

**CAPITOLA CITY COUNCIL  
REGULAR MEETING MINUTES  
THURSDAY, OCTOBER 9, 2014**

**CLOSED SESSION – 6:30 PM  
CITY MANAGER'S OFFICE**

**CALL TO ORDER**

Mayor Storey called the meeting to order at 6:30 PM. He announced the items to be discussed in Closed Session, as follows:

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
[Govt. Code § 54956.8]**

Property: 420 Capitola Avenue, Capitola, CA (City of Capitola, Owner)  
City Negotiator: City Manager  
Negotiating Parties: Moss Beach Associates, LLC  
Under Negotiation: Real Property Sale

**LIABILITY CLAIMS [Govt. Code §54956.95]**

Claimant: Richard Wade  
Agency claimed against: City of Capitola

Henry Ryan, 750 47th Avenue, stated concerns regarding the proposed Exclusive Negotiating Agreement for the City Hall property; specifically issues related to traffic and future climate change affecting the Village.

Mayor Storey recessed the meeting at 6:40 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, Dennis Norton, Ed Bottorff, Michael Termini, and Mayor Sam Storey.

City Treasure McBroom was present.

**2. PRESENTATIONS**

A. Presentation of the College Awareness Week Proclamation. [120-40]

Proclamation received by County Superintendent of Schools Michael Watkins.

**3. REPORT ON CLOSED SESSION**

City Attorney John Barisone stated that the City Council received a status report from City Manager Goldstein regarding real property negotiations with Moss Beach Associates, LLC, related to the City Hall property (420 Capitola Avenue); there was no reportable action; this item is listed on tonight's regular meeting agenda. Mr. Barisone stated that the Council received a report regarding the Richard Wade tort claim, which is on the Council's regular meeting Consent Calendar this evening.

4. **ADDITIONAL MATERIALS**

Mayor Storey stated that the City Council was provided additional material regarding to Item 8.D. and Item 9.B.

5. **ADDITIONS AND DELETIONS TO AGENDA**

Mayor Storey suggested that Item 9.B. be discussed before Item 9.A.

**ACTION** Motion made by Council Member Termini, seconded by Council Member Harlan, to discuss Item 9.B. prior to Item 9.A. The motion was passed unanimously.

6. **PUBLIC COMMENTS**

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

Police Captain Held announced the Monte Foundation Fireworks Show to be held on Saturday, October 11<sup>th</sup>.

City Clerk Sneddon stated that the City is seeking Capitola representatives to various City committees and commissions.

Council Member Norton requested an update from City Manager Goldstein regarding the Capitola Mall and the Mall Transit Center. City Manager Goldstein provided a brief update and stated that this item will be before the City Council later this year).

Council Member Harlan reported that some of the residents at Brookvale Terrace are being affected by the renovations at the facility.

Council Member Termini requested that staff look into an additional crosswalk midway on Jade Street.

8. **CONSENT CALENDAR**

Jim Machado, Deluxe Cab Company, stated that he supports the proposed Resolution setting the liability insurance requirements for taxi cab vendors (Item 8.D.).

- A. Consider approving the September 25, 2014, Regular City Council Meeting Minutes.
- B. Receive the October 2, 2014, Regular Planning Commission Meeting Action Minutes. [740-50]
- C. Receive a Post Adoption Assessment Report regarding the General Plan Update process. [740-40]
- D. Adoption of Resolution No. 4003 setting the liability insurance requirements for approved taxi cab vendors. 770-10]
- E. Consider denying liability claim of Richard Wade in the amount of \$6,500 and forward to the City's liability insurance carrier. [Claims Binder]
- F. Consider a contract with PRC, Inc. to provide building plan review and inspection services. [500-10 A/C: PRC, Inc.]

**ACTION** Motion made by Council Member Harlan, seconded by Council Member Termini, 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

- B. Consider the approval of an Exclusive Negotiating Agreement for City Hall property with Lawlor/French, LLC.; and authorize the City Manager to enter into the agreement. [200-05/500-10 A/C: Lawlor/French, LLC.]

Council Member Termini stated that the City's Library Ad Hoc Committee is recommending that the Capitola Library stay in its current location. He requested that staff move forward with public outreach regarding the proposed City's library.

The following residents stated their opposition and/or concerns to the Exclusive Negotiating Agreement:

- Vicki Campbell
- Jacques Bertrand
- Mick Routh
- Ron Graves
- Jerry Clark
- Bruce Dunn
- Linda Hanson
- Margaret Kinstler
- James Wallace

TJ Welch, Depot Hill, stated his reasoning for being in favor of the City moving forward with the Exclusive Negotiating Agreement.

Craig French and Owen Lawlor, consultants, stated that they are willing to help facilitate a community visionary process regarding this proposed project.

**ACTION**

**Motion made by Council Member Termini, seconded by Council Member Norton, to decline the Exclusive Negotiating Agreement (ENA) for City Hall property with Lawlor/French, LLC.; to direct staff to bring back material regarding this proposal and to develop a plan for public outreach in moving forward with a possible project for the City Hall property; and for staff to develop a timetable for moving forward with a process to obtain public input. The motion carried with the following vote: AYES: Council Members Norton, Termini, and Mayor Storey. NOES: Council Members Bottorff and Harlan. ABSENT: None. ABSTAIN: None.**

- A. Consider a Resolution approving the City of Capitola Five-Year Capital Improvement Program (CIP) for Fiscal Years 2014/2015 - 2018/2019. [330-20]

Laurie Hill, resident, stated that the City should focus on moving forward in completing the City's proposed Capitola Improvement projects.

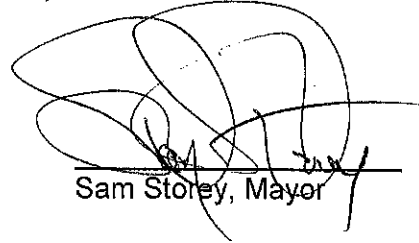
Jacques Bertrand, resident, remarked on parking issues along Park Avenue.

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**ACTION** Motion made by Council Member Norton, seconded by Council Member Harlan, to adopt Resolution No. 4004 approving the City of Capitola Five-Year Capital Improvement Program (CIP) for Fiscal Years 2014/2015-2018/2019 with the following changes: to include traffic calming on Wharf Road as part of the planned paving project scheduled for Fiscal Year 2018/2019; to add the Depot Hill Stairway Rehabilitation Project as an unprogrammed CIP Street project; and to come back with a \$75,000 budget adjustment to add an ADA Improvements Project. The motion was passed unanimously.

10. **ADJOURNMENT**

Mayor Storey adjourned the meeting at 9:27 p.m. to the next Regular Meeting of the City Council to be held on Thursday, October 23, 2014, at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.



Sam Storey, Mayor

ATTEST:  
 CMC  
Susan Sneddon, City Clerk

**MINUTES WERE UNANIMOUSLY APPROVED ON OCTOBER 23, 2014**