

**CAPITOLA CITY COUNCIL  
REGULAR MEETING ACTION MINUTES  
THURSDAY, MARCH 26, 2015 - 7:00 PM  
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 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; and (6) Department Heads; and (7) City Manager

City Attorney Barisone stated that the City received a letter from Law Offices of Bruce Stanton regarding existing litigation related to Schroedel et al. v. the City of Capitola after the March 26, 2015, City Council Agenda Packet was released; this item is to be discussed in Closed Session.

- ACTION Motion made by Council Member Termini, seconded by Council Member Bertrand, to approve adding the following item to tonight's Closed Session: Conference with legal counsel regarding existing litigation related to Schroedel et al. v. the City of Capitola [Santa Cruz Superior Court Case No. CV 175684]. The motion was passed unanimously.**

Mayor Norton noted that there was no one in the audience; therefore, the City Council recessed at 5:30 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 John Barisone, City Attorney, on his 14 years of service to the City of Capitola. [120-40]

Proclamation received.

**3. REPORT ON CLOSED SESSION**

City Attorney Barisone 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. Mr. Barisone stated that the City received a letter from Law Offices of Bruce Stanton regarding existing litigation related to Schroedel et al. v. the City of Capitola after the March 26, 2015, City Council Agenda Packet was released; he provided a status update and the City Council provided direction; there was no reportable action.

## 12586 CAPITOLA CITY COUNCIL ACTION MINUTES – March 26, 2015

### 4. ADDITIONAL MATERIALS

Mayor Norton stated that the following additional material was received after the March 26, 2015, City Council Agenda Packet was released:

Item 9.B. Supporting Senate Bill 344 (Lynn Robinson)

Item 10.A. Countywide Homeless Strategic Plan (Jean Graham)

Item 10.B. Ordinance to establish regulations for electronic cigarettes

(1) Revised Draft Ordinance

(2) Correspondence from Friday Night Live Partnership

(3) Correspondence from Community Prevention Partners of Santa Cruz County

### 5. ADDITIONS AND DELETIONS TO AGENDA

None provided

### 6. PUBLIC COMMENTS

The following local residents stated that they are opposed to the proposed skate park at Monterey Park:

- Stephanie Tetter
- Terry Tetter
- Helen Bryce
- Richard Lippi

The following stated that they are opposed wireless radiation:

- Marilyn Garrett
- Diana Bush

### 7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

City Manager Goldstein stated that the City Select Committee appointed him to be a member of the Santa Cruz County Conference and Visitor's Council Board.

Council Member Termini stated that the Wharf Road Mural Extension Dedication will be held on Saturday, March 28<sup>th</sup>, at 10:00 a.m. at Soquel Creek Park at the Corner of Stockton Avenue and Wharf Road.

Council Member Harlan reported on a recent Soquel Creek Water District Board meeting that she attended.

### 8. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS

None provided.

### 9. CONSENT CALENDAR

- A. Consider approving the March 12, 2015, Regular City Council Minutes.
- B. Adopt **Resolution No. 4015** in support of Senate Bill 344 requiring the completion of a commercial driving institution course before being issued a California Commercial Driver's License. [580-40]
- C. Adopt **Ordinance No. 998** amending Chapter 17.03 (Zoning) of the Capitola Municipal Code to add definitions for Transitional and Supportive Housing as required by State law. [750-10]
- D. Adopt **Ordinance No. 999** amending Section 2.04.140 of the Capitola Municipal Code regarding Council Members placing an item on the City Council agenda. [120-37/520-40]

### ACTION

**Motion made by Council Member Termini, seconded by Council Member Bottorff, to approve the Consent Calendar Items 9.A., 9.B., 9.C. and 9.D. The motion was passed unanimously.**

## 10. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Consider the Countywide Homeless Strategic Plan. [750-20]  
 Presentation provided by Robyn McKeen, United Way of Santa Cruz County Community Organizer; and Christine Sippl, Senior Director at Encompass Community Services.  
 Linda Lee Master, local resident, provided support for the proposed Countywide Homeless Strategic Plan.

## ACTION

**Motion made by Council Member Termini, seconded by Council Member Bottorff, to approve the Countywide Homeless Strategic Plan. The motion was passed unanimously.**

- B. Introduction of an Ordinance amending Chapter 8.38 (Smoking Regulations) of the Capitola Municipal Code to establish regulations for electronic cigarettes. [460-70]  
 City Attorney Barisone stated that the City received recommended revisions to the draft Ordinance from the Santa Cruz County Environmental Health Services; the recommended text has been incorporated into the to the draft Ordinance.  
 Brenda Armstrong, Community Prevention Partners of Santa Cruz County representative, provided comments in support of the proposed Ordinance.  
 Andrea Silva-Solano and Lorena Ramos, County of Santa Cruz Health Services Department, provided comments in support of the proposed Ordinance.

## ACTION

**Motion made by Council Member Termini, seconded by Council Member Bertrand, to approve the first reading of the revised Ordinance amending Chapter 8.38 (Smoking Regulations) of the Capitola Municipal Code to establish regulations for electronic cigarettes. The motion was passed unanimously.**

- C. Consider the approval of the City of Capitola becoming a partner agency in the Regional Water Management Group for the purposes of developing an Integrated Regional Water Management Plan (IRWM). [1160-01]

## ACTION

**Motion made by Council Member Bottorff, seconded by Council Member Termini, to adopt Resolution No. 4016 approving the City of Capitola becoming a partner agency in the Regional Water Management Group for the purposes of developing an Integrated Regional Water Management Plan. The motion was passed unanimously.**

- D. Consider a Resolution authorizing the City to enter into a Joint Powers Agreement with the California Hero Program for renewable energy. [430-20]  
 Oriana Yanes Estevez, HERO representative, provided comments regarding the HERO Program.

## ACTION

**Motion made by Council Member Bottorff, seconded by Council Member Bertrand, to adopt Resolution No. 4017 authorizing the City to enter into a Joint Powers Agreement with the California Hero Program for renewable energy. The motion was passed unanimously.**

**12588 CAPITOLA CITY COUNCIL ACTION MINUTES – March 26, 2015**

- E. Introduction of a Temporary Surf School Ordinance Amendment regarding Surf School Permits for the 2015 Calendar Year Surf Schools. [1020-20]

**ACTION**

**Motion made by Council Member Bottorff, seconded by Council Member Termini, to approve the first reading of a Temporary Surf School Ordinance Amendment regarding Surf School Permits for the 2015 Calendar Year Surf Schools. The motion was passed unanimously.**

**11. ADJOURNMENT**

At 9:30 PM Mayor Norton adjourned the meeting to the next Regular Meeting of the City Council on Thursday, April 9, 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 9, 2015**