

**JOINT BUDGET STUDY SESSION  
CAPITOLA CITY COUNCIL/SUCCESSOR AGENCY  
TO THE FORMER REDEVELOPMENT AGENCY  
JOINT BUDGET STUDY SESSION MINUTES  
THURSDAY, JUNE 16, 2016 – 6:00 PM**

Mayor Bottorff called the meeting to order at 6:00 PM. He announced the items to be discussed in Closed Session, as follows:

**CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

**[Govt. Code §54956.9(d)(1)]**

(Two cases)

1. Friends of Monterey Park v. the City of Capitola  
[Santa Cruz Superior Court Case No. CV 16CV01091]
2. GTE Mobilenet of California Limited Partnership, a California limited partnership d/b/a/ Verizon Wireless v. City of Capitola  
[United States District Court Case No 16-CV-02495-PSG]

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.

**JOINT BUDGET STUDY SESSION OF THE CAPITOLA CITY COUNCIL/SUCCESSOR AGENCY**

**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.

The City Council began its meeting with a moment of silence in honor of the shooting victims from the June 12<sup>th</sup> violence at a gay nightclub in Orlando, Florida.

**2. REPORT ON CLOSED SESSION**

City Attorney Condotti stated that the Council discussed the following two cases of existing litigation: (1) Friends of Monterey Park v. the City of Capitola; and (2) GTE Mobilenet of California Limited Partnership, a California limited partnership d/b/a/ Verizon Wireless v. City of Capitola; there was no reportable action.

**3. ADDITIONAL MATERIALS (None provided)**

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

## 5. PUBLIC COMMENTS (None provided)

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

Council Member Bertrand stated that there was a good turnout for the June 11<sup>th</sup> grand opening and dedication of Ozzi's Memorial Dog Park at McGregor Multi-Use Park.

Council Member Termini stated that the Capitola's Jay Moriarity Paddle Race will be held on Saturday, June 23<sup>rd</sup>. In addition, he stated there is an issue with Airbnb short-term rentals with renters staying less than the required the 30-day stay. (Community Development Director Grunow stated that the residents should call the City when violations are made).

## 7. CONSENT CALENDAR

<b>RESULT:</b>	<b>ADOPTED <u>ITEMS NO. 7.A., AND 7.B.</u> [UNANIMOUS]</b>
<b>MOVER:</b>	Dennis Norton, Council Member
<b>SECONDER:</b>	Michael Termini, Council Member
<b>AYES:</b>	Ed Bottorff, Jacques Bertrand, Dennis Norton, Stephanie Harlan, Michael Termini

A. Consider the June 1, 2016, City of Capitola, as Successor Agency to the Former Capitola Redevelopment Agency, Minutes

RECOMMENDED ACTION: Approve the subject minutes as submitted.

B. Adoption of **Resolution No. 4051** approving the Fiscal Year 2016/2017 Budget for the Successor Agency to the former Redevelopment Agency [780-30]

RECOMMENDED ACTION: Approve the Resolution adopting the Successor Agency Fiscal Year 2016/2017 Budget.

## 8. GENERAL GOVERNMENT

Mayor Bottorff changed the agenda order for the following General Government

Items: **Item 8.C.; 8.A.; 8.D.; 8.E.; 8.B.; 8.F.**

C. Consider a Resolution Approving the Expenditure Plan for the Santa Cruz County Regional Transportation Commission's Transportation Improvement Plan [770-05]

RECOMMENDED ACTION: Adopt Resolution.

Raymon Cancino, Community Bridges Chief Executive Officer, stated that, Lifeline is a critical component of their services provided.

<b>RESULT:</b>	<b>ADOPTED <u>RESOLUTION NO. 4052</u> APPROVING THE EXPENDITURE PLAN FOR THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION'S TRANSPORTATION IMPROVEMENT PLAN [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Termini, Council Member
<b>SECONDER:</b>	Dennis Norton, Council Member
<b>AYES:</b>	Ed Bottorff, Jacques Bertrand, Dennis Norton, Stephanie Harlan, Michael Termini

At 6:20 PM Council Member Norton left the dais for the remainder of the meeting due to a meeting conflict.

- A. Reconsideration of an Appeal of a Planning Commission Decision to Approve a Wireless Telecommunications Antenna at 1200 41st Avenue [730-10]  
RECOMMENDATION: Uphold the Planning Commission's decision to approve Project #15-119 as conditioned.

Marylin Garrett, appellant, stated reasoning to not approve a Wireless Telecommunications Antenna at 1200 41st Avenue.

The following spoke against a Wireless Telecommunications Antenna at 1200 41st Avenue:

- Ms. Gaskill, Aptos resident
- Barbara Bush, local resident
- Michael Smith, local resident
- Kathleen Johnson, local resident
- Melinda, Soquel resident
- Bruce Tanner, Santa Cruz resident
- Lowell Web, Soquel
- Unidentified speaker, local resident
- Tammy Donnolly, Aptos resident
- Dorothy, Aptos resident

Pete Shubin, Verizon Representative, stated that the proposed cell tower complies with FCC regulations.

Sylvia Skefich, local chiropractor (appellant), provided final statements regarding the decision to not approve a Wireless Telecommunications Antenna at 1200 41st Avenue. She stated that she will take this matter to a local legislator to make more stringent laws and mitigate the aggressive behavior of companies such as Verizon.

Marketa Bilkova, Five Branches University Assistant Professor (appellant), provided final statements regarding not approving a Wireless Telecommunications Antenna at 1200 41st Avenue.

<b>RESULT:</b>	<b>ADOPTED TO OVERTURN THE APPEAL OF A PLANNING COMMISSION DECISION TO APPROVE A WIRELESS TELECOMMUNICATIONS ANTENNA AT 1200 41ST AVENUE WITH THE FOLLOWING NEW FINDINGS: THE APPLICATION, SUBJECT TO THE CONDITIONS IMPOSED, WILL SECURE THE PURPOSES OF THE ZONING ORDINANCE AND GENERAL PLAN; THE APPLICATION WILL MAINTAIN THE CHARACTER AND INTEGRITY OF THE NEIGHBORHOOD; AND THIS PROJECT IS CATEGORICALLY EXEMPT UNDER THE SECTION 15303 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND IS NOT SUBJECT TO SECTION 753.5 OF TITLE 14 OF THE CALIFORNIA CODE OF REGULATIONS [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Termini, Council Member
<b>SECONDER:</b>	Stephanie Harlan, Vice Mayor
<b>AYES:</b>	Ed Bottorff, Jacques Bertrand, Stephanie Harlan, Michael Termini
<b>ABSENT:</b>	Dennis Norton

- D. Consider a Resolution for the Levy of Capitola Village and Wharf Business Improvement Area (CVWBIA) Assessments for Fiscal Year 2016/2017 [140-05]  
RECOMMENDED ACTION: Adopt the Resolution.

Carin Hanna, representing the Capitola Village and Wharf Business Improvement Area (CVWBIA), provided a brief summary of the CVWBIA assessment.

<b>RESULT:</b>	<b>ADOPTED RESOLUTION NO. 4053 [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Termini, Council Member
<b>SECONDER:</b>	Stephanie Harlan, Vice Mayor
<b>AYES:</b>	Ed Bottorff, Jacques Bertrand, Stephanie Harlan, Michael Termini
<b>ABSENT:</b>	Dennis Norton

- E. Public Hearing to Consider the Proposed Fee Schedule for Fiscal Year 2016/2017; and a Resolution repealing Resolution No. 4036 [390-40]

RECOMMENDED ACTION: Conduct the noticed public hearing on the proposed City Fee Schedule for Fiscal Year 2016/2017 and adopt the proposed Resolution repealing Resolution No. 4036.

Jason Alaniz, Capitola Surf and Paddle, suggested that a master calendar be created for the coordination with all the surf school instructors in Capitola.

<b>RESULT:</b>	<b>ADOPTED <u>RESOLUTION NO. 4054</u> REPEALING RESOLUTION NO. 4036 [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Termini, Council Member
<b>SECONDER:</b>	Jacques Bertrand, Council Member
<b>NOES:</b>	Stephanie Harlan, Vice Mayor
<b>AYES:</b>	Ed Bottorff, Jacques Bertrand, Stephanie Harlan, Michael Termini
<b>ABSENT:</b>	Dennis Norton

B. Receive Public Opinion Survey Results [160-50/280-10/330-05]

RECOMMENDED ACTION: Receive report, and provide direction to staff.

Gene Bregman, Gene Bregman & Associates, provided highlights of the survey.

Carin Hanna, Capitola Village and Wharf Business Improvement Area (CVWBIA) representative, provided support for extending Measure D on the November 2016 ballot.

There was City Council consensus to direct staff to prepare a draft measure regarding continuing Measure D (extension of the .25% sales transaction and use) for ten years to be placed on the November 8, 2016, General Municipal Election ballot; to prepare a Draft Ordinance to continued Measure D; and directed staff to prepare a Draft Resolution of Intent describing the Council's intention to use funding for identified priorities.

F. Adoption of the Fiscal Year 2016/2017 Budget for the City of Capitola [330-05]

RECOMMENDED ACTION: Adopt the Resolution approving the Final 2016/2017 Fiscal Year City, and Capital Improvement Program Budget.

Finance Director Welch requested a motion from Council to create a Library Fund to account for Library Construction Activities Two sources of Funds: (1) \$2.6 million held by County from the Former RDA; and \$8 million from recently passed parcel tax bond revenue.

<b>RESULT:</b>	<b>ADOPTED <u>RESOLUTION NO. 4055</u> APPROVING THE FISCAL YEAR 2016/2017 BUDGET FOR THE CITY OF CAPITOLA WITH THE INCLUSION OF THE CREATION OF A LIBRARY FUND TO ACCOUNT FOR LIBRARY CONSTRUCTION ACTIVITIES TWO SOURCES OF FUNDS: (1) \$2.6 MILLION HELD BY COUNTY FROM THE FORMER REDEVELOPMENT AGENCY; AND \$8 MILLION FROM RECENTLY PASSED PARCEL TAX BOND REVENUE; AND INCREASE THE LIBRARY FUND REVENUE BY \$372,700; AND INCREASE THE LIBRARY FUND EXPENDITURES BY \$30,000; AND ADJUST FISCAL YEAR 2015/2016 CAPITOLA IMPROVEMENT PLAN TRANSFERS FROM UNBUDGETED TRIPLE-FLIP SALES TAX REVENUE (\$312,000) AND FROM PACIFIC COVE FUND BALANCE (\$200,000) FOR RISPIN PARK AND PAVEMENT MANAGE PLAN [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Termini, Council Member
<b>SECONDER:</b>	Jacques Bertrand, Council Member
<b>AYES:</b>	Ed Bottorff, Jacques Bertrand, Stephanie Harlan, Michael Termini
<b>ABSENT:</b>	Dennis Norton

9. **ADJOURNMENT**

The meeting was closed at 8:00 PM.

  
Ed Bottorff, Mayor

ATTEST:

  
Susan Sneddon, City Clerk

**MINUTES WERE UNANIMOUSLY APPROVED ON JULY 28, 2016**