

**CAPITOLA CITY COUNCIL
REGULAR MEETING ACTION MINUTES
THURSDAY, SEPTEMBER 24, 2015**

**CLOSED SESSION - 6:30 PM
CITY MANAGER'S OFFICE**

CALL TO ORDER

Mayor Norton called the meeting to order at 6:30 PM. He announced the item to be discussed in Closed Session, as follows:

CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Govt. Code
§54956.9
One case

Mayor Norton noted that there was no one in the audience; therefore, the City Council recessed at 6:32 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

Mayor Dennis Norton: Present, Vice Mayor Ed Bottorff: Present, Council Member Jacques Bertrand: Present, Council Member Stephanie Harlan: Present, Council Member Michael Termini: Absent.

City Treasurer McBroom was absent

2. PRESENTATIONS

A. Certificate of Appreciation to Bob Anderson for his service on the Historical Museum Board

Bob Anderson received the certificate of appreciation.

3. REPORT ON CLOSED SESSION

City Attorney Condotti stated that the Council discussed one case regarding initiation of litigation; there was no reportable action.

4. ADDITIONAL MATERIALS

City Clerk Sneddon stated that the following additional material was received:

Item 9.B.: Revised staff report regarding consideration of an Ordinance amending Section 8.38.060 of the Capitola Municipal Code pertaining to prohibitions of smoking in outdoor public places [2nd Reading].

Item 10.A.: Communication regarding 1575 38th Avenue Conceptual Review of 11-Unit Residential Development.

5. ADDITIONS AND DELETIONS TO AGENDA

None provided.

6. PUBLIC COMMENTS

Peter Pethoe, Santa Cruz Hostel, suggested a hostel on the Rispin property.

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

Council Member Bertrand stated that he attended a BRAVO (Bay Regional Area Villages Organization) meeting. This meeting related to villages in the existing in Monterey and San Francisco Bay Areas. He will be attending the October 5th – October 7th National Village to Village BRAVO Convention to be held in Seattle

Council Member Harlan stated that she and Council Member Bertrand will be attending the League of California Cities 2015 Annual Conference in San Jose from September 30th to October 2nd.

Council Member Norton stated that on September 20th Opera at the Beach will be held at Esplanade Stage. In addition, the Monte Foundation will provide a fireworks fundraiser for the City on October 11th.

City Clerk Sneddon stated that the City is recruiting for a Village business owner on the City's Traffic and Parking Commission.

8. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS

None provided.

9. CONSENT CALENDAR

Mayor Norton pulled Item 9.A. from the Consent Calendar for further discussion regarding various payables.

RESULT:	ADOPTED [UNANIMOUS] CONSENT CALENDAR <u>ITEMS 9.B., 9.C., 9.D., AND 9.E.</u>
MOVER:	Ed Bottorff, Vice Mayor
SECONDER:	Jacques Bertrand, Council Member
AYES:	Norton, Bottorff, Bertrand, Harlan
ABSENT:	Termini

- A. Approval of City Check Register Reports Dated August 7, August 14, August 21, and August 28, 2015 [300-10]
RECOMMENDATION: Approve the Check Register Reports.

- B. Approval of **Ordinance No. 1004** Amending Section 8.38.060 of the Capitola Municipal Code Pertaining to Prohibitions of Smoking In Outdoor Public Places [Second Reading] [460-70]
RECOMMENDED ACTION: Adopt Ordinance.
- C. Approval of **Resolution No. 4030** approving the Program Supplement Agreement with CalTrans for State Funded Projects [500-10 A/C: CA Dept Transportation]
RECOMMENDED ACTION: Adopt the proposed Resolution approving the Program Supplement Agreement No. 0N81 Rev. 000, Administering Agency-State Master Agreement No. 00245S for Project Number RPL-5304(010), and authorizing the City Manager to sign the Program Supplement Agreement and any other documents related to administering the Agency-State Agreement for Federal-Aid Projects on behalf of the City.
- C. Approval of **Resolution No. 4029** Amending the City's Bail Schedule to Add a New Fine [390-20]
RECOMMENDED ACTION: Adopt the proposed Resolution repealing Resolution No. 3998 and amending the City of Capitola Bail Schedule, and direct staff to forward the new schedule to the Santa Cruz County Court.
- E. Zoning Code Update: Schedule for Special Meetings [730-85]
RECOMMENDED ACTION: Accept staff recommendation on special meeting schedule for review of zoning code issues and options.

Mayor Norton received responses from staff regarding various payables listed in **Item 9.A.** (Check Register) in the Consent Calendar.

RESULT:	ADOPTED [UNANIMOUS] ITEM 9.A. APPROVAL OF THE CITY CHECK REGISTER REPORTS DATED AUGUST 7, AUGUST 14, AUGUST 21, AND AUGUST 28, 2015
MOVER:	Dennis Norton, Mayor
SECONDER:	Jacques Bertrand, Council Member
AYES:	Norton, Bottorff, Bertrand, Harlan
ABSENT:	Termini

10. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Receive presentation regarding 1575 38th Avenue Conceptual Review of 11-Unit Residential Development [730-10]
RECOMMENDED ACTION: Receive presentation, consider 11-unit residential development, and provide applicant with feedback on the proposed concept.

Matthew Thompson, Thacher and Thompson Architects, stated that he is representing the applicant. He provided an overview of the proposed conceptual design of an 11-unit Residential Development at 1575 38th Avenue in Capitola.

Charles Huddleston, Aptos, suggested a higher density development project at this site so it would be affordable for moderate income home buyers.

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The following Affordable Housing Now members encouraged the City Council to reject this proposal due to the need for higher density housing for working families and seniors.

- Gail Jack
- Nancy Abbey

Peter Pethoe, Santa Cruz Hostel, stated that development on this property could provide affordable housing for seniors.

The City Council provided direction to staff regarding the 11-unit residential development.

- B. Amend the City's Administrative Policy Number I-17 Pertaining to Over-the-Street Banners [100-10/720-50]

RECOMMENDED ACTION: Adopt the amended Administrative Policy for Over-the-Street Banners.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ed Bottorff, Vice Mayor
SECONDER:	Jacques Bertrand, Council Member
AYES:	Norton, Bottorff, Bertrand, Harlan
ABSENT:	Termini

11. ADJOURNMENT

The meeting adjourned at 8:30 PM.

Dennis Norton, Mayor

ATTEST:

_____, CMC
Susan Sneddon, City Clerk

MINUTES WERE UNANIMOUSLY APPROVED ON OCTOBER 8, 2015