

January 10, 2011  
Capitola, California

## CAPITOLA CITY COUNCIL

### MINUTES OF A SPECIAL MEETING

Mayor Norton called the Special Workshop Meeting of the Capitola City Council to order at 12:15 p.m. on Monday, January 10, 2011, in the City Hall Community Room, 420 Capitola Avenue, Capitola, California.

#### 1. ROLL CALL

**PRESENT:** Council Members Stephanie Harlan, Michael Termini, Kirby Nicol, Sam Storey, and Mayor Dennis Norton

**ABSENT:** None

**STAFF:** City Manager Jamie Goldstein, City Attorney John Barisone, Community Development Director Derek Johnson, Public Works Director Steve Jesberg, Police Captain Tom Held, Assistant to the City Manager Lisa Murphy, and City Clerk Pam Greeninger

#### 2. CITY COUNCIL WORKSHOP

##### A. Council Member Handbook

Assistant to the City Manager Murphy provided a summary of the City Council Member Handbook utilizing a PowerPoint Presentation and responded to questions of council members. There was discussion regarding Rosenberg Rules of Order, specifically relating to reconsideration of action taken by the city council.

There was discussion regarding abstention from voting on a matter by an eligible council member.

**ACTION:** Council Member Nicol moved, seconded by Council Member Storey, to direct staff to prepare a proposed Municipal Code amendment for the City Council's consideration at a future meeting requiring that all council members eligible to vote on an item, not abstain. The motion carried unanimously.

##### B. Brown Act/Ethics/Public Records Act

City Attorney Barisone provided a verbal overview of pertinent aspects of the Brown Act, the Public Records Act, and legislative body ethics in general. He informed the Council that Oral Communications applies only to regular meetings and that the council is not required to include Oral Communications for matters not on a Special Meeting agenda. City Attorney John Barisone explained the difference between documents requested as a result of a Public Records Act Request and Discovery in a litigation matter. He responded to questions from council members regarding the information he presented.

Mayor Norton commented on an article that appeared in the League of California Cities magazine regarding council members serving on and participating in the decision-making/recommendation process of city advisory bodies. After discussion of this matter, the following action was taken:

**ACTION:** Council Member Termini moved, seconded by Council Member Nicol, to direct staff to prepare a proposed administrative policy for City Council consideration at a future meeting requiring a council member who sits on a city committee to abstain from voting on any item when it is reasonably foreseeable that the item will come to the City Council for final approval. The motion carried unanimously.

**C. Best Practices Presentation by Dick Wilson, retired City Manager from the City of Santa Cruz**

The City Council heard from retired City Manager Dick Wilson regarding matters of interest for council members in working with staff and relating to the public. Mr. Wilson responded to questions of council members after his presentation.

**D. Council discussion of Meeting Practices and Protocols**

City Manager Goldstein discussed The Riggins Rules which were provided to council members. Department heads commented on the rules. City Manager Goldstein then went over a number of items relating to managing meetings, including times for Closed Sessions, speaker time limits, joint City Council/Redevelopment Agency agenda format and minutes, etc.

**ADJOURNMENT**

The City Council adjourned at 3:50 p.m. to a Special Closed Session Meeting of the City Council to convene in the Community Room after a short break. The next Regular Meeting will be held on Thursday, January 13, 2011, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.



Dennis Norton, Mayor

ATTEST:



Pamela Greeninger, City Clerk, MMC

MINUTES WERE UNANIMOUSLY APPROVED BY THE CITY COUNCIL ON 1/27/2011