

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

**CLOSED SESSION – 6:00 PM  
CITY MANAGER’S OFFICE**

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

(One case)

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

**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

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

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

City Treasurer Christine McBroom was present.

**2. PRESENTATIONS**

- A. Introduction of New Police Officer Brittney Long [480-05]

<b>RESULT: INTRODUCTION PROVIDED</b>
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- B. Presentation of a Certificate of Appreciation to Alfred Carlson for service as City Representative on the Advisory Council to the Area Agency on Aging of Santa Cruz and San Benito Counties [120-40/150-70]

RECOMMENDED ACTION: None.

<b>RESULT: CERTIFICATE OF APPRECIATION WAS PRESENTED</b>
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- C. Presentation by Assembly Member Mark Stone Regarding Legislative Session Wrap-up [580-40]

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<b>RESULT:                    PRESENTATION WAS PROVIDED</b>
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**3. REPORT ON CLOSED SESSION**

City Attorney Condotti stated that the City Council discussed the Water Rock Construction, Inc. v. City of Capitola Arbitration Claim; and conference with the City Manager Goldstein, City's Labor Negotiator, regarding employee groups; there was no reportable action.

**4. ADDITIONAL MATERIALS**

City Clerk Sneddon stated the additional materials were received regarding *Item No. 11.A. and Item No. 11.C.*

**5. ADDITIONS AND DELETIONS TO AGENDA** (None provided)**6. PUBLIC COMMENTS**

Marilyn Garrett, local resident, stated concerns regarding the telecommunications industry.

Ryan Simon, Field Representative/Caseworker for Congressman Sam Farr, introduced himself to the City Council.

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

City Treasurer McBroom stated the City's Financial Advisory Committee met on February 16<sup>th</sup> and discussed the City's Comprehensive Annual Financial Report and the midyear estimate.

City Manager Goldstein stated that a portion of Wharf Road will be closed on March 3, 2016, for a construction project and there will be traffic controls.

**8. REPORT FROM CITY REPRESENTATIVES TO REGIONAL BOARD / COMMISSIONS**

Council Member Termini stated that he is the City's representative on the Santa Cruz County Library Financing Authority and the Library Joint Powers Board; City's Art and Cultural Commission Chair; and the Board Chair of the local chapter of the American Red Cross.

Council Member Bertrand stated that he is the City's Representative on the Santa Cruz County Hazardous Materials Advisory Commission, and the Santa Cruz County Children's Network. In addition, he is a Council appointee on the City's Finance Advisory Committee and the City's Commission on the Environment.

Council Member Harlan stated that she is the City's alternate representative on the Advisory Council of the Area Agency on Aging Seniors Council of Santa Cruz and San Benito Counties. In addition, she is helping to plan the Capitola Branch Library upcoming birthday celebration.

Council Member Norton stated that he is the City's representative on the Santa Cruz County Regional Transportation Commission, and also a member of the City's Wharf Committee.

Mayor Bottorff stated that he is the City's representative on Association of Monterey Bay Area Governments and also serves on Local Agency Formation Commission.

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He stated that a mayoral committee is being formed which will be comprised of the City Manager, Public Works Director, the Mayor, and a Council Member to review the City's Capital Improvement Plan Projects.

There was Council consensus for Council Member Bertrand to be a member of the mayoral committee.

Public Works Director Jesberg stated that the Stockton Avenue and Esplanade Intersection Improvement Project will start on March 14<sup>th</sup>, and the 38<sup>th</sup> Avenue Project will start the end of March.

## 9. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS

- A. Consider Appointments to the Advisory Council to the Area Agency on Aging of Santa Cruz and San Benito Counties [150-70]

<b>RESULT:</b>	<b>APPOINTED COUNCIL MEMBER HARLAN TO BE THE CITY'S REPRESENTATIVE ON THE ADVISORY COUNCIL TO THE AREA AGENCY ON AGING OF SANTA CRUZ AND SAN BENITO COUNTIES [UNANIMOUS]</b>
<b>MOVER:</b>	Jacques Bertrand, Council Member
<b>SECONDER:</b>	Stephanie Harlan, Council Member
<b>AYES:</b>	Norton, Bertrand, Harlan, Termini, Bottorff

## 10. CONSENT CALENDAR

Council Member Norton requested to pull Item 10.C. pertaining to the appeal of design permit and conditional use permit for a wireless antenna located at 1200 41<sup>st</sup> Avenue. He asked about the process of notifying the public for the appeal of design permit and conditional use permit for a wireless antenna. He requested that the tenants at the Begonia shopping plaza also be notified.

Community Development Director Grunow responded that a public notice will be mailed to all property owners within a 500 foot radius; tenants are not typically notified of public hearings but staff will notify them of this case per the Council's direction.

Council Member Norton requested that the City Council receive Planning Commission (Commission) minute excerpts when the City Council receives an appeal regarding a Commission's decision. (Community Development Director Grunow responded that minute excerpts will be attached to City Council staff reports when the subject is an appeal public hearing).

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

- A. Consider the February 11, 2016, Regular City Council Minutes  
RECOMMENDED ACTION: Approve Minutes.



- B. Approval of City Check Registers dated January 8, January 15, January 22, and January 29, 2016 [300-10]  
RECOMMENDED ACTION: Approve Check Register Reports.
- C. Appeal of Design Permit and Conditional Use Permit for a Wireless Antenna Located at 1200 41st Avenue [730-10]  
RECOMMENDED ACTION: Direct staff to set a public hearing for the City Council meeting of March 10, 2016, to consider an appeal of Application #15-119.
- D. Appeal of Design Permit and Variance for a Garage Addition to a Single-family Home Located at 4980 Garnet Street [730-10]  
RECOMMENDED ACTION: Direct staff to set a public hearing for the City Council meeting of April 14, 2016, to consider the appeal of Application #15-181.

#### 11. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Consider a Resolution Endorsing the Santa Cruz Libraries Tax Revenue Ballot Measure [230-10]  
RECOMMENDED ACTION: Adopt Resolution.
- Barbara Gorson, Santa Cruz Public Libraries System Commissioner, stated that the Ballot Measure Campaign Committee is creating a Fact Sheet for the public.
- Council Member Goldstein stated that the City will develop an overall campaign message to be mailed to residents regarding the proposed Santa Cruz Libraries Tax Revenue Ballot Measure as it relates to the new Capitola Branch Library.

<b>RESULT:</b>	<b>ADOPTED <u>RESOLUTION NO. 4045</u> ENDORSING THE SANTA CRUZ LIBRARIES TAX REVENUE BALLOT MEASURE WITH THE INCLUSION OF A STATEMENT REGARDING THE IMPORTANCE OF CONSTRUCTING OF A NEW CAPITOLA BRANCH LIBRARY [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Termini, Council Member
<b>SECONDER:</b>	Dennis Norton, Councilmember
<b>AYES:</b>	Norton, Bottorff, Bertrand, Harlan, Termini

- B. Consider a General Event Permit for a Fireworks Show by the Monte Foundation in the City of Capitola [1050-70]  
RECOMMENDED ACTION: Authorize the City Manager to issue a Special Event Permit for the Monte Foundation Fireworks Show for Sunday, October 9, 2016.
- City Manager Goldstein stated that Marc Monte, Monte Foundation, mention that he would like the Monte Foundation to donate 2016 Fireworks Show profits to the new Capitola Branch Library.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Termini, Council Member
<b>SECONDER:</b>	Jacques Bertrand, Council Member
<b>AYES:</b>	Norton, Bottorff, Bertrand, Harlan, Termini

- C. Introduction of an Ordinance amending Municipal Code Section 9.30.020 and Amend City Administrative Policy I-34, Section III (B) Regarding Surf School Regulations [1020-20]

RECOMMENDED ACTION: Introduce an Ordinance to amend Municipal Code Section 9.30.020 and amend City Administrative Policy, I-34, Section III (B) to permit five (5) Surf Schools.

<b>RESULT:</b>	<b>APPROVED THE INTRODUCTION OF AN ORDINANCE AMENDING MUNICIPAL CODE SECTION 9.30.020 AND AMEND CITY ADMINISTRATIVE POLICY I-34, SECTION III (B) REGARDING SURF SCHOOL REGULATIONS [3 TO 2]</b>
<b>MOVER:</b>	Jacques Bertrand, Council Member
<b>SECONDER:</b>	Stephanie Harlan, Vice Mayor
<b>AYES:</b>	Bottorff, Bertrand, Harlan
<b>NAYS:</b>	Norton, Termini

## 12. ADJOURNMENT

Meeting adjourned at 8:34 PM



Ed Bottorff, Mayor

ATTEST:

  
\_\_\_\_\_, CMC  
Susan Sneddon, City Clerk

**MINUTES WERE UNANIMOUSLY APPROVED ON MARCH 10, 2016**