

**CAPITOLA CITY COUNCIL
REGULAR MEETING ACTION MINUTES
THURSDAY, AUGUST 13, 2015**

**CLOSED SESSION – 5:30 PM
CITY MANAGER’S OFFICE**

CALL TO ORDER

Mayor Norton called the meeting to order at 5:30 PM. He announced the item to be discussed in Closed Session, as follows:

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 CLAIMS (Govt. Code §54956.95)

Claimant: Donna Ealy

Agency claimed against: City of Capitola

Mayor Norton asked if anyone wished to address items on the Closed Session agenda. Seeing no one, the Council recessed the meeting at 5:31 p.m. to the Closed Session in the City Manager’s Office.

The Closed Session adjourned at 6:00 PM to the City Council Chambers where a Special Meeting of the City Council was held. This meeting adjourned at 6:55 PM to the Regular Meeting of the City Council.

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

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

City Treasurer Christine McBroom was present

2. PRESENTATIONS

A. Introduction of Maura Herlihy, the City’s New Account Technician
Introduction provided.

B. Proclamations Recognizing Police Administrative Assistant Lorrie Wilson and Police Volunteer David Dominguez for their Assistance in Distributing Bicycle Helmets [120-40]

Proclamations received.

3. REPORT ON CLOSED SESSION

4. ADDITIONAL MATERIALS

Item 9.A.: Email from Helen Bryce regarding the McGregor Park Construction Project

Item 9.D.: Revised staff report regarding Zoning Code Update and Set Special Meeting Schedule

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5. ADDITIONS AND DELETIONS TO AGENDA

Council Member Termini requested that Item 9.C. regarding an Extension Application at 407 A/B and 411 Beverly Avenue be presented at the end of the Council meeting because both Mayor Norton and himself have a conflict of interest because they reside within 300 feet of the subject property and will need to recuse themselves.

6. PUBLIC COMMENTS

Marie Martorella, proponent for the proposed skate park at Monterey Park, clarified that the proposed skate park at Monterey Park has the registered name of "Capitola Skate Park".

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

City Manager Goldstein stated that this summer's Junior Guard Program will be coming to an end this week.

Council Member Termini stated that on August 28th will be the first movie on the beach.

Council Member Harlan reminded the public to obtain rain barrels for this next winter season.

Council Member Bertrand complimented Council Member Termini and Police Chief Escalante for their assistance with the August 4th National Night Out.

Mayor Norton requested an item be agendaized regarding the introduction of an Ordinance to increase the smoking area for the Village.

8. CONSENT CALENDAR

Council Member Bertrand requested that Item 8.C. and Item 8.D. be pulled for discussion.

- A. Consider Approving the July 23, 2015, Regular City Council Minutes
- B. Approval of City Check Register Reports Dated July 17, 2015; July 24, 2015; and July 31, 2015 [300-10]
- C. Consider a Resolution Approving the Final Map for the Surf and Sand Mobile Home Park Subdivision, Tract No. 1566 [730-10/730-75]
- D. Consider Authorizing a City Council Response to the 2015 Santa Cruz County Grand Jury Final Report [100-30]
- E. Consider Denying Liability Claim of Donna Ealy for an Undetermined Amount and Forward to the City's Liability Insurance Carrier [Claims Binder]

ACTION

Motion made by Council Member Bottorff, seconded by Council Member Harlan, to approve the Consent Calendar Items 8.A., 8.B., and 8.E. The motion was passed unanimously.

9. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Receive Report regarding the McGregor Park Construction Project [1040-20]

Richard Lippi, Protect Our Public Parks (POPP) Representative, stated that he supports this project.

Helen Bryce, local resident, stated her appreciation to staff for exploring various options for the construction of the skate park and supports the City's proposal.

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Council Member Bottorff stated his original goal was to have a skate park with concrete features centrally located in the community. As the skate park at McGregor Park progressed, the Monty Foundation donated \$50,000 and the City matched this donation with another \$50,000 to construct a quality skate park at McGregor Park with a concrete surface and features. He stated concerns about the City being fiscally responsible with the idea of considering the construction of two skate parks in a community with 10,000 people.

Mayor Norton stated that the City needs to look into safe passage for the community from the middle school to the skate park at McGregor Park. He directed staff to look into surfacing alternatives and stated that the project should be completed within two months.

ACTION

Motion made by Council Member Termini, seconded by Council Member Bertrand, to approve authorizing an amendment to MG Creations Construction contract for the skatepark by adding \$34,600 for pouring concrete on the floor of the skate park; authorizing an amendment to Earthworks contract to increase the contract not to exceed \$90,000 for remediation of arsenic and lead on the site, and decrease the contract by \$14,040 by removing bid Item No. 24 which was to pave the floor of the skatepark, for a net increase to the contract of \$75,960; and approve a budget amendment within the Capital Improvement Program funding transferring \$110,560 to the McGregor Park Project and taking it from the Utility Undergrounding Project Fund. The motion carried with the following vote: AYES: Council Members Bertrand, Harlan, Termini, and Mayor Norton. NOES: Council Member Bottorff. ABSENT: None. ABSTAIN: None.

The City Council took separate action on the following action item (Item 8.B.) on the Consent Calendar.

- 9.B. Receive Report regarding the Fiscal Year 2015/2016 Capital Improvement Program [330-20]

Helen Bryce, local resident, asked how long the sidewalk extends along Park Avenue, as well as the Rail Trail segment in the City. She asked these questions in reference to access to McGregor Park. (Public Works Director Jesberg responded).

ACTION

The City Council accepted the Report regarding the Fiscal Year 2015/2016 Capital Improvement Program. The motion carried unanimously.

The City Council took separate action on the following action item (Item 8.C.) on the Consent Calendar.

- 8.C. Consider a Resolution Approving the Final Map for the Surf and Sand Mobile Home Park Subdivision, Tract No. 1566 (Park) [730-10/730-75]

Bob DeWitt, Civil Engineer representing the Surf and Sand Mobile Home Park (Park) owner, stated that the plans are well along for the utility upgrades at the Park; substantial work has been done on the sewer, water utilities, power and gas lines in the Park. The final map meets the conditions of the tentative map.

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ACTION Motion made by Council Member Bertrand, seconded by Council Member Termini, to continue the approval of the Final Map for the Surf and Sand Mobile Home Park Subdivision, Tract No. 1566 to the September 10, 2015, City Council meeting. The motion carried unanimously.

The City Council took separate action on the following action item (Item 8.D.) on the Consent Calendar.

8.D. Consider Authorizing a City Council Response to the 2015 Santa Cruz County Grand Jury Final Report [100-30]

ACTION Motion made by Council Member Bottorff, seconded by Council Member Harlan, to authorize a City Council Response to the 2015 Santa Cruz County Grand Jury Final Report. The motion carried unanimously.

9.D. Receive Status Report on the Issues and Options of the Zoning Code Update and Set Special Meeting Schedule [730-85]

ACTION There was City Council consensus to accept the Report on the Issues and Options of the Zoning Code Update. The City Council provided the following direction to staff:

All zoning issues to be brought back to a Special City Council meeting with the exception of the following:

Issue 3. Accommodating High-Quality Development on 41st Avenue

Issue 4. Retail Vitality on 41st Avenue

In addition, the following specific zoning issues to be brought back to a Special City Council meeting for further review and discussion:

Issue 7. Signs: Threshold for Review and Tailored Standards

Issue 15. Visitor: Serving Uses on Depot Hill

Issue 16. Height: Residential Neighborhoods, Capitola Village, Hotel

9.C. Consider an Extension Application at 407 A/B and 411 Beverly Avenue for a Non-Conforming Multi-Family Home in the R-1 Zone [730-10]

ACTION Motion made by Council Member Bertrand, seconded by Council Member Harlan, to approve the an Extension Application at 407 A/B and 411 Beverly Avenue for a Non-Conforming Multi-Family Home in the R-1 Zone. The motion carried with the following roll call vote: AYES: Council Members Harlan, Bertrand, and Bottorff. NOES: None. ABSENT: None. ABSTAIN: None. DISQUALIFIED: Council Member Termini and Mayor Norton.

10. ADJOURNMENT

Mayor Norton adjourned the meeting at 10:00 PM



Dennis Norton, Mayor

ATTEST:

 CMC
Susan Sneddon, City Clerk

MINUTES WERE UNANIMOUSLY APPROVED ON SEPTEMBER 10, 2015