

City of Capitola Agenda

Mayor: Dennis Norton
Vice Mayor: Ed Bottorff
Council Members: Jacques Bertrand
Stephanie Harlan
Michael Termini
Treasurer: Christine McBroom



REVISED

CAPITOLA CITY COUNCIL REGULAR MEETING

THURSDAY, APRIL 9, 2015

**CITY HALL COUNCIL CHAMBERS
420 CAPITOLA AVENUE, CAPITOLA, CA 95010**

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

An announcement regarding the items to be discussed in Closed Session will be made in the City Hall Council Chambers prior to the Closed Session. Members of the public may, at this time, address the City Council on closed session items only. There will be a report of any final decisions in City Council Chambers during the City Council's Open Session Meeting.

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]

LIABILITY CLAIMS (Govt. Code §54956.95)

Claimant: Ann Schroedel, et al.
Agency claimed against: City of Capitola

CONFERENCE WITH LABOR NEGOTIATOR (Govt. Code §54957.6)

Negotiator: Allyson Hauck, Public Law Group
Employee Organizations: (1) Association of Capitola Employees; (2) Capitola Police Captains, (3) Capitola Police Officers Association, (4) Confidential Employees; (5) Mid-Management Group; (6) Department Heads; and (7) City Manager

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Govt. Code § 54957)

City Council's Performance Evaluation of the City Attorney

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

All correspondences received prior to 5:00 p.m. on the Wednesday preceding a Council Meeting will be distributed to Councilmembers to review prior to the meeting. Information submitted after 5 p.m. on that Wednesday may not have time to reach Councilmembers, nor be read by them prior to consideration of an item.

All matters listed on the Regular Meeting of the Capitola City Council Agenda shall be considered as Public Hearings.

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

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

2. PRESENTATIONS

A. Introduction of Rob Bunter, Maintenance Worker.

3. REPORT ON CLOSED SESSION

4. ADDITIONAL MATERIALS

Additional information submitted to the City Council after distribution of the agenda packet.

A. 10.B.

DETAILS:

Letter from Steve Piercy.

5. ADDITIONS AND DELETIONS TO AGENDA

6. PUBLIC COMMENTS

Oral Communications allows time for members of the Public to address the City Council on any item not on the Agenda. Presentations will be limited to three minutes per speaker. Individuals may not speak more than once during Oral Communications. All speakers must address the entire legislative body and will not be permitted to engage in dialogue. All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the minutes. A MAXIMUM of 30 MINUTES is set aside for Oral Communications at this time.

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

City Council Members/City Treasurer/Staff may comment on matters of a general nature or identify issues for staff response or future council consideration.

8. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS

9. CONSENT CALENDAR

All items listed in the "Consent Calendar" will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time the Council votes on the action unless members of the public or the City Council request specific items to be discussed for separate review. Items pulled for separate discussion will be considered following General Government.

Note that all Ordinances which appear on the public agenda shall be determined to have been read by title and further reading waived.

CAPITOLA CITY COUNCIL REGULAR MEETING - Thursday, April 9, 2015

- A. Consider approving the March 26, 2015, Regular City Council Minutes.
RECOMMENDED ACTION:
Approve Minutes.
- B. Receive Planning Commission Action Minutes for the Regular Meeting of April 2, 2015.
RECOMMENDED ACTION:
Receive Minutes.
- C. Approval of City Check Register Reports dated February 20, 2015; February 27, 2015; March 6, 2015; and March 13, 2015.
RECOMMENDED ACTION:
Approve the City Check Register Reports.
- D. Consider an Ordinance amending Chapter 8.38 (Smoking Regulations) of the Capitola Municipal Code to establish regulations for electronic cigarettes [2nd Reading].
RECOMMENDED ACTION:
Adopt Ordinance.
- E. Consider a Temporary Surf School Ordinance Amendment regarding Surf School Permits for the 2015 Calendar Year Surf Schools [2nd Reading].
RECOMMENDED ACTION:
Adopt Temporary Ordinance.
- F. Accept a Homeland Security Grant in the amount of \$5,115; and amend the Fiscal Year 2014-2015 General Fund Operating Budget by increasing both revenues and expenditures by \$5,115.
RECOMMENDED ACTION:
Accept Grant.
- G. Consideration of the approval of the Planning Commission's recommendation on the Zoning Code Update Process.
RECOMMENDED ACTION:
Approve the Zoning Code Update Process.
- H. Consider denying liability claim of Ann Schroedel for an undetermined amount and forward to the City's liability insurance carrier.
RECOMMENDED ACTION:
Deny claim and return it to claimant as a late claim.
- I. Consider a Resolution approving the job description and salary schedule for the Senior Mechanic.
RECOMMENDED ACTION:
Adopt Resolution.

10. GENERAL GOVERNMENT / PUBLIC HEARINGS

General Government items are intended to provide an opportunity for public discussion of each item listed. The following procedure is followed for each General Government item: 1) Staff explanation; 2) Council questions; 3) Public comment; 4) Council deliberation; 5) Decision.

CAPITOLA CITY COUNCIL REGULAR MEETING - Thursday, April 9, 2015

- A. Consider the Mayor's Ad-Hoc Committee's recommendations for a Public Outreach Plan to redevelop 420 Capitola Avenue and the Pacific Cove Sites.
RECOMMENDED ACTION:
Accept recommendation and initiate public process.
- B. Consider a Resolution adopting the Monterey Bay Sanctuary Scenic Trail Network Master Plan.
RECOMMENDED ACTION:
Adopt Resolution.
- C. Consider authorizing the Police Department to purchase a digital in-car and body camera video system in the amount of \$100,501.31; and amend the Fiscal Year 2014-2015 State Supplemental Law Enforcement Services Fund (SLESF) Budget to authorize additional expenditures of \$100,501.31 from the unassigned fund balance.
RECOMMENDED ACTION:
Authorize purchase and amend the Fiscal Year 2014-2015 (SLESF) Budget.

11. ADJOURNMENT

Adjourn to the next Regular Meeting of the City Council on Thursday, April 23, 2015, at 7:00 PM, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Note: Any person seeking to challenge a City Council decision made as a result of a proceeding in which, by law, a hearing is required to be given, evidence is required to be taken, and the discretion in the determination of facts is vested in the City Council, shall be required to commence that court action within ninety (90) days following the date on which the decision becomes final as provided in Code of Civil Procedure §1094.6. Please refer to code of Civil Procedure §1094.6 to determine how to calculate when a decision becomes "final." Please be advised that in most instances the decision become "final" upon the City Council's announcement of its decision at the completion of the public hearing. Failure to comply with this 90-day rule will preclude any person from challenging the City Council decision in court.

Notice regarding City Council: The Capitola City Council meets on the 2nd and 4th Thursday of each month at 7:00 p.m. (or in no event earlier than 6:00 p.m.), in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

Agenda and Agenda Packet Materials: The City Council Agenda and the complete Agenda Packet are available for review on the City's website: www.cityofcapitola.org and at Capitola City Hall and at the Capitola Branch Library, 2005 Wharf Road, Capitola, on the Monday prior to the Thursday meeting. Agendas are also available at the Capitola Post Office located at 826 Bay Avenue, Capitola. Need more information? Contact the City Clerk's office at 831-475-7300.

Agenda Materials Distributed after Distribution of the Agenda Packet: Pursuant to Government Code §54957.5, materials related to an agenda item submitted after distribution of the agenda packet are available for public inspection at the Reception Office at City Hall, 420 Capitola Avenue, Capitola, California, during normal business hours.

Americans with Disabilities Act: Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the City Clerk's office at least 24-hours in advance of the meeting at 831-475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

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Televised Meetings: City Council meetings are cablecast “Live” on Charter Communications Cable TV Channel 8 and are recorded to be rebroadcasted at 8:00 a.m. on the Wednesday following the meetings and at 1:00 p.m. on Saturday following the first rebroadcast on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25). Meetings are streamed “Live” on the City’s website at www.cityofcapitola.org by clicking on the Home Page link “**Meeting Video**”. Archived meetings can be viewed from the website at anytime.