

**CAPITOLA CITY COUNCIL  
REGULAR MEETING MINUTES  
TUESDAY, NOVEMBER 26, 2019**

Mayor Bertrand called the meeting to order at 6:15 p.m. with the following in attendance:

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

There were no members of the public present and the Council adjourned to the City Manager's Office to discuss the following items in closed session:

**CONFERENCE WITH LABOR NEGOTIATOR [Govt. Code § 54957.6]**

Negotiator: Larry Laurent

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

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Initiation of litigation pursuant to Govt. Code § 54956.9(d)(4).

(One potential case)

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

**1. PLEDGE OF ALLEGIANCE**

**2. PRESENTATIONS**

A. Santa Cruz County Youth Violence Prevention Task Force Update

Capitola Police Sergeant Sarah Ryan provided a follow-up on the dialogue circle process that was undertaken across the County in the spring. Participants focused on information sharing, events and activities, and understanding policies and practices. Sergeant. Ryan came away feeling that Capitola was successfully using the techniques, and said the community wants to hear about training in areas of mental health and de-escalation.

**3. REPORT ON CLOSED SESSION**

City Attorney Samantha Zutler said Council discussed the items and took no reportable action.

**4. ADDITIONAL MATERIALS - None**

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

**6. PUBLIC COMMENTS**

Resident Cherrie McCoy said she was glad Merlone Geier invited community input on the mall redevelopment and offered additional options.

**7. CITY COUNCIL / STAFF COMMENTS**

Council Member Brooks thanked staff for its daily efforts.

Council Member Storey shared good wishes for Thanksgiving.

Mayor Bertrand requested the Finance Advisory Committee look into a property transfer tax.

Public Works Director Steve Jesberg said recent work in the Village is part of the effort to remove single parking meters.

**8. CONSENT CALENDAR**

<b>MOTION:</b>	<b>APPROVE AS RECOMMENDED</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sam Storey, Council Member
<b>SECONDER:</b>	Yvette Brooks, Council Member
<b>AYES:</b>	Brooks, Bottorff, Storey, Petersen, Bertrand

A. Consider the City Council November 6, 2019, Special Meeting Minutes and the November 14, 2019, Regular Meeting Minutes  
RECOMMENDED ACTION: Approve minutes.

B. Receive the Planning Commission Action Minutes for the Special Meeting of October 17, 2019, and the Regular Meeting of November 7, 2019  
RECOMMENDED ACTION: Receive minutes.

C. Approval of City Check Registers Dated October 4, October 11, October 18 and October 25, 2019.  
RECOMMENDED ACTION: Approve check registers.

D. Declare 2008 Street Sweeper as Surplus  
RECOMMENDED ACTION: Declare a 2008 Allianz Street Sweeper in the Public Works Department as surplus property and authorize its sale.

E. Consider a Resolution Approving a New Hourly and Seasonal Pay Schedule [600-10]  
RECOMMENDED ACTION: Adopt **Resolution No. 4161** repealing Resolution No. 4155, approving the January 1, 2020, Hourly/Seasonal Pay Schedule and creating a Junior Lifeguard Assistant Coordinator position.

**9. GENERAL GOVERNMENT / PUBLIC HEARINGS**

A. Special Event Highlights  
RECOMMENDED ACTION: Receive report, provide direction regarding changes to specific recurring special event permit conditions, and determine if any additional review should be required for any 2020 special events.

Police Chief Terry McManus introduced the overview of the year's special events, acknowledging the local community's patience with "event fatigue" from many impacts. Captain Andrew Dally presented the staff report. The only new events were in the minor category and preplanning with police staff was effective. He reported there were few calls for service and towing, and no arrests.



Council Member Bottorff confirmed there were no impacts from the new Sip and Stroll events. Council Member Storey said he heard few complaints, most about amplified sound early in the morning. There was no request for further review.

<b>RESULT:</b>	<b>RECEIVED REPORT</b>
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B. Consider a Senate Bill 2 Housing Grant Resolution

**RECOMMENDED ACTION:** Consider **Resolution No. 4162** approving a Senate Bill 2 Planning Grant application for the current grant cycle to develop 1) public outreach and pre-approved site and architectural plans of accessory dwelling units and 2) objective design standards consistent with Senate Bill 35.

Community Development Director Katie Herlihy presented the staff report about the opportunity to get state funding support to help address the housing crisis. Capitola is looking for assistance in two identified categories: developing objective design and development standards and addressing accessory dwelling units (ADUs). If a grant is received the city would have local architects develop plans that would not require hearing reviews and would be ready for building permit application.

She explained that Senate Bill 35 removed the right of local jurisdictions to hold public hearings for certain multi-unit and mixed-use projects and requires a streamlined process. It requires objective design standards, which need specific detailed descriptions within code. The grant would help staff to address this need.

City Manager Jamie Goldstein noted the most significant cost for developing ADUs is water hookup, over which the City has no jurisdiction. Capitola already has relatively inexpensive permit costs.

There was no public comment.

<b>MOTION:</b>	<b>APPROVE THE RESOLUTION AS RECOMMENDED</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sam Storey, Council Member
<b>SECONDER:</b>	Yvette Brooks, Council Member
<b>AYES:</b>	Brooks, Bottorff, Storey, Petersen, Bertrand

C. Introduce an Ordinance Amending Capitola Municipal Code Chapter 12.64 Sidewalk Vending Prohibitions

**RECOMMENDED ACTION:** Approve the first reading of an ordinance to amend Chapter 12.64 to allow sidewalk vending consistent with Senate Bill 946.

Community Development Director Herlihy presented the staff report. This ordinance is based on direction given by Council in July 2019. Vending is allowed only on sidewalks, pathways, and parks. She walked the Council through new state requirements and how they impact the City's options.

Council Member Storey asked if language referring exclusively to "an individual" is sufficient. City Attorney Zutler offered an amendment to Section 12.64.030 B to read individual sidewalk vendor, legal entity, or business.

Council Member Bottorff confirmed that sales of cannabis are prohibited.

Mayor Bertrand asked that the policy for determining insurance requirements be shared a future time.

Council confirmed that in general a code enforcement complaint must be filed to act on violations, although exceptions can be made for immediate safety concerns.

There was no public comment.

<b>MOTION:</b>	<b>APPROVE FIRST READING AS AMENDED</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kristen Petersen, Vice Mayor
<b>SECONDER:</b>	Ed Bottorff, Council Member
<b>AYES:</b>	Brooks, Bottorff, Storey, Petersen, Bertrand

D. Consider an Amended Fee Schedule for Fiscal Year 2019-20 [390-40]  
RECOMMENDED ACTION: Adopt **Resolution No. 4163** repealing Resolution No. 4148 and adopting an amended fee schedule for fiscal year 2019/2020.

Finance Director Jim Malberg presented the staff report. He walked the Council through the corrected and new fees that arose since the schedule was adopted in June.

Council members confirmed that additional discounts for recreation fees will be discussed later and that dollar amounts for vendor fees, rather than a percent of sales, is the cleanest approach for working with vendors for events.

There was no public comment.

<b>MOTION:</b>	<b>ADOPT RESOLUTION AND FEE SCHEDULE AS RECOMMENDED</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ed Bottorff, Council Member
<b>SECONDER:</b>	Sam Storey, Council Member
<b>AYES:</b>	Brooks, Bottorff, Storey, Petersen, Bertrand

#### 10. ADJOURNMENT

The meeting adjourned at 8:17 p.m.

  
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Kristen Petersen, Mayor

ATTEST:

  
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Linda Fridy, City Clerk

**MINUTES APPROVED DECEMBER 19, 2019**