

**CAPITOLA CITY COUNCIL
REGULAR MEETING MINUTES
THURSDAY, OCTOBER 28, 2021 - 7 PM**

CLOSED SESSION – 6:15 PM

**CONFERENCE WITH LABOR NEGOTIATORS
(Gov't Code § 54957.6)**

Negotiators: Larry Laurent

Employee Organizations: (1) Association of Capitola Employees; (2) Police Captains; (3) Mid-Management Group; (4) Department Heads; (5) Confidential Employees; (6) Capitola Police Officers Association

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. REPORT ON CLOSED SESSION

No reportable action was taken.

3. ADDITIONAL MATERIALS – none

4. ADDITIONS AND DELETIONS TO AGENDA – none

5. ORAL COMMUNICATIONS – none

6. STAFF / CITY COUNCIL COMMENTS

Recreation Division Manager LeBlond-Bryant announced Recreation's free movie night featuring The Goonies on Friday, October 29 at 6:30PM. Police Captain Dally announced a Trunk or Treat event at the County Fairgrounds in Watsonville on Friday, October 29 from 4:30-7PM.

Vice-Mayor Storey requested an item for a future agenda regarding the City of Santa Cruz's plan for RV Parking. Mayor Brooks requested an item for a future agenda to discuss City memberships.

7. CONSENT ITEMS

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| MOTION: | APPROVE, RECEIVE, ADOPT, AND DETERMINE AS RECOMMENDED |
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Jacques Bertrand, Council Member |
| SECONDER: | Sam Storey, Vice Mayor |
| AYES: | Bertrand, Petersen, Storey, Brooks, Keiser |

A. Consider the October 14, 2021, City Council Meeting Minutes
RECOMMENDED ACTION: Approve minutes.

B. Planning Commission Action Minutes
RECOMMENDED ACTION: Receive minutes.

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- C. Approval of City Check Registers Dated September 17, September 24, October 1 and October 8.
RECOMMENDED ACTION: Approve check registers.
- D. Consider the 2022 Meeting Schedule for the City Council/Successor Agency 520-40
RECOMMENDED ACTION: Adopt the recommended regular meeting schedule for 2022.
- E. Consider a Resolution Establishing Holidays and City Hall Closures for 2022 630-10
RECOMMENDED ACTION: Adopt the proposed resolution designating the holidays and closures for 2022.
- F. Digital Reading Hardware and Software Reimbursement Policy
RECOMMENDED ACTION: Approve updated Administrative Policy V-10: Digital Reading Hardware and Software Reimbursement Policy.
- G. Consideration of second readings of an ordinance amending Chapter 18.02 Affordable (Inclusionary) Housing and an ordinance adding Chapter 18.05 for Affordable Housing Impact Fees and a resolution adopting updated affordable housing fees
RECOMMENDED ACTION:
 - 1. Adopt, by title only, waiving further reading of the text, an ordinance amending chapter 18.02 of the Capitola Municipal Code, Affordable (Inclusionary) Housing
 - 2. Adopt, by title only, waiving further reading of the text, an ordinance adding Chapter 18.05 of the Capitola Municipal Code, Affordable Housing Impact Fees
 - 3. Adopt proposed resolution amending the City's fee schedule to amend inclusionary housing in-lieu fees and add affordable housing impact fees
- H. Consider Adoption of an Uncodified Library Lease Ordinance
RECOMMENDED ACTION: Adopt, by title only, waiving further reading of the text, an uncodified ordinance allowing the City to enter a lease with a term in excess of 55 years and authorizing a 99-year lease with Santa Cruz County for the Capitola Library.
- I. Receive Update on Pandemic Response
RECOMMENDED ACTION: 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.

8. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Donations Report 2021
RECOMMENDED ACTION: Receive the donations and contributions report.

Finance Director Malberg presented the staff report and announced donations the City received this past year.

There was no public comment.

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| RESULT: | RECEIVED REPORT [UNANIMOUS] |
| MOVER: | Kristen Petersen |
| SECONDER: | Sam Storey |
| AYES: | Bertrand, Petersen, Storey, Brooks, Keiser |

B. Determine Award Amounts for Community Grants - Community Action Board
RECOMMENDED ACTION: Consider the recommendation of the Community Grant Subcommittee to award the Community Action Board of Santa Cruz County \$1567.00 as part of the Community Grant Program.

Council Member Petersen and Vice-Mayor Storey recused themselves.

Assistant to the City Manager Laurent presented a staff report. City Council Members Bertrand and Keiser explained their process as the members of the Community Grant Subcommittee.

In public comment, Paz Padilla spoke about the work that Community Action Board does in the City of Capitola.

Mayor Brooks encouraged Council to fund the Community Action Board's full request.

Council Member Keiser and Bertrand explained their attempt to compromise. Council Member Bertrand said his concern is that not many organizations applied for funding, and he'd rather fund a broader range of non-profits.

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| MOTION: | ALLOCATE \$7,500 TO COMMUNITY ACTION BOARD |
| RESULT: | MOTION FAILED FOR LACK OF SECOND |
| MOVER: | Yvette Brooks |
| SECOND: | None |

Mayor Brooks emphasized how important it is to fund all grant applicants to the fullest of the City's ability.

Council Member Bertrand and Keiser favored a more moderate approach.

After much discussion, City Manager Goldstein clarified that Grey Bears, Community Bridges, Second Harvest Food Bank, and Community Action Board were moved to a separate funding source in the City budget, meaning the organizations did not have funding cut but rather that they receive money from two different City sources.

Council Member Keiser made a motion:

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| MOTION: | ALLOCATE \$3,750 TO COMMUNITY ACTION BOARD |
| RESULT: | AMMENDED AS BELOW |
| MOVER: | Margaux Keiser |
| SECONDER: | Jacques Bertrand |

Mayor Brooks made a friendly amendment:

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| MOTION: | ALLOCATE \$3,750 TO COMMUNITY ACTION BOARD |
| REVISED: | WITH THE UNDERSTANDING THAT IF AT THE MIDYEAR BUDGET COMMUNITY GRANT FUNDING REMAINS COMMUNITY ACTION BOARD FUNDING WILL BE REVISTED |
| RESULT: | ADOPTED [3 TO 0] |
| MOVER: | Margaux Keiser |
| SECONDER: | Jacques Bertrand |
| AYES: | Jacques Bertrand, Yvette Brooks, Margaux Keiser |
| RECUSED: | Kristen Petersen, Sam Storey |

C. Determine Award Amounts for Community Grants - Monterey Bay National Marine Sanctuary Foundation

RECOMMENDED ACTION: Consider the recommendation of the Community Grant Subcommittee to award the Monterey Bay National Marine Sanctuary Foundation (MBNMSF) \$2000 as part of the Community Grant Program.

Mayor Brooks recused herself. Vice-Mayor Storey led the item discussion.

Assistant to the City Manager Laurent presented a staff report.

Vice-Mayor Storey requested information about the organization's mission, Council Member Bertrand said it is to preserve the Monterey Bay National Marine Sanctuary and clarified that the funding request is for general operations.

Council Member Petersen reminded Council that the City's shoreline is part of the Marine Sanctuary.

There was no public comment.

Council Member Petersen announced that she is an alternate on the organization's advisory council but receives no financial benefit due to this. She highlighted that MBNMSF's work positively impacts the entire City and is also a new grant applicant, so funding cannot be based on past years.

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| MOTION: | ALLOCATE \$10,000 TO THE MONTEREY BAY MARINE SANCTUARY FOUNDATION |
| RESULT: | DEFEATED [2 TO 2] |
| MOVER: | Kristen Petersen |
| SECONDER: | Sam Storey |
| AYES: | Kristen Petersen, Sam Storey |
| NAYS: | Jacques Bertrand, Margaux Keiser |
| RECUSED: | Yvette Brooks |

Council Member Bertrand said that MBMSF is a well-funded organization and thus did not support fully funding their request.

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| MOTION: | ALLOCATE \$3,000 TO THE MONTEREY BAY NATIONAL MARINE SANCTUARY FOUNDATION |
| RESULT: | AMENDED AS BELOW |
| MOVER: | Jacques Bertrand |
| SECONDER: | Margaux Keiser |

Council Member Petersen asked for an amendment:

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| AMENDMENT: | ALLOCATE \$5,000 TO THE MONTEREY BAY NATIONAL MARINE SANCTUARY FOUNDATION |
| RESULT: | ADOPTED [3 TO 1] |
| MOVER: | Jacques Bertrand |
| SECONDER: | Margaux Keiser |
| AYES: | Margaux Keiser, Kristen Petersen, Sam Storey |
| NAYS: | Jacques Bertrand |
| RECUSED: | Yvette Brooks |

D. Determine Award Amounts for Community Grants

RECOMMENDED ACTION: Consider Community Grant Award recommendations from the Community Grant Subcommittee for all program applicants, excluding the grant requests for Community Action Board and Monterey Bay National Marine Sanctuary Foundation.

Assistant to the City Manager Laurent presented the staff report.

Vice-Mayor Storey confirmed that organizations must provide quantifiable objectives in their community grant applications, and that organizations that receive funding enter a contract with the City. Assistant Laurent added that these organizations provide the City with their annual reports and address how many Capitola residents they impact.

In public comment, Eduardo Santana from Project Scout reported about the organizations mission to provide free tax services to Capitola residents to great positive effect.

Council Member Petersen thanked Council Members Bertrand and Keiser for serving on the community grant subcommittee. She encouraged Council to allocate up to 10,000 of funding to all grant applicants based on their individual requests. She also asked that the Cabrillo College Local Government Fellows Program receive \$10,000.

Vice-Mayor Storey spoke to the importance of community grants, especially considering the negative impacts of the COVID-19 pandemic. He made the following motion:

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| MOTION: | 1) ALLOCATE FUNDING TO ALL COMMUNITY GRANT APPLICANTS IN THE AMOUNT OF THEIR FULL REQUESTS, UP TO \$10,000; 2) FUND THE CABRILLO COLLEGE LOCAL GOVERNMENT FELLOWS PROGRAM \$10,000; 3) REQUEST A SECOND NOTICE OF FUNDING AVAILABLE (NOFA) TO ALLOCATE REMAINING FUNDS TO ADDITIONAL APPLICANTS |
| RESULT: | AMENDED AS BELOW |
| MOVER: | Sam Storey |
| SECONDER: | Jacques Bertrand |

Mayor Brooks made a friendly amendment:

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| AMENDMENT: | 1) ALLOCATE FUNDING TO ALL COMMUNITY GRANT APPLICANTS IN |
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| | THE AMOUNT OF THEIR FULL REQUESTS, UP TO \$10,000; 2) FUND THE CABRILLO COLLEGE PUBLIC SERVICE FELLOWSHIP \$10,000; 3) ALLOCATE \$1,000 FOR YOUTH VOLUNTEERS PARTICIPATING IN THE TOBACCO ADVOCACY PROGRAM; 4) ALLOCATE THE REMAINING \$23,000 IN COMMUNITY GRANT FUNDING TO THE CAPITOLA RECREATION DIVISION BUDGET |
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Sam Storey |
| SECONDER: | Jacques Bertrand |
| AYES: | Margaux Keiser, Kristen Petersen, Sam Storey, Yvette Brooks, Jacques Bertrand |

- E. Consider an Ordinance Adding Chapter 9.62 Film Permits to Capitola Municipal Code
RECOMMENDED ACTION: Introduce for first reading, by title only, waiving further reading of the text, an ordinance adding Chapter 9.62.

City Manager Goldstein presented a staff report.

There was no public comment.

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| RESULT: | FIRST READING [UNANIMOUS] |
| MOVER: | Kristen Petersen |
| SECONDER: | Margaux Keiser |
| AYES: | Bertrand, Petersen, Storey, Brooks, Keiser |

9. ADJOURNMENT

The meeting was closed at 9:38 PM to the next regular council meeting on November 10, 2021.

Yvette Brooks, Mayor

ATTEST:

Chloé Woodmansee, City Clerk

APPROVED NOVEMBER 10, 2021