

**CAPITOLA CITY COUNCIL  
SPECIAL MEETING ACTION MINUTES  
THURSDAY, AUGUST 11, 2016  
CLOSED SESSION – 5:30 PM  
CITY MANAGER’S OFFICE**

Mayor Bottorff called the meeting to order at 5:30 PM. He announced the item to be discussed in Closed Session, as follows:

**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]

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR [Gov't Code §54956.8]**

Property: City Owned Property along Soquel Creek

APN's 035-121043 and 035-121-44

City Negotiator: Jamie Goldstein, City Manager

Negotiating Parties: Varies

Under Negotiation: Sale of City Property

Mayor Bottorff noted that there was no one in the audience; therefore, the City Council recessed at 6:00 p.m. to the Closed Session

**SPECIAL MEETING OF THE CAPITOLA CITY COUNCIL - 6:00 PM**

**1. ROLL CALL AND PLEDGE OF ALLEGIANCE**

Mayor Ed Bottorff: Present, Council Member Jacques Bertrand: Present, Vice Mayor Stephanie Harlan: Present, Council Member Michael Termini: Present. Council Member Dennis Norton arrived at 6:08 PM.

City Treasurer McBroom arrived at 7:00 PM.

**2. REPORT ON CLOSED SESSION**

City Attorney Condotti reported that the Friends of Monterey Park v. the City of Capitola existing litigation was discussed; there was no reportable action. Mr. Condotti reported that that the Council discussed with the City's real property negotiator (City Manager Goldstein) regarding City owned property along Soquel Creek (APNs 035-121043 and 035-121-44); there was no reportable action.

**3. ADDITIONAL MATERIALS**

City Clerk Sneddon stated that 23 additional material regarding **Item No. 7.A.** were received, and one additional material regarding **Item No. 7.B.** was received.

**4. ADDITIONS AND DELETIONS TO THE AGENDA**

None provided.

**5. PUBLIC COMMENTS**

Gary Arnold, stated that Operation Cloverleaf is an organization against jet chemtrails that omit toxic material.

Laura Mollia, local resident, spoke against wireless radiation.

Marylin Garrett, local resident, spoke against wireless radiation.

6. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

7. GENERAL GOVERNMENT / PUBLIC HEARINGS

A. Santa Cruz County Regional Transportation Request for the Polar Express Train to Travel Through Capitola [770-05]

RECOMMENDED ACTION: Provide direction to the City’ s Santa Cruz County Regional Transportation Commission representative regarding the City’ s position on the Polar Express passenger rail service traveling through Capitola.

George Dondero, Santa Cruz County Regional Transportation Commission Executive Director introduced this item.

Kevin McKinney, Iowa Pacific Holdings Marketing Director, provided an overview of the Polar Express Train proposal.

Judith Kintz, Capitola resident, provided comments regarding why the proposed the Polar Express Train would negatively impact the City.

Ms. Roberts, Capitola resident, provided comments regarding why the proposed the Polar Express Train would negatively impact the City

Ron Graves, Capitola resident, stated that he supports the proposed Polar Express Train traveling through Capitola.

Kristen Peterson, Capitola resident, stated concerns with the frequency of the train’s horn whistle and impacts to traffic.

<b>RESULT:</b>	<b>APPROVED SANTA CRUZ COUNTY REGIONAL TRANSPORTATION’S REQUEST FOR THE POLAR EXPRESS TRAIN TO TRAVEL THROUGH CAPITOLA [UNANIMOUS]</b>
<b>MOVER:</b>	Stephanie Harlan, Vice Mayor
<b>SECONDER:</b>	Michael Termini, Council Member
<b>AYES:</b>	Norton, Bottorff, Bertrand, Harlan, Termini

B. Approve Argument for the Capitola Ballot Measure Regarding Extending the Sunset Date on an Existing One-Quarter Cent (0.25%) Transaction and Use ( “Sales” ) and Identify Signers of Said Argument for the November 8, 2016, Election [560-10]

RECOMMENDED ACTION: Approve the proposed language for the argument in favor of the measure and identify signers for the argument, and rebuttal.

<b>RESULT:</b>	<b>APPROVED THE ARGUMENT IN SUPPORT OF THE CAPITOLA BALLOT MEASURE REGARDING EXTENDING THE SUNSET DATE ON AN EXISTING ONE-QUARTER CENT (0.25%) TRANSACTION AND USE ( “SALES” ) AS REVISED FOR THE NOVEMBER 8, 2016, ELECTION [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Termini, Council Member
<b>SECONDER:</b>	Stephanie Harlan, Vice Mayor
<b>AYES:</b>	Norton, Bottorff, Bertrand, Harlan, Termini

C. Zoning Code Update [730-85]

RECOMMENDED ACTION: Accept the staff presentation, discuss the proposed draft Zoning Code update, identify desired Code revisions, and continue the public hearing to the August 18, 2016 meeting.

There was City Council consensus that there were no changes to the following sections of the Draft Zoning Code:

- Chapter 17.04 regarding the: Purpose and Effect of Zoning Code.
- Chapter 17.08 regarding Interpretation.
- Chapter 17.12 regarding the Zoning Districts and Map.
- Chapter 17.16 regarding Residential Zoning Districts.

There was City Council consensus to direct staff to update the following section of the Zoning Code Update:

- Section 17.20.010.B.1 Add "Walkable" to description of MU-V.

***The following section occurred at the end of the Council meeting***

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

Council Member Bertrand requested that Santa Cruz County Sanitation District be notified regarding the odor in the restrooms next to Nob Hill.

The City Council took a five-minute break.

**8. ADJOURNMENT**

The meeting was adjourned at 9:25 PM.

  
Ed Bottorff, Mayor

ATTEST:

  
Susan Sneddon, City Clerk

**MINUTES WERE UNANIMOUSLY APPROVED ON SEPTEMBER 15, 2016**