

City of Capitola

City Council Meeting Minutes

Thursday, March 28, 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

Closed Session – 5:30 PM

- i. 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: Price and terms of payment

Regular Meeting of the Capitola City Council – 6 PM

1. **Roll Call and Pledge of Allegiance** – *The meeting was called to order at 6:00 PM. In attendance: Council Members Clarke, Morgan, Pedersen, Vice Mayor Brooks, and Mayor Brown.*
2. **Additions and Deletions to the Agenda** – *None*
3. **Report on Closed Session** – *The City Council met and discussed one item on the Closed Session agenda. No reportable action was taken.*
4. **Additional Materials**
 - A. *Item 7I – Updated staff report, attachment, and one email received.*
 - B. *Item 8A – Updated attachment.*
 - C. *Item 8B – One email received.*
5. **Oral Communications by Members of the Public**
 - *Goran Klepic*
 - *Neils Westman*
 - *Carin Hanna*
 - *Mel Lento*
 - *Terre Thomas*
 - *Gary Arnold*
 - *Ted Burke*
 - *Deb Melina*
 - *Paula Bradley*
 - *Marilyn Garrett*
 - *Brian Peeples*
 - *Mick Routh*
 - *Barry Scott*
 - *James Ewing*
6. **Staff / City Council Comments**

City Council Meeting Minutes – March 28, 2024

- *Community Development Director Herlihy shared an update on the Bicycle docking stations throughout Capitola and the ribbon cutting event.*
- *Vice Mayor Brooks shared an update about a Youth Action Network event held on March 20th.*
- *Council Member Clarke thanked the public for their participation and thanked the Community Development Director for her update on the bicycle docking stations.*
- *Council Member Morgan requested that a member of the public attend an upcoming City Council meeting to sing their Capitola City Anthem.*
- *Mayor Brown thanked the Planning Commission and City staff for their work on the Bluffs at 44th Avenue Affordable Housing Development and shared that she attended the groundbreaking event.*

7. Consent Items

- A. City Council Meeting Minutes
Recommended Action: Approved minutes from the regular meeting on March 14, 2024.
- B. City Check Registers
Recommended Action: Approved check registers dated March 8, 2024, and March 15, 2024.
- C. Special Events and Park Regulations
Recommended Action: Adopted Ordinance No. 1065 of the City of Capitola repealing and replacing Capitola Municipal Code Chapter 9.36 “Special Events” and Chapter 12.40 “Park Regulations” to create a comprehensive permitting system for public assemblies, events, and use of City property.
- D. Capitola Road Pavement Rehabilitation Project Completion
Recommended Action: 1) Accepted as complete the Capitola Road Pavement Rehabilitation Project constructed by the McKim Corporation; 2) authorized the City Clerk to file and record a Notice of Completion; and 3) authorized the release of the contract retention of \$80,060.04 as prescribed in the contract.
- E. City Hall and Police Department Backup Generator Project Completion
Recommended Action: 1) Accepted as complete the City Hall and Police Department Backup Generator completed by Triad Electric, Inc.; 2) authorized the City Clerk to file and record a Notice of Completion; and 3) authorized the release of the contract retention of \$11,009.34 as prescribed in the contract.
- F. Temporary/Seasonal Completion Bonus Offer
Recommended Action: Authorized a \$100 signing bonus and \$400 completion bonus for those temporary/seasonal employees who work at least 300 hours as part of the 2024 summer lifeguard season.
- G. Annual Cleanup Day Resolution
Recommended Action: Adopted Resolution No. 4360 declaring the second Saturday in May as an annual Santa Cruz County-wide Cleanup Day.
- H. Santa Cruz Mile Buoy
Recommended Action: Authorized the Mayor to sign a letter of opposition to the United States Coast Guard’s proposed removal of the Santa Cruz Lighted Whistle Buoy, aka “Mile Buoy.”
- I. Proposed Expansion of Marine Protected Areas
Recommended Action: Authorized the Mayor to sign a letter opposing, unless amended, the petition pending at the California Fish and Game Commission, which modifies the California Marine Protected Areas Network to expand the Natural Bridges State Marine Reserve and establish a new Marine Protected Area at or near Pleasure Point.

City Council Meeting Minutes – March 28, 2024

Motion to approve the Consent Calendar: Council Member Morgan

Second: Council Member Clarke

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

8. General Government / Public Hearings

A. Resolution Adopting Parks Policy

Recommended Action: Adopt a resolution adopting a City Parks Use Policy and directed staff to return to the City Council with amendments to the fee schedule to reflect proposed park use fees.

Recreation Division Manager Bryant presented the staff report.

Public Comments:

- ***Marilyn Garrett***
- ***Mary Beth Cahalen***
- ***Speaker***
- ***Cheryl Van***
- ***Speaker***

The City Council directed staff to remove Esplanade Park from the policy, update the policy to outline which reservable areas can permit bounce houses and/or barbecues, provided feedback about fees, requested further clarity for fee waivers, bounce house insurance, and scholarship opportunities, requested that staff contact information for those reserving park spaces be provided within the policy, and requested that staff return to the City Council with an updated policy.

B. Automated License Plate Reader Cameras

Recommended Action: Authorize the City Manager to execute a 24-month Master Services Agreement for the lease of 10 Automated License Plate Reader cameras from Flock Group, Inc. (Flock) in an amount not to exceed \$68,350 (\$36,350 at signing and annual recurring at \$32,000).

Police Chief Dally presented the staff report.

Public Comments:

- ***James Ewing***
- ***Cheryl Van***
- ***Adrienne West***
- ***Linda Smith***
- ***Marilyn Garrett***

The City Council requested that the Flock policy and agreement be amended to ensure that third parties are limited from accessing Capitola data without the Police Department's permission and requested that staff and the City Attorney work with Flock to obtain clarification on their data-sharing and data retention practices.

Motion to authorize the City Manager to execute the agreement once the City Attorney has incorporated City Council direction into the proposed agreement: Vice Mayor Brooks
Second: Council Member Morgan

Voting Aye: Council Members Clarke, Morgan, Vice Mayor Brooks, Mayor Brown

Voting Nay: Council Member Pedersen

City Council Meeting Minutes – March 28, 2024

C. Park at Rispin Mansion 2024

Recommended Action: Authorized the City Manager to execute a Public Works Agreement with Betz Works for the Rispin Mansion Park Project in an amount not to exceed \$949,000.

Public Works Director Kahn presented the staff report.

Public Comments: None

The City Council discussed incorporation of the Park at Rispin Mansion into the City’s Memorial Program.

Motion to approve the agreement: Council Member Morgan

Second: Council Member Clarke

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

9. Adjournment – Adjourned at 8:50 PM. The next regularly scheduled City Council meeting is on April 11, 2024, at 6:00 PM.

DocuSigned by:
Kristen Brown
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ATTEST:

Kristen Brown, Mayor

DocuSigned by:
Julia Gautho
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Julia Gautho, City Clerk