

**CAPITOLA CITY COUNCIL  
REGULAR MEETING ACTION MINUTES  
THURSDAY, AUGUST 25, 2016**

**CLOSED SESSION – 6:30 PM  
CITY MANAGER’S OFFICE**

Mayor Bottorff called the meeting to order at 6:30 PM. He announced the items to be discussed in Closed Session, as follows:

**CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Govt. Code § 54956.9)**

(One case)

Water Rock Construction, Inc. v. City of Capitola  
[Arbitration Claim]

**LIABILITY CLAIM [Govt. Code § 54956.95]**

Claimant: Roderick O'Neil Whitley  
Agency claimed against: City of Capitola

Mayor Bottorff noted that there was no one in the audience; therefore, the City Council recessed at 6:30 p.m. to the Closed Session

**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: Absent, Vice Mayor Stephanie Harlan: Present, Council Member Michael Termini: Present.

City Treasurer Christine McBroom: Present

**2. PRESENTATIONS**

**A. Introduction of Chris Macias, Maintenance Worker I**

Chris Macias was introduced.

**B. Childhood Cancer Awareness Month Proclamation [120-40]**

Proclamation received by Anabel Diaz Program Coordinator at Jacob's Heart.

**C. Presentation by Maggie Ivy, Chief Executive Officer of Visit Santa Cruz County [260-10]**

Maggie Ivy and Christina Glen, Santa Cruz County Conference & Visitors Council, provided the presentation.

YouTube video entitled "Take a Tour of Santa Cruz County with Mobile Ranger" was presented.

**3. REPORT ON CLOSED SESSION**

Deputy City Attorney Choi stated that the Council discussed Water Rock Construction, Inc. v. City of Capitola existing litigation; there was no reportable action. Ms. Choi stated that the Council discussed the Roderick O'Neil Whitley tort claim which is listed on the Council's regular meeting Consent Calendar this evening.

**4. ADDITIONAL MATERIALS**

None received.

**5. ADDITIONS AND DELETIONS TO AGENDA**

None provided

**6. PUBLIC COMMENTS**

Bruce Tanner, Santa Cruz resident, spoke against wireless radiation.

Marylin Garrett, local resident, spoke against wireless radiation.

Two additional speakers provided comments expressing opposition to wireless radiation.

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

Council Member Norton stated that the Capitola Begonia Festival will be on Labor Day weekend. He requested that the underside of the Stockton Bridge be cleaned.

Council Member Harlan stated the Capitola Library Committee Members and others will be touring various library facilities on Wednesday, September 7<sup>th</sup>.

Council Member Termini stated that the City's "Movies at the Beach" will be on Friday, August 26<sup>th</sup>, presenting the movie "Grease." He requested that the underbrush at the top of the steps in Depot Hill be trimmed.

City Clerk Sneddon announced openings on various committees and boards.

Public Works Director Jesberg provided an update on the 2016 Street Rehabilitation Project on portions of Park Avenue, Kennedy Drive, and Monterey Avenue.

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

- A. Consider an Appointment to the City's Traffic and Parking Commission [470-60]

RECOMMENDED ACTION: Consider an appointment to fill a vacancy for Mayor Bottorff's appointee.

Mayor Bottorff appointed Douglas Thom to fill the vacancy for his appointee on the City's Traffic and Parking Commission.

<b>RESULT:</b>	<b>APPOINTMENT OF DOUG THOM TO FILL THE VACANCY FOR MAYOR BOTTORFF'S APPOINTEE ON THE CITY'S TRAFFIC AND PARKING COMMISSION [UNANIMOUS]</b>
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9. CONSENT CALENDAR

Council Member Norton requested that Item No. 9.C. be pulled for discussion.

<b>RESULT:</b>	<b>ADOPTED <u>ITEM NO. 9.A., 9.B., 9.D, AND 9.E.</u> [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Termini, Council Member
<b>SECONDER:</b>	Stephanie Harlan, Vice Mayor
<b>AYES:</b>	Dennis Norton, Ed Bottorff, Stephanie Harlan, Michael Termini
<b>ABSENT:</b>	Jacques Bertrand

- A. Consider the July 28, 2016, Regular City Council Minutes  
RECOMMENDED ACTION: Approve Minutes.
- B. Receive Planning Commission Action Minutes for the Regular Meeting of August 4, 2016  
RECOMMENDED ACTION: Receive Minutes
- C. Approval of City Check Registers dated July 1, July 8, July 15, July 22 and July 29, 2016[300-10]  
RECOMMENDED ACTION: Approve Check Register Reports.
- D. Deny Liability Claim of Roderick O'Neil Whitley in the Amount of \$10,000[Claims Binder]  
RECOMMENDED ACTION: Deny liability claim.
- E. Adoption of Resolution No. 4058 Authorizing the City to Enter into a Joint Powers Agreement with California Municipal Finance Authority Joint Power [500-10 A/C: CMFA]  
RECOMMENDED ACTION: Execute the Joint Powers Agreement of the California Municipal Finance Authority (CMFA) and adopt a Resolution in favor of the issuance of the Bonds by the CMFA for the benefit of Goodwill Central Coast.

The following Item No. 9.C. was pulled for discussion:

- C. Approval of City Check Registers dated July 1, July 8, July 15, July 22 and July 29, 2016 [300-10]  
RECOMMENDED ACTION: Approve Check Register Reports.

<b>RESULT:</b>	<b>ADOPTED <u>ITEM NO. 9.C.</u> WITH THE EXCEPTION OF THE PAYABLE TO SANTA CRUZ REGIONAL 911 [UNANIMOUS]</b>
<b>MOVER:</b>	Stephanie Harlan, Vice Mayor
<b>SECONDER:</b>	Ed Bottorff, Mayor
<b>AYES:</b>	Dennis Norton, Ed Bottorff, Stephanie Harlan, Michael Termini
<b>ABSENT:</b>	Jacques Bertrand

<b>RESULT:</b>	<b>ADOPTED <u>PAYMENT NO. 84159</u> PAYABLE TO SANTA CRUZ REGIONAL 911 (PORTION OF ITEM 9.C.)</b>
<b>MOVER:</b>	Stephanie Harlan, Vice Mayor
<b>SECONDER:</b>	Michael Termini, Council Member
<b>AYES:</b>	Ed Bottorff, Stephanie Harlan, Michael Termini
<b>NOES:</b>	Dennis Norton, Council Member
<b>ABSENT:</b>	Jacques Bertrand

## 10. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Consider authorizing a City Council Response to the 2015-2016 Santa Cruz County Grand Jury Report titled, "Capitola Police Department' s Citizen Complaint Procedures: Nothing to Complain About" [100-30]

**RECOMMENDED ACTION:** Accept the recommendations by the Santa Cruz County Civil Grand Jury and direct the City Clerk to send the completed response packet per California Penal Code § 933.05.

City Council Members commended Police Chief Escalante for his outstanding improvements to the Police Department.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Termini, Council Member
<b>SECONDER:</b>	Stephanie Harlan, Vice Mayor
<b>AYES:</b>	Dennis Norton, Ed Bottorff, Stephanie Harlan, Michael Termini
<b>ABSENT:</b>	Jacques Bertrand

- B. Consider Applications for the Community Grants and Recommendations of the Community Grants Ad-Hoc Subcommittee [330-30]

**RECOMMENDED ACTION:** Consider the recommendations of the Community Grants Ad-Hoc Subcommittee and determine grant award amounts for Fiscal Years 2016/17 and 2017/18.

The following thanked the City Council for being recommended for Fiscal Years 2016/17 and 2017/18 Community Grants:

- Shauna Mora, Elaine Johnson and Jen Young, Conflict Resolution Center
- Lisa Berk, Meals on Wheels for Santa Cruz County
- Marie Cubillas, Big Brothers and Big Sisters Executive Director
- Dan O'Neill, O'Neill Sea Odyssey

- Pat Dwire, Second Harvest Food Bank Grants Manager
- Sergio Perez (Executive Administrative Assistant) and Helen Ewan-Storey (Assistant Director), Community Action Board of Santa Cruz County, Inc.
- Gary Edward, Advocacy Inc Executive Director

Creighton A. Mendivil, Senior Citizens Legal Services Executive Director/Directing Attorney, provided an overview of Senior Citizens Legal Services and requested additional funding for Fiscal Years 2016/17 and 2017/18.

Two Senior Citizens Legal Services interns (Shawna and Brandon), thanked the City Council for their support.

Jan, Project Scout Program Director (Seniors Council), requested additional funding.

<b>RESULT:</b>	<b>ADOPTED THE COMMUNITY GRANTS AD-HOC SUBCOMMITTEES RECOMMENDATION FOR THE 2016/17 AND 2017/18 COMMUNITY GRANTS IN THE AMOUNT OF \$274,900 WITH A ROLL CALL VOTE.</b>
<b>MOVER:</b>	Michael Termini, Council Member
<b>SECONDER:</b>	Dennis Norton, Council Member
<b>AYES:</b>	Dennis Norton, Ed Bottorff, Michael Termini
<b>NOES:</b>	Stephanie Harlan
<b>ABSENT:</b>	Jacques Bertrand

- C. Introduction of an Ordinance 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: Introduce an Ordinance.

Jenna Shankman United Way Community Organizer, Community Prevention Partners, stated that her organization supports the proposed Ordinance.

Council Member Norton requested that an item be placed on the next Council agenda regarding supporting the states proposed plastic bag ban.

<b>RESULT:</b>	<b>TO APPROVE THE FIRST READING OF AN ORDINANCE 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) [UNANIMOUS]</b>
<b>MOVER:</b>	Dennis Norton, Councilmember
<b>SECONDER:</b>	Michael Termini, Council Member
<b>AYES:</b>	Dennis Norton, Ed Bottorff, Stephanie Harlan, Michael Termini
<b>ABSENT:</b>	Jacques Bertrand

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CAPITOLA CITY COUNCIL REGULAR MEETING  
August 25, 2016

11. ADJOURNMENT

The meeting was closed at 9:05 PM.



Ed Bottorff, Mayor

ATTEST:



Susan Sheddon, CMC  
Susan Sheddon, City Clerk

MINUTES WERE UNANIMOUSLY APPROVED ON SEPTEMBER 8, 2016