

**FINAL CAPITOLA CITY COUNCIL
REGULAR MEETING MINUTES
THURSDAY, APRIL 8, 2021 - 7 PM**

CLOSED SESSION – 5 PM

CALL TO ORDER AND ROLL CALL

Mayor Brooks called the meeting to order at 5 p.m.

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

No members of the public were present, and the Council adjourned to the virtual meeting with the following items to be discussed in Closed Session:

CONFERENCE WITH LABOR NEGOTIATORS

Gov't Code § 54957.6

Negotiators: Algeria Ford, 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 – NONE

3. ADDITIONAL MATERIALS

A. Item 8.A: five emails

B. Item 8.B: one email

C. Item 8.F: one revised ordinance

4. ADDITIONS AND DELETIONS TO AGENDA – NONE

5. PUBLIC COMMENTS

James Weller spoke in support of a train along the rail/trail corridor.

6. CITY COUNCIL / STAFF COMMENTS

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Director Jesberg announced that the flume project should be completed by the end of next week.

Council Member Bertrand reported on recent Regional Transportation Commission activity.

Council Member Petersen congratulated the BIA and local businesses that participated in the Easter Egg Scavenger Hunt.

Mayor Brooks announced a ribbon cutting at Cheese Shop 831 on Saturday, April 10, 2021, and her upcoming town hall talk with Supervisor Koenig on Monday, April 12, 2021.

7. CONSENT CALENDAR

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

- A. Consider the March 25, 2021, City Council Regular Meeting Minutes
RECOMMENDED ACTION: Approve minutes.
- B. Approval of City Check Registers Dated March 5, March 12, March 19 and March 26.
RECOMMENDED ACTION: Approve check registers.
- C. Adopt Resolution Approving the 2021 Community Development Block Grant Application
RECOMMENDED ACTION: Adopt the proposed resolution authorizing the City Manager to submit a 2021 Community Development Block Grant (CDBG) application requesting up to \$500,000 of CDBG grant funds for three public service activities and to execute the grant agreement upon award.
- D. 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. Consider Approval of the Proposed Depot Hill Stairs Public Art Project
RECOMMENDED ACTION: Approve the installation of an ocean-themed mural for the Depot Hill stairs, as recommended by the Art and Cultural Commission.

Assistant to the City Manager Laurent presented the staff report and introduced artist Michael Kirby.

In response to public concern, Council Member Petersen asked if the artist would be willing to work with a different color palette than the one proposed.

Council Member Bertrand asked the artist if the paint and pigmentation would outlast the environmental impacts such as salty sea-air. Mr. Kirby assured the Council that his materials will last despite the environment and use of the stairs.

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Mayor Brooks asked about an anti-graffiti coating; Mr. Kirby replied that he did not recommend one. In response to a question, Assistant Laurent explained that there is a condition that the mural withstand time, and that Public Works would be informed on how to maintain the mural.

There was no public comment.

MOTION:	APPROVE THE INSTALLATION OF THE OCEAN-THEMED MURAL
RESULT:	AMENDED BY COUNCIL MEMBER PETERSEN
MOVER:	Jacques Bertrand
SECONDER:	Margaux Keiser

Council Member Petersen said she appreciates the mural but would feel more comfortable if the color palette was more reflective of the Pacific Ocean; she suggested one more official approval of the color palette before mural installation.

MOTION:	APPROVE THE INSTALLATION OF THE OCEAN-THEMED MURAL WITH THE UNDERSTANDING THAT THE COLOR PALETTE WILL BE ALTERED FROM THE PROPOSED AND MORE BLUE THAN PURPLE.
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jacques Bertrand
SECONDER:	Margaux Keiser
AYES:	Bertrand, Petersen, Storey, Brooks, Keiser

- B. Application from the Capitola Village and Wharf Business Improvement Association to Change Sign on Arbor at Stockton Avenue and Capitola Avenue
RECOMMENDED ACTION: Council discretion to approve or deny an application from the Capitola Village and Wharf Business Improvement Association to replace the sign hanging at the Stockton-Capitola Avenue arbor with a surfboard-style sign.

Director of Public Works Jesberg presented a staff report.

Vice-Mayor Storey asked why the BIA is requesting sign replacement. DeeDee Wilson, BIA representative, responded that the signs need a refresh and that the current sign is not clearly visible from afar.

Council Member Keiser asked for more information about the sign's visibility.

Mayor Brooks confirmed that the BIA's intention is to use the slogan "where everything is a step away" consistently across all BIA marketing.

There was no public comment.

Mayor Brooks suggested the BIA get a full-size mock-up made before committing to the design.

Vice-Mayor Storey suggested that the proposed slogan is not inclusive as not everyone can walk. He also asked that a maintenance plan be considered.

Council Member Keiser agreed that a realistic mockup would be appreciated before approving the design.

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MOTION:	CONTINUE THIS ITEM TO SEE AN UPDATED DESIGN AND APPROVE OR DENY THE APPLICATION AT A FUTURE DATE
RESULT:	ITEM CONTINUED TO FUTURE COUNCIL MEETING [UNANIMOUS]
MOVER:	Kristen Petersen
SECONDER:	Jacques Bertrand
AYES:	Bertrand, Petersen, Storey, Brooks, Keiser

C. TEFRA Hearing Regarding Conduit Financing for the Independent Cities Finance Authority for Castle Mobile Estates
RECOMMENDED ACTION:

1. Conduct a public hearing under the requirements of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) and the Internal Revenue Code of 1986, as amended, in connection with the proposed issuance of one or more series of tax-exempt revenue refunding bonds in an amount not to exceed \$12,500,000 by the Independent Cities Finance Authority; and
2. Adopt a resolution approving the issuance of the Bonds by the Independent Cities Finance Authority for the benefit of Millennium Housing LLC, (Castle Mobile Estates) a California limited liability company, to provide for the refunding of prior bonds, repayment of the City loan, to make certain improvements to Castle Mobile Estates, and to make certain deposits required under the Indenture. Such adoption is solely for the purposes of satisfying the requirements of TEFRA, the Internal Revenue Code, and California Government Code Section 6500 et seq., and does not constitute a Project approval by, or indebtedness of, the City of Capitola.

Finance Director Malberg presented a staff report and introduced Preston Olsen.

Council Member Bertrand asked about the regulatory agreement. Staff assured him they are committed to protecting affordable housing, and that an agreement will come before Council at a future meeting.

There was no public comment.

MOTION:	CONDUCT PUBLIC HEARING AND ADOPT PROPOSED RESOLUTION AS RECOMMENDED
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jacques Bertrand
SECONDER:	Kristen Petersen
AYES:	Bertrand, Petersen, Storey, Brooks, Keiser

D. Introduction to Objective Standards for Mixed Use and Multifamily Developments
RECOMMENDED ACTION: Accept staff presentation on objective standards for mixed use and multifamily developments in preparation for future ordinance amendments to the Capitola zoning code.

Director Herlihy introduced Ben Noble, who presented a report.

Vice-Mayor Storey asked if the standards will still allow for Capitola to maintain its eclectic character. Mr. Noble said that protecting this diversity is important and that the standards are unlikely to dictate such detailed specifics. Vice-Mayor Storey asked about Regional Housing Needs Allocation (RHNA) numbers; Director Herlihy explained that the mall is not considered an opportunity site but could be recommended as one when the housing element is updated in 2023.

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Council Member Bertrand asked if different designs that reflect the aesthetic of the specific areas in Capitola will be presented in the Objective Standards. Mr. Noble agreed that this is a likely approach.

There was no public comment.

RESULT:	RECEIVE REPORT
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E. Community Development Block Grant - Coronavirus Relief Funding Program Income
RECOMMENDED ACTION: Accept staff presentation on the Community Development Block Grant (CDBG) program income, take public input, and adopt a resolution authorizing the City Manager to submit an application to reallocate program income funds into CDBG-CV2&3 economic development grants and execute the contract upon award.

Director Herlihy presented a brief staff report.

There was no public comment.

MOTION:	ADOPT A RESOLUTION REPEALING RESOLUTION NO 4211 AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND COMMITMENT OF PROGRAM INCOME FUNDS AND ANY AMENDEMENTS THERETO FROM THE CDBG-CV ROUND 2 AND 3 AND CDBG PROGRAM INCOME FUNDS
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sam Storey
SECONDER:	Kristen Petersen
AYES:	Bertrand, Petersen, Storey, Brooks, Keiser

F. Consider the First Reading of an Ordinance Amending Section 10.40 Speed Limits in the Capitola Municipal Code,
RECOMMENDED ACTION: Introduce for first reading, by title only, waiving further reading of the text, an ordinance amending Chapter 10.40 of the Capitola Municipal Code, Speed Limits.

Director Jesberg presented the staff report.

Council Member Bertrand confirmed that the speed data was collected during the day.

Mayor Brooks asked why the City could not ask for multiple reductions in speed on certain street sections. Director Jesberg explained that going against California Traffic Code can be problematic; Chief McManus said that the Courts can challenge reductions and the City could lose the ability to use radar/lydar speed enforcement.

Council Member Bertrand spoke about speeding on Monterey Avenue.

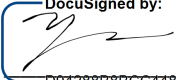
There was one public comment, asking that speed limits be lowered on Park Avenue.

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MOTION:	ACCEPT FIRST READING OF THE PROPOSED ORDINANCE
RESULT:	FIRST READING [UNANIMOUS]
MOVER:	Sam Storey
SECONDER:	Jacques Bertrand
AYES:	Bertrand, Petersen, Storey, Brooks, Keiser

9. ADJOURNMENT

The meeting was closed at 9:20PM to the next regular City Council Meeting on April 22, 2021.

DocuSigned by:

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Yvette Brooks, Mayor

ATTEST:

DocuSigned by:

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Chloé Woodmansee, City Clerk

APPROVED APRIL 22, 2021