTION: Accept presentation and either:

1. Direct staff to continue to administer a complaint-based code enforcement program for Village sidewalk signs and outdoor displays; or
2. Adopt an Administrative Policy for a proactive code enforcement program for Village sidewalk signs and outdoor displays and direct staff to return with a Fee Schedule amendment to establish a recovery fee for unpermitted signs in the public right of way removed by City staff.

Community Development Director Rich Grunow presented the staff report and a short history of Council direction regarding code enforcement of sidewalk signs and outdoors merchandise displays. Three signs have been approved and one Conditional Use Permit for an outdoor display is currently in effect.

There was no public comment.

Council Member Bottorff noted that the Business Improvement Association worked on the sidewalk sign program and would like to see enforcement. He has seen several non-compliant signs.

<b>MOTION:</b>	<b>ADOPT THE RECOMMENDED ADMINISTRATIVE POLICY AND RETURN WITH A FEE SCHEDULE AMENDMENT</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ed Bottorff, Council Member
<b>SECONDER:</b>	Michael Termini, Vice Mayor
<b>AYES:</b>	Bottorff, Bertrand, Harlan, Termini, Petersen

B. Review of Fiscal Year 2017/18 Goals and Objectives

RECOMMENDED ACTION: Review Fiscal Year 17/18 goals and provide staff direction.

City Manager Jamie Goldstein presented the staff report and reviewed goal-setting efforts to date.

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Mayor Harlan said her priority projects are the library, wharf, budget, Capital Improvement Plan, Americans with Disabilities Act updates, the Zoning Code update, and the Grand Avenue Pathway. She would like to add minor upgrades to City Hall, especially increasing natural light. In response to the mayor's request for staff feedback, the City Manager concurred that improvements have been delayed, but he cautioned that even the simplest of upgrades is likely to be surprisingly expensive.

Council Member Petersen said she supports the identified priorities and personally is advocating for youth involvement.

Treasurer Wilk asked for clarification on the library funding.


Council Member Bottorff expressed concerns about costs for the library and pensions, which will be the largest expenses.

Council Member Bertrand supports senior exercise equipment and would like more economic development efforts, continued training and community policing, and inclusionary housing.


<b>MOTION:</b>	<b>APPROVE THE LIST OF GOALS AND OBJECTIVES AS AMENDED</b>
<b>RESULT:</b>	<b>ADOPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Jacques Bertrand, Council Member
<b>SECONDER:</b>	Michael Termini, Vice Mayor
<b>AYES:</b>	Bottorff, Bertrand, Harlan, Termini, Petersen

#### 11. ADJOURNMENT

The meeting was adjourned at 7:58 p.m.

  
Stephanie Harlan, Mayor

ATTEST:

  
Linda Fridy, City Clerk

**MINUTES WERE UNANIMOUSLY APPROVED ON APRIL 27, 2017**