

City of Capitola Agenda

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



REVISED

CAPITOLA CITY COUNCIL REGULAR MEETING

THURSDAY, DECEMBER 12, 2013

**CITY HALL COUNCIL CHAMBERS
420 CAPITOLA AVENUE, CAPITOLA, CA 95010**

**CLOSED SESSION – 6:30 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 LABOR NEGOTIATOR (Govt. Code §54957.6)

Negotiator: Lisa Murphy, Administrative Services Director
Employee Organizations: (1) Association of Capitola Employees; (2) Capitola Police Captains, (3) Capitola Police Officers Association, (4) Confidential Employees; (5) Mid-Management Group; and (6) Department Head Group

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

Schroedel et al. v. the City of Capitola
[Santa Cruz Superior Court Case No. CV 175684]

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

2. PRESENTATIONS

A. Proclamation honoring Ettamae Shaffer, Capitola Historical Museum volunteer.

3. REPORT ON CLOSED SESSION

4. ADDITIONAL MATERIALS

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

A. 9.A.

DETAILS:

Revised 2013 Capitola Board, Commission & Committee Appointment List.

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 REORGANIZATION

A. Selection of new Mayor and Vice Mayor.

8. 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.

9. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS

A. City Council appointments/reappointments of public members to various Boards, Committees and Commissions; and City Council representation on various City and County/Multi-County Boards, Commissions, and Committees.

RECOMMENDED ACTION:

Council determination regarding appointments.

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10. 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 City Council Minutes of the Special Joint Meeting of the City Council and the Planning Commission held on November 21, 2013; and the Regular City Council Meeting held on November 26, 2013.
RECOMMENDED ACTION:
Approve Minutes.
- B. Receive Planning Commission Action Minutes for the Regular Meeting of December 5, 2013.
RECOMMENDED ACTION:
Receive Minutes.
- C. Consider a Resolution to apply for a Housing-Related Parks Grant to fund improvements to the Rispin property.
RECOMMENDED ACTION:
Adopt Resolution.
- D. Consider adopting a Resolution setting the interest rate for Tenant's Security Deposits for 2014 at zero percent (0%), as was set for 2013.
RECOMMENDED ACTION:
Adopt Resolution.
- E. Consider a Resolution authorizing MuniServices to examine Measure O sales or transactions and use tax records.
RECOMMENDED ACTION:
Adopt Resolution.
- F. Consider authorizing the Police Department to purchase a Cellebrite forensic extraction device, and amend the Fiscal Year 2013-2014 State Supplemental Law Enforcement Services Fund (SLESF) budget to authorize additional expenditures of \$8,100 from the unassigned fund balance.
RECOMMENDED ACTION:
Authorize the purchase and budget amendment.
- G. Consider an agreement with California State Association of Counties Excess Insurance Joint Powers Authority (CSAC EIA) for Dental and Vision Benefits; authorize the City Manager to execute the agreement with CSAC EIA; adopt a Resolution delegating authority to the City Manager to execute the Dental Memorandum of Understanding (MOU) with CSAC EIA.
RECOMMENDED ACTION:
Authorize the City Manager to execute the CSAC EIA agreement and adopt Resolution.

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- H. Consider a Resolution approving the Rate Schedule for the Residential and Commercial Garbage Collection and Recycling in Capitola effective January 1, 2014.
RECOMMENDED ACTION:
Adopt Resolution.

11. 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. Consider an Ordinance amending Chapter 15.04 of the Capitola Municipal Code pertaining to Building and Fire Model Codes to become effective January 1, 2014 [1st Reading].
RECOMMENDED ACTION:
Introduce Ordinance.
- B. Receive budget update and allocation of fund balance for Fiscal Year 2012/2013.
RECOMMENDED ACTION:
Receive update and approve budget amendment.
- C. Consider approving Memorandums of Understanding with the following: (1) Association of Capitola Employees; (2) Capitola Police Captains; (3) Capitola Police Officers Association; (4) Confidential Employees; (5) Mid-Management Group; and (6) Department Head Group.
RECOMMENDED ACTION:
Approve Memorandums of Understanding.
- D. Consider a three-year agreement with Wells Fargo Bank to provide for the City's banking services.
RECOMMENDED ACTION:
Authorize City Manager and the Finance Director to award contract.
- E. Consider an Ordinance amending Chapter 2.44 of the Capitola Municipal Code pertaining to the Personnel System [1st Reading].
RECOMMENDED ACTION:
Introduce Ordinance.

12. ADJOURNMENT

Adjourn to the next Regular Meeting of the City Council on Thursday, January 9, 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.

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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 on the Internet at the City's website: www.ci.capitola.ca.us. Agendas are also available at the Capitola Post Office located at 826 Bay Avenue, Capitola.

Agenda Document Review: The complete agenda packet is available at City Hall and at the Capitola Branch Library, 2005 Wharf Road, Capitola, on the Monday prior to the Thursday meeting. 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 replayed at 12:00 Noon on the Saturday following the meetings 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.ci.capitola.ca.us by clicking on the Home Page link "View Capitola Meeting Live On-Line." Archived meetings can be viewed from the website at anytime.