

# City of Capitola

## City Council Meeting Minutes

### Thursday, June 13, 2024 – 6:00 PM



City Council Chambers  
420 Capitola Avenue, Capitola, CA 95010

**Mayor:** Kristen Brown

**Vice Mayor:** Yvette Brooks

**Council Members:** Joe Clarke, Margaux Morgan, Alexander Pedersen

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### Closed Session – 5 PM

- i. CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code § 54957.6)  
Negotiator: Mark Wilson, Labor and Employment Practice, Burke, Williams, & Sorensen, LLP (Association of Capitola Employees, Mid-Management Employees, Police Captains, and Management); Samantha Zutler, City Attorney (Confidential Employees and City Manager)  
Employee Organizations: Association of Capitola Employees, Mid-Management Employees, Confidential Employees, Police Captains, Management, and City Manager
- ii. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Gov't. Code § 54956.9(d)(2).  
One Case

### Regular Meeting of the Capitola City Council – 6 PM

1. **Roll Call and Pledge of Allegiance** – *The meeting was called to order at 6:03 PM. In attendance: Council Members Clarke, Morgan, Pedersen, Vice Mayor Brooks, and Mayor Brown.*
2. **Additions and Deletions to the Agenda** – *None*
3. **Presentations**
  - A. *The Mayor presented a Proclamation Honoring Elder Abuse Month.*
  - B. *The Mayor presented a Proclamation Honoring the 150th Anniversary of "Camp Capitola's" Founding.*
4. **Report on Closed Session** – *The City Council met and discussed two items on the Closed Session agenda. No reportable action was taken.*
5. **Additional Materials**
  - A. *Item 8F - Staff Memorandum and Updated Attachments 1 and 3*
  - B. *Item 8H - Updated Staff Report and Attachments*
  - C. *Item 9A - Correspondence Received*
6. **Oral Communications by Members of the Public**
  - *James Ewen Whitman*
  - *Goran Klepic*
  - *Marilyn Garrett*
  - *Christine McBroom*

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## 7. Staff / City Council Comments

- *City Manager Goldstein introduced Matteo Tanado, an intern from the Cabrillo Public Service Fellowship Program.*
- *Recreation Division Manager Bryant LeBlond provided the City Council with updates about summer programming.*
- *Community Development Director Herlihy provided the City Council with an update about the City's Housing Element submission.*
- *Council Member Clarke requested that staff place an agenda item on the June 27<sup>th</sup> agenda for the Save the Wave Coalition and commended the Police Department and Safety Foundation on the Capitola Car Show event.*
- *Council Member Morgan commended the Police Department on the Car Show event and requested that staff look into resident access to Junior Guard Registration.*
- *Vice Mayor Brooks recognized the passing of Dexter Ray and requested that staff look into an ordinance allowing golf carts to drive within the community.*
- *Mayor Brown shared comments in honor of the passing of former Council Member Jerry E. Clarke.*

## 8. Consent Items

- A. City Council Meeting Minutes  
Recommended Action: Approved minutes from the regular meeting on May 23, and the special meeting on May 30, 2024.
- B. City Check Registers  
Recommended Action: Approved check registers dated May 3, May 10, May 17, and May 24, 2024.
- C. City Investment Policy  
Recommended Action: Adopted Resolution No. 4376 approving the City's Administrative Policy Number III-1, Investment Policy as recommended by the Finance Advisory Committee.
- D. Year 2024-25 Appropriation Limit  
Recommended Action: Adopted Resolution No. 4377 establishing the Fiscal Year 2024-25 appropriation limit.
- E. Criminal Justice Council of Santa Cruz County  
Recommended Action: Authorized the City Manager to sign the third amendment to the Joint Exercise of Powers Agreement re-establishing the Criminal Justice County of Santa Cruz County to provide for a one-year extension through June 30, 2025.
- F. Construction Contract for Wharf Improvements  
Recommended Action: 1) By motion, authorized the City Manager to execute Amendment 1 to the Professional Services Agreement with Fuse Architects, Inc. in the amount of \$37,000, for a total contract amount of \$73,100, for the final design of the Wharf Enhancement Project; and 2) Adopted Resolution No. 4378 authorizing the City Manager to execute a sole source Professional Services Agreement with Fuse Architects, Inc. in the amount of \$199,325 for fabrication and installation of Capitola Wharf enhancements.
- G. 2024-25 Road Maintenance and Rehabilitation  
Recommended Action: Adopted Resolution No. 4379 adopting a list of road maintenance and rehabilitation projects for Fiscal Year 2024-25 funded by Senate Bill 1: the Road Repair and Accountability Act of 2017.
- H. Memoranda of Understanding with Employee Groups

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Recommended Action: 1) Authorized the City Manager to execute a successor agreement to the existing Memoranda of Understanding with negotiated changes for the Confidential Employee Group and the Association of Capitola Employees, subject to technical corrections; and 2) adopted Resolution No. 4380 approving the updated salary schedule, effective June 23, 2024.

***Motion to approve the Consent Calendar: Council Member Clarke***

***Second: Council Member Morgan***

***Voting Yea: Council Members Clarke, Morgan, Pedersen, Vice Mayor Brooks, Mayor Brown***

## 9. General Government / Public Hearings

### A. Short-Term Wharf Use Agreement and Temporary Structure Plan

Recommended Action: 1) Authorized the City Manager to sign a short-term use agreement between the City of Capitola and JFS Incorporated (dba Boat and Bait) for temporary structures located on the Capitola Wharf in substantially similar form, as approved by the City Attorney, as the attached agreement; and 2) approved the outlined temporary structure plan.

***Chloe Woodmansee, Assistant to the City Manager, and Public Works Director Kahn presented the staff report.***

***Public Comments:***

- ***James Ewen Whitman***

***The City Council thanked staff for their efforts to bring the lease to fruition.***

***Motion to authorize the City Manager to execute the lease agreement and approve the temporary structure plan: Vice Mayor Brooks***

***Second: Council Member Morgan***

***Voting Yea: Council Members Clarke, Morgan, Pedersen, Vice Mayor Brooks, Mayor Brown***

### B. Capitola Village and Wharf Business Improvement Area Assessments for Fiscal Year 2024-25

Recommended Action: Conduct the noticed public hearing and adopted Resolution No. 4381 levying the Fiscal Year 2024-25 Capitola Village and Wharf Business Improvement Area (CVWBIA) Assessments and accepting the CVWBIA Annual Plan and budget.

***Finance Director Malberg presented the staff report.***

***Public Comments:***

- ***Carin Hanna and Anthony Guajardo***

***Motion to adopt Resolution No. 4380: Council Member Morgan***

***Second: Council Member Clarke***

***Voting Yea: Council Members Clarke, Morgan, Pedersen, Vice Mayor Brooks, Mayor Brown***

### C. FY 2023-24 City Fee Schedule

Recommended Action: Adopted Resolution No. 4382 amending the fee schedule for Fiscal Year (FY) 2023-24.

***Finance Director Malberg presented the staff report.***

***Motion to adopt Resolution No. 4380: Council Member Morgan***

***Second: Vice Mayor Brooks***

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**Voting Yea: Council Members Clarke, Morgan, Pedersen, Vice Mayor Brooks, Mayor Brown**

**10. Adjournment** - The meeting adjourned at 6:52 PM in honor of Council Member Jerry E. Clarke. The next regularly scheduled City Council meeting is on June 27, 2024, at 6:00 PM.

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*Kristen Brown*

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**ATTEST:**

Kristen Brown, Mayor

DocuSigned by:

*Julia Gautho*

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Julia Gautho, City Clerk