

**CAPITOLA CITY COUNCIL  
REGULAR MEETING MINUTES  
WEDNESDAY, NOVEMBER 10, 2021 - 7 PM**

**REGULAR MEETING OF THE CAPITOLA CITY COUNCIL - 7 PM**

**1. ROLL CALL AND PLEDGE OF ALLEGIANCE**

Council Member Jacques Bertrand: Remote, Council Member Kristen Petersen: Remote, Vice Mayor Sam Storey: Remote, Mayor Yvette Brooks: Remote, Council Member Margaux Keiser: Remote.

**2. PRESENTATIONS**

A. Proclamation Honoring Retiring Police Chief Terry McManus

Mayor Brooks, Vice Mayor Storey, and City Manager Goldstein presented a proclamation honoring retiring Police Chief McManus. Council thanked Chief McManus for his excellent work the past five years.

B. Presentation Regarding the Cabrillo College Local Government Fellows Program

Arne Croce, Gail Pellerin, Eileen Hill, and Matt Lipstien thanked Council for the recent contribution the Local Government Fellows Program. They explained that the program is designed to encourage young adult involvement in local government.

**3. ADDITIONAL MATERIALS**

A. Item 8.A – one public comment email

B. Item 8.C - five staff provided supporting documents

**4. ADDITIONS AND DELETIONS TO AGENDA – none**

**5. ORAL COMMUNICATIONS – none**

**6. STAFF / CITY COUNCIL COMMENTS**

City Manager Goldstein announced that previously scheduled implicit bias training was moved to late 2021 and early 2022 due to a cancellation from the training company.

**7. CONSENT ITEMS**

<b>MOTION:</b>	<b>APPROVE, AUTHORIZE, DETERMINE, AND ADOPT AS RECOMMENDED</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jacques Bertrand
<b>SECONDER:</b>	Kristen Petersen
<b>AYES:</b>	Bertrand, Petersen, Storey, Brooks, Keiser

- A. Consider the October 28, 2021, City Council Meeting Minutes  
RECOMMENDED ACTION: Approve minutes.

- B. Consider Contracts for a Planning Consultant and Economic Consultant for Review of a Hill St. Hotel Project  
RECOMMENDED ACTION: Authorize the City Manager to award a \$25,000 contract to JHS Consulting and a \$49,600 contract to Dudek/Kimley Horn to establish the City's technical team to review the application for a new hotel at 720 Hill Street.
- C. Holiday Suspension of Village Parking Fees  
RECOMMENDED ACTION: Authorize suspending parking meter and pay station operation to allow free three-hour parking in the Village Parking Meter Zone A (1) from November 24, 2021, through December 25, 2021.
- D. Receive Update on Pandemic Response and Adopt Resolution Regarding Continuing Teleconferencing  
RECOMMENDED ACTION: 1) Make the determination that all hazards related to the worldwide spread of the coronavirus (COVID-19) as detailed in Resolution No. 4168 adopted by the City Council on March 12, 2020, still exist and that there is a need to continue action; and 2) adopt the proposed resolution authorizing the Capitola City Council (along with the Planning Commission and all advisory bodies) to continue to conduct teleconferencing meetings.

## 8. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Receive Status Report on Temporary Outdoor Dining Program  
RECOMMENDED ACTION: Receive report.

Council Member Keiser was recused due to financial interest.

Public Works Director Jesberg gave a brief status report on the temporary outdoor dining program.

Council Member Bertrand commented that there is not much use of the outdoor dining areas. Director Jesberg responded that several restaurants along the Esplanade have their own decks facing the ocean and explained that there are no longer social-distancing or capacity limitations on restaurant use.

In public comment, one email supported continuing the outdoor dining program. Three emails were against a permanent outdoor dining program. Linda Smith spoke in favor of a permanent outdoor dining program.

In response to a question from Council Member Bertrand, Director Jesberg said that the City will receive proposals for prototype designs next week. He also commented that music is prohibited in the temporary outdoor dining spaces.

Vice Mayor Storey asked that when staff reports on the permanent outdoor dining program on November 23, please include information on the impacts of reducing outdoor dining spaces from the current 32 to the proposed 25 allowed.

Council Member Bertrand announced concern that the current spaces are not being used and said any future fees should reflect that the spaces are not being used for dining and could instead be used for parking.

Mayor Brooks emphasized the need to hear directly from business owners to assess what they want, if anything, from an outdoor dining program.

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City Manager Goldstein explained that at the hearing on November 23, Council can review the proposed permanent outdoor dining program as well as reflect on the temporary program, if they so desire.

<b>RESULT:</b>	<b>RECEIVED REPORT</b>
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B. Special Event Highlights and Issues for 2021[1050-70]

**RECOMMENDED ACTION:** Provide direction regarding changes to specific recurring special event permit conditions, determine if any additional review should be required for any planned 2022 special events, and authorize staff to treat the listed events as “recurring” for 2022.

Police Captain Dally went over the 2021 special events.

Vice Mayor Storey confirmed that Capitola Plein Air is not on the list because the event itself does not require a special event permit. Council Member Petersen did the same for the Business Improvement Area Cookie Walk.

Mayor Brooks confirmed that should a large, Major Special Event be proposed in 2022 it would come before Council for review and approval.

There was no public comment.

<b>MOTION:</b>	<b>AUTHORIZE STAFF TO TREAT EVENTS LISTED IN REPORT AS RECURRING IN 2022</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jacques Bertrand
<b>SECONDER:</b>	Margaux Keiser
<b>AYES:</b>	Bertrand, Petersen, Storey, Brooks, Keiser

C. Consider Approval of Side Letter to Existing Memoranda of Understanding with Employee Groups Regarding Vacation Cash-Out Provisions.

**RECOMMENDED ACTION:**

1. Authorize the City Manager to execute the side letter agreements to existing Memoranda of Understanding (MOU) with changes to the:
  - a. Capitola Police Officers Association (CPOA)
  - b. Mid-Management Employee Bargaining Unit
  - c. Confidential Employee Bargaining Unit
2. Approve changes to the Management Compensation Plan
3. Approve changes to City Manager Employee Contract

Assistant to the City Manager Laurent presented a brief staff report.

There was no public comment.

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<b>MOTION:</b>	<b>AUTHORIZE CITY MANAGER TO EXECUTE SIDE LETTER AGREEMENTS TO EXISTING MOUs TO 1) CAPITOLA POLICE OFFICERS ASSOCIATION 2) MID-MANAGEMENT EMPLOYEE BARGAINING UNIT AND 3) CONFIDENTIAL EMPLOYEE BARGAINING UNIT</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Margaux Keiser
<b>SECONDER:</b>	Kristen Petersen
<b>AYES:</b>	Bertrand, Petersen, Storey, Brooks, Keiser

<b>MOTION:</b>	<b>APPROVE CHANGES TO MANAGEMENT COMPENSATION PLAN</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kristen Petersen
<b>SECONDER:</b>	Sam Storey
<b>AYES:</b>	Bertrand, Petersen, Storey, Brooks, Keiser

<b>MOTION:</b>	<b>APPROVE CHANGES TO CITY MANAGER EMPLOYEE CONTRACT</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Margaux Keiser, Council Member
<b>SECONDER:</b>	Sam Storey
<b>AYES:</b>	Bertrand, Petersen, Storey, Brooks, Keiser

D. City Council Memberships FY 2021-22

RECOMMENDED ACTION: Provide direction regarding potential changes in City memberships to local/regional groups.

Finance Director Malberg presented a staff report.

Vice Mayor Storey asked about benefits of rejoining Monterey Bay Economic Project (MBEP), Mayor Brooks said having attended past meetings the group provides well researched reports and useful information that has benefited the City.

Council Member Keiser asked the difference between providing grant funding to a group and joining a group via membership. City Manager Goldstein explained that membership allows networking and conference attendance, as well as a partnership rather than only financial support.

There was no public comment.

Council Member Petersen asked that Council join the National League of Cities for a trial period of one year, to assess membership benefits.

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<b>MOTION:</b>	<b>RENEW MEMBERSHIP WITH MONTEREY BAY ECONOMIC PARTNERSHIP AND JOIN NATIONAL LEAGUE OF CITIES FOR A TRIAL PERIOD OF ONE YEAR</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sam Storey
<b>SECONDER:</b>	Kristen Petersen
<b>AYES:</b>	Bertrand, Petersen, Storey, Brooks, Keiser

**9. ADJOURNMENT**

The meeting was closed at 9:47 pm to the next regular City Council meeting on Tuesday, November 23, 2021.

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Yvette Brooks, Mayor

ATTEST:

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Chloé Woodmansee, City Clerk