

**CAPITOLA CITY COUNCIL  
REGULAR MEETING ACTION MINUTES  
THURSDAY, SEPTEMBER 8, 2016 – 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 present.

**2. PRESENTATIONS**

**A. Community Action Board (CAB) Presentation [150-10]**

Maria Elena de la Garza, CAB Executive Director, and Helen Ewan-Storey, CAB Assistant Director, provided the presentation. They complimented Bud Winslow and Kristen Petersen for their involvement as the City's representatives on the CAB.

**3. REPORT ON CLOSED SESSION**

**4. ADDITIONAL MATERIALS**

City Clerk Sneddon stated that two additional materials were received regarding **Item No. 9.C.**

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

**6. PUBLIC COMMENTS**

Ron Graves, local resident, requested that signage be posted directing the public to the restrooms in Esplanade Park.

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

Council Member Harlan stated that at 5:15 PM on September 12<sup>th</sup> there will be a Soquel Cemetery meeting in the City's Council Chambers; the cemetery is under new management. In addition, she stated that the Friends of the Capitola Library will meet on September 17<sup>th</sup> at 9:30 AM at the Capitola Branch Library.

Council Member Termini stated that the movie at the beach this Friday will be "Night at the Museum."

Council Member Bertrand stated that he had a positive experience when he went on a police ride-along.

City Manager Goldstein stated that on September 7<sup>th</sup> several individuals joined the City for a tour of regional libraries to get design ideas for the Capitola Branch Library Project.

## 8. CONSENT CALENDAR

<b>RESULT:</b>	<b>ADOPTED <u>ITEMS NO. 8.A., 8.B., 8.C., 8.D., 8.E., 8.F., 8.G., AND 8.H.</u></b> <b>[UNANIMOUS]</b>
<b>MOVER:</b>	Dennis Norton, Councilmember
<b>SECONDER:</b>	Stephanie Harlan, Vice Mayor
<b>AYES:</b>	Norton, Bottorff, Bertrand, Harlan, Termini

- A. Consider the August 25, 2016, Regular City Council Minutes  
RECOMMENDED ACTION: Approve minutes.
- B. Receive Planning Commission Action Minutes for the Regular Meeting of September 1, 2016.  
RECOMMENDED ACTION: Receive minutes
- C. Adoption of **Resolution No. 4059** Rescinding Resolution No. 3990 and Adopting a Revised Conflict of Interest Code for the City of Capitola [570-20]  
RECOMMENDED ACTION: Adopt Resolution.
- D. Consider Declaring the Junior Guard Trailer as Surplus Property and Authorize Granting it to the Junior Guard Parents Club [370-10]  
RECOMMENDED ACTION: Declare the Junior Guard trailer as surplus property and approve granting it to the Junior Guard Parents Club.
- E. Authorize the City to Surplus Two Police Motorcycles [370-10]  
RECOMMENDED ACTION: Authorize the Public Works Department to surplus the vehicles.
- F. Consider an Amendment to the Administrative Policy Pertaining to the Leave Donation Program [100-10]  
RECOMMENDED ACTION: Adopt amendment to the Administrative Policy.
- G. Adoption **Ordinance No. 1006** Amending Title 8 of the Capitola Municipal Code by adding Chapter 8.40 Pertaining to Extended Producer Responsibility for the Responsible and Safe Collection of Unwanted Pharmaceuticals and Spent Hypodermic Needles (Sharps) [460-10]  
RECOMMENDED ACTION: Adopt Ordinance.
- H. Consider Awarding a Contract for the Jade Street Tennis Court Rehabilitation Project [1040-20]  
RECOMMENDED ACTION: Award a contract to Vintage Contractors, Inc. in the amount of \$118,060 for construction of the Jade Street Tennis Court Slip Sheet Overlay Project.

## 9. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Consider Authorizing the Public Works Director to Issue a Request for Qualifications for Architectural Design Services for the Capitola Branch Library [230-10]  
RECOMMENDED ACTION: Authorize and direct the Public Works Director to issue a Request for Qualifications.

Public Works Director Jesberg introduced David Tanza, Bogard Construction Senior Project Manager.

Mr. Tanza provided information regarding managing the Capitola Branch Library Project and the City seeking requests for qualifications for architectural services for the new Capitola Branch Library.

<b>RESULT:</b>	<b>AUTHORIZED THE PUBLIC WORKS DIRECTOR TO ISSUE A REQUEST FOR QUALIFICATIONS FOR ARCHITECTURAL DESIGN SERVICES FOR THE CAPITOLA BRANCH LIBRARY [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Termini, Council Member
<b>SECONDER:</b>	Stephanie Harlan, Vice Mayor
<b>AYES:</b>	Norton, Bottorff, Bertrand, Harlan, Termini

- B. Consider a Resolution Supporting Proposition 67, a Statewide Plastic Bag Ban [930-30]  
**RECOMMENDED ACTION:** Consider adopting the Resolution and direct staff to distribute a copy of the Resolution to Assemblymember Mark Stone and Governor Jerry Brown.

Council Member Harlan requested that a copy of the Resolution be sent to Senator Bill Monning.

There was City Council consensus for staff to agendize a discussion regarding Proposition 65 [Dedication of Revenue from Disposable Bag Sales to Wildlife Conservation Fund], and Proposition 67 [Plastic Bag Ban Veto Referendum] for the September 22, 2016, City Council meeting.

<b>RESULT:</b>	<b>ADOPTED <u>RESOLUTION NO. 4060</u> SUPPORTING PROPOSITION 67, A STATEWIDE PLASTIC BAG BAN [UNANIMOUS]</b>
<b>MOVER:</b>	Stephanie Harlan
<b>SECONDER:</b>	Michael Termini
<b>AYES:</b>	Norton, Bottorff, Bertrand, Harlan, Termini

- C. Village Parking - Zoning Code Update and In-Lieu Parking Fee Policy Review [730-85]  
**RECOMMENDED ACTION:** Receive presentation, provide direction, and continue the public hearing on the Zoning Code update to the September 15, 2016, Special City Council Meeting.

Nels Westman, Parking and Traffic Commissioner, stated in-lieu parking spaces are not surplus and were intended for a major Village hotel project. He suggested to not loosen up the City's parking requirement in the Village. He suggested the City think long-term and realize the implications of opening the Village to even more development by relaxing parking standards. He stated that he does not support parklets in the Village.

Bob Edgren, local resident, suggested that the City's revision to the In-Lieu Parking Fee Policy be tabled until staff does further review.

Ron Graves, local resident, stated in the past when the City's In-Lieu Parking Fee Policy was first approved the funds collected for in-lieu parking did not get into a special fund but went into the General Fund, and monies collected got spent on other City needs. He stated that in-lieu parking spaces exist today with the plans for a future large hotel/complex for the Village. He stated parklets would take away parking spaces.

TJ Welch, Planning Commissioner, provided a brief overview of Planning Commission's discussion regarding the In-Lieu Parking Fee Policy.

Kristen Petersen, local resident, stated that there needs to be careful balance in maintaining the charm in the Village.

Susan Westman, Planning Commissioner, provided clarification that in the late '70's and early '80's the City's accounting was different than current City accounting practices; all monies from the In-Lieu Parking Program went into the General Fund with much of the funds spent when the City purchased the Upper and Lower Pacific Cove Mobile Home Parks.

Bob Edgren, local resident, suggested leasing or renting the in-lieu parking spaces instead of selling them.

Nels Westman stated he does not support "phantom parking" and the City should think long-term regarding the implications of opening up the parking standards. He stated that he objects to selling/lease parking places in the.

Council Member Termini made a motion to not codify an In-Lieu Parking Program and to leave the In-Lieu Parking Policy unchanged at this time; second provided by Council Member Bertrand. The vote failed with the following roll call vote:

AYES: Council Members Bertrand and Termini

NOES: Council Members Norton, Harlan, and Mayor Bottorff

Council Member Norton made a motion to sell to 20-spaces to smaller hotels with a second provided by Council Member Bertrand. The vote failed with the following roll call vote:

AYES: Council Members Norton and Bertrand

NOES: Council Members Termini, Harlan, and Mayor Bottorff

There was City Council consensus to direct staff on following sections of the Zoning Code Update:

17.76.050.I Page 76-14 In Lieu Parking. Modify to allow up to 10 in-lieu spaces to be utilized for a small visitor serving hotel.

17.76.050.E Page 76-12 City Council direction to have Planning Commission reconsider allowing parking studies for mixed use in the Village Note: On September 19, 2016, the Planning Commission revised redlines to include shared parking studies in the Village as long as there is onsite parking.

17.96.170.C.8 Page 96-20 City Council agreed with Planning Commission that conversion of on-street parking spaces for parklets should not be included in the Zoning Code Update. City Council directed staff to draft a pilot program for parklets to be reviewed at a regularly scheduled City Council meeting separate from the Zoning Code Update. The Council gave preliminary direction that they would like to consider up to two pilots in the Village each utilizing a maximum of two parking spaces.

<b>RESULT:</b>	<b>APPROVAL TO MODIFY THE IN-LIEU PARKING POLICY TO ALLOW UP TO 10 IN-LIEU SPACES TO BE UTILIZED FOR SMALL VISITOR SERVING HOTEL [THIS DOES NOT INCLUDE SHORT TERM RENTAL OF HOMES, APARTMENTS, OR CONDOMINIUMS NOR BED AND BREAKFASTS] WITH THE FOLLOWING ROLL CALL VOTE:</b>
<b>MOVER:</b>	Dennis Norton, Council Member
<b>SECONDER:</b>	Jacques Bertrand, Council Member
<b>AYES:</b>	Dennis Norton, Jacques Bertrand, Michael Termini and Ed Bottorff
<b>NOES:</b>	Stephanie Harlan

**10. ADJOURNMENT**

The meeting adjourned at 9:42 PM.

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Ed Bottorff, Mayor

ATTEST:

\_\_\_\_\_, CMC  
Susan Sneddon, City Clerk

**MINUTES APPROVED AT THE SEPTEMBER 29, 2016, SPECIAL CITY COUNCIL MEETING.**