

# City of Capitola Agenda

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



**REVISED**

## **CAPITOLA CITY COUNCIL REGULAR MEETING**

**THURSDAY, MARCH 10, 2016**

**7:00 PM**

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

## **CLOSED SESSION - 6:45 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.*

### **LIABILITY CLAIMS (Govt. Code §54956.95)**

#### **Two Claims:**

1. Claimant: Mercury Insurance
2. Claimant: Julie McDaniel

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**

**2. REPORT ON CLOSED SESSION**

**3. ADDITIONAL MATERIALS**

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

A. Item 8.F. Memorandum from Jesberg regarding Rispin/Peery ADA Pathway

B. Item 9.C. Public Communications regarding Wireless Telecommunications Antenna

**4. ADDITIONS AND DELETIONS TO AGENDA**

**5. 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.*

**6. 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.*

**7. REPORT FROM CITY REPRESENTATIVES TO REGIONAL BOARDS / COMMISSIONS**

**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

March 10, 2016

- A. Consider the February 25, 2016, Regular City Council Minutes  
RECOMMENDED ACTION: Approve Minutes.
- B. Receive Planning Commission Action Minutes for the Regular Meeting of March 3, 2016  
RECOMMENDED ACTION: Receive Minutes.
- C. Deny Liability Claims and Forward to the City's Liability Insurance Carrier  
RECOMMENDED ACTION: Deny liability claims and forward to the City's liability insurance carrier.
- D. Adoption of an Ordinance amending Municipal Code Section 9.30.020 to permit five (5) Surf Schools [2nd Reading]  
RECOMMENDED ACTION: Adopt Ordinance.
- E. Approval of Plans, Specifications, and Construction Estimate for the Rosedale Area Paving Project and Authorization to Advertise for Bids  
RECOMMENDED ACTION: Approve plans, specifications, and engineer's estimate for construction of the Rosedale Area Paving Project, and authorize advertising the project to receive bids setting the bid opening date for April 6, 2016.
- F. Approve a Notice of Completion for the Rispin/Peery ADA Pathway  
RECOMMENDED ACTION: Accept the Rispin/Peery Park ADA Pathway Improvements - Phase 1 constructed by Earthworks Paving Contractors, as complete at a final cost of \$127,135, and authorize the Director of Public Works to release the contract retention of \$12,713.50 in 35 days following the recordation of the Notice of Completion.
- G. Approve a Beach Lifeguard Contract with the City of Santa Cruz  
RECOMMENDED ACTION:
  - 1) Approve a three-year contract for \$74,665 between the City of Santa Cruz and the City of Capitola to perform lifeguard services on the beaches in the City of Capitola.
  - 2) Authorize the City Manager to sign a contract between the City of Santa Cruz and the City of Capitola to perform lifeguard services commencing May 2016 through October 2018.

## 9. GENERAL GOVERNMENT / PUBLIC HEARINGS

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

- A. Receive the 2015 Art and Cultural Commission Annual Report  
RECOMMENDED ACTION: Receive report.

# CAPITOLA CITY COUNCIL REGULAR MEETING AGENDA

March 10, 2016

- B. Report on Rispin Mansion Park and the Rispin/Peery Park ADA Improvement Projects and Approval of Plans, Specifications, and Construction Estimates, and Authorization to Advertise for Bids for Certain Phases of the Project

RECOMMENDED ACTION: Receive oral report on the Rispin Mansion Park and ADA improvements and approve plans, specifications, and engineer's estimate for construction and authorize advertising the project to receive bids setting the bid opening date for April 13, 2016.

- C. Appeal of a Planning Commission Decision to Approve a Wireless Telecommunications Antenna at 1200 41st Avenue

RECOMMENDATION: Uphold the Planning Commission's decision to approve the project as conditioned.

## 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](http://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.

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March 10, 2016

**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](http://www.cityofcapitola.org) by clicking on the Home Page link “**Meeting Video.**” Archived meetings can be viewed from the website at anytime.