

**CAPITOLA CITY COUNCIL
REGULAR MEETING ACTION MINUTES
TUESDAY, NOVEMBER 26, 2013**

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

CALL TO ORDER

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

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]

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

Mayor Harlan noted that there was no one in the audience; therefore, the City Council recessed at 6:35 PM to the City Manager’s Office.

REGULAR MEETING OF THE CAPITOLA CITY COUNCIL – 7:00 PM

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 recognizing Heartland Hospice and proclaiming December 1, 2013, “Heartland Hospice Day.” [120-40]

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

City Manager Goldstein stated that General Government **Item 10.D.** regarding the Building and Fire Model Codes will be continued to the December 12, 2013, City Council Meeting, because the City Clerk issued a public notice for this meeting. In addition, he stated that **Item 10.E.** regarding the Santa Cruz Lighted Whistle Buoy will be discussed following **Item 10.B.**

The City Council voted on the following General Government/Public Hearing Item 10.D.

10.D. Consider an Ordinance amending Section 15.04.010 pertaining to Building and Fire Model Codes to become effective January 1, 2014 [1st Reading]. [1110-10/570-10].

12462 CAPITOLA CITY COUNCIL MINUTES – Tuesday, November 26, 2013

ACTION Motion made by Council Member Storey, seconded by Council Member Termini, to continue Item 10.D. regarding an Ordinance amending Section 15.04.010 pertaining to Building and Fire Model Codes to the December 12, 2013, City Council meeting. The motion was passed unanimously.

6. PUBLIC COMMENTS (None provided)

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

Council Member Termini stated that Surfin' Santa will be on Capitola's main beach on Saturday, November 30th. In addition, he encouraged the community to attend the upcoming Heartland Hospice Day event.

Council Member Norton provided an update regarding the Santa Cruz County Regional Transportation Commission (SCCRTC) recent meeting. He stated that the SCCRTC has approved the following City funding requests: 1) Upper Pacific Cove Parking Lot Trail and Depot Hill Park Improvements; and (2) Capitola Avenue/Bay Avenue Intersection Improvements.

8. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS

Note: Appointments/reappointments were made under General Government/Public Hearings Item 10.B. for the City's Art & Cultural Commission. [1010-60/110-10]

9. CONSENT CALENDAR

- A. Consider approving the City Council Minutes of the November 14, 2013, Regular City Council Meeting.
- B. Approval of City Check Register Reports dated October 18, 2013, October 25, 2013, November 1, 2013, November 8, 2013, & November 15, 2013. [300-10]
- C. Consider accepting the Office of Traffic Safety Selective Traffic Enforcement Program (STEP) grant funds in the amount of \$51,368; and, amend the Fiscal Year 2013-2014 General Fund Operating Budget by increasing both revenues and expenditures by \$51,368. [330-10/490-20]
- D. Consider the approval of a contract with JFS, Inc., DBA Capitola Boat and Bait for the Wharf Lease and Mooring Concession Agreement. [280-25/500-10 A/C: JFS, Inc.]

ACTION Motion made by Council Member Termini, seconded by Council Member Storey, to approve the following Consent Calendar items: 9.A.; 9.B., 9.C.; and 9.D. The motion was passed unanimously.

10. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Presentation regarding the budget for the General Plan Update. [740-40]
Council Member Termini stated that at the November 21, 2013, Special Joint Meeting of the City Council and the Planning Commission it was agreed to not amend the Local Coastal Program (LCP).
City Manager Goldstein suggested that the City not commit to a complete LCP rewrite; some focused changes may be made following the General Plan Update. He stated that staff would like to see the results of several jurisdictions going through similar processes.
Community Development Director responded that the City is required to amend the LCP in order to change any Zoning Ordinances.
City Council discussion ensued regarding this item.
Steve Noack, DC&E, provided comments regarding the City's General Plan budget. He stated that DC&E is committed to completing the General Plan Update within the City's budget.

CAPITOLA CITY COUNCIL MINUTES – Tuesday, November 26, 2013 12463

ACTION Motion made by Council Member Bottorff, seconded by Council Member Norton, to receive the report regarding the budget for the General Plan Update, and to authorize staff to work with DC&E in obtaining a retention agreement for the completion of the General Plan Update. The motion was passed unanimously.

- B. Consider the Art & Cultural Commission's (Commission) recommendation to appoint the following to the Art & Cultural Commissioners: Kim Hogan as "Artist"; Roy Johnson as "Artist Professional"; and David Kraemer, James Wallace, and Nathan Cross as "At-Large Members", with terms ending December 31, 2015. Also, consider a Resolution amending the Commission Bylaws regarding membership; and, appoint Laurie Hill, Joan Davisson and Stephanie Gelman to fill the new "At-Large Member" seats. [1010-60/110-10]

ACTION Motion made by Council Member Norton, seconded by Council Member Storey, for the following actions: (1) Re-appoint Kim Hogan as "Artist"; Roy Johnson as "Arts Professional"; and David Kraemer, James Wallace, and Nathan Cross as "At-Large Members" to the Art & Cultural Commission, with terms ending December 31, 2015; and (2) Adopt Resolution No. 3971 amending the Art & Cultural Commission Bylaws regarding membership; and appointing Laurie Hill, Joan Davisson, and Stephanie Gelman to fill the new "At-Large Member" seats. The motion was passed unanimously.

- E. Adopt a Resolution opposing the United States Coast Guard's proposed removal of the Santa Cruz Lighted Whistle Buoy, aka "Mile Buoy". [485-10]

ACTION Motion made by Council Member Termini, seconded by Council Member Norton, to adopt Resolution No. 3970 opposing the United States Coast Guard's proposed removal of the Santa Cruz Lighted Whistle Buoy, aka "Mile Buoy." The motion was passed unanimously.

Council Member Storey stated that, due to a conflict of interest, he will recuse himself from participating on Item 10.C. regarding funding for the City's Emergency Housing Assistance and Security Deposit Affordable Housing Programs for Fiscal Year 2013/2014 because his spouse is employed by Community Action Board. He left the dias.

- C. Consider funding for the City's Emergency Housing Assistance and Security Deposit Affordable Housing Programs for Fiscal Year 2013/2014. [330-10/750-10]

ACTION Motion made by Council Member Norton, seconded by Council Member Termini, to approve funding for the City's Emergency Housing Assistance and Security Deposit Affordable Housing Programs for Fiscal Year 2013/2014. The motion carried with the following vote: AYES: Council Members Norton, Bottorff, Termini, and Mayor Harlan. NOES: None. ABSENT: Council Member Storey. ABSTAIN: None.

11. **ADJOURNMENT**

Mayor Harlan adjourned the meeting at 7:50 p.m. to the next Regular Meeting of the City Council to be held on Thursday, December 12, 2013, at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.


Sam Storey, Mayor

ATTEST:


Susan Sneddon, City Clerk CMC

MINUTES WERE UNANIMOUSLY APPROVED ON DECEMBER 12, 2013