

**CAPITOLA CITY COUNCIL
REGULAR MEETING MINUTES
THURSDAY, DECEMBER 12, 2013**

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

CALL TO ORDER

Mayor Storey called the meeting to order at 6:30 p.m. and announced the items to be discussed in Closed Session, as follows:

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]

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

Present: Council Members Sam Storey, Ed Bottorff, Michael Termini and Mayor Stephanie Harlan

Absent: Council Members Dennis Norton

2. PRESENTATIONS

A. Proclamation honoring Ettamae Shaffer, Capitola Historical Museum volunteer. [120-40]

B. Mayor Harlan introduced Brandon Gruber, Aptos High School student, and complimented him on his artwork that is on display in the Council Chambers.

3. REPORT ON CLOSED SESSION [520-25]

Assistant City Attorney Adair Paterno stated that City Council received a status report regarding the following existing litigation: Schroedel et al. v. the City of Capitola; there was no reportable action. In addition, she stated that the City Council received a status report from Administration Services Director Murphy, City’s labor negotiator, regarding labor negotiations with the following employee organizations: (1) Association of Capitola Employees; (2) Capitola Police Captains; (3) Capitola Police Officers Association; (4) Confidential Employees; (5) Mid-Management Group; (6) Department Head Group. Ms. Paterno stated that there was no reportable action regarding the labor negotiations.

4. ADDITIONAL MATERIALS (None provided)

5. ADDITIONS AND DELETIONS TO AGENDA (None provided)

6. PUBLIC COMMENTS

Marilyn Garrett spoke against wireless radiation.

CAPITOLA CITY COUNCIL MINUTES – Thursday, December 12, 2013 12466

Jennifer Putnam, Massachusetts resident, stated that she hopes to raise funds for the dog park at McGregor Park. She requested that the City Council consider dedicating the future dog park in her son's name. Last year her son was struck and killed while riding his bicycle on Highway 1. Her son's dog survived and has been adopted by a family in the area.

7. CITY COUNCIL REORGANIZATION

- A. Selection of new Mayor and Vice Mayor. [120-37]

ACTION Motion made by Council Member Termini, seconded by Council Member Bottorff, to nominate Vice Mayor Storey to serve as Mayor. The motion carried unanimously.

Mayor Storey presented Council Member Harlan with a gift of appreciation, and thanked her for her service as the Mayor this year.

Council Member Harlan thanked the community, staff, and Council Members (present and past) for serving.

Mayor Storey thanked his family, staff, and friends for the honor of serving as the City's new mayor.

ACTION Motion made by Council Member Termini, seconded by Council Member Harlan, to nominate Council Member Norton to serve as Vice Mayor. The motion carried unanimously.

8. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

Council Member Termini stated that there will be community Christmas caroling event on December 13th at 6 p.m., and to meet at the bandstand in the Village.

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. [110-10]

ACTION Motion made by Council Member Termini, seconded by Council Member Harlan, to take the following actions regarding appointments/reappointments to the Finance Advisory Committee:

- Appoint Joyce Murphy as the Business Representative;
- Reappoint Nathan Cross (Council Member Norton's appointee);
- Reappoint Will O'Sullivan (Council Member Harlan's appointee);
- Reappoint Gary Snelson (Council Member Bottorff's appointee);

The motion carried unanimously.

There was concurrence of the City Council to continue to the January 9, 2014, Regular City Council meeting, the appointments of the Mayor and Vice Mayor to the City's Finance Advisory Committee.

ACTION The City Council took the following actions regarding appointments to the Commission on the Environment:

Council Member Termini appointed Amie Forest;
Council Member Storey appointed Bruce Arthur;
Council Member Harlan appointed Kristin Sullivan;

12467 CAPITOLA CITY COUNCIL MINUTES – Thursday, December 12, 2013

Council Member Bottorff appointed Elisabeth Russell.

There was Council consensus for Council Member Norton to continue to be the City Council representative on the Commission on the Environment.

Motion made by Council Member Termini, seconded by Council Member Harlan, to re-establish the City's Library Ad Hoc Committee and to direct staff to initiate the recruitment.

There was Council consensus for to continue advertising through January 2014, to fill the vacancy for a City representative on the Santa Cruz County Hazardous Materials Advisory Commission.

There was Council consensus for Council Member Termini to be the alternate representative on the Santa Cruz County Children's Network.

The City Council approved continuing the same representation on all the other County and Multi-County Boards, Commissions and Committees that were made one year ago (December 13, 2012, Regular City Council meeting).

10. CONSENT CALENDAR

The City Council directed staff to contact GreenWaste Recovery, Inc. to ascertain if they would consider re-opening the contract to ascertain the possibility of allowing residents and commercial businesses to obtain large dumpsters from other vendors.

There was Council consensus to pull the portion of Item 10.A, regarding the approval of the City Council Minutes of the Special Joint Meeting of the City Council and the Planning Commission held on November 21, 2013. The Council requested that staff include more information regarding the overall topics that were discussed.

- 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.
- B. Receive Planning Commission Action Minutes for the Regular Meeting of December 5, 2013. [740-50]
- C. Adoption of Resolution No. 3972 to apply for a Housing-Related Parks Grant to fund improvements to the Rispin property. [275-45]
- D. Adoption of Resolution No. 3973 setting the interest rate for Tenant's Security Deposits for 2014 at zero percent (0%), as was set for 2013. [750-10]
- E. Adoption of Resolution No. 3974 authorizing MuniServices to examine Measure O sales or transactions and use tax records. [100-15/ 500-10 MuniServices, LLC]
- 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. [330-10/370-40]

CAPITOLA CITY COUNCIL MINUTES – Thursday, December 12, 2013 12468

- 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; adoption of **Resolution No. 3975** delegating authority to the City Manager to execute the Dental Memorandum of Understanding (MOU) with CSAC EIA. [630-10/500-10 A/C: CSAC EIA]
- H. Adoption of **Resolution No. 3976** approving the Rate Schedule for the Residential and Commercial Garbage Collection and Recycling in Capitola effective January 1, 2014. [930-45]

ACTION Motion made by Council Member Termini, seconded by Council Member Harlan, to approve the Consent Calendar with the exception of the portion of **Item 10.A.** regarding the approval of the City Council Minutes of the Special Joint Meeting of the City Council and the Planning Commission held on November 21, 2013; the minutes of the Regular City Council Meeting held on November 26, 2013 were approved. The motion was passed unanimously.

11. GENERAL GOVERNMENT / PUBLIC HEARINGS

- 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]. [570-10/1110-10]

ACTION Motion made by Council Member Termini, seconded by Council Member Bottorff, to approve the first reading of an Ordinance amending Chapter 15.04 of the Capitola Municipal Code pertaining to Building and Fire Model Codes to become effective January 1, 2014. The motion was passed unanimously.

- B. Receive budget update and allocation of fund balance for Fiscal Year 2012/2013. [330-05/330-10]

City Treasurer McBroom, City Treasurer, stated that the Finance Advisory Committee supports the staff recommendation.

ACTION Motion made by Council Member Termini, seconded by Council Member Bottorff, to approve a budget amendment to allocate the year ending General Fund balance to various funds; and authorize the City Manager to enter into a purchase agreement for a new street sweeper with Global Environmental Products Inc., in the amount of \$174,770. The motion was passed unanimously.

- 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. [600-10]

ACTION Motion made by Council Member Termini, seconded by Council Member Bottorff, to approve the 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. The motion was passed unanimously.

12469 CAPITOLA CITY COUNCIL MINUTES – Thursday, December 12, 2013

- D. Consider a three-year agreement with Wells Fargo Bank to provide for the City's banking services. [320-10/500-10 A/C: Wells Fargo Bank]

City Treasurer McBroom, City Treasurer, thanked the staff for evaluating the banking proposals. She stated her reasoning for supporting the recommendation to execute an agreement with Wells Fargo Bank to provide banking services.

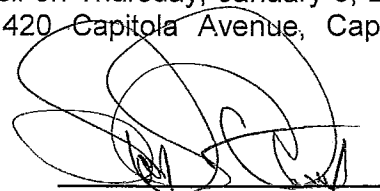
ACTION Motion made by Council Member Termini, seconded by Council Member Bottorff, to approve a three-year agreement with Wells Fargo Bank to provide for the City's banking services. The motion was passed unanimously.

- E. Consider an Ordinance amending Chapter 2.44 of the Capitola Municipal Code pertaining to the Personnel System [1st Reading]. [600-25]

ACTION Motion made by Council Member Bottorff, seconded by Council Member Termini, to approve the first reading of an Ordinance amending Chapter 2.44 of the Capitola Municipal Code pertaining to the Personnel System. The motion was passed unanimously.

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.



Sam Storey, Mayor

ATTEST:



Susan Sneddon, CMC
Susan Sneddon, City Clerk

MINUTES WERE UNANIMOUSLY APPROVED ON JANUARY 9, 2014