

**CAPITOLA CITY COUNCIL
REGULAR MEETING ACTION MINUTES
THURSDAY, JULY 9, 2015 - 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 absent.

2. REPORT ON CLOSED SESSION (No closed session was held)

3. ADDITIONAL MATERIALS

City Clerk Sneddon stated that six additional materials were received for Item 8.A. regarding the installation of stop signs in both directions of Hollister Avenue at El Salto Drive. Also five additional materials were received for Item 8.B. related to a report regarding public process to evaluate options to develop a new public park, a parking structure, new civic facilities, and a hotel on 420 Capitola Avenue and the Pacific Cove Sites.

4. ADDITIONS AND DELETIONS TO AGENDA

City Manager Goldstein stated that Item 8.C. will be discussed prior to Item 8.B.

5. PUBLIC COMMENTS

Susan Thom, local resident, stated concerns regarding VRBO rentals in the Depot Hill neighbor.

6. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

Council Member Termini stated concerns regarding problems with the internet broadcasting of City Council and Planning Commission meetings.

7. CONSENT CALENDAR

- A. Consider approving the June 25, 2015, Regular City Council Minutes.
- B. Consider approving a contract with Carolyn Flynn for professional services related to Affordable Housing Programs, Community Development Block Grant (CDBG) Program administration, and grant writing. [500-10 A/C: Flynn, Carolyn]
- C. Consider authorizing the City Manager to renew the agreement with Rogers, Anderson, Malody & Scott LLP to provide financial auditing services for an amount not-to-exceed \$32,150 for Fiscal Year 2014/2015 Audit, and \$35,000 for Fiscal Year 2015/2016 Audit. [500-10 A/C: Rogers, Anderson, Malody & Scott, LLP]
- D. Consider approving the Opera at the Beach event on September 20, 2015, at the Capitola Esplanade Bandstand; and authorize the City Manager to issue a special event permit. [1050-70]
- E. Consider approving the Capitola Plein Air event on November 7, 2015, and November 8, 2015; and authorize the City Manager to issue a special event permit. [1050-70]

ACTION Motion made by Council Member Termini, seconded by Council Member Bottorff, to approve the following Consent Calendar Items 7.A., 7.B., 7.C., 7.D., and 7.E. The motion was passed unanimously.

8. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Consider a Resolution ordering the installation of stop signs in both directions of Hollister Avenue at El Salto Drive. [490-60]

City Attorney Condotti stated that Council Member Bottorff resides within 500 feet of the subject property; however he has been advised that he may participate in this item pursuant to Fair Political Practices Commission Regulation 18703; in certain limited circumstances participation may be authorized under the "public generally" exceptions. This item is regarding a stop sign and subsection (e)(3) "Limited Neighborhood Effects" would apply, therefore a councilmember may participate in a decision of whether to install a stop sign within 500' of the councilmember's residence if the decision is supported by substantial evidence supporting the need for the stop sign at that particular location.

Tom Parker, local resident, suggested that the two proposed stop signs be on El Salto Drive instead of Hollister Avenue.

Jerry Clarke, 502 El Salto Drive, stated that Hollister Avenue has a visibility issue at the intersection.

Stewart Greeninger, 701 Escalona, suggested that shrubbery near the proposed stops signs be kept trimmed to increase visibility.

ACTION Motion made by Council Member Termini, seconded by Council Member Bottorff, to adopt Resolution No. 4027 ordering the installation of stop signs in both directions of Hollister Avenue at El Salto Drive. The motion was passed unanimously.

Item 8.C. was discussed prior to Item 8.B.

- C. Accept an oral report from the Traffic and Parking Commission regarding their makeup, charge, and recommendations regarding the proposed Parking Structure Project (Project). [265-10]

Nels Westman, Traffic and Parking Commission Chair, provided a report from the Commission regarding their makeup, charge, and recommendations regarding the proposed Project.

ACTION Motion made by Council Member Termini, seconded by Council Member Bottorff, to keep the Traffic and Parking Commission intact. The motion was passed unanimously.

- B. Receive report regarding the public process to evaluate options to develop a new public park, a parking structure, new civic facilities, and a hotel on 420 Capitola Avenue and the Pacific Cove sites. [265-10]

City Attorney Condotti stated that effective June 15, 2015, Fair Political Practices Commission (FPPC) Regulation 18707.10 ("Public Generally, Small Jurisdiction; Effects on Official Domicile") was repealed. This regulation had to do with small jurisdictions with a population of 30,000 or less and covering a geographic area of ten square miles or less; allowing an official, otherwise disqualified from a decision involving property within 500 feet of his or her domicile, to take part in the decision under the public generally exception if, among other conditions, the property affected by the decision is 300 feet or more from the official's domicile. City Attorney Condotti stated that Council

members are disqualified if their property is within 500 feet of subject property. He advised Council Members Norton and Termini to recuse themselves from discussing this item this evening.

Council Members Norton and Termini recused themselves and left the dais.

City Manager Goldstein provided this report and stated that the recommendation is to cease the work on current concepts for the Pacific Cove/City Hall site.

Council Member Bottorff resided as acting Mayor.

The following local residents provided statements of opposition to options to develop a new public park, a parking structure, new civic facilities, and a hotel on 420 Capitola Avenue and the Pacific Cove sites:

- Joe Ortiz
- Mick Routh
- Linda Hanson
- Laurie Hill
- Dave Kraemer
- Al Carlson
- Lewis Feinman
- George Ankeney
- Ron Graves
- Don Dreyer

ACTION

Motion made by Council Member Bertrand, seconded by Council Member Harlan, to stop work on concepts to develop a new public park, a parking structure, new civic facilities, and a hotel on 420 Capitola Avenue and the Pacific Cove sites. The motion carried with the following roll call vote: AYES: Council Members Harlan, Bertrand, and Bottorff. NOES: None. ABSENT: Council Member Termini and Mayor Norton. ABSTAIN: None.

City Council continued discussions regarding Item 8.C.

- C. **(Continued Item)** Accept an oral report from the Traffic and Parking Commission regarding their makeup, charge, and recommendations regarding the proposed Parking Structure Project (Project). [265-10]


Nels Westman, Traffic and Parking Commission (Commission) Chair, stated that this item is in response to the Council's June 25, 2015, request that the Commission provide a report regarding the proposed Parking Structure Project behind City Hall. He stated that the Commission met on July 8, 2015, and discussed a process to update the data and review the 2011 recommendation that was previously provided to Council; including design and size perimeters, cost and financing mechanisms. He stated that a report to the City Council will be forthcoming in approximately six months.

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ACTION Motion made by Council Member Bertrand, seconded by Council Member Harlan, to accept the Parking and Traffic Commissions' recommendation to return to Council in approximately six months with a revised recommendation regarding the proposed parking structure; to include a cost analysis and rationale and funding for the project. The motion carried with the following vote: **AYES:** Council Members Harlan, Bertrand, and Bottorff. **NOES:** None. **ABSENT:** Council Member Termini and Mayor Norton. **ABSTAIN:** None.

9. **ADJOURNMENT**

The meeting adjourned at 8:35 PM.



Dennis Norton, Mayor

ATTEST:

 CMC
Susan Sneddon, City Clerk

MINUTES WERE UNANIMOUSLY APPROVED ON JULY 23, 2015