

**CAPITOLA CITY COUNCIL
REGULAR MEETING ACTION MINUTES
THURSDAY, APRIL 9, 2015
CLOSED SESSION – 6:00 PM
CITY MANAGER’S OFFICE**

CALL TO ORDER

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

**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

Mayor Norton noted that there was no one in the audience; therefore, the City Council recessed at 6:00 p.m. to the Closed Session in 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 Christine McBroom was present.

2. PRESENTATIONS

A. Introduction of Rob Bunter, Maintenance Worker.

3. REPORT ON CLOSED SESSION

City Attorney Condotti stated that the City Council received a status report from Allyson Hauck, the City's labor negotiator, regarding the following employee organizations: (1) Association of Capitola Employees; (2) Capitola Police Captains, (3) Capitola Police Officers Association, (4) Confidential Employees; (5) Mid-Management Group; and (6) Department Heads; and (7) City Manager. The City Council provided direction to staff regarding the labor negotiations; there was no reportable action. The City Council received a status report from the City Attorney regarding existing litigation regarding the Schroedel et al. v. the City of Capitola; there was no reportable action. Mr. Condotti stated that the City Council discussed a tort claim filed by Ann Schroedel, et al.; there was no reportable action; the tort claim s item is listed on the Council’s regular meeting Consent Calendar this evening. Mr. Condotti stated that the Council discussed the performance evaluation for the City Attorney; there was no reportable action.

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4. ADDITIONAL MATERIALS

Mayor Norton stated that the following additional material was received after the April 9, 2015, City Council Agenda Packet was released:

Item 10.B. Monterey Bay Sanctuary Scenic Trail Network Master Plan (provided by Steve Piercy, New Brighton School Bike Club Volunteer Coordinator).

5. ADDITIONS AND DELETIONS TO AGENDA (None provided)

6. PUBLIC COMMENTS

Gary Richard Arnold, stated concerns regarding the measles vaccine.

The following local residents stated opposition to the proposed skate park at Monterey Park.

- Terry and Stephanie Tetter
- Helen Bryce
- Doug Bowman
- Richard Lippi
- Greg Curtis
- Barbara Arroyo
- Dan and Lisa Steingrube

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

Council Member Bertrand stated that there will be a public meeting regarding the Rispin Mansion Park Project on April 11th from 11 a.m. to 1:00 p.m. in the Community Room.

Council Member Bottorff stated the next Santa Cruz Metropolitan Transit District (Metro) Board meeting will be held on April 10th at the Santa Cruz City Council Chambers starting at 8:30 a.m.; the fare restrictions of Highway 17 Express and Paracruz Service and fare changes will be discussed. There will also be a continuation of this Metro Board meeting on April 10th at 6:30 p.m., in the Watsonville City Council Chambers.

8. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS

9. CONSENT CALENDAR

Council Member Bertrand requested that Item 9.G. be pulled for discussion.

Mayor Norton stated that Item 10.C. will be discussed after the General Government items.

- A. Consider approving the March 26, 2015, Regular City Council Minutes.
- B. Receive Planning Commission Action Minutes for the Regular Meeting of April 2, 2015.
- C. Approval of City Check Register Reports dated February 20, 2015; February 27, 2015; March 6, 2015; and March 13, 2015. [300-10]
- D. Approval of Ordinance No. 1000 amending Chapter 8.38 (Smoking Regulations) of the Capitola Municipal Code to establish regulations for electronic cigarettes [2nd Reading]. [460-70]
- E. Approval of Ordinance No. 1001 a Temporary Surf School Ordinance Amendment regarding Surf School Permits for the 2015 Calendar Year Surf Schools [2nd Reading]. [1020-20]

- 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. [330-10]
- G. Consideration of the approval of the Planning Commission's recommendation on the Zoning Code Update Process. [730-85]
- H. Consider denying liability claim of Ann Schroedel for an undetermined amount and forward to the City's liability insurance carrier. [Claims Binder]
- I. Adoption of **Resolution No. 4018** approving the job description and salary schedule for the Senior Mechanic. [600-10]

ACTION **Motion made by Council Member Termini, seconded by Council Member Bottorff, to approve Item 9.A., 9.B., 9.C. 9.D., 9.E., 9.F., 9.H., and 9.I. on the Consent Calendar. The motion was passed unanimously.**

10. GENERAL GOVERNMENT / PUBLIC HEARINGS

- 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. [200-10]

Steven Woodside, Mayor's Ad-Hoc Committee member, stated that the focus of this Committee has been on the cost effectiveness of this proposal. He suggested that the proposed survey be focused on the various elements of the project, and not on the entire project.

Jerry Clarke, local resident, stated that the cost of this project could range from \$20 to \$50 million dollars.

Ron Graves, local resident, provided support for this proposed project.

Motion made by Council Member Bottorff, seconded by Council Member Bertrand, to approve the Mayor's Ad-Hoc Committee's recommendations for a Public Outreach Plan to redevelop 420 Capitola Avenue and the Pacific Cove Sites; to initiate a newsletter to educate the public; and to form a standing committee comprised of the current Mayor's Ad-Hoc Committee and four or more members appointed by the City Council to guide the process. Council Member Termini withdrew his motion, and the City Council took no action.

ACTION **Motion made by Council Member Termini, seconded by Council Member Harlan, to receive the Mayor's Ad-Hoc Committee's recommendations for a Public Outreach Plan to redevelop 420 Capitola Avenue and the Pacific Cove Sites; to prepare a City newsletter educating the community about the proposed redevelop plan; and to follow up with a survey mailed to City residents. The motion was passed unanimously.**

- B. Consider a Resolution adopting the Monterey Bay Sanctuary Scenic Trail Network Master Plan. [430-80]

Cory Caletti, Santa Cruz County Regional Transportation Commission (SCCRTC) Project Manager, stated that she was available for any questions from the City Council.

Gary Richard Arnold stated concerns regarding the proposed Monterey Bay Sanctuary Scenic Trail (Rail Trail); infrastructure changes that could affect adjacent property owners.

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Amelia Conlen, Bike Santa Cruz County Director ("People Power"), provided support for the proposed Rail Trail.

Ron Graves, provided support for the proposed Rail Trail.

ACTION Motion made by Council Member Bottorff, seconded by Council Member Termini, to adopt Resolution No. 4019 approving the proposed Monterey Bay Sanctuary Scenic Trail Network Master Plan. The motion carried with the following roll call vote: AYES: Council Members Bertrand, Bottorff, Termini, and Mayor Norton. NOES: Council Member Harlan. ABSENT: None. ABSTAIN: None.

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. 370-40/330-10]

Police Officers Mark Hernandez and Kraig Evans provided information about the proposed digital in-car and body camera video system.

Gary Richard Arnold stated that he supports the purchase of the digital in-car and body camera video system.

ACTION Motion made by Council Member Termini, seconded by Council Member Bottorff, to authorize 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. The motion was passed by the following roll call vote: AYES: Council Members Bertrand, Bottorff, Harlan, Termini, and Mayor Norton. NOES: None. ABSENT: None. ABSTAIN: None.

The City Council took separate action on the following action item (Item 9.G.) on the Consent Calendar.

9.G. Consideration of the approval of the Planning Commission's recommendation on the Zoning Code Update Process. [730-85]

ACTION Motion made by Council Member Bertrand, seconded by Council Member Bottorff, to approve the Planning Commission's recommendation on the Zoning Code Update Process. The motion was passed unanimously.

11. **ADJOURNMENT**

At 9:23 PM Mayor Norton adjourned the meeting 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.



Dennis Norton, Mayor

ATTEST:

 CMC
Susan Sneddon, City Clerk

MINUTES WERE UNANIMOUSLY APPROVED ON APRIL 23, 2015