

**CAPITOLA CITY COUNCIL  
REGULAR MEETING ACTION MINUTES  
THURSDAY, JULY 25, 2013**

**CLOSED SESSION – 6:00 PM  
CITY MANAGER’S OFFICE**

**CALL TO ORDER**

Mayor Harlan called the meeting to order at 6:00 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: Capitola Police Officers Association, Capitola Police Captains, and Police Chief

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Govt. Code § 54957)**

City Council’s Performance Evaluation of the City Manager

**LIABILITY CLAIMS (Govt. Code §54956.95)**

Claimant: Sally Donnelly  
Agency claimed against: City of Capitola

Mayor Harlan noted that there was no one in the audience; therefore, the City Council recessed at 6:05 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, Council Member Termini, and Mayor Stephanie Harlan.

**2. PRESENTATIONS**

- A. Introduction of Jesse Franchi, Maintenance Worker and Frank Perry, Museum Curator.
- B. Proclamation in recognition and appreciation to Capitola Historical Museum Coordinator Carolyn Swift for 20 years of service to the Citizens of Capitola from July 1993 through July 2013. [120-40]

**3. REPORT ON CLOSED SESSION [520-25]**

City Attorney Barisone stated that Administrative Services Director Murphy reported on labor negotiations with the Capitola Police Officers Association, the Capitola Police Captains, and the Police Chief; there was no reportable action. He also stated that the Council discussed the tort claim from Sally Donnelly; there was no reportable action (this item is agendaized for the regular meeting this evening).

## 12432 CAPITOLA CITY COUNCIL MEETING MINUTES - Thursday, July 25, 2013

### 4. ADDITIONAL MATERIALS

City Clerk Sneddon listed additional material received after the posting of the July 25, 2013, City Council agenda packet.

### 5. ADDITIONS AND DELETIONS TO AGENDA (none provided)

### 6. PUBLIC COMMENTS

Ernie Tavilla, 615 Riverview Drive, stated concerns regarding the recent repaving of Gilroy Drive and Riverview Drive. (Public Works Director Jesberg responded that this was a slurry seal project and explained the technique in applying slurry seals).

Council Member Norton requested that staff provide a review of the slurry seal project in one month.

Sandy Erickson, 117 Cabrillo Street, stated concerns regarding the posted speeds at Park Avenue between Cabrillo Street and Coronado Street. In addition, she suggested that a cross walk be added near the bus stop on the other side of Cabrillo Street near Coronado Street.

Joan Leitner, 1710 47th Avenue, suggested a dog park on the Rispin property in memory of Joshua Lavene.

Melissa VanNess, 47th Avenue, stated that she supports a dog park on the Rispin property in memory of Joshua Lavene.

### 7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

Council Member Termini suggested that a loading zone be established in front of Capitola Knolls on Kennedy Drive for loading/unloading of Lift Line passengers. In addition, he stated that a non-profit group in the Bay Area received funding to convert a building into a museum on property similar to the Rispin property.

Council Member Bottorff stated that he attended an Association of Monterey Bay Area Governments (AMBAG) meeting; one of the topics of discussion was sustainable community's strategy scenario development for the Metropolitan Transportation Plan. In addition, he showed a picture of the new "Surf Capitola – Practice Aloha" wall tiles in the Esplanade.

Mayor Harlan stated that the Santa Cruz Capitola Wharf to Wharf Race will be held on Sunday, July 28<sup>th</sup>.

Council Member Norton suggested that AMBAG's sustainable community transportation scenarios should include Santa Clara County as part of the master plan study.

### 8. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS (none provided)

### 9. CONSENT CALENDAR

Council Member Norton requested that Item 9.C. (City Check Register Report) be pulled from the Consent Calendar for discussion.

- A. Consider approving the City Council Minutes of the June 27, 2013, and the July 11, 2013, Regular City Council Meetings.

- B. Receive Planning Commission Action Minutes for the Regular Meeting of July 18, 2013. [740-50]
- C. Approval of City Check Register Reports dated June 21, 2013; June 28, 2013; July 5, 2013, and July 12, 2013. [300-10]
- D. Adoption of **Ordinance No. 985** adding Chapter 13.16 to the Capitola Municipal Code establishing regulations for storm water pollution prevention and protection [2nd Reading]. [430-50]
- E. Consider an agreement with Carolyn Flynn for professional services related to Affordable Housing Programs, grant writing, and grant management. [500-10 A/C: Flynn, Carolyn]
- F. Consider approving the Public Works Department going out to bid for the 2013 Street Striping Project. [940-40]
- G. Consider denying liability claim of Sally Donnelly for an undetermined amount; and forward to the City's liability insurance carrier. [Claims Binder]

**ACTION** Motion made by Council Member Termini, seconded by Council Member Norton, to approve the following Consent Calendar items: **8.A.; 8.B.; 8.D.; 8.E.; 8.F. and 8.G.** The motion was passed unanimously.

**THE FOLLOWING CONSENT CALENDAR ITEM WAS PULLED FOR SEPARATE DISCUSSION:**

- 8.C. Approval of City Check Register Reports dated June 21, 2013; June 28, 2013; July 5, 2013, and July 12, 2013. [300-10]

**ACTION** Motion made by Council Member Termini, seconded by Council Member Norton, to approve **Item 8.C.** The motion was passed unanimously.

**10. GENERAL GOVERNMENT / PUBLIC HEARINGS**

- A. Discussion regarding use options for the McGregor property.  
Public Works Director Jesberg presented this item.  
City Manager Goldstein stated that one of the City Council goals is to establish a use plan for the McGregor site.  
Joan Leitner, 1710 47th Avenue, stated that the McGregor property is located too far from the Village to be used for a dog park.  
Michaela Scott, 750 47th Avenue, stated that she supports a dog park at the McGregor property and a skateboard park at the Rispin property.  
Mayor Harlan suggested holding off on a final decision regarding the McGregor property until the City contacts California State Parks to ascertain if they would consider selling to the City a portion of the property adjacent to the McGregor property.

12434 CAPITOLA CITY COUNCIL MEETING MINUTES - Thursday, July 25, 2013

Council Member Storey requested staff to agendize for a future Council meeting a discussion regarding long-term plans for the Rispin property. [250-10]

**ACTION**

**Motion made by Council Member Norton, seconded by Council Member Storey, for staff to bring back to Council permanent recreational uses for the McGregor property. The motion carried on the following vote: AYES: Council Member Norton, Council Member Storey, Council Member Termini, and Mayor Harlan. NOES: Council Member Bottorff. ABSENT: None. ABSTAIN: None.**

- B. Presentation regarding the General Plan Budget. [330-05/740-40]

Public Works Director Grunow presented this item.

Steve Noack and Ben Noble, DC&E, provided comments regarding the City's General Plan budget.

**City Council received the report.**

- C. Consider options to fill the vacant City Treasurer position. [120-20]

City Manager Goldstein presented this item.

City Attorney Barisone stated that Council can authorize a City Treasurer appointment to serve the remainder of former City Treasurer DeWitt's term (November 2016), and consider a ballot measure asking the voters if they desire to change the City Treasurer position from elected to appointed.

Glenn Hanna, former City Treasurer, commented on the process of appointing a City Treasurer.

**ACTION**

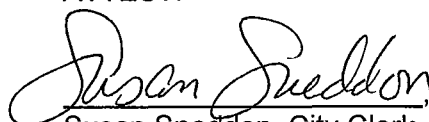
**Motion made by Council Member Termini, seconded by Council Member Bottorff, for staff to advertise for a September 12, 2013, City Treasurer appointment, and also at the September 12, 2013, Council meeting to appoint a City Treasurer for the remaining term ending in November 2016; or consider adopting a Resolution to hold a special election either at the June 2014 Statewide Direct Primary Election, or the November 2014 General Municipal Election, with a ballot measure changing the City Treasurer position from elected to appointed. The motion was passed unanimously.**

11. **ADJOURNMENT**

Mayor Harlan adjourned the meeting at 9:25 PM to the next Regular Meeting of the City Council on Thursday, August 8, 2013 at 7:00 PM, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

  
Stephanie Harlan, Mayor

ATTEST:

  
Susan Sneddon, City Clerk

**MINUTES WERE UNANIMOUSLY APPROVED ON AUGUST 8, 2013**