

**CAPITOLA CITY COUNCIL  
REGULAR MEETING MINUTES  
THURSDAY, MAY 27, 2021 - 7 PM**

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

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

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

**2. PRESENTATIONS**

A. Presentation from Guy Preston, Executive Director of the Santa Cruz County Regional Transportation Commission

Guy Preston, executive director, and Sarah Christensen, transportation engineer, of the Santa Cruz County Regional Transportation Commission presented on the commission's current projects.

**3. REPORT ON CLOSED SESSION**

**4. ADDITIONAL MATERIALS**

A. Item 9.A – one public comment email and one petition

B. Item 9.B – one public comment email

**5. ADDITIONS AND DELETIONS TO AGENDA – NONE**

**6. PUBLIC COMMENTS**

Barry Scott thanked Council for the public meeting.

In an email, a member of the public spoke against the RTC's presentation.

**7. CITY COUNCIL / STAFF COMMENTS**

City Manager Goldstein announced the virtual grand opening of the Capitola Branch Library on Saturday, June 12 at 10am.

Director Jesberg said that Public Works crew should complete the annual beach grading this week or early next.

Council Member Keiser said that the recent Commission on the Environment lacked a quorum, and thanked the Public Works crew for their efforts grading and cleaning the beach.

Council Member Bertrand asked that Police staff investigate Laura's Law, and to agendize this for a future meeting.

Mayor Brooks honored the passing of one year since the murder of George Floyd and expressed

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gratitude for the Council’s collaborative work to address injustices in the community.

**8. CONSENT CALENDAR**

<b>MOTION:</b>	<b>APPROVE, ADOPT, AND DETERMINE AS RECOMMENDED</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

- A. Consider the May 13, 2021, City Council Regular Meeting Minutes  
RECOMMENDED ACTION: Approve minutes.
- B. Consider Extending the Santa Cruz County Criminal Justice Council Joint Powers Agreement  
RECOMMENDED ACTION: Approve the second amendment to the Joint Exercise of Powers Agreement re-establishing the Criminal Justice Council (CJC) of Santa Cruz to provide for a three-year extension through June 30, 2024, and authorize the Mayor to sign the amendment.
- C. Central Coast Public Banking Resolution of Support  
RECOMMENDED ACTION: Adopt the proposed resolution expressing interest in participating in a viability study for a Central Coast public bank.
- D. Agreement with California Department of Transportation for Sharing Cost of Electrical Facilities  
RECOMMENDED ACTION: Approve an agreement with California Department of Transportation (CalTrans) for sharing the cost of State Highway Electrical Facilities (traffic signals and lighting).
- E. 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.
- F. Acceptance of the Capitola Beach Flume and Jetty Project and Approval of the Notice of Completion  
RECOMMENDED ACTION: Approve the Notice of Completion for the Capitola Beach Flume and Jetty Rehabilitation Project constructed by Graniterock Company at a final cost of \$463,877 and direct the Public Works Department to record the Notice of Completion.
- G. Renewal of the Santa Cruz County Tourism Marketing District  
RECOMMENDED ACTION: Adopt the proposed resolution, consenting to the County of Santa Cruz renewing the Tourism Marketing District, which includes the City of Capitola.

**9. GENERAL GOVERNMENT / PUBLIC HEARINGS**

- A. Consider the Previously Approved Depot Hill Stairs Public Art Project  
RECOMMENDED ACTION: Provide direction on the approved Depot Hill Stairs

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Mural Project.

Assistant to the City Manager Laurent presented a staff report.

Council Member Bertrand asked about the mural's colors and confirmed that the Mural Q&A Meeting was promoted to encourage attendance.

Council Member Keiser asked if Council could see an updated project rendering, using the new, bluer, color scheme.

In public comment, five members of the public spoke against the mural project stating lack of prior knowledge of the project and a general dislike of the idea.

Vice-Mayor Storey thanked the public for their input. He made a motion:

<b>MOTION:</b>	<b>SEND THE PROJECT BACK TO THE ART AND CULTURAL COMMISSION FOR FURTHER REVIEW AND PUBLIC INPUT, TO BE HEARD AGAIN ONCE IN-PERSON COUNCIL MEETINGS ARE POSSIBLE, REQUIRE NOTICES SENT TO RESIDENTS WITHIN 200 FEET OF THE STAIRS, AND POST NOTICE AT THE TOP AND BOTTOM OF THE STAIRS</b>
<b>RESULT:</b>	<b>AMENDED AS BELOW</b>
<b>MOVER:</b>	Sam Storey
<b>SECONDER:</b>	Jacques Bertrand

Council Member Petersen thanked the public for their input and said that she will not support the motion, as in hearing public opinion there seems to be lack of support in the project.

Council Member Keiser said that she personally likes the approved project but agrees that based on public comments it is not feasible the public will be happy with any iteration of the mural project. She also stated that the stairs do not belong to Depot Hill and that the project would impact the entire Village and community.

Council Member Petersen asked for calcification of the motion, resulting in the following amendment:

<b>MOTION:</b>	<b>SEND THE PROJECT BACK TO THE ART AND CULTURAL COMMISSION FOR FURTHER REVIEW AND PUBLIC INPUT, TO BE HEARD AGAIN ONCE IN-PERSON COUNCIL MEETINGS ARE POSSIBLE, REQUIRE NOTICES SENT TO RESIDENTS WITHIN 200 FEET OF THE STAIRS, AND POST NOTICE AT THE TOP AND BOTTOM OF THE STAIRS</b>
<b>AMENDMENT:</b>	<b>RECIND APPROVAL OF THE PROJECT (STOREY)</b>
<b>RESULT:</b>	<b>WITHDRAWN: SECONDER BERTRAND DID NOT ACCPET AMMENDMENT</b>
<b>MOVER:</b>	Sam Storey
<b>SECONDER:</b>	none

Council Member Petersen made a substitute motion for Vice-Mayor Storey's original, not-amended motion.

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<b>MOTION:</b>	<b>RECIND APPROVAL OF THE DEPOT HILL STAIRS MURAL PROJECT</b>
<b>RESULT:</b>	<b>ADOPTED [3 TO 2]</b>
<b>MOVER:</b>	Kristen Petersen
<b>SECONDER:</b>	Yvette Brooks
<b>AYES:</b>	Jacques Bertrand, Kristen Petersen, Yvette Brooks
<b>NAYS:</b>	Sam Storey, Margaux Keiser

B. Consider a Request from the Owners of 403 Loma Avenue to Amend the Existing Accessory Dwelling Unit Size Limit Deed Restriction and Associated Policy  
RECOMMENDED ACTION: 1) Approve request from the owner of 403 Loma Avenue to amend the existing ADU size limit deed restriction; and 2) Approve an Administrative Policy to allow administrative amendments to all existing ADU deed restrictions that limit maximum size below that which is permitted by the Capitola zoning code and State law.

Vice-Mayor Storey recused himself due to a conflict.

Community Development Director Herlihy presented a staff report.

Council Member Keiser confirmed that under the recommended updates, the owner would still need to occupy either the main home or ADU.

Council Member Bertrand asked about ADU size and height restrictions. He encouraged staff to inform the public on how to identify and report illegal vacation rentals.

Mayor Brooks clarified the staff recommendation.

In public comment, Gaye Clemson, owner of 403 Loma, responded to an earlier question of Council Member Bertrand's and explained where the new door would be on their proposed ADU expansion.

Council Member Petersen asked about the City's RHENA numbers; Director Herlihy responded that they are expected near the end of the year and staff anticipates somewhere between 300 to 450.

<b>MOTION:</b>	<b>APPROVE REQUEST FROM 403 LOMA AVENUE, APPROVE AN ADMINISTRATIVE POLICY TO ALLOW AMENDMENTS TO EXISTING ADU DEED RESTRICTIONS AS RECOMMENDED</b>
<b>RESULT:</b>	<b>ADOPTED [4 TO 0]</b>
<b>MOVER:</b>	Jacques Bertrand
<b>SECONDER:</b>	Margaux Keiser
<b>AYES:</b>	Jacques Bertrand, Kristen Petersen, Yvette Brooks, Margaux Keiser
<b>RECUSED:</b>	Sam Storey

C. Consider Additions to the Memorial Program  
RECOMMENDED ACTION: Approve modification to Administrative Policy I-7: Memorial Program to allow additional memorial location along the Cliff Avenue Railing, and City Administrative Policy II-12: 30-Year Employee Recognition Program.

Assistant to the City Manager Laurent presented a staff report.

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Council Member Bertrand asked for more information on the 30-year Employee Recognition program. Mayor Brooks agreed and suggested the plaques be gathered somewhere significant for employees, perhaps the Museum or on City Hall.

In public comment, Susana Glina asked if plaques are only in memoriam of those who have died. John Glina asked if this is a subscription program and if it is for residents only. Upon direction of the Mayor, Assistant Laurent responded that staff provides no input on the plaques' content, plaques are not for residents only, and that a one-time purchase lasts the life of the plaque.

<b>MOTION:</b>	<b>APPROVE MODIFICATION TO THE ADMINISTRATIVE POLICIES, ALLOWING FOR ADDITIONAL MEMORIAL PLAQUES, ASK STAFF TO SEAK PUBLIC INPUT IF NECCESARY AND CONSIDER ADDING NON-OCEAN VIEW LOCATIONS TO THE PROGRAM</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

D. Administrative Policy Regarding Proper Flag Procedures at the City Hall Complex  
RECOMMENDED ACTION: Approve proposed Administrative Policy V-18: Outdoor Display of Governmental and Non-Governmental Flags on City Property and direct staff to fly the Pride Flag for the month of June in accordance with Policy Section V: Approved Non-Governmental Flag List.

Clerk Woodmansee presented a staff report.

There was no public comment.

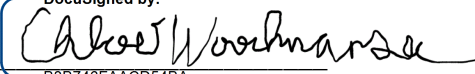
<b>MOTION:</b>	<b>APPROVE PROPOSED ADMINISTRATIVE POLICY AND DIRECT STAFF TO FLY THE PRIDE FLAG FOR THE MONTH OF JUNE</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Margaux Keiser
<b>SECONDER:</b>	Kristen Petersen
<b>AYES:</b>	Bertrand, Petersen, Storey, Brooks, Keiser

**10. ADJOURNMENT**

The meeting was closed at 9:34PM to the next regular Council Meeting on June 10, 2021.

DocuSigned by:  
  
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 Yvette Brooks, Mayor

ATTEST:

DocuSigned by:  
  
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Chloé Woodmansee, City Clerk

**APPROVED JUNE 10, 2021**