

City of Capitola

City Council Meeting Agenda

Thursday, July 24, 2025 – 6:00 PM



City Council Chambers

420 Capitola Avenue, Capitola, CA 95010

Mayor: Joe Clarke

Vice Mayor: Margaux Morgan

Council Members: Gerry Jensen, Melinda Orbach, Susan Westman

Closed Session – 5 PM

Closed Sessions are not open to the public and held only on specific topics allowed by State Law (noticed below). An announcement regarding the items to be discussed in Closed Session will be made in the City Hall Council Chambers prior to the Closed Session. Members of the public may, at this time, address the City Council on closed session items only. There will be a report of any final decisions in City Council Chambers during the Open Session Meeting.

- i. **LIABILITY CLAIMS** (Government Code § 54956.95)
Claimants: Richard Aberman, Karin Anderson, Trisha Avila, Darrielle Ayres, Elicia Baron, Jon Baron, Kristie Baron, Charlene Caparra, Aann Marie Conrad, Doug Conrad, Phoebe Evans, Babette Fenton, Marilee French, John Geraci, Julie Geraci, Anthony Guajardo, Ashely Hargrove, Time Hill, Serina Hughes, David Kelty, Mia Kettman, John Kettman, Mary Locke, Terri MacKay, Marcy Mock, David Moore, Jeffrey Moore, Tony Pagliaro, Delia Rey, Devon Salter, Amanda Sherman, Anthony Spencer, Christine Spencer, Randy Watts, Rodney Wartzok
Agency Claimed Against: City of Capitola
- ii. **LIABILITY CLAIM** (Government Code § 54956.95)
Claimant: John Mulry
Agency Claimed Against: City of Capitola
- iii. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** (Gov't Code § 54956.8)
Property: Capitola Wharf Buildings, 1400 Wharf Road (APN: 034-072-01)
City Negotiator: Jamie Goldstein, City Manager
Negotiating Parties: JFS Incorporated (dba Capitola Boat and Bait)
Under Negotiation: Use of Premises

Regular Meeting of the Capitola City Council – 6 PM

1. Roll Call and Pledge of Allegiance

Council Members Gerry Jensen, Melinda Orbach, Susan Westman, Vice Mayor Margaux Morgan, and Mayor Joe Clarke

2. Additions and Deletions to the Agenda

3. Presentations

Presentations are limited to eight minutes.

- A. Annual Presentation from Central Coast Community Energy

4. Report on Closed Session

5. Additional Materials

Additional information related to an agenda item on this agenda and submitted to the City after distribution of the agenda packet pursuant to Government Code §54957.5. All correspondence received prior to 5:00 p.m. on the Wednesday preceding a Council Meeting will be distributed to Councilmembers to review prior to the meeting. Information submitted after 5 p.m. on that Wednesday may not have time to reach Councilmembers, nor be read by them prior to consideration of an item.

- A. Item 8C - Correspondence Received
- B. Item 8I - Correspondence Received
- C. Item 8J - Correspondence Received
- D. Item 9A - Correspondence Received
- E. Item 9D - Updated Staff Report
- F. Item 9E - Correspondence Received

6. Oral Communications by Members of the Public

*Oral Communications allows time for members of the Public to address the City Council on any "Consent Item" on tonight's agenda, or on any topic within the jurisdiction of the City that is not on the "General Government/Public Hearings" section of the Agenda. Members of the public may speak for up to three minutes, unless otherwise specified by the Mayor. Individuals may not speak more than once during Oral Communications. All speakers must address the entire legislative body and will not be permitted to engage in dialogue. **A maximum of 30 minutes** is set aside for Oral Communications.*

7. Staff / City Council Comments

Comments are limited to three minutes.

8. Consent Items

All items listed as "Consent Items" will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time the Council votes on the action unless members of the City Council request specific items to be discussed for separate review. Items pulled for separate discussion will be considered following General Government. Note that all Ordinances which appear on the public agenda shall be determined to have been read by title and further reading waived.

- A. City Council Meeting Minutes
Recommended Action: Approve minutes from the regular meeting on June 26, 2025.
- B. Liability Claims
Recommended Action: Deny a liability claim from the following claimants: Richard Aberman, Karin Anderson, Trisha Avila, Darrielle Ayres, Elicia Baron, Jon Baron, Kristie Baron, Charlene Caparra, Aann Marie Conrad, Doug Conrad, Phoebe Evans, Babette Fenton, Marilee French, John Geraci, Julie Geraci, Anthony Guajardo, Ashely Hargrove, Time Hill, Serina Hughes, David Kelty, Mia Kettman, John Kettman, Mary Locke, Terri MacKay, Marcy Mock, David Moore, Jeffrey Moore, Tony Pagliaro, Delia Rey, Devon Salter, Amanda Sherman, Anthony Spencer, Christine Spencer, Randy Watts, Rodney Wartzok
- C. Liability Claim
Recommended Action: Deny a liability claim from John Mulry.
- D. Military Equipment Use

Recommended Action: Adopt a resolution renewing Chapter 2.60 of the Capitola Municipal Code entitled Military Equipment Use Ordinance, Capitola Military Equipment Use Policy 706, and finding that the annual Military Equipment Report complies with the standards of approval outlined in Government Code Section 7071(d).

E. Conflict of Interest Code

Recommended Action: Adopt a resolution amending the City of Capitola's Conflict of Interest Code to reflect the current organizational structure.

F. Title VI Program Manual

Recommended Action: Adopt a resolution adopting the City of Capitola Title VI Program Manual to comply with Caltrans and Federal Highway Administration (FHWA) requirements for recipients of federal transportation funding; appoint the Public Works Director as the City's Title VI Coordinator; and authorize submittal of required Title VI Program documentation to Caltrans Division of Local Assistance.

G. Upper Village Parking Lot Sidewalk Improvement Project Completion

Recommended Action: 1) Accept as complete the Upper Village Parking Lot Sidewalk Improvement Project constructed by Diamond D Company at a final cost of \$382,491; 2) authorize the City Clerk to file and record a Notice of Completion; 3) adopt a resolution amending the FY 2025-26 Adopted Budget to allocate \$12,491 for additional project expenditures; and 4) authorize the release of the contract retention of \$18,528 as prescribed in the construction agreement.

H. Coastal Rail Trail Segments 10 & 11

Recommended Action: Reschedule the Coastal Rail Trail Project update to the August 2025 City Council meeting to allow participation by representatives from the Santa Cruz County Regional Transportation Commission (RTC) and the County of Santa Cruz.

I. 2024 CDBG Grant Award

Recommended Action: Receive staff update on the 2024 Community Development Block Grant Award for the Jade Street Community Center Project Phase II and Public Service Food Distribution Programs; and adopt a resolution amending the FY 2025-26 budget to accept \$3.6 million into the CDBG Special Revenue Fund.

J. Treasure Cove Playground and Jade Street Park Improvements

Recommended Action: Authorize the City Manager to execute a Professional Services Agreement with Cumming Management Group, Inc. in the amount of \$242,000 for construction management services related to the Treasure Cove Playground, public restroom renovation, and Community Center patio improvements.

K. Police Department Staffing

Recommended Action: Authorize the over-hire of one Police Officer Trainee position for a period of three months, while concurrently holding a vacant Community Service Officer position to offset the cost.

9. General Government / Public Hearings

All items listed in "General Government / Public Hearings" are intended to provide an opportunity for public discussion of each item listed. The following procedure pertains to each General Government item: 1) Staff explanation; 2) Council questions; 3) Public comment; 4) Council deliberation; 5) Decision.

A. Community Grant Program

Recommended Action: 1) Provide direction to staff on the upcoming Community Grant Program term length and other program details; 2) consider grant priorities for the use of restricted Early Childhood and Youth Programming funds; and 3) appoint City Council Members to a subcommittee to review grant applicants and prepare funding recommendations.

B. Capitola Village and Wharf Business Improvement Area Assessments for FY 2025-26

Recommended Action: Continue the noticed public hearing to adopt a resolution levying the Fiscal Year 2025-26 Capitola Village and Wharf Business Improvement Area (CVWBIA) Assessments and accepting the CVWBIA Annual Plan and budget to the August 28, 2025, Council meeting.

C. CVWBIA Advisory Committee

Recommended Action: Adopt a resolution approving bylaws for the Capitola Village and Wharf Business Improvement Area (CVWBIA) Advisory Committee.

D. Appointment to City Advisory Bodies

Recommended Action: By motion and vote, appoint members of the public to the City's Capitola Village and Wharf Business Improvement Area Advisory Committee and the Historical Museum Board; and, in accordance with Capitola Municipal Code Section 2.12.020, appoint a member of the public to the Planning Commission.

E. Administrative Policy I-42: Code of Conduct

Recommended Action: Review Administrative Policy I-42: Council and Board Code of Conduct; and provide direction to staff for desired changes.

F. City Council Representation on Regional Boards & City Advisory Bodies

Recommended Action: Review appointments of City Council representatives on regional boards and committees and City advisory bodies.

G. Regional Transportation Improvement Program Grant - Sidewalk Infill

Recommended Action: Authorize staff to submit an application for Regional Transportation Improvement Program funding to construct high-priority sidewalk segments identified in the City's ADA Transition Plan.

H. Regional Transportation Improvement Program Grant – Bay Avenue

Recommended Action: Authorize staff to submit an application for Regional Transportation Improvement Program funding to complete final design of the Bay Avenue Corridor Project.

10. Adjournment

The next regularly scheduled City Council meeting is on August 28, 2025, at 6:00 PM.

How to View the Meeting

Meetings are open to the public for in-person attendance at the Capitola City Council Chambers located at 420 Capitola Avenue, Capitola, California, 95010.

Other ways to Watch:

Spectrum Cable Television channel 8

City of Capitola, California YouTube Channel

To Join Zoom Application or Call in to Zoom:

Meeting

link: <https://us02web.zoom.us/j/83328173113?pwd=aVRwcWN3RU03Zzc2dkNpQzRWVXAydz09>

Or dial one of these phone numbers: 1 (669) 900 6833, 1 (408) 638 0968, 1 (346) 248 7799

Meeting ID: **833 2817 3113**

Meeting Passcode: **678550**

How to Provide Comments to the City Council

Members of the public may provide public comments to the City Council in-person during the meeting. If you are unable to attend in-person, please email your comments to citycouncil@ci.capitola.ca.us and they will be included as a part of the record for the meeting. Please be aware that the City Council will not accept comments via Zoom.

Notice regarding City Council: The City Council meets on the 2nd and 4th Thursday of each month at 6:00 p.m. in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

Agenda and Agenda Packet Materials: The City Council Agenda and the complete Agenda Packet are available for review on the City's website and at Capitola City Hall prior to the meeting. Need more information? Contact the City Clerk's office at 831-475-7300.

Agenda Materials Distributed after Distribution of the Agenda Packet: Pursuant to Government Code §54957.5, materials related to an agenda item submitted after distribution of the agenda packet are available for public inspection at the Reception Office at City Hall, 420 Capitola Avenue, Capitola, California, during normal business hours.

Americans with Disabilities Act: Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the City Clerk's office at least 24 hours in advance of the meeting at 831-475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

Si desea asistir a esta reunión pública y necesita ayuda - como un intérprete de lenguaje de señas americano, español u otro equipo especial - favor de llamar al Departamento de la Secretaría de la Ciudad al 831-475-7300 al menos tres días antes para que podamos coordinar dicha asistencia especial o envíe un correo electrónico a jgautho@ci.capitola.ca.us.

Televised Meetings: City Council meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be rebroadcasted at 8:00 a.m. on the Wednesday following the meetings and at 1:00 p.m. on Saturday following the first rebroadcast on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25). Meetings are streamed "Live" on the City's website by clicking on the Home Page link "Meeting Agendas/Videos." Archived meetings can be viewed from the website at any time.