

**MINUTES
CAPITOLA CITY COUNCIL
REGULAR MEETING ACTION MINUTES
THURSDAY, NOVEMBER 10, 2016
6:15 PM**

Mayor Bottorff called the meeting to order at 6:15 PM. He announced the items to be discussed in Closed Session, as follows:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

[Govt. Code §54956.8]

Property: 2091 Wharf Road, APN 034-241-05, Capitola, CA
City Negotiator: Jamie Goldstein, City Manager
Negotiating Parties: Joseph K. and Debbie A. Genge
Under Negotiation: Terms for potential purchase of property by City

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

[Govt. Code §54956.9(d)(1)]

(One case)
City of Capitola v. Water Rock Construction, Inc.
Santa Clara Superior Court Case No. 16CV295795

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

[Govt. Code §54957(b)]

City Council's Performance Evaluation of the City Manager

Mayor Bottorff noted that there was no one in the audience; therefore, the City Council recessed at 6:15p.m. to the Closed Session in the City Manager's Office.

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Councilmember Dennis Norton: Present, Mayor Ed Bottorff: Present, Council Member Jacques Bertrand: Present, Vice Mayor Stephanie Harlan: Present, Council Member Michael Termini: Present.

City Treasurer Christine McBroom was absent.

2. PRESENTATIONS

A. Presentation Regarding New Brighton Middle School Art

Roy Segura, New Brighton Middle School Art Teacher, was introduced. Mr. Segura introduced students that provided drawings displayed in the Council Chambers.

3. REPORT ON CLOSED SESSION

City Attorney Condotti stated that the City Council discussed the following in Closed Session: (1) Conference with Real Property Negotiator City Manager Goldstein regarding property located at 2091 Wharf Road (APN 034-241-05), Capitola, CA; (2) City of Capitola v. Water Rock Construction, Inc. existing litigation; (3) City Manager's performance evaluation; there was no reportable action.

4. ADDITIONAL MATERIALS

City Clerk Sneddon stated the following additional materials were received:

- A. Item 8.H. Public Communication regarding Installation of Blue Curbed Parking Spaces.
- B. Item 9.B. Public Communication regarding the Capitola Library Branch Location.

Public Works Director stated that the City Council was provided additional information regarding architectural costs for Noll and Tam for architectural services for the new Capitola Branch Library (*Item No. 9.B.*)

5. ADDITIONS AND DELETIONS TO AGENDA (None provided)**6. PUBLIC COMMENTS**

Hank Ryan, local resident, provided comments regarding the PG&E tree trimming at Perry Park.

Council Member Harlan suggested notifying the neighbors about the trees being pruned at Perry Park.

Ron Graves, local resident, thanked the City for installing public restroom signage in the Village. He suggested constructing a restroom at the foot of the wharf. He also remarked on a parking issue at the Blue Gum/Riverview Avenue intersection on Monday mornings during garbage pickup.

Bob Edgren, local resident, requested that the City Council consider re-voting on the October 27, 2016, Council item regarding approving the Village Parklet Pilot Program (Program); he suggested that the Village merchants should have been notified about the Program and not just the property owners.

Erica, Sierra Club Member, stated issues regarding PG&E's tree trimming.

Council Member Harlan requested that staff contact the City's arborist to keep track of the PG&E tree trimming.

Jerome Paul, Paul Enterprises, provided comments regarding the City's water source options.

Jill Anderson, St. John Helpful Shop Manager, stated concerns that the merchants were not notified about the October 27, 2016, Council item regarding approving the Village Parklet Pilot Program.

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

Council Member Harlan provided highlights from the recently attended California League of Cities Annual Conference.

Council Member Bertrand thanked the Capitola voters for passing Measure F. He also thanked City Manager Goldstein for organizing the Police Chief recruitment.

Council Member Termini stated that last weekend's second annual Plein Air Event last weekend was a success.

Mayor Bottorff stated that the Santa Cruz County voters passed Measure D: County Transportation Tax Measure; funds will help with transportation improvements.

City Manager Goldstein announced that the City hired Terry McManus as the new Police Chief and he will start work on December 5th.

Public Works Director Jesberg provided an update regarding various Capital Improvement Program projects.

Assistant City Manager Laurent announced that McGregor Skate Park has been re-opened after a temporary closure due to graffiti.

City Clerk Sneddon announced various openings on City boards/commissions/committees.

8. CONSENT CALENDAR

Council Member Norton requested that Item No. 8.D. and Item No. 8.E. be pulled from the Consent Calendar.

Council Member Harlan requested that Item No. 8.G. be pulled from the Consent Calendar.

Council Member Termini requested that Item No. 8.H. be pulled from the Consent .

Mayor Norton stated that he is opposed to calling the October 12th holiday "Columbus Day" (Item No. 8.D.).

RESULT:	ADOPTED <u>ITEMS 8.B., 8.C., 8.D., 8.F.</u> [UNANIMOUS]
MOVER:	Dennis Norton, Council Member
SECONDER:	Stephanie Harlan, Council Member
AYES:	Bottorff, Bertrand, Harlan, Norton, Termini

RESULT:	ADOPTED <u>ITEM 8.A.</u>
MOVER:	Dennis Norton, Council Member
SECONDER:	Stephanie Harlan, Council Member
AYES:	Bottorff, Bertrand, Norton, Termini
ABSTAIN:	Harlan

- A. Consider the October 13, 2016, Regular City Council Minutes
RECOMMENDED ACTION: Approve Minutes.
- B. Receive Planning Commission Action Minutes for the Special and Regular Meetings of November 3, 2016
RECOMMENDED ACTION: Receive Minutes
- C. Suspend Village Parking Meter and Pay Station Operation for Holiday Season [470-30]
RECOMMENDED ACTION: Authorize suspending parking meter and pay station operation to allow free three-hour parking in the Village Parking Meter Zone A(1) from November 24, 2016, through December 25, 2016.

- D. Approval of a Resolution Establishing Days for Closure of City Offices during the 2017 Calendar Year [630-10]

RECOMMENDED ACTION: Adopt the proposed Resolution establishing days for closure of City Offices during the 2017 Calendar Year.

- E. Consider the 2017 Meeting Schedules for the City Council/Successor Agency and the Planning Commission/Architectural and Site Review Committee [520-40]

RECOMMENDED ACTION: Approve the 2017 City meeting schedules and direct staff to post this information at City Hall, the Capitola Branch Library, on the City's website, and distribute to department heads, newspapers, and various groups that regularly submit items to the City.

- F. Approval of **Resolution No. 4065** Amending the City's Bail Schedule to Add Fines Pursuant to Adopted Ordinances [390-20]

RECOMMENDED ACTION: Adopt the proposed Resolution repealing Resolution No. 4029 and amending the City's Bail Schedule, and direct staff to forward the new Schedule to the Santa Cruz County Court.

- G. Consider a Contract with SZS Consulting Inc. for the Review and Update of the Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan [580-30/500-10 A/C: SZS Consulting Inc]

RECOMMENDED ACTION: Award a contract to SZS Consulting Inc. for the review and update of the City of Capitola ADA Self-Evaluation and Transition Plan in the amount of \$74,955.

THE FOLLOWING CONSENT CALENDAR ITEMS WERE VOTED ON SEPARATELY:

- E. Consider the 2017 Meeting Schedules for the City Council/Successor Agency and the Planning Commission/Architectural and Site Review Committee [520-40]

RECOMMENDED ACTION: Approve the 2017 City meeting schedules and direct staff to post this information at City Hall, the Capitola Branch Library, on the City's website, and distribute to department heads, newspapers, and various groups that regularly submit items to the City.

RESULT:	THE COUNCIL DIRECTED STAFF TO AGENDIZE THE 2017 MEETING SCHEDULES FOR THE CITY COUNCIL/SUCCESSOR AGENCY AND THE PLANNING COMMISSION/ARCHITECTURAL AND SITE REVIEW COMMITTEE FOR THE DECEMBER 8, 2016, CITY COUNCIL MEETING WHEN NEW COUNCIL MEMBERS ARE SEATED [UNANIMOUS]
MOVER:	Dennis Norton, Council Member
SECONDER:	Michael Termini, Council Member
AYES:	Bottorff, Bertrand, Harlan, Norton, Termini

- D. Approval of a Resolution Establishing Days for Closure of City Offices during the 2017 Calendar Year [630-10]

RECOMMENDED ACTION: Adopt the proposed Resolution establishing days for closure of City Offices during the 2017 Calendar Year.

RESULT:	APPROVAL OF <u>RESOLUTION NO. 4064</u> ESTABLISHING DAYS FOR CLOSURE OF CITY OFFICES DURING THE 2017 CALENDAR YEAR [UNANIMOUS]
MOVER:	Michael Termini, Council Member
SECONDER:	Stephanie Harlan, Council Member
AYES:	Bottorff, Bertrand, Harlan, Norton, Termini

G. Consider a Contract with SZS Consulting Inc. for the Review and Update of the Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan [580-30/500-10 A/C: SZS Consulting Inc]

RECOMMENDED ACTION: Award a contract to SZS Consulting Inc. for the review and update of the City of Capitola ADA Self-Evaluation and Transition Plan in the amount of \$74,955.

RESULT:	APPROVAL TO AWARD A CONTRACT WITH SZS CONSULTING INC. FOR THE REVIEW AND UPDATE OF THE CITY OF CAPITOLA AMERICANS WITH DISABILITIES ACT (ADA) SELF-EVALUATION AND TRANSITION PLAN IN THE AMOUNT OF \$74,995 [UNANIMOUS]
MOVER:	Stephanie Harlan, Council Member
SECONDER:	Michael Termini, Council Member
AYES:	Bottorff, Bertrand, Harlan, Norton, Termini

H. Consider Adopting an Administrative Policy Establishing Standards for Installation of Blue Curbed Parking Spaces on Public Streets within Residential Zones [100-10]

RECOMMENDED ACTION: Adopt Administrative Policy regarding requests for blue curbs on public streets.

RESULT:	ADOPTED AN ADMINISTRATIVE POLICY ESTABLISHING STANDARDS FOR INSTALLATION OF BLUE CURBED PARKING SPACES ON PUBLIC STREETS WITHIN RESIDENTIAL ZONES [UNANIMOUS]
MOVER:	Michael Termini, Council Member
SECONDER:	Stephanie Harlan, Council Member
AYES:	Bottorff, Bertrand, Harlan, Norton, Termini

9. GENERAL GOVERNMENT / PUBLIC HEARINGS

A. Update on the Groundwater Replenishment Project [1160-10]

RECOMMENDED ACTION: Consider Soquel Creek Water District request to support:

1. The Community Water Plan; and
2. Ongoing Water District efforts to evaluate the *Pure Water Soquel* project.

Bruce Daniels [Soquel Creek Water District Board President] and Melanie Schumacher [Associate Manager, Special Projects] provided the presentation.

Erica, Sierra Club representative, provided comments regarding the water supply in lieu options.

Jerome Paul, Paul Enterprises, provided comments regarding aquifer solutions.

Bob Edgren, local resident, provided comments regarding desalination units.

There was City Council consensus to receive the update on the Groundwater Replenishment Project.

- B. Consider Appointing Noll and Tam Architects for the Capitola Branch Library and Authorizing the City Manager to Negotiate a Final Contract with Noll and Tam in an amount not to exceed \$800,000 [230-10/500-10 A/C: Noll and Tam Architects]

RECOMMENDED ACTION: Take the following actions:

1. Award a contract to Noll and Tam for architectural services for the new Capitola Branch Library in an amount not to exceed \$800,000;
2. Authorize the City Manager to negotiate the final scope of the contract;
3. Approve the formation of an Ad Hoc Library Design Advisory Committee and appoint one City Councilmember to sit on the Committee.

Christopher Noll and David Tam provided a brief presentation.

Bob Edgren, local resident, provided comments regarding options for locations for the future Capitola Branch Library.

Barbara Gorson, Capitola Library Advisory Committee Chair, provided positive comments in support of Noll & Tam as the architects for the library.

Gayle Ortiz, Capitola Library Advisory Committee Member, provided comments supporting the selected local of the library.

Council Member Termini provided a motion to approve the following recommended actions, with Council Member Harlan provided a second to the motion:

1. Award a contract to Noll and Tam for architectural services for the new Capitola Branch Library in an amount not to exceed \$800,000;
2. Authorize the City Manager to negotiate the final scope of the contract;
3. Approve the formation of an Ad Hoc Library Design Advisory Committee and appoint a Council Member to sit on the Committee.

Council Member Harlan withdrew her second to the motion therefore there was no action on the motion.

RESULT:	APPROVED TO AWARD A CONTRACT TO NOLL AND TAM FOR ARCHITECTURAL SERVICES FOR THE NEW CAPITOLA BRANCH LIBRARY IN AN AMOUNT NOT TO EXCEED \$800,000; AND TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE THE FINAL SCOPE OF THE CONTRACT [UNANIMOUS]
MOVER:	Michael Termini, Council Member
SECONDER:	Stephanie Harlan, Council Member
AYES:	Bottorff, Bertrand, Harlan, Norton, Termini

RESULT: APPROVED THE FORMATION OF AN AD HOC LIBRARY DESIGN ADVISORY COMMITTEE (COMMITTEE); APPOINTED COUNCIL MEMBER TERMINI TO THE COMMITTEE; ADDED ONE AT-LARGE MEMBER TO THE COMMITTEE MEMBERSHIP, DIRECTED THE CITY CLERK TO ADVERTISE FOR THE AT LARGE POSITION. FOLLOWING IS THE MEMBERSHIP FOR THE COMMITTEE: (1) COUNCIL MEMBER TERMINI; (2) PUBLIC WORKS DIRECTOR JESBERG [WITH CITY MANAGER GOLDSTEIN ON AN AS-NEEDED BASIS]; (3) CONSULTING PROJECT MANAGER; (4) LIBRARY STAFF [APPOINTED BY THE LIBRARY DISTRICT]; (5) MEMBER OF THE LIBRARY ADVISORY COMMITTEE (LAC) [APPOINTED BY THE LAC]; AND (6) ONE AT-LARGE MEMBER. [UNANIMOUS]

MOVER: Stephanie Harlan, Council Member

SECONDER: Dennis Norton, Council Member

AYES: Bottorff, Bertrand, Harlan, Norton, Termini

C. Introduction of an Ordinance Amending Chapter 15.04 of the Capitola Municipal Code Pertaining to Building and Fire Model Codes [570-10]

RECOMMENDED ACTION: Introduction of an Ordinance amending Municipal Code Chapter 15.04 pertaining to building and fire codes.

Mike DeMars, Central Fire’s Fire Marshal, provided comments with the City adopting the Fire Code.

RESULT: APPROVE THE FIRST READING OF AN ORDINANCE AMENDING CHAPTER 15.04 OF THE CAPITOLA MUNICIPAL CODE PERTAINING TO BUILDING AND FIRE MODEL CODES [UNANIMOUS]

MOVER: Michael Termini, Council Member

SECONDER: Stephanie Harlan, Vice Mayor

AYES: Norton, Bottorff, Bertrand, Harlan, Termini

10. ADJOURNMENT

The meeting was adjourned at 9:50 PM.



Ed Bottorff, Mayor

ATTEST:



Susan Sneddon, City Clerk

MINUTES WERE UNANIMOUSLY APPROVED ON NOVEMBER 22, 2016