

**CAPITOLA CITY COUNCIL
REGULAR MEETING ACTION MINUTES
THURSDAY, JANUARY 8, 2015**

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

CALL TO ORDER

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

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Govt. Code § 54956.8)

Property: APN 035-141-33, Capitola, CA (City of Capitola, Owner)
City Negotiator: City Manager
Negotiating Parties: Verizon Wireless
Under Negotiation: Real Property Lease - Verizon cell tower license

CONFERENCE WITH LABOR NEGOTIATOR (Govt. Code §54957.6)

Negotiator: Jamie Goldstein, City Manager
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 Head Group

LIABILITY CLAIMS (Govt. Code §54956.95)

Claimant: Sandra Fowler
Claimant: Barbara Stephens
Agency claimed against: City of Capitola

Marilyn Garrett, local resident, stated she opposes locating a Verizon wireless tower behind City Hall.

Reynolds Love, local resident, stated he opposes locating a Verizon wireless tower behind City Hall.

Vice Mayor Bottorff stated that additional material was received from Bob Edgren regarding the proposed Verizon cell tower behind City Hall.

Vice Mayor Bottorff recessed the meeting at 6:05 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, and Michael Termini. City Treasurer McBroom was present. Mayor Dennis Norton was absent.

2. PRESENTATIONS

- A. Proclamation in recognition for Andrew Snow's contribution to the Capitola Begonia Festival. [120-40/1050-70]
Proclamation received.
- B. Presentation of a Certificate of Appreciation to Derek Van Alstine for his service on the Capitola Architectural & Site Review Committee. [120-40/740-15]
Certificate of Appreciation received.
- C. Introduction of Brian Van Son, as the City's new Building Official.
Mr. Van Son was introduced.

3. REPORT ON CLOSED SESSION

Deputy City Attorney Condotti stated that the City Council received a status report regarding Verizon cell tower license real property negotiations; Mr. Condotti reported that the City Council is not interested in locating a Verizon wireless tower behind City Hall at this time. Mr. Condotti stated that the Council received a report from the City's labor negotiator, City Manager Goldstein, regarding negotiations with the following: (a) Association of Capitola Employees; (b) Capitola Police Captains, (c) Capitola Police Officers Association, (d) Confidential Employees; (e) Mid-Management Group; and (f) Department Head Group; there was no reportable action. Mr. Condotti stated that the Council received reports on Sandra Fowler and Barbara Stephens liability claims: (1); there was no reportable action; this item is listed on the Council's regular meeting Consent Calendar this evening.

4. ADDITIONAL MATERIALS

Vice Mayor Bottorff reported that additional material was received regarding Item 10.A. and Item 10.D.

Vice Mayor Bottorff reported that the following closed session items regarding Verizon cell tower license were received:

- Petition from the Fanmar Way, Terrace Way and Cherry Avenue neighborhood opposing a Verizon cell tower behind City Hall;
- An article in the Santa Cruz Sentinel regarding the proposed Verizon cell tower behind City Hall.

5. ADDITIONS AND DELETIONS TO AGENDA

None provided.

6. PUBLIC COMMENTS

Marilyn Garrett, local resident, stated she opposes locating a Verizon wireless tower behind City Hall.

Diana, reported on findings regarding the number of wireless antennas within four miles of City Hall.

Gail Ortiz, Capitola Library Ad hoc Committee member, requested that the City Council consider extending the 1/4% sales tax that sunsets in 2017, to help fund a new City library. She requested that this issue be added to the January 20, 2015, Library Ad hoc Committee Agenda.

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

City Treasurer McBroom requested that staff provide a report at a future Council meeting regarding the allocation of Measure O funds because the public has received misinformation.

Council Member Termini thanked the Santa Cruz County City Selection for appointing him to the Monterey Bay Unified Air Pollution Control District.

Council Member Harlan requested clarification regarding the Noble Gulch Improvement Project (Public Works Director Jesberg provided an update).

8. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS

The appointments for City Council Representation on City and County/Multi-County Boards, Commissions, and Committees; and City Council appointments/reappointments of public members to various City Advisory Committees will be discussed under General Government/Public Hearings Item 10.D.

9. CONSENT CALENDAR

- A. Consider approving the December 11, 2014, Regular City Council Meeting Minutes.
- B. Consider denying liability claims and forward to the City's liability insurance carrier:
 - 1. Sandra Fowler in the amount of \$20,774.
 - 2. Barbara Stephens for an undetermined amount. [Claims Binder]
- C. Consider approving the Budget Calendar for Fiscal Year 2015/2016. [330-05/520-40]
- D. Consider a professional services agreement with Anderson Brule Architects, Inc. for an as-needed architectural design services contract. [500-10 A/C: Anderson Brule Architects, Inc.]

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

10. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Receive future library location recommendation from the Library Ad Hoc Committee. [230-10]
- Gail Ortiz, City's Library Ad Hoc Committee Member, provided support for the current location for the new library.

ACTION Motion made by Council Member Termini, seconded by Council Member Harlan, to receive the Library Ad hoc Committees' recommendation and report. The motion was passed unanimously.

- ACTION** Motion made by Council Member Termini, seconded by Council Member Harlan, to direct staff to focus the library planning efforts on the selected site being the site of the City's current library. The motion failed with the following vote: **AYES:** Council Members Harlan and Termini. **NOES:** Council Members Bertrand and Bottorff. **ABSENT:** Mayor Norton. **ABSTAIN:** None
- ACTION** Motion made by Council Member Bertrand, seconded by Council Member Termini, to continue this item to the next City Council meeting. The motion carried with the following vote: **AYES:** Council Members Bertrand, Bottorff, and Termini. **NOES:** Council Members Harlan. **ABSENT:** Mayor Norton. **ABSTAIN:** None.
- B. Receive report on special event highlights and issues for 2014. [1050-70]
- ACTION** City Council received the report on special event highlights and issues for 2014.
- C. Consider renewal of the Santa Cruz Tourism Marketing District (TMD); and adoption of a Resolution. [1180-10]
Maggie Ivy, Santa Cruz County Conference and Visitor's Council (Visitor's Council) CEO, stated she was present for any questions.
- ACTION** Motion made by Council Member Termini, seconded by Council Member Harlan, to adopt Resolution No. 4012 regarding the renewal of the Santa Cruz Tourism Marketing District (TMD). The motion was passed unanimously.
- D. Review City Council representation on various County/Multi-County Boards, Commissions, and Committees; and City Council appointments, reappointments, and nominations of members to City Internal Advisory Bodies; the Oversight Board for the Capitola Successor Agency; and the Community Based Health and Human Service Providers Ad hoc Subcommittee. [110-10]
- ACTION** Motion made by Council Member Termini, seconded by Council Member Bertrand, to appoint/reappoint to following to the Architectural and Site Review Committee:
- Frank Phanton (Architect) (Incumbent)
 - Craig Waltz (Landscape Architect) (Incumbent)
 - Carolyn Swift (Historian) (Incumbent)
 - Daniel Townsend (Alternate Architect)
 - Daniel Gomez (Alternate Architect)
- The motion was passed unanimously.
- ACTION** Motion made by Council Member Harlan, seconded by Council Member Termini, to reappoint to following incumbents to the Art and Cultural Review Committee:
- Michael Termini (Council Representative)
 - Joyce Murphy ("At Large" member)
 - Jenny Shelton ("At Large" member)
- The motion was passed unanimously.

ACTION City Council members made the following appointments/reappointments to the Commission on the Environment:

- Council Member Bertrand (Council Representative)
- Amie Forest (Council Member Termini's Appointee)
- Peter Wilk (Council Member Bottorff's Appointee)

The motion was passed unanimously.

The following City Council appointments will be continued to the next City Council meeting:

- Council Member Harlan's Appointee
- Mayor Norton's Appointee

ACTION City Council members made the following appointments/reappointments to the Finance Advisory Committee (FAC):

- Council Member Termini (Mayor Appointee)
- Council Member Bertrand (Council-member Appointee)
- Will O'Sullivan (Harlan's appointee) (Incumbent)
- Gary Snelson (Bottorff's appointee) (Incumbent)

The following City Council appointments to the FAC are continued to the January 22, 2015, City Council meeting:

- Mayor Norton's appointee;
- Business Representative to the FAC will occur at the January 22, 2015, City Council meeting.

ACTION City Council members made the following appointments/reappointments to the Planning Commission:

- Ron Graves (Harlan's Appointee)
- Troy (TJ) Welch (Bottorff's Appointee)
- Linda Smith (Termini's Appointee)
- Ed Newman (Bertrand's Appointee)

Mayor Norton's appointment to the Planning Commission is continued to the January 22, 2015, City Council meeting:

ACTION Motion made by Council Member Bertrand, seconded by Council Member Termini, to reappoint to following incumbents to the Traffic and Parking Commission:

- Margaret Kinstler (Village Resident)
- James Steven Ross (Village Resident)
- Carin Hanna (Village Business Owner)
- Gary Wetsel (Village Business Owner)

The motion was passed unanimously.

ACTION City Council members made the following appointments/reappointments to the Traffic and Parking Commission:

- Nels Westman (Termini's appointee) (Incumbent)
- Ron Burke (Norton's Appointee)
- Mike Lee (Bottorff's Appointee)
- Molly Ording (Bertrand's Appointee) (Incumbent)

Council Member Harlan's appointment to the Traffic and Parking Committee will be continued to the next City Council meeting.

ACTION City Council members made the following appointments/reappointments to the Wharf Working Group:

- Council Member Termini (Representative)
- Council Member Norton (Representative)

ACTION There was Council consensus for Council Member Harlan to remain as the City's Alternate Representative on the Advisory Council of the Area on Aging (Seniors Council of Santa Cruz & San Benito Counties).

There was Council consensus for Mayor Norton to remain as the City's Representative on the Arts Council of Santa Cruz County.

There was Council consensus for Council Member Bottorff to remain as the City's Representative on the Association of Monterey Bay Area Governments (AMBAG); and for Mayor Norton to continue as the Alternate.

There was Council consensus for Council Member Termini to remain as the City's Representative on the Capitola Public Safety & Community Service Foundation.

There was Council consensus for Larry Laurent, Assistant to the City Manager, to be the City's Representative on the Community Television of Santa Cruz County Board; also for staff to continue advertising for this position.

There was Council consensus for the following appointments/reappointments:

- Council Member Termini and City Manager Goldstein to remain as the City's Representatives on the Criminal Justice Council of Santa Cruz County.
- Council Member Bertrand to be the City's Representative on the Santa Cruz County Children's Network; and for Council Member Termini to be the Alternate.
- Mayor Norton to be the City's Representative on the Santa Cruz County Flood Control & Water Conservation District (Zone 5); and for Council Member Bertrand to be the Alternate.
- Council Member Bertrand to be the City's Representative on the Santa Cruz County Hazardous Materials Advisory Commission.
- Council Member Harlan to remain as the City's Alternate Representative on the Santa Cruz County Integrated Waste Management Local Task Force.
- Council Member Termini to be the City's Representative on the Santa Cruz County Library Financing Authority, and Council Member Bertrand to be the Alternate.

- Council Member Termini to be the City's Representative on the Santa Cruz County Library Joint Powers Board, and Council Member Bertrand to be the Alternate.
- Mayor Norton to continue to be the City's Representative on the Santa Cruz County Regional Transportation Commission (SCCRTC), and for Council Member Termini to be the Alternate.
- Council Member Harlan to continue as the City's Representative on the Santa Cruz County Sanctuary Inter-Agency Task Force.
- Council Member Harlan to remain as the City's Representative on the Santa Cruz County Sanitation District, and for Council Member Bertrand to be the Alternate.
- Council Member Bottorff to be the City's Representative on the Santa Cruz Metropolitan Transit District.
- Council Member Termini to remain as the City's Representative on the Oversight Board of the Successor Agency.
- Council Members Bottorff, Termini, and Harlan to be on the Community Based Health and Human Service Providers Ad hoc Subcommittee; also City Treasure McBroom.
- Council Members Bottorff and Bertrand on the Ad Hoc School District Committee.

E. Appointment/Reappointment of Standby City Council Members. [420-20]

ACTION Council Member Bertrand confirmed his appointment of Nathan Cross to be his Standby City Council Member.

11. ADJOURNMENT

Vice Mayor Bottorff adjourned the meeting at 9:00 p.m. to the next Regular Meeting of the City Council to be held on Thursday, January 22, 2015, at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.


Ed Bottorff, Vice Mayor

ATTEST:


Susan Sneddon, City Clerk

MINUTES WERE UNANIMOUSLY APPROVED ON FEBRUARY 26, 2015