

**CAPITOLA CITY COUNCIL  
REGULAR MEETING MINUTES  
THURSDAY, OCTOBER 24, 2019**

Mayor Bertrand called the meeting to order at 7 p.m.

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

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

**2. PRESENTATIONS**

A. Presentation by Assembly Member Mark Stone

After leading the pledge of allegiance, Assembly Member Stone provided an overview of the state budget and the transition from Governor Brown to Governor Newsom. He noted California holds more money in reserves than 38 states' total general funds. It has been using some of this money to pay down certain debt and long-term obligations.

Governor Newsom has set aside funds to support children and young families through education and childcare. The state's housing market is 3.5 million units "short" and Assembly Member Stone is working to get support for local jurisdictions. The state has also been drawn into the results of PG&E infrastructure upgrades getting less attention than shareholder returns, and there is a desire to hold the utility to higher standards. In juvenile justice and the foster care system he is focusing on outcomes. The state also continues to look at sea level rise and other environmental concerns.

Council Member Bottorff thanked Assembly Member Stone for his efforts to help fund the historic wharf's preservation and Mayor Bertrand presented the Assembly Member with an image from the Historical Museum of the Wharf in the early 1900s.

B. Local Government Academy Introduction

City Manager Jamie Goldstein noted that registration will open in November for the Local Government Academy and provided an overview of the various session. Mayor Bertrand asked to include an understanding of what serving in an appointed or elected position entails. Several council members noted other local resources for such training, but it will be included briefly in the sessions.

**3. ADDITIONAL MATERIALS - None**

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

**5. PUBLIC COMMENTS**

Brenda Barnett, 30-year resident, joined by neighbors of a 10-unit rental building, asked for any help the city can offer after receiving large rent increases and then eviction notices.

**6. CITY COUNCIL / STAFF COMMENTS**

In response to public comment, council members asked to consider an urgency ordinance to prevent any further evictions ahead of the state's rent control legislation.

Council Member Brooks announced the October 26 “Breaking the Glass Ballot” workshop.

Council Member Storey reported the Arts Commission has agreed to review the Business Improvement Association’s Village street banners.

**7. CONSENT CALENDAR**

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

- A. Consider the September 26, 2019, City Council Regular Meeting Minutes  
RECOMMENDED ACTION: Approve minutes.
- B. Planning Commission Action Minutes  
RECOMMENDED ACTION: Receive minutes.
- C. Approval of City Check Registers Dated September 6, September 13, September 20 and September 27, 2019.  
RECOMMENDED ACTION: Approve check registers.
- D. Consider a Resolution Accepting an Alcoholic Beverage Control Grant [500-10 A/C: California Alcoholic Beverage Control]  
RECOMMENDED ACTION: Adopt **Resolution No. 4159** accepting a State of California Department of Alcoholic Beverage Control grant for \$13,500 to support training and enforcement, and authorize amending the Fiscal Year 2019/20 general fund operating budget to increase revenues and expenditures by \$13,500.
- E. Consider Awarding a Contract for the Restriping of 41st Avenue  
RECOMMENDED ACTION: Award a contract to Safety Striping Service for \$29,975.25 plus a 20 percent contingency for restriping on 41<sup>st</sup> Avenue.
- F. Set Appeal of Planning Commission Denial of Tree Removal Permit  
RECOMMENDED ACTION: Schedule the appeal hearing for a tree removal permit at 1600 49<sup>th</sup> Ave. for the regular City Council meeting of January 23, 2020.

This item was pulled by Council Member Storey and heard immediately following the Consent Calendar. He noted the appeal was about public safety and felt it was appropriate to hear sooner than late January. Staff explained the efforts to coordinate a date and Council requested another look at earlier dates.

<b>MOTION:</b>	<b>CONTINUE THE ITEM TO THE NEXT REGULAR MEETING (NOV. 14, 2019)</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sam Storey, Council Member
<b>SECONDER:</b>	Ed Bottorff, Council Member
<b>AYES:</b>	Brooks, Bottorff, Storey, Petersen, Bertrand

**8. GENERAL GOVERNMENT / PUBLIC HEARINGS**

- A. Consider Afterschool Program Scholarships  
RECOMMENDED ACTION:

1. Approve a scholarship program for the Recreation Division afterschool program, and
2. Authorize a budget amendment to allocate \$4,000 from the dedicated early childhood and youth programs fund, and to accept a \$4,000 matching contribution for the scholarship program from the Soquel Union Elementary School District.

Recreation Supervisor Nikki Bryant LeBlond presented the staff report. She explained that families could apply for the four remaining sessions if scholarships are approved. Applications will be reviewed on a first-come, first-served basis.

There was no public comment.

Council Member Brooks requested a follow-up on usage.

<b>MOTION:</b>	<b>APPROVE THE SCHOLARSHIP PROGRAM AND BUDGET AMENDMENT AS RECOMMENDED</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kristen Petersen, Vice Mayor
<b>SECONDER:</b>	Sam Storey, Council Member
<b>AYES:</b>	Brooks, Bottorff, Storey, Petersen, Bertrand

- B. Introduction of an Ordinance Amending Chapter 15.04 of the Capitola Municipal Code Pertaining to Building and Fire Model Codes [570-10]  
RECOMMENDED ACTION: Adopt the first reading of an Ordinance amending Municipal Code Chapter 15.04 to update building and fire codes reflecting 2020 state standards.

City Clerk Linda Fridy explained a minor change in the ordinance language to remove section one, which was a holdover from the previous update, and renumber the remaining sections. It will be reflected in the second reading.

Building Official Robin Woodman presented the staff report and offered update examples from various code sections.

In response to a question, Fire Marshall Mike DeMars explained that when necessary, Central Fire can work with or act as police to enforce codes, but added he has never used this option in his career.

There was no public comment.

Council Member Bottorff praised the cooperation between the City and Central Fire.

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

- C. Introduce an Ordinance Amending Capitola Municipal Code Chapter 2.12, Planning Commission  
RECOMMENDED ACTION: Approve the first reading of an ordinance amending section 2.12.010 regarding Planning Commission membership to require that commissioners reside within the City limits or sphere of influence.

The City Clerk presented the staff report.

There was no public comment.

Mayor Bertrand expressed concern about the possibility of a majority of Planning Commission members living outside the City and requested a friendly amendment to limit the number of members from the sphere of influence to one. Council Member Brooks responded that she has faith in the judgement of Council Members to make appropriate appointments and did not accept the amendment.

<b>MOTION:</b>	<b>APPROVE THE FIRST READING</b>
<b>RESULT:</b>	<b>ADOPTED [3 TO 2]</b>
<b>MOVER:</b>	Yvette Brooks, Council Member
<b>SECONDER:</b>	Kristen Petersen, Vice Mayor
<b>AYES:</b>	Yvette Brooks, Ed Bottorff, Kristen Petersen
<b>NAYS:</b>	Sam Storey, Jacques Bertrand

D. Approve the Sole-Source Contract for CSG Consultants for On-Call Building Division Contract Services

RECOMMENDED ACTION: Approve a sole-source contract for on-call Building Division contract services with CSG Consultants in an amount not to exceed \$61,300 for Fiscal Year 2019/20 and \$39,600 for fiscal year 2020/21 and a budget amendment for fiscal year 2019/20 in the amount of \$78,300.

Community Development Director Katie Herlihy presented the staff report. She expressed the hope that administrative fees for contracts may help offset some of these costs. The remainder of funding would come from fund balance, the City Manager confirmed.

Council Member Storey asked if a Request for Proposals (RFP) was issued. Staff responded that due to the immediate need, none was used. City Manager Goldstein said once the mall project comes in, an RFP will be issued for additional support.

There was no public comment.

<b>MOTION:</b>	<b>APPROVE THE CONTRACT AND BUDGET AMENDMENT 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

E. Consider Adding Streets within the Jewel Box Neighborhood to be Slurry Sealed as Part of the Jewel Box Sewer Project

RECOMMENDED ACTION: Authorize the Public Works Department to reimburse the County of Santa Cruz for slurry sealing additional streets within the Jewel Box neighborhood as part of the County’s Jewel Box Sewer Project at an estimated cost of \$84,750; and approve a budget amendment of \$93,000 transferring funds within the Capital Improvement Program.

Public Works Director Steve Jesberg presented the staff report. Earlier slurry work in the

area was postponed to prevent damage by the County sewer project and the slurry work was incorporated into that project. Costs will be covered from remaining funds from the prior slurry and another underbudget project. Any remaining funds can be made available for later projects.

Director Jesberg said he allowed the sealing of two streets since this contract approval was delayed by the canceled October 10 meeting.

There was no public comment.

Council supported the decision to proceed given the delay.


<b>MOTION:</b>	<b>AUTHORIZE THE PAYMENT AND PROJECT 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

**9. ADJOURNMENT**

The meeting adjourned at 8:57 p.m.

  
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Jacques Bertrand, Mayor

ATTEST:

  
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Linda Fridy, City Clerk

**MINUTES APPROVED NOVEMBER 14, 2019**

