

City of Capitola Agenda

Mayor: Ed Bottorff
Vice Mayor: Stephanie Harlan
Council Members: Jacques Bertrand
Dennis Norton
Michael Termini
Treasurer: Christine McBroom



REVISED

CAPITOLA CITY COUNCIL REGULAR MEETING

THURSDAY, JULY 28, 2016

7:00 PM

**CITY COUNCIL CHAMBERS
420 CAPITOLA AVENUE, CAPITOLA, CA 95010**

**CLOSED SESSION - 6:00 PM
CITY MANAGER'S OFFICE**

An announcement regarding the items to be discussed in Closed Session will be made in the City Hall Council Chambers prior to the Closed Session. Members of the public may, at this time, address the City Council on closed session items only. There will be a report of any final decisions in City Council Chambers during the Open Session Meeting.

CONFERENCE WITH LABOR NEGOTIATOR [Govt. Code § 54957.6]

Negotiator: Jamie Goldstein, City Manager

Employee Organizations:

1. Association of Capitola Employees
2. Capitola Police Captains
3. Capitola Police Officers Association
4. Confidential Employees
5. Mid-Management Group
6. Department Heads

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

LIABILITY CLAIM [Govt. Code § 54956.95]

Claimant: Chad Geraci

Agency claimed against: City of Capitola

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

All correspondences received prior to 5:00 p.m. on the Wednesday preceding a Council Meeting will be distributed to Councilmembers to review prior to the meeting. Information submitted after 5 p.m. on that Wednesday may not have time to reach Councilmembers, nor be read by them prior to consideration of an item.

All matters listed on the Regular Meeting of the Capitola City Council Agenda shall be considered as Public Hearings.

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council Members Dennis Norton, Stephanie Harlan, Jacques Bertrand, Michael Termini and Mayor Ed Bottorff

2. PRESENTATIONS

A. Introduction of Susan Nemitz, Santa Cruz Public Library Director

B. Presentation Regarding the Human Care Alliance

3. REPORT ON CLOSED SESSION

4. ADDITIONAL MATERIALS

Additional information submitted to the City after distribution of the agenda packet.

A. Item 9.G. Supplemental Material in the Consideration of Awarding a Contract for the 2016 Road Rehabilitation Project

5. ADDITIONS AND DELETIONS TO AGENDA

6. PUBLIC COMMENTS

Oral Communications allows time for members of the Public to address the City Council on any item not on the Agenda. Presentations will be limited to three minutes per speaker. Individuals may not speak more than once during Oral Communications. All speakers must address the entire legislative body and will not be permitted to engage in dialogue. All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the minutes. A MAXIMUM of 30 MINUTES is set aside for Oral Communications at this time.

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

City Council Members/City Treasurer/Staff may comment on matters of a general nature or identify issues for staff response or future council consideration.

8. CONSENT CALENDAR

All items listed in the "Consent Calendar" will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time the Council votes on the action unless members of the public or the City Council request specific items to be discussed for separate review. Items pulled for separate discussion will be considered following General Government.

Note that all Ordinances which appear on the public agenda shall be determined to have been read by title and further reading waived.

CAPITOLA CITY COUNCIL REGULAR MEETING AGENDA
July 28, 2016

- A. Consider the May 18, 2016, and June 16, 2016, City Council/Successor Agency Budget Study Session Minutes; and the June 23, 2016, Regular City Council Minutes
RECOMMENDED ACTION: Approve Minutes.
- B. Receive Planning Commission Action Minutes for the Regular Meeting of July 21, 2016
RECOMMENDED ACTION: Receive Minutes.
- C. Approval of City Check Registers dated June 3, June 10, June 17 and June 24, 2016
RECOMMENDED ACTION: Approve Check Register Reports.
- D. Deny Liability Claim of Chad Geraci for an Undetermined Amount
RECOMMENDED ACTION: Deny liability claim.
- E. Authorize the City to Surplus Two City Vehicles and One Motorcycle
RECOMMENDED ACTION: Approve the following:
1. Authorize the Public Works Department to surplus the following vehicles:
 - Marked police vehicle, fleet number 082 (2008 Ford Crown Victoria VIN# 2FAFP71V48X139317), that is scheduled to come off line this fiscal year; and
 - GEM Electric Vehicle (VIN# 5ASAK27412F023950 License # B35240) which is no longer operational.
 2. Authorize sale of the 2002 Suzuki 400 motorcycle (VIN# J515K43A300101985) to the University of California Santa Cruz, Police Department in the amount of \$2,000.00.
- F. Approval of the Rosedale Paving Project Notice of Completion
RECOMMENDED ACTION: Approve and accept the Rosedale Area Paving Project as constructed by the Monterey Peninsula Engineering as complete at a final cost of \$267,412; and authorize the Public Works Department to release the contract retention of \$13,370.60 in 35 days following the recordation of the Notice of Completion.
- G. Rescind Previously Awarded Contract for Repairs to the Jade Street Tennis Courts and Approve Plans, Specifications, and Estimate for Advertising for Bids
RECOMMENDED ACTION: Take the following actions:
1. Rescind a contract awarded to Vintage Contractors on June 23, 2016, for repairs to the Jade Street Tennis Courts; and
 2. Approve plans, specifications, and estimate for advertising for bids for the selected repair alternative of the Plexipave Slipsheet overlay.
- H. Consider a Contract with Carolyn Flynn for Professional Services Related to Affordable Housing, Community Development Block Grant (CDBG) Administration, and Grant Writing
RECOMMENDED ACTION: Authorize the City Manager to execute a contract with Carolyn Flynn in an amount not to exceed \$52,000.

- I. Approve Agreement with Bogard Construction as the Project Manager for the Construction of Capitola Branch Library for an Initial Amount of \$21,600
RECOMMENDED ACTION: Award contract.
- J. Fiscal Year 2015/16 Budget Adjustments
RECOMMENDED ACTION: Approve the Budget Adjustments.

9. GENERAL GOVERNMENT / PUBLIC HEARINGS

All items listed in "General Government" are intended to provide an opportunity for public discussion of each item listed. The following procedure pertains to each General Government item: 1) Staff explanation; 2) Council questions; 3) Public comment; 4) Council deliberation; 5) Decision.

- A. Recruitment Process for Chief of Police, and Designation of City Council Members to Serve on the Interview Panel
RECOMMENDED ACTION: Approve recruitment process for Chief of Police, and designate two City Council Members to serve on the interview panel.
- B. Consider a Resolution Establishing November 8, 2016, as the Date for a Municipal Election on a Proposed Ballot Measure Seeking Voter Authorization to Extend the Sunset Date on an Existing One-Quarter Cent (0.25%) Transactions and Use ("Sales") Tax; and the Introduction of an Ordinance Amending Section 16 of Ordinance 880, as Amended by Ordinance No. 935 Pertaining to the City's Transactions and Use Tax Administered by the State Board of Equalization
RECOMMENDED ACTION: Staff recommends the City Council take the following actions:
 - 1. Adopt the draft Resolution to (a) identify the City Council intentions for the proposed measure; (b) approve the proposed measure language; (c) request consolidation and County Elections to conduct the election; and
 - 2. Introduce an Ordinance amending Section 16 of Ordinance No. 880, as amended by Ordinance No. 935, pertaining to the City' s Transactions and Use Tax administered by the State Board of Equalization; and
 - 3. Appoint a City Council subcommittee to prepare an argument and rebuttal in support of the ballot measure and return to the full City Council with a draft argument at a Special Meeting on August 11.
- C. OpenGov Financial Transparency Presentation
RECOMMENDED ACTION: Receive presentation and provide direction.
- D. Santa Cruz County Mosquito Abatement / Vector Control Presentation
RECOMMENDED ACTION: Receive presentation regarding the Local Invasive Aedes Mosquito and Arbovirus Surveillance and Response Plan.
- E. Zoning Code Update Progress Report
RECOMMENDED ACTION: Accept staff presentation and set special hearing schedule.

- F. Designation of Voting Delegate and Alternate for the 2016 League of California Cities Annual Conference to be held in Long Beach October 5 through October 7, 2016
RECOMMENDED ACTION: Designate Capitola's Voting Delegates.
- G. Consider Awarding a Contract for the 2016 Road Rehabilitation Project
RECOMMENDED ACTION: Receive report on the bids for the 2016 Road Rehabilitation Project and award a contract to the lowest responsible bidder; and take any related actions necessary to proceed with the project as recommended by the Public Works Department.

10. ADJOURNMENT

Note: Any person seeking to challenge a City Council decision made as a result of a proceeding in which, by law, a hearing is required to be given, evidence is required to be taken, and the discretion in the determination of facts is vested in the City Council, shall be required to commence that court action within ninety (90) days following the date on which the decision becomes final as provided in Code of Civil Procedure §1094.6. Please refer to code of Civil Procedure §1094.6 to determine how to calculate when a decision becomes "final." Please be advised that in most instances the decision become "final" upon the City Council's announcement of its decision at the completion of the public hearing. Failure to comply with this 90-day rule will preclude any person from challenging the City Council decision in court.

Notice regarding City Council: The City Council meets on the 2nd and 4th Thursday of each month at 7:00 p.m. (or in no event earlier than 6:00 p.m.), in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

Agenda and Agenda Packet Materials: The City Council Agenda and the complete Agenda Packet are available for review on the City's website: www.cityofcapitola.org and at Capitola City Hall and at the Capitola Branch Library, 2005 Wharf Road, Capitola, prior to the meeting. Agendas are also available at the Capitola Post Office located at 826 Bay Avenue, Capitola. Need more information? Contact the City Clerk's office at 831-475-7300.

Agenda Materials Distributed after Distribution of the Agenda Packet: Pursuant to Government Code §54957.5, materials related to an agenda item submitted after distribution of the agenda packet are available for public inspection at the Reception Office at City Hall, 420 Capitola Avenue, Capitola, California, during normal business hours.

Americans with Disabilities Act: Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the City Clerk's office at least 24-hours in advance of the meeting at 831-475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

Televised Meetings: City Council meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be rebroadcasted at 8:00 a.m. on the Wednesday following the meetings and at 1:00 p.m. on Saturday following the first rebroadcast on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25). Meetings are streamed "Live" on the City's website at www.cityofcapitola.org by clicking on the Home Page link "Meeting Video." Archived meetings can be viewed from the website at anytime.