

**CAPITOLA CITY COUNCIL  
REGULAR MEETING MINUTES  
THURSDAY, FEBRUARY 27, 2020 - 7:00 PM**

**REGULAR MEETING OF THE CAPITOLA CITY COUNCIL - 7:00 PM**

Mayor Petersen called the meeting to order at 7:00 p.m. with the following in attendance:  
Council Member Jacques Bertrand: Present, Council Member Sam Storey: Present, Mayor Kristen Petersen: Present, Vice Mayor Yvette Brooks: Present, Council Member Ed Bottorff: Absent

**1. PLEDGE OF ALLEGIANCE**

**2. PRESENTATIONS**

- A. Proclamation Honoring Toni Castro Upon Her Retirement
- B. 2019 Officer of the Year - Herb Ross Award
- C. Recognition of Local Government Academy Participants

**3. ADDITIONAL MATERIALS**

- A. Item 8.E. – public comment

**4. ADDITIONS AND DELETIONS TO AGENDA - None**

**5. PUBLIC COMMENTS - None**

**6. CITY COUNCIL / STAFF COMMENTS**

City Manager Goldstein discussed the Corona virus.

Mayor Petersen announced Capitola resident, Lorena Miller, was one of the winners of the Soroptimist International of Capitola By-the-Sea's 2020 Live Your Dream award.

**7. CONSENT CALENDAR**

<b>MOTION:</b>	<b>APPROVE OR ADOPT AS RECOMMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Jacques Bertrand, Council Member
<b>SECONDER:</b>	Yvette Brooks, Council Member
<b>AYES:</b>	Bertrand, Petersen, Brooks
<b>ABSTAIN:</b>	Sam Storey
<b>ABSENT:</b>	Ed Bottorff

- A. Consider the February 13, 2020, City Council Regular Meeting Minutes  
RECOMMENDED ACTION: Approve minutes.

- B. Receive the Planning Commission Action Minutes for the Regular Meeting of February 6, 2020  
RECOMMENDED ACTION: Receive minutes.
- C. Approval of City Check Registers Dated January 3, January 10, January 17, January 24 and January 31, 2020  
RECOMMENDED ACTION: Approve check registers.
- D. Update on the Emergency Repairs to the Wharf  
RECOMMENDED ACTION:
  - 1. Accept this update report on the Emergency Repairs to the Wharf, and
  - 2. By super majority vote, make the determination that all hazards related to the failed Wharf pilings as detailed in Resolution No. 4166 adopted by the City Council on February 13, 2020, have not been eliminated and that there is a need to continue action.
- E. Update of Emergency Storm Drain Repairs  
RECOMMENDED ACTION:
  - 1. Accept update report on the Chittenden Lane Storm Drain Repairs, and
  - 2. By a super majority vote, make the determination that all hazards related to the failed storm drain off Chittenden Lane as detailed in Resolution No. 4167 adopted by the City Council on February 13, 2020 have not been eliminated and that there is a need to continue action.
- F. Second Reading of an Ordinance Amending Portions of Municipal Code Title 2: Administration to Update and Clarify Various Sections  
RECOMMENDED ACTION: Adopt an Ordinance amending and adding sections of Title 2: Administration of the Capitola Municipal Code, and waive reading of the text.

**8. GENERAL GOVERNMENT / PUBLIC HEARINGS**

- A. Mid-Year Budget Report [330-05]  
RECOMMENDED ACTION: Receive Mid-Year Budget Report and amend the Fiscal Year 19-20 Budget based on the attached budget amendment request.

Finance Director Malberg presented the staff report.

Council Member Storey commented that using fund balance in the general fund for this one-time revenue shortfall makes sense but it is not a sustainable strategy on an ongoing basis.

<b>MOTION:</b>	<b>AMEND AS RECOMMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Sam Storey, Council Member
<b>SECONDER:</b>	Jacques Bertrand, Council Member
<b>AYES:</b>	Bertrand, Storey, Petersen, Brooks
<b>ABSENT:</b>	Ed Bottorff

- B. Introduce an Ordinance Amending Chapter 17.74 Accessory Dwelling Units and Chapter 17.15 (17.16 Outside Coastal Zone) for R-1 Zoning District  
RECOMMENDED ACTION: Approve the first reading and waive reading of the text

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of the proposed Ordinance amending Title 17 to align with recent State requirements for Accessory Dwelling Units and Floor Area Ratio for Single Family Residences with an Accessory Dwelling Unit.

Community Development Director Herlihy presented the staff report.

In public comment, Patrick Cady spoke in support of ADUs. Gerry Jensen commented on saltwater intrusion. Noreen Huber spoke against ADUs.

The City Council discussed the new ADU ordinance.

<b>MOTION:</b>	<b>APPROVE THE FIRST READING OF THE ORDINANCE AS DRAFTED WITH THE EXCEPTION TO SINGLE FAMILY LOTS IN THE CLIFFWOOD HEIGHTS NEIGHBORHOOD [UNANIMOUS]</b>
<b>MOVER:</b>	Sam Storey, Council Member
<b>SECONDER:</b>	Jacques Bertrand, Council Member
<b>AYES:</b>	Bertrand, Storey, Petersen, Brooks
<b>ABSENT:</b>	Ed Bottorff

C. Municipal Code Chapter 8.36: Environmentally Acceptable Packaging Materials Enforcement

RECOMMENDED ACTION: Receive report and give direction.

Assistant to the City Manager Laurent presented the staff report.

In public comment, Carin Hanna spoke about the City doing their part to educate the public on what is compostable and what is recyclable.

Mayor Petersen asked if we have recycling bins in the village. Assistant to the City Manager Laurent said we do have blue recycling bins there.

Council Member Brooks requested that we study the effectiveness of this ordinance. She would also like an annual sweep of our restaurants.

<b>MOTION:</b>	<b>DIRECT STAFF TO DEVELOP A WORK PLAN AND REPORT BACK TO COUNCIL IN 60 TO 90 DAYS</b>
<b>MOVER:</b>	Jacques Bertrand, Council Member
<b>SECONDER:</b>	Yvette Brooks, Council Member
<b>AYES:</b>	Bertrand, Storey, Petersen, Brooks
<b>ABSENT:</b>	Ed Bottorff

D. Receive Report on Historic Carousel

RECOMMENDED ACTION: Receive report and give direction.

Assistant to the City Manager Laurent presented the staff report.

In public comment, Carin Hanna suggested Capitola Mall should take the carousel and restore it. Glen Hanna discussed the problems and expense involved with the carousel.

Mayor Petersen agreed that Capitola Mall would be a good place for the carousel.

<b>MOTION:</b>	<b>DIRECT STAFF TO PURCHASE THE CAROUSEL</b>
<b>MOVER:</b>	Yvette Brooks, Council Member
<b>SECONDER:</b>	Jacques Bertrand, Council Member
<b>AYES:</b>	Bertrand, Storey, Petersen, Brooks
<b>ABSENT:</b>	Ed Bottorff

E. Introduce an Ordinance Amending Chapter 17.80 Signs

**RECOMMENDED ACTION:** Approve the first reading and waive reading of the text of the proposed Ordinance amending Title 17 to align with recent legal decisions regarding non-commercial signs.

Community Development Director Herlihy presented the staff report regarding amending the sign ordinance.

Council Member Storey asked if we could change the period to 120 days that signs will be allowed within an election period. The FPPC defines the period as 90 days.

<b>MOTION:</b>	<b>DIRECT STAFF TO DRAFT ANOTHER FIRST READING ALLOWING SIGNS FOR 120 DAYS WITHIN AN ELECTION PERIOD [UNANIMOUS]</b>
<b>MOVER:</b>	Sam Storey, Council Member
<b>SECONDER:</b>	Jacques Bertrand, Council Member
<b>AYES:</b>	Bertrand, Storey, Petersen, Brooks
<b>ABSENT:</b>	Ed Bottorff

F. Consider Approval of the Brommer Complete Street Project Documents and Authorize Advertising for Bids

**RECOMMENDED ACTION:** Approve the plans, specifications, and estimate for the Brommer Complete Street Improvement Project and authorize the Department of Public Works to advertise for construction bids, setting the bid opening date for 11:00 a.m. on Wednesday, April 1, 2020.

Public Works Project Manager Mozumder presented the staff report.

Council Member Bertrand said cyclists would appreciate the improvements.

<b>MOTION:</b>	<b>APPROVE AS RECOMMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Yvette Brooks, Vice Mayor
<b>SECONDER:</b>	Jacques Bertrand, Council Member
<b>AYES:</b>	Bertrand, Storey, Petersen, Brooks
<b>ABSENT:</b>	Ed Bottorff

## 9. ADJOURNMENT

The meeting adjourned at 10:20 p.m.

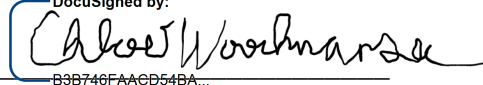
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DocuSigned by:  
  
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Kristen Petersen, Mayor

ATTEST:

DocuSigned by:  
  
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Liz Nichols, Deputy City Clerk

**APPROVED AT THE APRIL 9, 2020, REGULAR CITY COUNCIL MEETING**