

# City of Capitola

## City Council Meeting Minutes

### Thursday, September 22, 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 Brown

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

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

Council Members Jacques Bertrand, Yvette Brooks, Kristen Brown, and Vice-Mayor Margaux Keiser were present. Mayor Sam Storey was absent.

#### 2. Additions and Deletions to the Agenda

#### 3. Presentations

- A. Present a Mayor's Proclamation in Honor of Public Works Director Steve Jesberg's Retirement

Vice Mayor Keiser honored Director Steve Jesberg upon his retirement after 21 years of service.

#### 4. Additional Materials

- A. Presentation Item – 1 public comment email  
B. Item 5.B – 1 public comment email  
C. Item 6.B – 6 public comment emails

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

Debbie Sheehan, president of the mid-county senior center, introduced herself and said that she is working to grow membership and increase community involvement at the Senior Center.

Janet Edwards announced frustration regarding traffic at 41<sup>st</sup> Avenue and Clares Street.

#### 6. Staff / City Council Comments

Jamie announced that he has appointed a new Public Works Director, Jessica Khan.

Director Jesberg said that the Capitola Beach Festival's lighted boat parade has been cancelled, and that the decorated floats will instead be placed on the beach along the esplanade.

Recreation Division Manager Bryant-LeBlond introduced the Mayor for a Day essay contest.

Council Member Bertrand asked for an update on the In-Shape Gym pool closure. Director Herlihy explained that the project was red-tagged and that City staff is in contact with the contractor.

Council Member Brown announced that Senator Caballero sent a letter congratulating AMBAG for a recent 1 million dollar grant awarded to our region.

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## 7. Consent Items

- A. Consider the minutes from the September 8, 2022, regular City Council meeting  
Recommended Action: Approve minutes.
- B. Clares Street Traffic Calming Project Contract Change Order #1  
Recommended Action: Approve Contract Change Order #1 for the Clares Street Traffic Calming Project in the amount of \$118,925, increasing the limits of the road rehabilitation work to 40<sup>th</sup> Avenue and adding vehicle activated safety lights to the library driveway.
- C. Consider Adopting Proposed Resolution Allowing for the Continuation of Teleconferencing  
Recommended Action: 1) Make the determination that all hazards related to the worldwide spread of the 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; and 2) Adopt the proposed resolution authorizing the City Council (along with the Planning Commission and all advisory bodies) to continue to conduct teleconferencing meetings.

**Motion: Approve Items 7.A, 7.B, and 7.C as recommended**

**Result: Passed, 4:0 (Unanimous)**

**Mover:** Council Member Bertrand

**Second:** Council Member Brooks

**Yea:** Vice Mayor Keiser, Council Member Bertrand, Council Member Brooks, Council Member Brown

**Absent:** Mayor Sam Storey

## 8. General Government / Public Hearings

- A. Appeal of 1410 Prospect Avenue Design Permit, Historical Alteration Permit, Variance, and Coastal Development Permit to demolish an existing residence and construct a new home. This project is in the Coastal Zone and requires a Coastal Development Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: Categorical Exemption

Property Owner: Alex Johnson,

Appellant: SCC Regional Transportation Commission, Filed: 04.18.22

Recommended Action: 1) Uphold the Planning Commission's decision to approve the variance; and 2) adopt a resolution with additional conditions of approval and findings that address the matter appealed.

Associate Planner Sesanto presented a staff report.

Council Member Bertrand asked about the communication between the City and the Regional Transportation Commission. Director Herlihy said that since the appeal was received, communication has been excellent.

In response to a question, the property owner said that he is in full support of the resolution and support the variance proposed.

There was no public comment.

**Motion: 1) Uphold the Planning Commission decision to approve the variance and 2) Adopt the proposed resolution**

**Result: Passed, 4:0 (Unanimous)**

**Mover:** Council Member Brooks

**Second:** Council Member Brown

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**Yea:** Vice Mayor Keiser, Council Member Bertrand, Council Member Brooks, Council Member Brown  
**Absent:** Mayor Sam Storey

- B. Consider a Petition to Create a Dogs Off-Leash Area at Monterey Avenue Park  
Recommended Action: Take no action; thereby maintaining existing rules requiring dogs remain on leash at Monterey Avenue Park due to existing Park uses.

Council Member Bertrand recused himself due to his living in proximity to Monterey Park.

Public Works Director Jesberg presented a staff report.

Council Member Brown asked about suspending the City code; Attorney Zutler responded that if done with a resolution, Council would specify where and when the on-leash requirements would be suspended.

Council Member Brooks confirmed that the petitioners did not present any alternatives to their proposal.

Vice Mayor Keiser asked for clarification on the temporary fence.

In public comment, 7 members of the public spoke in support of the petition proposing a trial period for a dog off-leash area. They explained that informal Monterey Park dog off-leash area has allowed for happy dogs and greater community bonding and emphasized that all of them are responsible dog owners.

Council Member Brooks commented that she supported the idea but wants it 'done right'.

In response to a question, City Manager Goldstein said that Council could identify creating a dogs off-leash area within City limits as a Council Goal during the annual goal setting discussion in February 2023. Council Member Brooks announced she would like to see this sooner rather than later, while also considering safety and the concerns of the Superintendent.

Council Member Brown asked staff to address the issue of the ground cover/bark used at the McGregor Dog Park, which was mentioned in several public comments. Director Jesberg agreed that staff could investigate alternatives.

Council asked the City Attorney how best to move forward appropriately; should they form a subcommittee or ad hoc committee? Considering Brown Act requirements, Attorney Zutler recommended that Council direct staff to work with the community on this idea.

**Result: Council directed staff to work with the community to review ideas on a potential dog off-leash area in a location other than Monterey Avenue Park**

- C. Lifeguard Tower Budget Amendment  
Recommended Action: Approve a resolution to amend the budget increasing the budgeted amount of \$45,000 to \$62,000, increase of \$17,000, for the purchase of a new Lifeguard Tower.

Recreation Division Manager Bryant-LeBlond presented a staff report.

Council Member Bertrand asked about the lifetime of towers; Manger Bryant-LeBlond responded that 20+ years is a reasonable estimation of how long a tower will last before degradation from the ocean air, etc., takes its toll.

In public comment, Jill asked if the City could build something, rather than purchase such an expensive tower.

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At the request of the Mayor, Manager Bryant-LeBlond responded that while in the early 2000s City staff did build lifeguard towers, it is more cost effective and safer to rely on an expert to source this equipment.

**Motion: Approve the proposed resolution increasing the budgeted amount to \$62,000 for the purchase of a new lifeguard tower**

**Result: Passed, 4:0 (Unanimous)**

**Mover:** Council Member Brown

**Second:** Council Member Bertrand

**Yea:** Vice Mayor Keiser, Council Member Bertrand, Council Member Brooks, Council Member Brown

**Absent:** Mayor Sam Storey

## 9. Adjournment

201 and 207 Capitola Avenue test lights are up!

DocuSigned by:



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**ATTEST:**

Sam Storey, Mayor

DocuSigned by:



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Chloé Woodmansee, City Clerk