

City of Capitola Agenda

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



CAPITOLA CITY COUNCIL REGULAR MEETING

THURSDAY, AUGUST 14, 2014

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.(9A)]
Rae Ellen Leonard vs. the City of Capitola et al. [United States District, Case #C13-3714]

CONFERENCE WITH REAL PROPERTY NEGOTIATOR [Govt. Code § 54956.8]
Property: New Brighton Middle School Gymnasium (City of Capitola, Owner)
City Negotiator: City Manager
Negotiating Parties: City of Capitola; Soquel Union Elementary School District
Under Negotiation: Real Property Sale

CONFERENCE WITH LABOR NEGOTIATOR [Govt. Code §54957.6]
Negotiator: Jamie Goldstein, City Manager
Employee Organizations: (1) Capitola Police Captains; and (2) Department Head Group

LIABILITY CLAIMS [Govt. Code §54956.95]
Claimant: Anthony Lopez Ortiz
Agency claimed against: City of Capitola

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

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, Dennis Norton, Ed Bottorff, Michael Termini, and Mayor Sam Storey

2. PRESENTATIONS

A. Presentation of a proclamation for September's Childhood Cancer Awareness Month.

B. Presentation regarding a donation received from Ozzi Dog Park Inc.

3. REPORT ON CLOSED SESSION

4. ADDITIONAL MATERIALS

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

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. 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.

A. Consider approving the July 24, 2014, Regular City Council Meeting Minutes, and the July 31, 2014, Special City Council Meeting Minutes.

RECOMMENDED ACTION:

Approve Minutes.

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- B. Receive Planning Commission Action Minutes for the Regular Meeting of August 7, 2014.
RECOMMENDED ACTION:
Receive Minutes.
- C. Approval of City Check Register Reports dated July 18, 2014; July 25, 2014; and August 1, 2014.
RECOMMENDED ACTION:
Approve the City Check Register Reports.
- D. Consider a Resolution amending the City's Bail Schedule to add new fines.
RECOMMENDED ACTION:
Adopt Resolution.
- E. Consider denying liability claim of Anthony Lopez Ortiz in the amount of \$200 and forward to the City's liability insurance carrier.
RECOMMENDED ACTION:
Deny Liability Claim.
- F. Receive the Third Quarter Sales Tax Report.
RECOMMENDED ACTION:
Receive Report.
- G. Consider an agreement with Carolyn Flynn for professional services related to Affordable Housing Programs, grant writing, and grant management.
RECOMMENDED ACTION:
Approve Agreement.

9. 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.

- A. Presentation by Santa Cruz Regional 9-1-1 General Manager Dennis Kidd regarding the budget, cost allocation, and services.
RECOMMENDED ACTION:
Receive Presentation.
- B. Consider an agreement with Soquel Union Elementary School District related to the transfer of title to the New Brighton Middle School Gym, the City's recreation fees and the Jade Street Community Center.
RECOMMENDED ACTION:
 - 1. Approve a Resolution authorizing the reconveyance of real property and execution of Grant Deed, and authorizing the City Manager to execute an agreement with the Soquel Union Elementary School District (School District) to transfer title of the New Brighton Middle School Gymnasium (Gymnasium) to the School District and make a one-time payment of \$65,000 for Gymnasium property maintenance; and
 - 2. Accept and file a letter from the School District which clarifies the City may continue to use the Community Center at Jade Street (Community Center) until 2032.

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- C. Consider a Resolution establishing Department Heads' and Chief of Police's Compensation and Benefits Plan effective August 15, 2014.

RECOMMENDED ACTION:

Adopt Resolution.

- D. Consider a loan agreement and approve a budget amendment to fund the Successor Agency's share of the settlement regarding the Leonard litigation.

RECOMMENDED ACTION:

1. Approve a loan agreement with the City of Capitola for \$88,500; and
2. Approve a budget adjustment of \$147,500 to amend the Fiscal Year 14/15 Budget to fund the Successor Agency's share of the Settlement Agreement.

10. ADJOURNMENT

Adjourn to the next Regular Meeting of the City Council on Thursday, September 11, 2014, 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.

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.