

**CAPITOLA CITY COUNCIL
REGULAR MEETING ACTION MINUTES
THURSDAY, JUNE 25, 2015**

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

CALL TO ORDER

Mayor Norton called the meeting to order at 6:00 p.m. and announced the items to be discussed in Closed Session, as follows:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Govt. Code §54957)
City Council’s Performance Evaluation of the City Manager.

LIABILITY CLAIMS (Govt. Code §54956.95)
Claimants: Aspromonte Hotels, LLC
Agency claimed against: City of Capitola

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Govt. Code §54956.9)**
Schroedel et al. v. the City of Capitola
[Santa Cruz Superior Court Case No. CV 175684]

Mayor Norton noted that there was no one in the audience; therefore, the City Council recessed at 6:02 PM to the City Manager’s Office.

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 McBroom was present.

2. PRESENTATIONS

A. Proclamation honoring Amateur Radio Week - June 21 thru June 27, 2015.

Proclamation received by Suellene Peterson, Public Information Coordinator for AARL Pacific Division (Santa Clara Section); and Robert Richey, District Emergency Coordinator for Santa Cruz County.

B. Proclamation honoring Mickey Ordning for being inducted into the Rugby Hall of Fame.

Proclamation received by Mickey Ordning.

3. REPORT ON CLOSED SESSION

City Attorney Condotti stated that the City Council provided a performance evaluation for the City Manager. City Council received a status report regarding a liability claim from Aspromonte Hotels, LLC, and existing litigation regarding Schroedel et al. v. the City of Capitola. There was no reportable action on any of the items discussed in closed session.

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4. ADDITIONAL MATERIALS

City Clerk Sneddon stated that additional material was received regarding Item 8.F. related to the Public Works Inspection Services Contract.

5. ADDITIONS AND DELETIONS TO AGENDA

None provided.

6. PUBLIC COMMENTS

Carol Lerno, former Pacific Cove Mobile Home Park resident, commented that her brother is still waiting for resolution on a settlement for his mobile home as a result of the Pacific Cove Mobile Home Park flooding and closure.

Deryn Harris, local resident, stated that on behalf of Friends of Monterey Park they are opposed to the proposed skate park at Monterey Park.

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

City Treasurer McBroom requested that an item be agendaized for the next City Council meeting regarding a cost estimate for the proposed parking structure.

Council Member Termini complimented the members on the Mayor Select Committee for bringing forward a public process to receive input regarding the Pacific Cove/City Hall/Parking Structure proposal. He stated that the City's Traffic and Parking Committee (Committee) reported to the City Council a few months ago that the proposed parking structure should be the primary goal to reduce parking in the Village; and now some of the Committee members provided comments at the June 23, 2015, Pacific Cove/City Hall/Parking Structure Community Workshop that the parking structure is the last thing the City should do. He stated that the City needs to come to some clarity regarding the proposed parking structure.

Mayor Norton requested that the City's Traffic and Parking Committee provide a report to the City Council at the July 9, 2015, City Council meeting.

Council Member Bottorff stated that the Santa Cruz County Regional Transportation Commission has release the Draft Passenger Rail Feasibility Study for public review, and is available online, as well as a hard copy available at City Hall.

Council Member Harlan stated that the Art and Music at the Beach is scheduled for Sunday, June 28th from 11 a.m. to 5 p.m.

Mayor Norton stated that the Santa Cruz County Regional Transportation Commission has provided a web based program for the public to access traffic information and more (<http://cruz511.org/>)

8. CONSENT CALENDAR

- A. Consider approving the June 3, 2015, City Council Budget Study Session Minutes; and the June 11, 2015, Regular City Council Minutes.
- B. Approval of City Check Register Reports dated May 22, 2015; May 29, 2015; June 5, 2015; and June 12, 2015. [300-10]

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- C. Adopt Ordinance No. 1002 amending Title 15 of the Municipal Code by adding Chapter 15.10 to provide an expedited, streamlined permitting process for residential rooftop solar systems [Second Reading]. [750-10]
- D. Consider approval of the plans, specifications, and estimate for the Rispin/Peery Park ADA Pathway Project; authorize the Public Works Department to advertise for construction bids. [275-20/1040-20]
- E. Adopt Resolution No. 4025 approving the amended classification plan and job descriptions for the Field Supervisor, Police Records Technician, Recreation Coordinator and Account Technician; and approve the amended Association of Capitola Employees Memorandum of Understanding (MOU) and Mid-Management Employees MOU to reflect changes effective July 5, 2015. [600-10]
- F. Consider approving a Public Works Inspection Services Contract. [500-10 A/C: Morrison, Ed].

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

9. GENERAL GOVERNMENT / PUBLIC HEARINGS

City Manager Goldstein stated that Item 9.A. and Item 9. B. will be discussed simultaneously.

- A. Consider a Resolution for the Levy of Capitola Village and Wharf Business Improvement Area (CVWBIA) Assessments for Fiscal Year 2015/2016. [140-05]
- B. Consider an Ordinance amending Chapter 5.10 of the Municipal Code pertaining to the Capitola Village and Wharf Business Improvement Area [Second Reading]. [140-05]

Gary Wetsel, Capitola Village and Wharf Business Improvement Area Advisory Committee (CVWBIA) President, stated that he is available for questions or comments.

ACTION Motion made by Council Member Termini, seconded by Council Member Bertrand, to adopt Resolution No. 4026 for the Levy of Capitola Village and Wharf Business Improvement Area (CVWBIA) Assessments for Fiscal Year 2015/2016. The motion carried with the following roll call vote: AYES: Council Members Harlan, Bottorff, Termini, Harlan, and Mayor Norton. NOES: None. ABSENT: None. ABSTAIN: None.

ACTION Motion made by Council Member Termini, seconded by Council Member Bertrand, to adopt Ordinance No. 1003 amending Chapter 5.10 of the Municipal Code pertaining to the Capitola Village and Wharf Business Improvement Area. The motion was passed unanimously.

- C. Update from PG&E regarding May 12th outage and pending Capitola projects. [565-30]

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Joe Foster, PG&E Regional Government Relations Representative, provided an update on PG&E projects in the City. He also reported on PG&E's response to the May 12th outage in the Capitola Knolls which was due to a high voltage line crossing a lower voltage line resulting in a power surge. The power surge damaged several smart meters and PG&E is processing claims for damages caused by the outage.

- D. Receive presentation regarding Chapter 12.12 of the Capitola Municipal Code regarding Community Tree and Forest Management. [1030-60]

City Attorney Condotti stated that there are two concepts the City may consider when a tree is removed from a particular property: (1) establish a time limit for replanting a tree to allow for a development project; and (2) if a tree is removed a replacement tree must be replanted in the same location. He will report back to the City Council regarding this matter.

ACTION Motion made by Council Member Termini, seconded by Council Member Bottorff, to accept staff recommendation; and in the future amend the City's municipal code based on pending research by the City Attorney regarding deed restrictions on properties and consider expanding exemptions for certain non-native trees, such as eucalyptus and acacia trees. The motion was passed unanimously.

- E. Designation of Voting Delegate for the League of California Cities Annual Conference in San Jose, California, from September 30 to October 2, 2015. [150-50]

ACTION There was Council consensus to designate Council Member Bertrand as the Voting Delegate for the League of California Cities Annual Conference in San Jose, California, from September 30 to October 2, 2015; and to designate Council Member Harlan as the Alternate Voting Delegate.

10. ADJOURNMENT



Dennis Norton, Mayor

ATTEST:



Susan Sneddon, CMC
Susan Sneddon, City Clerk

MINUTES WERE UNANIMOUSLY APPROVED ON JULY 9, 2015