

# City of Capitola Regular City Council Meeting Minutes

**Thursday, January 27, 2022 – 7:00 PM**



City Council Chambers

420 Capitola Avenue, Capitola, CA 95010

**Mayor:** Sam Storey

**Vice Mayor:** Margaux Keiser

**Council Members:** Jacques Bertrand, Yvette Brooks, Kristen Petersen

---

## **Regular Meeting of the Capitola City Council – 7 PM**

*All correspondences 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.*

### **1. Roll Call and Pledge of Allegiance**

Council Members Kristen Petersen, Jacques Bertrand, Margaux Keiser, Mayor Sam Storey, and Yvette Brooks

### **2. Presentations**

*Presentations are limited to eight minutes.*

**A. Report on the January 15, 2022, Tsunami**

Chief Dally presented on the tsunami and how the Police Department and the Public Works crew responded to the weather event.

**B. Introduction of new Capitola Police Parking Enforcement Officers Jose Lopez and Alexandria Workman**

Captain Ryan introduced two new members of the Capitola Police Department.

### **3. Additional Materials**

*Additional information submitted to the City after distribution of the agenda packet.*

**A. Item 8.A - one application**

**B. Item 8.B - one public comment email**

**C. Item 8.D - one public comment email**

### **4. Additions and Deletions to the Agenda – none**

### **5. Oral Communications by Members of the Public**

*Please review the Notice of Remote Access for instructions. 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.*

Mark Kane - comment on January 13 agenda report - two years ago, homeless crisis location, money is better served going to services already in place, not duplicating services  
- Against Council influencing police.

## 6. Staff / City Council Comments

*Comments are limited to three minutes.*

Council Member Brooks asked if implicit bias training for City staff had been rescheduled.

Council Member Bertrand said that at the February 3 RTC public meeting, a report would be given regarding passenger trains and said that no vote or action would be taken at the meeting.

### **Future Agenda Items:**

- Letter in support of SB843 – Petersen
- Update on Tobacco grant – Brooks
- Local Hazard Mitigation Plan Update/Review – Storey

## 7. 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.*

### **Motion: Approve, Authorize, and Determine as recommended**

**Result: Passed, 5:0 (Unanimous)**

**Mover:** Council Member Bertrand

**Second:** Vice Mayor Keiser

**Yea:** Mayor Storey, Vice Mayor Keiser, Council Member Bertrand, Council Member Brooks, Council Member Petersen

### **A. Consider the January 13, 2022, Regular City Council Meeting Minutes**

Recommended Action: Approve minutes.

### **B. Notice of Completion Capitola Wharf Resiliency & Public Access Improvement Project – Phase 1**

Recommended Action: 1) Approve a notice of completion for the Capitola Wharf Resiliency & Public Access Improvement Project – Phase 1 constructed by Power Engineering Construction Co. at the final cost of \$484,740, and 2) Authorize the release of the contract retention of \$24,237 as prescribed in the contract.

### **C. Receive Update on Pandemic Response**

Recommended Action: Make the determination that all hazards related to the worldwide spread of coronavirus (COVID-19) as detailed in Resolution No 4168 adopted by the City Council on March 12, 2020, still exist and there is a need to continue action.

## 8. 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. Appoint Representatives to the Art and Cultural Commission and Finance Advisory Commission**

Recommended Action: Appoint representatives to City advisory bodies.

**Motion: Appoint the three incumbent commissioners (Mary Beth Cahalen, Laurie Hill, and James Wallace) to the Art and Cultural Commission**

**Result: Passed, 5:0 (Unanimous)**

**Mover:** Council Member Petersen

**Second:** Council Member Bertrand

**Yea:** Mayor Storey, Vice Mayor Keiser, Council Member Bertrand, Council Member Brooks, Council Member Petersen

**Motion: Appoint Sam Storey as the Council Member Representative to the Art and Cultural Commission**

**Result: Passed, 5:0 (Unanimous)**

**Mover:** Council Member Brooks

**Second:** Council Member Petersen

**Yea:** Mayor Storey, Vice Mayor Keiser, Council Member Bertrand, Council Member Brooks, Council Member Petersen

**Motion: Appoint Alexander Pedersen AND Alexandra Tozi to the Finance Advisory Committee; update Committee rules to allow for two business representatives if necessary**

**Result: Passed, 5:0 (Unanimous)**

**Mover:** Council Member Brooks

**Second:** Council Member Petersen

**Yea:** Mayor Storey, Vice Mayor Keiser, Council Member Bertrand, Council Member Brooks, Council Member Petersen

**B. RFP for 6<sup>th</sup> Cycle Housing Element**

Recommended Action: Accept presentation on the 6<sup>th</sup> Cycle Housing Element Update process and authorize staff to issue a Request for Proposals (RFP) to contract a planning consultant to lead preparation of the update.

Director Herlihy presented on the Housing Element and Regional Housing Needs Allocation (RHNA) numbers.

Council Member Bertrand asked about how developers are incentivized to propose low-income housing projects; Director Herlihy said that the State has modified the permitting process (for specifically qualified projects) to allow for quicker development, and that there may be tax incentives as well for developers providing low-income housing.

Council Member Brooks asked how Council will be prepared to participate in the necessary high-level conversations on these complicated topics; Director Herlihy

replied that several presentations and meetings will go over the information to enhance Council's understanding of the issues.

Mayor Storey asked if the RFP would include the direction to analyze population and characteristics of Capitola and the neighboring communities. Director Herlihy said yes and that in addition statistics and new census data will be incorporated.

There was no public comment.

**Motion: Authorize staff to issue an RFP to contract a planning consultant to lead preparation for a Housing Element Update**

**Result: Passed, 5:0 (Unanimous)**

**Mover:** Council Member Petersen

**Second:** Council Member Bertrand

**Yea:** Mayor Storey, Vice Mayor Keiser, Council Member Bertrand, Council Member Brooks, Council Member Petersen

**C. FY 2021-22 Mid-Year Budget Report**

Recommended Action: Receive Fiscal Year 2021-22 Mid-Year Budget Report and adopt the proposed resolution amending the Fiscal Year 2021-22 Budget.

Finance Director Malberg presented the mid-year budget report.

Council Member Brooks asked that upcoming goals for the FY 2022-23 Budget be kept separate from this midyear budget update.

Mayor Storey asked about the grant application for the Rispin Park project. Director Jesberg clarified that the application for \$425,000 was rejected, however the project is only \$260,000 short of being funded, though this is a year-old estimate.

Council Member Bertrand asked about transient occupancy tax income. Director Malberg explained that hotels are not publishing their occupancy rates, but that based on discussions with neighboring jurisdictions it is likely that hotel occupancy is lower than normal in our County but that room rates have increased significantly.

There was no public comment.

**Motion: Adopt the proposed resolution amending the Fiscal Year 2021-22 Budget**

**Result: Passed, 5:0 (Unanimous)**

**Mover:** Council Member Brooks

**Second:** Council Member Keiser

**Yea:** Mayor Storey, Vice Mayor Keiser, Council Member Bertrand, Council Member Brooks, Council Member Petersen

**D. Modifications to Permit Parking Programs at City Provided Electric Vehicle Charging Stations**

Recommended Action: Consider a resolution removing public parking spaces dedicated to electric vehicle charging stations from all permit parking programs.

Public Works Director Jesberg presented a staff report.

Council Member Bertrand asked about a transition period for the public to adjust to this change.

There was no public comment.

Mayor Storey dropped off the Zoom meeting; the rest of the item was presided over by Vice-Mayor Keiser.

**Motion: Adopt the proposed resolution removing public parking spaces dedicated to electric vehicle charging stations from all permit parking programs; with a staff determined grace period to allow for public notice of this change**

**Result: Passed, 5:0 (Unanimous)**

**Mover:** Council Member Bertrand

**Second:** Council Member Petersen

**Yea:** Mayor Storey, Vice Mayor Keiser, Council Member Bertrand, Council Member Brooks, Council Member Petersen

## **9. Adjournment**

The meeting was adjourned at 9PM to the next regular Capitola City Council meeting on February 10, 2022.

\_\_\_\_\_  
Sam Storey, Mayor

ATTEST:

\_\_\_\_\_  
Chloé Woodmansee, City Clerk

**APPROVED FEBRUARY 10, 2022**