

**CAPITOLA CITY COUNCIL  
REGULAR MEETING MINUTES  
THURSDAY, JUNE 26, 2014**

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

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

**CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION [Govt. Code §54956.9(A)]**

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

Mayor Storey noted that there was no one in the audience; therefore, the City Council recessed at 6:35 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. PRESENTATIONS**

A. Presentation of a Certificate of Appreciation to Cynthia "Fin" Finley for her service as the City of Capitola's representative on the Community Action Board. [120-40]

Certificate received.

B. Proclamation honoring Amateur Radio Week - June 23 thru June 28, 2014. [120-40]

Suellene Petersen, Public Information Coordinator Amateur Radio Relay League Pacific Division and Santa Clara Valley Section Santa Cruz County Amateur Radio Club President, received the proclamation.

Bob Wisner, Watsonville amateur radio operator, commented on amateur radio events held in the county.

**3. REPORT ON CLOSED SESSION**

City Attorney Condotti stated that the City Council received a status report regarding Rae Ellen Leonard vs. the City of Capitola et al.; there was no reportable action. Mr. Condotti stated that the Council discussed with the City Attorney and the City Manager the ongoing discussions regarding the New Brighton Middle School Gymnasium lease negotiations; Council provided direction; there was no reportable action.

**4. ADDITIONAL MATERIALS (none provided)**

## 12518 CAPITOLA CITY COUNCIL MEETING MINUTES - June 26, 2014

### 5. ADDITIONS AND DELETIONS TO AGENDA (none provided)

### 6. PUBLIC COMMENTS

Darrel Johnson, Seniors Council of Santa Cruz and San Benito Counties Board Member, thanked the City Council for their support.

Peter Wilk, 305 Fanmar, stated concerns regarding the Planning Commission's process in reviewing applicant plans for residential units.

Sammy Roy, Depot Hill resident, requested that the City Council approve a sound amplification permit to allow live music for the 25th anniversary of the July 4th Depot Hill Party.

Stan Kitner, 603 Escalona Drive, stated that he is opposed to the planned July 4th Depot Hill Party because it is no longer a neighborhood event, and he is also opposed to the proposed Monarch Cove Expansion Project. He requested that the City reconsider the Monarch Cove Inn conditional use permit.

The following Depot Hill residents stated concerns regarding the proposed Monarch Cove Expansion Project.

- Vicki Malandra, 118 Saxon Avenue.
- Don Mocciam 114 Central Avenue, stated concerns with the Monarch Cove Draft Environmental Impact Report, and the potential traffic impact of the proposed major expansion of Monarch Cove Inn.
- Lester Loops, 308 Grand Avenue, stated concerns regarding potential traffic impacts if the proposed major expansion of the Monarch Cove Inn is approved.
- Tracy Armanino, 706 Escalona Drive.

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

City Clerk Sneddon stated that Santa Cruz County Elections Department will conducting the Candidate Information Night on Monday June 30th at 6 p.m. in the Council Chambers.

City Treasurer McBroom stated that at the next City Council meeting she will be reporting the Finance Advisory Committee's recommendation regarding a possible measure to change the City Treasurer position from elected to appointed.

Police Chief Escalante stated that the amplification permit for the July 4<sup>th</sup> Depot Hill Party has a condition that allows the Police Department to either suspend or revoke the permit if the event becomes problematic.

### 8. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS

- A. Consider an Appointment to the Community Action Board of Santa Cruz County, Inc. [150-40]

**ACTION Motion made by Council Member Termini, seconded by Council Member Harlan, to appoint Kristen Petersen to the Community Action Board of Santa Cruz County, Inc. The motion was passed unanimously.**

- B. Consider an appointment of an Alternate Representative to the Santa Cruz County Library Joint Powers Board. [230-10]

**ACTION** Motion made by Council Member Termini, seconded by Council Member Bottorff, to appoint Council Member Norton as the Alternate Representative to the Santa Cruz County Library Joint Powers Board. The motion was passed unanimously.

**9. CONSENT CALENDAR**

- A. Consider approving the May 29, 2014, and the June 4, 2014, Special Budget Session Minutes; and the June 12, 2014, Regular City Council Meeting Minutes.
- B. Approval of City Check Register Reports dated May 16, 2014; May 23, 2014; May 30, 2014; June 6, 2014; and June 13, 2014. [300-10]

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

**10. GENERAL GOVERNMENT / PUBLIC HEARINGS**

- A. Consider a Resolution adopting the City's General Plan Update, and a Resolution certifying the Final Environmental Impact Report, adopting the Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations. [740-40]

David Early, PlaceWorks, stated that he is available to receive any comments or questions.

Ed Newman, General Plan Advisory Committee (GPAC) Chair, stated that he supports the proposed increase of the Floor Area Ratios (FAR) for commercial and mixed use development. He suggested that the City provide a postmortem analysis of what went right/wrong with the development of the General Plan Update for future reference.

Mary Gourlay, Barry Swenson Builder, spoke on the FAR issue for the proposed hotel development on the former Capitola Village theater site.

Planning Commissioner Graves, stated that prior to going to the City Council for approval the Planning Commission approved the FAR in a split three to two vote.

Jacques Bertrand, local resident, stated that the protection of the Village is contingent upon residents' interests.

Planning Commissioner Smith stated that the Planning Commission unanimously recommended for both the Final Environmental Impact Report and the Draft General Plan Update to go to the City Council for approval.

**ACTION** Motion by Council Member Termini, second by Bottorff, to accept the Planning Commission's recommendation on the Floor Area Ratios (FAR) with the following conditions: (1) To revise the "Increased FAR Allowance" from 1.5 to 2.0 in the Community Commercial land use designation along 41st Avenue, south of Capitola Road; (2) To allow the "Increased FAR Allowance" provision on the east side of 41st Avenue, provided that any project requesting increased FAR observe a minimum 100-foot setback from adjacent residential properties. The motion carried with the following vote: AYES: Council Members Norton, Termini, and Bottorff. NOES: Council Member Harlan and Mayor Storey. ABSENT: None.

12520 CAPITOLA CITY COUNCIL MEETING MINUTES - June 26, 2014

Motion by Council Member Norton, second by Bottorff, to adopt Resolution No. 3994 for the following: (1) Certifying the Final Environmental Impact Report for the City of Capitola General Plan Update; (2) Adoption of the associated Environmental Impact Findings, Statement of Overriding Considerations, and the Mitigation Monitoring Reporting Program; (3) Adoption of Resolution No. 3995 to adopt the General Plan Update. The motion carried unanimously.

Mayor Storey stated that, due to a conflict of interest, he will recuse himself from participating in Item 10.B. regarding a Resolution to Levy of Capitola Village and Wharf Business Improvement Area Assessments for Fiscal Year 2014/2015 because his business is located within the Capitola Village and Wharf Business Improvement Area. He left the dais.

- B. Consider a Resolution to Levy of Capitola Village and Wharf Business Improvement Area (CVWBIA) Assessments for Fiscal Year 2014/2015. [140-05]

Carin Hanna, Capitola CVWBIA Secretary stated she is were available for questions or comments.

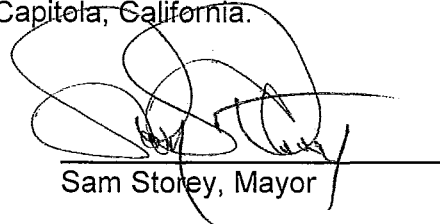
Gary Wetsel, CVWBIA Chairperson, remarked that the Village sidewalk cleaning is the responsibility of the merchants, and the CVWBIA will work with the City to accomplish it.

City Manager Goldstein stated that staff has received positive responses after reaching out to business property owners regarding cleaning the sidewalks. He noted that the City purchased new pressure washer for sidewalk spot cleaning.

**ACTION** Motion made by Council Member Termini, seconded by Council Member Harlan, to adopt Resolution No. 3996 to Levy of Capitola Village and Wharf Business Improvement Area (CVWBIA) Assessments for Fiscal Year 2014/2015. The motion carried with the following roll call vote: AYES: Council Members Norton, Bottorff, Termini, and Council Member Harlan. NOES: None. ABSENT: None. ABSTAIN: Mayor Storey.

11. ADJOURNMENT

Mayor Storey adjourned the meeting at 9:35 p.m. to the next Regular Meeting of the City Council to be held on Thursday, July 10, 2014, at 7:00 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 JULY 24, 2014