

**CAPITOLA CITY COUNCIL  
REGULAR MEETING ACTION MINUTES  
THURSDAY, JULY 24, 2014**

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

Mayor Storey 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: 420 Capitola Avenue, Capitola, CA (City of Capitola, Owner)

City Negotiator: City Manager

Negotiating Parties: Moss Beach Associates, LLC

Under Negotiation: Real Property Sale

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to subdivision (b) of Govt.  
Code §54956.9**

One potential case: Monarch Cove Development Application/Environmental Impact Report

Mayor Storey noted that there was no one in the audience; therefore, the City Council recessed 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, Dennis Norton, Ed Bottorff, Michael Termini, and Mayor Sam Storey

**2. REPORT ON CLOSED SESSION [520-25]**

City Attorney Barisone stated that City Council received a status report on real property negotiations with Moss Beach Associates, LLC, regarding property located at 420 Capitola Avenue, Capitola; the City Council authorized the City Manager to negotiate the possible property sale; there was no reportable action. Mr. Barisone reported that Mayor Storey recused himself from participating on the following closed session item because his residential property is within 500 feet of the subject property; he left the room. The City Council then received a status report regarding the following anticipated litigation: Monarch Cove Development Application/Environmental Impact Report; there was no reportable action.

**3. ADDITIONAL MATERIALS**

Mayor Storey stated that City Council received additional material from a construction industry representative regarding Item 8.A. (McGregor Park Project construction bids).

**4. ADDITIONS AND DELETIONS TO AGENDA (none provided)**

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### 5. PUBLIC COMMENTS

Adam Samuels, Depot Hill resident, thanked the City Council for their support regarding the July 4th event at Depot Hill. In addition, he stated concerns regarding the conditional use permit related to the Monarch Cove Inn, and recommended that the City initiate a review of the conditional use permit.

Clara Brunner, Depot Hill resident, inquired as to the process for reporting issues related to the Monarch Cove Inn.

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

Police Chief Escalante announced that the Santa Cruz to Capitola Wharf to Wharf Race will be held on Sunday, July 27, 2014.

Council Member Harlan announced that the Soquel Pioneer Annual Picnic will be held on Saturday, July 26, 2014.

Council Member Termini stated that next Begonia Festival Fundraiser will be held at Shadowbrook on Sunday, August 3, 2014.

Council Member Termini stated that due to the timing to place a local ballot measure on the November 2014 ballot he proposed a Special Council Meeting to be scheduled on Thursday, July 31, 2014, for Council to discuss adding a ballot measure regarding an increase in the Transient Occupancy Tax.

### ACTION

**Motion made by Council Member Termini, seconded by Council Member Norton, to approve the scheduling of a Special City Council meeting to be held at 5:30 p.m., Thursday, July 31, 2014. Items to be included are as follows: (1) Consideration of a Resolution calling for a General Municipal Election for the submission to the voters of a local ballot measure regarding an amendment to the City's Municipal Code pertaining to Visitor Services Fee (Transient Occupancy Tax), and requesting the Santa Cruz County Elections Department to consolidate a General Municipal Election on November 4, 2014. The motion carried unanimously.**

### 7. CONSENT CALENDAR

Council Member Norton requested that Item 7.C. be pulled for discussion (Approval of City Check Register Reports).

Council Member Harlan requested that Item 7.D. be pulled for discussion (Approval of the Final Report to close out the Sustainable Communities Planning Grant for the sustainability component of the General Plan Update).

- A. Consider approving the June 26, 2014, and the July 10, 2014, Regular City Council Meeting Minutes.
- B. Receive Planning Commission Action Minutes for the Regular Meeting of July 17, 2014. [740-50]
- C. Approval of City Check Register Reports dated June 20, 2014; June 27, 2014; July 3, 2014; and July 11, 2014. [300-10]
- D. Consider approving the Final Report to close out the Sustainable Communities Planning Grant (Proposition 84) for the sustainability component of the General Plan Update. [740-40]

- ACTION** Motion made by Council Member Termini, seconded by Council Member Harlan, to approve the following Consent Calendar items: 7.A. and 7.B. The motion was passed unanimously.
- ACTION** Motion made by Council Member Norton, seconded by Council Member Harlan, to approve Item. 7.C. regarding the City Check Register Reports dated June 20, 2014; June 27, 2014; July 3, 2014; and July 11, 2014. The motion was passed unanimously.
- ACTION** Motion made by Council Member Harlan, seconded by Council Member Termini, to approve Item. 7.D. regarding the Final Report to close out the Sustainable Communities Planning Grant (Proposition 84) for the sustainability component of the General Plan Update. The motion was passed unanimously.

#### 8. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Receive report on the McGregor Park Project construction bids. [1040-20]

**ACTION** Motion made by Council Member Termini, seconded by Council Member Bottorff, to continue the discussion regarding the McGregor Park Project construction bids to the July 31, 2014, Special City Council meeting. The motion was passed unanimously.

- B. Consider a Resolution pertaining to the November 4, 2014, General Municipal Election by selecting one of the following recommended actions: [560-10]

(1) Adopt a Resolution calling for a General Municipal Election, and requesting the Santa Cruz County Elections Department to consolidate a General Municipal Election on Tuesday, November 4, 2014.

OR

(2) Adopt a Resolution calling for a General Municipal Election for the submission to the voters of a local ballot measure to make the Office of the City Treasurer appointed, and requesting the Santa Cruz County Elections Department to consolidate a General Municipal Election on November 4, 2014.

City Treasurer McBroom, Finance Advisory Committee (FAC) Chair, stated that the FAC recommends that the City not move forward on a November 2014 local ballot measure regarding the Office of the City Treasurer being changed from elected to appointed. In addition, she stated that the FAC offered to participate in a larger role in recruiting and vetting future candidates for the City Treasurer position.

The following community members provided their support for the City Treasurer position to remain an elected position.

- Jacques Bertrand
- Kathy Howard
- Mary Jones

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**ACTION** Motion made by Council Member Termini, seconded by Council Member Harlan, to not adopt a Resolution for the submission to the voters of a local ballot measure to make the Office of the City Treasurer appointed. The motion was passed unanimously.

*(The City Council unanimously voted earlier in the meeting to schedule a Special City Council meeting on July 31, 2014, to consider a Resolution calling for a General Municipal Election including the submission to the voters of a local ballot measure regarding an amendment to the City's Municipal Code pertaining to Visitor Services Fee (Transient Occupancy Tax), and requesting the Santa Cruz County Elections Department to consolidate a General Municipal Election on Tuesday, November 4, 2014).*

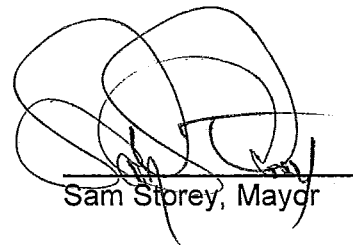
C. Consider a request from Lifestyle Escapes for a Special Event Permit for the Surfers Path 10K/5K Run Walk Race in Capitola on Sunday, November 9, 2014. [1050-70]

Thomas Bradley, Surfers Path 10K/5K Race Director, reviewed the plans for the event and was available for comments.

**ACTION** Motion made by Council Member Norton, seconded by Council Member Bottorff, to approve a request from Lifestyle Escapes for a Special Event Permit for the Surfers Path 10K/5K Run Walk Race in Capitola on Sunday, November 9, 2014. The motion was passed unanimously.

**ADJOURNMENT**

Mayor Storey adjourned the meeting at 8:30 p.m. to the special meeting of the City Council to be held on Thursday, July 31, 2014, at 5:30 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.



Sam Storey, Mayor

ATTEST:



Susan Sneddon, CMC  
Susan Sneddon, City Clerk

**MINUTES WERE UNANIMOUSLY APPROVED ON AUGUST 14, 2014**