

**CAPITOLA CITY COUNCIL
REGULAR MEETING MINUTES
THURSDAY, JULY 22, 2021 - 7 PM**

CLOSED SESSION

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

Negotiators: Algeria Ford, Larry Laurent

Employee Organizations: (1) Police Captains; (2) 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: Absent, Vice Mayor Sam Storey: Remote, Mayor Yvette Brooks: Remote, Council Member Margaux Keiser: Remote.

2. REPORT ON CLOSED SESSION

City Attorney Samantha Zutler announced there was no action taken.

3. ADDITIONAL MATERIALS

A. Item 8.B – one staff provided attachment

B. Item 8.C – eight public comment emails

4. ADDITIONS AND DELETIONS TO AGENDA

5. ORAL COMMUNICATIONS – NONE

6. STAFF / CITY COUNCIL COMMENTS

Council Member Bertrand announced his resignation from the Area Agency on Aging.

Council Member Keiser stated that the Commission on the Environment held a meeting, where they discussed gas powered leaf blowers and the increase in one-time-use to-go containers due to the pandemic. She reminded the public that these meetings are open to the public.

7. CONSENT ITEMS

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MOTION:	APPROVE, DIRECT, AND ADOPT AS RECOMMENDED
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jacques Bertrand
SECONDER:	Margaux Keiser
AYES:	Jacques Bertrand, Sam Storey, Yvette Brooks, Margaux Keiser
ABSENT:	Kristen Petersen

- A. Consider the June 24 City Council Meeting Minutes
RECOMMENDED ACTION: Approve minutes.

- B. Approval of City Check Registers Dated June 4, June 11, June 18, June 25, and July 2.
RECOMMENDED ACTION: Approve check registers.

- C. Community Grants Strategic Plan Contract
RECOMMENDED ACTION: Direct the City Manager to enter into a contract with Optimal Solutions Consulting for \$29,400 to develop a strategic plan to implement the process improvements to the Capitola Community Grant Program approved by the Council on February 13, 2020.

- D. 41st Avenue Traffic Signal Coordination Project Authorization to Advertise for Construction Bids
RECOMMENDED ACTION: Approve the plans, specifications, and estimate for the 41st Avenue Adaptive Signal Control project (estimated at \$420,000) and authorize advertising for construction bids.

- E. Consider a Resolution Allocating the 2021/22 Road Maintenance and Rehabilitation Account Funds
RECOMMENDED ACTION: Adopt the proposed resolution allocating the 2021/22 Road Maintenance and Rehabilitation Account (RMRA) funds to engineering and construction of a pavement management program project.

8. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. 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.

City Manager Jamie Goldstein presented the staff report.

Vice Mayor Storey requested that active COVID-19 case numbers be included in the Friday Update to City Council.

There was no public comment.

Vice Mayor Storey urged the public to get vaccinated.

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MOTION:	DETERMINE THAT ALL HAZARDS STILL EXIST AND ACTION MUST CONTINUE
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Margaux Keiser, Council Member
SECONDER:	Sam Storey, Vice Mayor
AYES:	Jacques Bertrand, Sam Storey, Yvette Brooks, Margaux Keiser
ABSENT:	Kristen Petersen

B. Consider Capitola Village Banners Design

RECOMMENDED ACTION: Approve the Capitola Village Banners as recommended by the Capitola Art and Cultural Commission in partnership with the Capitola Beach and Village Improvement Association.

Assistant to the City Manager Larry Laurent presented the staff report.

Council Member Keiser asked if all sample banners will be hung in the village. Assistant Laurent explained that three or four of the examples would be used throughout the Village, though not along the Esplanade to avoid blocking the view of the ocean. Council Member Keiser remarked that the art on one banner looked particularly like a specific Village business.

In public comment, Laurie Hill thanked the City and the Art and Cultural Commission for collaborating on this project. Alexander Pedersen said he supported the banners and complimented the art.

Council Member Bertrand expressed concern about the imagery in one of the banners.

Vice Mayor Storey stated that the Art and Cultural Commission unanimously approved the banners on July 13, 2021 for submittal to Council and thanked the artist for her work.

MOTION:	APPROVE THE CAPITOLA BANNERS AS RECOMMENDED BY THE ART AND CULTURAL COMMISSION
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Margaux Keiser
SECONDER:	Jacques Bertrand
AYES:	Jacques Bertrand, Sam Storey, Yvette Brooks, Margaux Keiser
ABSENT:	Kristen Petersen

C. Parklet Program Update

RECOMMENDED ACTION: Receive a report on additional details about the future village outdoor dining parklet program and extend the COVID-19 temporary use permits allowing for outdoor dining on Capitola Avenue, Monterey Avenue, and Lawn Way through September 13, 2021.

Council Member Keiser recused herself due to a financial conflict.

Community Development Director Katie Herlihy presented the staff report with Public Works Director Steve Jesberg.

In response to a question from Mayor Brooks, Director Herlihy explained the recommended extension of temporary outdoor dining to September 13 was decided after speaking with the organizers of the Art and Wine Festival.

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Regarding the coastal access/improvement costs, Council Member Bertrand confirmed that the cost of the Wharf maintenance did not include the upcoming special repairs. He also asked if bike racks alongside the parklets would be considered a benefit to coastal access by the Coastal Commission to which Director Herlihy replied yes.

Vice-Mayor Storey confirmed that the Coastal Commission suggested restricting funds from parklet rentals for coastal access/improvements. In response to a second question, Director Jesberg explained that a parklet’s concrete slab would allow for eventual removal without street damage, and that the concrete would be installed with a gap between it in the curb to allow for drainage.

In public comment, Darmush Patel spoke to his need for parking in front of the Village Hotel. Carrie Arnone, Chamber of Commerce, retracted her previous request for the temporary outdoor dining’s removal and said that the new extension to September 13 will work with the Art and Wine Festival. Josh Fisher thanked Council and Public Works staff for their work on the temporary outdoor dining.

Vice-Mayor Storey thanked the Chamber for their input and encouraged staff to keep in mind that with rising COVID cases, the situation may need to be analyzed and extended through the fall.

MOTION:	EXTEND OUTDOOR DINING IN ALL CURRENT AREAS TO MONDAY, SEPTEMBER 13, 2021.
RESULT:	ADOPTED [3 TO 0]
MOVER:	Sam Storey
SECONDER:	Yvette Brooks
AYES:	Jacques Bertrand, Sam Storey, Yvette Brooks
ABSENT:	Kristen Petersen
RECUSED:	Margaux Keiser

D. Authorize the Advertisement of Construction Bids for the Wharf Rehabilitation Project - Phase 1

RECOMMENDED ACTION: Approve the plans, specifications, and estimate for construction for the Wharf Rehabilitation Project, Phase 1 (estimated cost \$482,500), and authorize Public Works to advertise for construction bids.

Director Jesberg presented the staff report.

In response to a question from Vice-Mayor Storey, Director Jesberg explained the process of filling the piles and the project’s timeline.

In response to Council Member Bertrand, Director Jesberg stated that the piles currently support the Wharf, however they could fail in a storm, which is why repairs are timely.

There was no public comment.

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MOTION:	APPROVE THE PLANS, SPECIFICATIONS, AND ESTIMATE AS RECOMMENDED
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sam Storey, Vice Mayor
SECONDER:	Jacques Bertrand, Council Member
AYES:	Jacques Bertrand, Sam Storey, Yvette Brooks, Margaux Keiser
ABSENT:	Kristen Petersen

E. Library Lease Ordinance First Reading

RECOMMENDED ACTION:

1. Determine the bid received from Santa Cruz County to lease the property at 2005 Wharf Road, and operate and maintain the Capitola Library with a rent payment of one dollar per year offers the greatest economic return to the City; and
2. Approve the first reading and waive reading of the text of the proposed 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.

City Manager Goldstein presented a staff report.

City Manager Goldstein confirmed that the library deck is considered part of the park and, is therefore maintained by the library system; he pointed out that the “tot lot” is considered a City park and is therefore excluded from the lease. In response to a question, the City Manager explained that policy decisions affecting the City are taken to the Library Advisory Committee on which the City is represented by Michael Termini.

The City Manager confirmed that either he or the Public Works director will be considered the lease administrator. Vice-Mayor Storey asked about the lease and if certain fees should be present on the lease document; City Attorney Zutler responded that such fees are commonly left off lease documents to no detriment.

Council Member Bertrand asked if the City can enforce the “library parking only” rule at this site. Director Jesberg responded that signs are present and the Police Department can enforce the rule.

MOTION:	1) DETERMINE THE SANTA CRUZ COUNTY BID TO LEASE THE PROPERTY AT 2005 WHARF ROAD OFFERS THE GREATEST ECONOMIC RETURN AND 2) APPROVE THE FIRST READING OF THE UNCODIFIED ORDINANCE AS RECOMMENDED
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sam Storey, Vice Mayor
SECONDER:	Jacques Bertrand, Council Member
AYES:	Jacques Bertrand, Sam Storey, Yvette Brooks, Margaux Keiser
ABSENT:	Kristen Petersen

F. Consider Bail Schedule for Fiscal Year 2021/22

RECOMMENDED ACTION: Adopt the proposed Resolution repealing Resolution No. 4149 and adopting the new bail schedule.

The City Clerk presented the staff report.

In response to a question from Council Member Bertrand, City Clerk Woodmansee explained that fines are calculated by comparing similar infractions and fines adopted by other local jurisdictions.

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There was no public comment.

After a discussion regarding tobacco compliance, Police Chief McManus emphasized that the base bail fine is a small piece of the entire enforcement effort and that escalating penalties to the licensee is a bigger deterrent.

MOTION:	ADOPT THE RESOLUTION AS RECOMMENDED
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jacques Bertrand, Council Member
SECONDER:	Margaux Keiser, Council Member
AYES:	Jacques Bertrand, Sam Storey, Yvette Brooks, Margaux Keiser
ABSENT:	Kristen Petersen

G. Designation of the Voting Delegate and Alternate for the 2021 League of California Cities Annual Conference[150-50]

RECOMMENDED ACTION: Designate voting delegate and alternate(s), if desired.


The City Clerk presented the staff report.

There was no public comment.

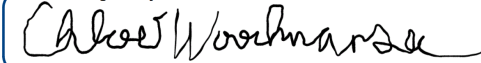
MOTION:	DESIGNATE JACQUES BERTRAND AS VOTING DELEGATE AND MARGAUX KEISER AS THE ALTERNATE VOTING DELEGATE; TO BE FULLY REIMBURSED OUT OF THE FY2021-22 TRAINING BUDGET
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sam Storey, Vice Mayor
SECONDER:	Margaux Keiser, Council Member
AYES:	Jacques Bertrand, Sam Storey, Yvette Brooks, Margaux Keiser
ABSENT:	Kristen Petersen

9. ADJOURNMENT

The meeting was adjourned at 9:10PM to the next regular City Council meeting on August 26, 2021.

DocuSigned by:

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 Yvette Brooks, Mayor

ATTEST:

DocuSigned by:

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 Chloé Woodmansee, City Clerk

APPROVED 8/26/2021