

**CAPITOLA CITY COUNCIL
REGULAR MEETING ACTION MINUTES
THURSDAY, DECEMBER 10, 2015 – 7:00 PM**

**CLOSED SESSION - 6:15 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 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

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; and (6) Department Heads

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Mayor Dennis Norton: Present, Vice Mayor Ed Bottorff: Present, Council Member Jacques Bertrand: Present, Council Member Stephanie Harlan: Present, Council Member Michael Termini: Present. City Treasurer Christine McBroom was absent.

2. REPORT ON CLOSED SESSION

City Attorney Condotti stated that the City Council discussed existing litigation regarding the arbitration claim entitled Water Rock Construction, Inc. v. City of Capitola; there was no reportable action. Mr. Condotti stated that the City's real property negotiator, City Manager Goldstein, provided a status report regarding 2091 Wharf Road, Capitola, CA; the Council provided instruction to City Manager Goldstein; there was no reportable action. Lastly, the Council received a report regarding labor negotiations involving the (1) Association of Capitola Employees; (2) Capitola Police Captains, (3) Capitola Police Officers Association, (4) Confidential Employees; (5) Mid-Management Group; and (6) Department Heads; the Council provided direction to the City Manager; there was no reportable action.

3. ADDITIONAL MATERIALS

City Clerk Sneddon stated that additional material was received regarding Item 8.A. related to the recommendations for appointments to the Art and Cultural Commission.

4. ADDITIONS AND DELETIONS TO AGENDA

(None provided)

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5. PUBLIC COMMENTS

Carin Hanna, Business Improvement Area Advisory Committee representative, provided appreciation for the holiday decorations in the Village.

Toni Castro, Capitola/Soquel Chamber of Commerce Executive Director, stated that on December 14th at 5:30 p.m. there will be a palm tree lighting ceremony in the Village.

Jane Schwickerath, Diversity Center 60+ Seniors Program (Program) Volunteer Coordinator, provided an update regarding the Program. She introduced Steve Matsey who is a social worker intern working with the Program.

City Clerk Sneddon stated there is a recruitment process underway for an Ex-Officio Student on the Commission on the Environment, and for a City representative on the Advisory Council of the Area Agency on Aging - Seniors Council of Santa Cruz & San Benito Counties.

Council Member Harlan stated that rain barrels will be available at City Hall on Saturday, December 12th from 9:00 am to 12 (Noon).

Mayor Norton provided an update regarding the 2040 Santa Cruz County Regional Transportation Plan.

City Manager Goldstein stated that artist Maia Negre's work is displayed in the Council Chambers. In addition, he stated that the City is prepared for a high tide event that will occur approximately at 9:30 a.m. on December 11th.

6. CITY COUNCIL REORGANIZATION

Mayor Norton thanked City staff, current and past Council Members for their support. He commented on the many recent accomplishments of the City.

RESULT:	ADOPTED [UNANIMOUS] TO APPOINT COUNCIL MEMBER ED BOTTORFF AS THE NEW MAYOR
MOVER:	Michael Termini, Council Member
SECONDER:	Jacques Bertrand, Council Member
AYES:	Norton, Bottorff, Bertrand, Harlan, Termini

Council Member Norton handed the gavel to Mayor Bottorff.

Mayor Bottorff presented a plaque of appreciation to outgoing Mayor Norton.

Mayor Bottorff accepted the position as Mayor and thanked his family and friends for their support and for attending this evening's meeting. He also thanked the Council Members for their support the past three years.

RESULT:	ADOPTED [UNANIMOUS] TO APPOINT COUNCIL MEMBER STEPHANIE HARLAN AS THE NEW VICE MAYOR
MOVER:	Dennis Norton, Council Member
SECONDER:	Michael Termini, Council Member
AYES:	Norton, Bottorff, Bertrand, Harlan, Termini

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

(None provided)

8. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS

Council Member suggested that a portion of Item 8.A. with the exception of appointments to the City's Art and Cultural Commission and the Historical Museum Board be continued to the next City Council meeting.

RESULT: ADOPTED [UNANIMOUS] TO CONTINUE THE APPOINTMENTS LISTED IN ITEM 8.A. WITH THE EXCEPTION OF THE CITY'S ART & CULTURAL COMMISSION AND THE HISTORICAL MUSEUM BOARD APPOINTMENTS.

MOVER: Michael Termini, Council Member

SECONDER: Dennis Norton, Council Member

AYES: Norton, Bottorff, Bertrand, Harlan, Termini

- A. Review City Council Representation on Various County/Multi-County Boards, Commissions, and Committees; and City Council Appointments, Reappointments, and Nominations of Members to City Internal Advisory Bodies, and to the Oversight Board for the Capitola Successor Agency [110-10]
RECOMMENDED ACTION: To make appointments to the various County/Multi-County Boards, Commissions, and Committees; and City Council appointments, reappointments, and nominations of members to City Internal Advisory Bodies, and to the Oversight Board for the Capitola Successor Agency.

RESULT: ADOPTED [UNANIMOUS] TO RE-APPOINT/APPOINT THE FOLLOWING "AT-LARGE" MEMBERS TO THE CITY'S ART AND CULTURAL COMMISSION: (1) INCUMBENT NATHAN CROSS; (2) INCUMBENT DAVID KRAEMER; (3) INCUMBENT LAURIE HILL; AND (4) NEW APPLICANT MARY BETH CAHALAN

MOVER: Dennis Norton, Council Member

SECONDER: Michael Termini, Council Member

AYES: Norton, Bottorff, Bertrand, Harlan, Termini

RESULT: ADOPTED [UNANIMOUS] TO APPOINT STEPHANIE TETTER TO FILL THE VACANCY ON THE CITY'S HISTORICAL MUSEUM BOARD

MOVER: Michael Termini, Council Member

SECONDER: Dennis Norton, Council Member

AYES: Norton, Bottorff, Bertrand, Harlan, Termini

9. CONSENT CALENDAR

RESULT: ADOPTED [UNANIMOUS] ITEM NO. 9.A., 9.B., 9.C. 9.D., 9.E., 9.F., 9.G., AND 9.H.

MOVER: Michael Termini, Council Member

SECONDER: Dennis Norton, Council Member

AYES: Norton, Bottorff, Bertrand, Harlan, Termini

- A. Consider the November 24, 2015, Regular City Council Minutes
RECOMMENDED ACTION: Approve Minutes.
- B. Receive Planning Commission Action Minutes for the Regular Meeting of December 3, 2015
RECOMMENDED ACTION: Receive Minutes.
- C. Approval of City Check Register Reports Dated November 6, November 13, November 20, November 27, 2015
RECOMMENDED ACTION: Approve Check Register Reports.

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- D. Adoption of **Resolution No. 4039** authorizing an Increase in the Residential and Commercial Garbage Collection and Recycling Rates [930-45]
RECOMMENDED ACTION: Adopt the proposed Resolution approving the Rate Schedule for Residential and Commercial Garbage Collection and Recycling in Capitola effective January 1, 2016, superseding Resolution No. 4010, as authorized in the Franchise Agreement dated April 24, 2008, and amended on December 13, 2012.
- E. Adoption of **Resolution No. 4040** Setting the Interest Rate for Tenant's Security Deposits for 2016 at Zero Percent (0%), as was Set for 2015 [750-10]
RECOMMENDED ACTION: Adopt a Resolution setting the interest rate for tenant's security deposits for 2016 at zero percent (0%), as was set for 2015.
- F. Adoption of **Resolution No. 4041** Urging the State to Provide New Funding for Public Transportation Infrastructure [1170-10]
RECOMMENDATION: Adopt a Resolution of support urging the State of California to provide new funding for transportation and directing the Mayor to write letters in support of funding to the Governor and State Representatives.
- G. Receive Annual Donations and Contributions Report
RECOMMENDED ACTION: Receive the Annual Donations and Contributions Report.
- H. Consider a Side Agreement Extending Time to Commence Construction of Capitola Branch Library with the County of Santa Cruz [500-10/760-05 A/C: County of Santa Cruz]
RECOMMENDED ACTION: Authorize the City Manager to execute a Side Agreement extending time to commence construction of Capitola Branch Library with the County of Santa Cruz to extend the time limit to begin construction by one year.

10. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Consider an Amendment to the Santa Cruz Libraries Facilities Financing Authority Joint Powers Agreement [230-10/500-10 A/C: Santa Cruz County Library Joint Powers Authority]
RECOMMENDED ACTION: Approve the First Amendment to the Santa Cruz Libraries Facilities Financing Authority Joint Exercise of Powers Agreement and authorize the City Manager to sign the Amendment upon approval by the other member entities, and County approval of the City-County library contract extension.

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

- B. Consider Amendments to the Library Service and Library Financing Joint Powers Agreements [230-10/500-10 A/C: Santa Cruz County Library Joint Power Agreement]
RECOMMENDED ACTION:
1. Approve the Fourth Amendment to the Joint Powers Agreement Between the City of Santa Cruz and the County of Santa Cruz and the Cities of Capitola and Scotts Valley, relating to library services; and
 2. Direct the City Clerk to advertise the opportunity to serve on the regional Library Advisory Commission; and
 3. Approve the Second Amendment to the Joint Exercise of Powers Agreement establishing the Santa Cruz County Library Financing Authority.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Termini, Council Member
SECONDER:	Dennis Norton, Council Member
AYES:	Norton, Bottorff, Bertrand, Harlan, Termini

C. Adoption of **Resolution No. 4042** Establishment of the City of Capitola Library Advisory Committee [230-10]

RECOMMENDED ACTION: Approve a Resolution establishing the City of Capitola Library Advisory Committee, dissolve the Capitola Library Ad Hoc Committee, and direct the City Clerk to advertise the opportunity to serve on the City of Capitola Library Advisory Committee.

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


11. ADJOURNMENT

Meeting adjourned at 8:00 PM.



Ed Bottorff, Mayor

ATTEST:



Susan Sneddon, City Clerk CMC

MINUTES WERE UNANIMOUSLY APPROVED ON JANUARY 14, 2016