

**CAPITOLA CITY COUNCIL
REGULAR MEETING MINUTES
THURSDAY, MARCH 13, 2014 - 7:00 PM**

**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 item to be discussed in Closed Session, as follows:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Govt. Code §54956.9)

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

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
City Treasurer Christine McBroom was present.
2. **PRESENTATIONS [120-40]**
 - A. Proclamation declaring March 13, 2014, as Capitola Book Café Day. [120-40]
Mayor Storey presented certificate of completion to the following former Capitola Book Café owners.
3. **REPORT ON CLOSED SESSION [520-25]**
City Attorney Barisone stated that City Council received a status report regarding the following existing litigation: Rae Ellen Leonard vs. the City of Capitola et al. There was no reportable action.
4. **ADDITIONAL MATERIALS (None provided)**
5. **ADDITIONS AND DELETIONS TO AGENDA (None provided)**
6. **PUBLIC COMMENTS (None provided)**
7. **CITY COUNCIL / CITY TREASURER / STAFF COMMENTS**
Council Member Harlan stated that Capitola Historical Museum will have an open house displaying a new exhibit on March 22nd.
City Treasurer McBroom stated that the City’s Finance Advisory Committee will be meeting on March 18th to discuss the mid-year budget, and the possibility of a City measure asking the voters if they want to change the City Treasurer position to appointed rather an elected.
8. **BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS**
 - A. Consider an appointment to the Library Ad Hoc Committee. [230-10]
City Manager Goldstein stated that the City’s Library Ad hoc Committee will be taking a two-month hiatus.

12488 CAPITOLA CITY COUNCIL MEETING MINUTES - Thursday, March 13, 2014

ACTION **Motion made by Council Member Termini, seconded by Council Member Norton, to not make an appointment to the Library Ad Hoc Committee at this time; to continue advertising for appointments to this Committee; and to consider appointment(s) to this Committee at the May 8, 2014, City Council meeting.**

9. **CONSENT CALENDAR**

Steve Piercy, local resident, requested that **Item #9.E.** be pulled for discussion.

Council Member Harlan stated that she spoke with staff at the County's Tobacco Education Coalition regarding the adoption of the City's Ordinance pertaining to smoking regulations prohibiting the sale of tobacco products within 1,000 feet of public libraries. She stated that she will be meeting with the County's Tobacco Education Coalition about the City's annual tobacco-use report card.

- A. Consider approving the City Council Minutes of the Regular Meeting held on February 27, 2014.
- B. Receive Planning Commission Action Minutes for the Regular Meeting of March 6, 2014. [740-50]
- C. Adoption of **Ordinance No. 994** amending Sections 8.38.030 and 8.38.112(B) pertaining to Smoking Regulations prohibiting the sale of tobacco products within 1,000 feet of public libraries [2nd Reading]. [460-70]
- D. Consider a contract amendment for Carolyn Flynn to perform Housing and Grant Administration Services. [500-10 A/C: Flynn, Carolyn]
- E. Consider approving a contract with Kimley-Horn and Associates, Inc. for completion of a Safe Routes to School Study in the amount of \$43,000 as part of a Safe Routes to School Grant received by the City on behalf of the Soquel Union Elementary School District. [500-10 A/C: Kimley-Horn and Associates, Inc.]
- F. Adoption of **Resolution No. 3982** amending the Classification Plan to add previously authorized Environmental Projects Manager, and amend the Mid-Management Memorandum of Understanding. [600-10]
- G. Consider the authorization to recruit and hire a Senior Accountant, and restore the City Manager's hiring authority for authorized positions. [650-05]

ACTION **Motion made by Council Member Termini seconded by Council Member Harlan, to approve the first reading of the Ordinance the following Consent Calendar items: 9.A.; 9.B.; 9.C.; 9.D.; 9.F.; and 9.G. The motion was passed unanimously.**

The following Item 9.E. was pulled from the Consent Calendar.

- 9.E. Consider approving a contract with Kimley-Horn and Associates, Inc. for completion of a Safe Routes to School Study in the amount of \$43,000 as part of a Safe Routes to School Grant received by the City on behalf of the Soquel Union Elementary School District. [500-10 A/C: Kimley-Horn and Associates, Inc.]

Steve Percy, local resident, provided support for this program.

There was Council consensus for staff to bring the results of the Safe Routes to School Study to the City Council.

ACTION Motion made by Council Member Bottorff, seconded by Council Member Termini, to approve a contract with Kimley-Horn and Associates, Inc. for completion of a Safe Routes to School Study in the amount of \$43,000 as part of a Safe Routes to School Grant received by the City on behalf of the Soquel Union Elementary School District. The motion was passed unanimously.

10. GENERAL GOVERNMENT / PUBLIC HEARINGS

A. Presentation provided by Rosemary Menard, City of Santa Cruz Water Director, regarding the current drought and long term water supply issues. [1160-10]

Presentation was received.

City Treasurer McBroom stated that, due to a conflict of interest, she will recuse herself from participating on Item 10.B. regarding designating one yellow loading zone and two 24-minute green zones at 1066 41st Avenue because she is in negotiations for a purchase of office space that is within 500 feet of the subject property. She left the dais.

B. Consider a Resolution designating one yellow loading zone and two 24-minute green zones at 1066 41st Avenue. [470-40]

ACTION Motion made by Norton, seconded by Council Harlan, to adopt Resolution No. 3983 designating a yellow loading zone, two green 24-Minute parking zones, and three 2-Hour parking spaces in front of 1066 41st Avenue. The motion was passed unanimously.

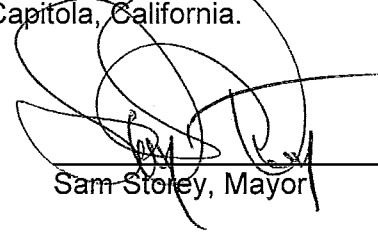
City Treasurer McBroom returned to the dais.

C. Consider authorizing the acceptance of a Capitola Public Safety Foundation Grant of \$3,250.96 for the purchase of Police Department firearms equipment, and authorize a budget adjustment in the amount of \$3,250.96 for Fiscal Year 2013-2014. [485-10/370-40/330-10]

ACTION Motion made by Harlan, seconded by Council Bottorff, to authorize the acceptance of a Capitola Public Safety Foundation Grant of \$3,250.96 for the purchase of Police Department firearms equipment, and authorize a budget adjustment in the amount of \$3,250.96 for Fiscal Year 2013-2014. The motion was passed unanimously.

11. ADJOURNMENT

Mayor Storey adjourned the meeting at 8:30 p.m. to the next Regular Meeting of the City Council to be held on Thursday, March 27, 2014, at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.



Sam Storey, Mayor

ATTEST:


Susan Sneddon, City Clerk