

City of Capitola Agenda

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



REVISED

CAPITOLA CITY COUNCIL REGULAR MEETING

THURSDAY, OCTOBER 24, 2013

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

**CLOSED SESSION – 6:00 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: Capitola Police Captains

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Govt. Code § 54957)

City Council's Performance Evaluation of the City Manager.

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

1. Schroedel et al. v. the City of Capitola
[Santa Cruz Superior Court Case No. CV 175684]
2. Rae Ellen Leonard vs. the City of Capitola et al.
[United States District, Case No. C13-3714]

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 declaring October 20 – 26, 2013, as “Freedom from Workplace Bullies Week.”

B. Wi-Fi presentation by Citizens Against Wireless Radiation.

3. REPORT ON CLOSED SESSION

4. ADDITIONAL MATERIALS

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

A. 2.A.
DETAILS:
Email from Johanson.

B. 9.B.
DETAILS:
Correction.

C. 9.D.
DETAILS:
Email from Sullivan.

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 / 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.

8. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS

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9. 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 October 10, 2013, Regular City Council Meeting.
RECOMMENDED ACTION:
Approve Minutes.
- B. Approval of City Check Register Reports dated September 20, 2013; September 27, 2013; October 4, 2013; and October 11, 2013.
RECOMMENDED ACTION:
Approve the City Check Register Reports.
- C. Consider an Ordinance amending Chapter 13.02 of the Capitola Municipal Code pertaining to Water Conservation Plumbing Fixture Retrofit Requirements [2nd Reading].
RECOMMENDED ACTION:
Adopt Ordinance.
- D. Consider a Resolution repealing Resolution No. 3424 and re-establishing the City's Commission on the Environment (COE).
RECOMMENDED ACTION:
Adopt Resolution.
- E. Consider awarding a contract with Bear Electrical Solutions in an amount not to exceed \$25,000 per year for traffic signal maintenance.
RECOMMENDED ACTION:
Award contract.
- F. Receive Annual Donations and Contributions Report.
RECOMMENDED ACTION:
Receive report.
- G. Consider approving the Memorandum of Understanding (MOU) with the Police Captains with the negotiated changes in benefits for July 1, 2013, through June 30, 2018.
RECOMMENDED ACTION:
Approve MOU.

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10. 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 Section 10.36.055(b) of the Capitola Municipal Code pertaining to parking meter rates accepting the Coastal Commission's modifications [1st Reading].
RECOMMENDED ACTION:
To be continued to the November 14, 2013, City Council Meeting.
- B. Consider the approval a contract with JFS, Inc., DBA Capitola Boat and Bait for the Wharf Lease and Mooring Concession Agreement.
RECOMMENDED ACTION:
Approve contract.
- C. Consider an Ordinance repealing Sections 17.57.020(B)(4), 17.57.060(F), and 17.57.040(D) pertaining to the Use of Sidewalk Signs in the Central Village Zoning District of the Capitola Municipal Code. [1st Reading]; and provide direction on code enforcement protocols within the Central Village.
RECOMMENDED ACTION:
Introduce Ordinance and adopt Administrative Policy.
- D. Consider a Resolution approving the submission of an application to the Santa Cruz County Regional Transportation Commission for funding under the State Transportation Improvement Program, Regional Surface Transportation Program, and the Monterey Bay Sanctuary Scenic Trail Network.
RECOMMENDED ACTION:
Adopt Resolution.

11. ADJOURNMENT

Adjourn to the next Regular Meeting of the City Council on Thursday, November 14, 2013, 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.

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.

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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.