

**CAPITOLA CITY COUNCIL
REGULAR MEETING ACTION MINUTES
THURSDAY, JULY 23, 2015**

CLOSED SESSION – 6:30 PM

CITY MANAGER'S OFFICE

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Govt. Code
§54956.9**

One potential case: McGregor Park

LIABILITY CLAIMS (Govt. Code §54956.95)

Claimant: Lindsay Duerr

Agency claimed against: City of Capitola

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

2. PRESENTATIONS

A. Certificates of Appreciation to Linda Smith and David Shoaf for their terms on the Historical Museum Board. [120-40/240-40]

Certificates received.

B. Presentation regarding the Human Care Alliance.

Presentation provided by David Bianchi, Family Service Agency of the Central Coast; and Karen Delaney, Volunteer Center.

3. REPORT ON CLOSED SESSION

City Attorney Condotti stated that the Council discussed the anticipated litigation regarding McGregor Park, and the Lindsay Duerr tort claim; there was no reportable action on both items. The tort claim is listed on the Council's regular meeting Consent Calendar this evening.

4. ADDITIONAL MATERIALS

A new staff report was received related to the Rispin/Peery Park Walkway Improvement Project (Item 10.C.).

5. ADDITIONS AND DELETIONS TO AGENDA

None provided.

6. PUBLIC COMMENTS

Richard Lippi, local resident, requested a report on the status of the McGregor Skate Park Project.

Public Works Director Jesberg provided a status update on the McGregor Skate Park Project.

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

City Manager Goldstein stated that Wharf to Wharf race will be held on Sunday, July 26th; there will be road closures in the City until Sunday afternoon.

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Council Member Termini stated concerns regarding limited Public Works staff being able to complete projects listed in the City's Capitola Improvement Program (CIP). In addition, he suggested that the City put pressure on the County to complete deferred County-related CIP projects within the City.

Council Member Norton stated that on July 24th City Manager Goldstein and he will be attending a meeting with the Federal Aviation Administration (FAA) regarding the noise resulting from the new flight path; he will report back to the Council and the community.

8. BOARD, COMMISSION AND COMMITTEE APPOINTMENTS

- A. Consider appointments to the Historical Museum Board.

Pam Greeninger and Kathleen Church, Historical Museum Board applicants, thanked the City Council for their consideration regarding their appointments to the Board. [110-10/240-40]

ACTION **Motion made by Council Member Bertrand, seconded by Council Member Bottorff, to accept the recommendation of the Capitola Historical Museum Board and ratify the appointment of Pam Greeninger and Kathleen Church to fill terms on the Board ending the second Thursday in June 2018. The motion was passed unanimously.**

9. CONSENT CALENDAR

- A. Consider approving the July 9, 2015, Regular City Council Minutes.
- B. Receive Planning Commission Action Minutes for the Regular Meeting of July 16, 2015.
- C. Approval of City Check Register Reports dated June 19, 2015; June 26, 2015; July 3, 2015; and July 10, 2015. [300-10]
- D. Consider denying liability claim of Lindsay Duerr for an undetermined amount and forward to the City's liability insurance carrier. [Claims Binder]
- E. Consider approving a contract with Community Action Board to administer the Emergency Housing Assistance Program. [500-10 A/C: Community Action Board]

ACTION **Motion made by Council Member Termini, seconded by Council Member Harlan, to approve the following Consent Calendar Items 9.A., 9.B., 9.C., 9.D., and 9.E. The motion was passed unanimously with the exception of the payment to Santa Cruz Regional 911 (Item 9.C.) being opposed by Council Member Norton.**

10. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Consider approving agreements with the Housing Authority of the County of Santa Cruz and the Adams Ashby Group for administration of the Community Development Block Grant (CDBG) Funded Housing Rehabilitation and Homeownership Assistance Programs, for an amount not to exceed \$54,358 and \$25,580, respectively. 700-10/500-10 A/C: Housing Authority of the County of Santa Cruz, Adams Ashby Group]

Peter Pethoe, Santa Cruz Hostel, stated concerns regarding Airbnb vacation rentals.

ACTION **Motion made by Council Member Termini, seconded by Council Member Bertrand, to approve the agreements with the Housing Authority of the County of Santa Cruz and the Adams Ashby Group**

for administration of the Community Development Block Grant (CDBG) Funded Housing Rehabilitation and Homeownership Assistance Programs, for an amount not to exceed \$54,358 and \$25,580, respectively. The motion was passed unanimously.

- B. Consider request to initiate public review and to refer the draft Housing Element Update to the State Department of Housing and Community Development (HCD). [740-40]

Council Member Bertrand requested that the Association of Monterey Bay Area Governments (AMBAG) provide a report to the City Council regarding the Regional Housing Needs Assessment (RHNA) numbers. In addition, he requested analysis of condominium conversion in the City.

Council Member Harlan requested that staff find out how many residents in the Capitola Beach Villas on 41st Avenue are owner-occupied and how many are rental units.

ACTION

Motion made by Council Member Termini, seconded by Council Member Bottorff, to initiate public review and to refer the draft Housing Element Update to the State Department of Housing and Community Development (HCD). The motion was passed unanimously.

- C. Receive a report on the construction bids for the Rispin/Peery Park Walkway Improvement Project. [275-20]

Public Works Director Jesberg stated that the City Council was provided additional material regarding this item. He provided a summary of the bids received and recommended that the City Council award a contract to the lowest responsible bidder (Earthworks Paving).

Richard Lippi, local resident, stated that Earthworks Paving is a good choice for the project.

ACTION

Motion made by Council Member Harlan, seconded by Council Member Bottorff, to award a contract to Earthworks Paving in the amount of \$114,429 for construction of the Rispin/Peery Park Walkway Improvement Project. The motion was passed unanimously.

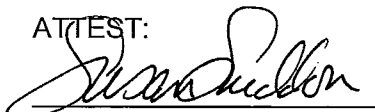
11. ADJOURNMENT

Meeting adjourned at 8:18 PM.



Dennis Norton, Mayor

ATTEST:

 CMC
Susan Sneddon, City Clerk

MINUTES WERE UNANIMOUSLY APPROVED ON AUGUST 13, 2015