

City of Capitola

City Council Meeting Minutes

Thursday, January 30, 2025 – 6:00 PM



City Council Chambers
420 Capitola Avenue, Capitola, CA 95010

Mayor: Joe Clarke

Vice Mayor: Alexander Pedersen

Council Members: Gerry Jensen, Margaux Morgan, Melinda Orbach

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 Jensen, Orbach, Pedersen, and Vice Mayor Clarke.*
2. **Additions and Deletions to the Agenda** – *None*
3. **Additional Materials**
 - A. *Item 4A – 43 emails received after publication of the agenda packet and Staff Memos Regarding Withdrawal of Two Applicants.*
 - B. *Item 8A – 1 email received after publication of the agenda packet.*
 - C. *Item 8B - Staff Memo Regarding Applicant Withdrawal and 1 email received after publication of the agenda packet.*
4. **City Council Vacancy**
 - A. Appointment of Successor to Vacant City Council Seat
Recommended Action: 1) Review applicants to fill the vacancy left on the City Council by former Mayor Yvette Brooks, 2) assess and discuss applicants, and 3) by motion, select and appoint a successor to fill the vacancy.

City Clerk Gautho presented the staff report.

The Vice Mayor shortened the public comment time to one minute per person due to the number of speakers. Public Comments:
 - *Leslie Nielsen*
 - *Goran Klepic*
 - *Enrique Dolmo Jr.*
 - *Rachel Neuman*
 - *Tori*
 - *Public Speaker*
 - *Susan Westman*
 - *Megan Morrissey*
 - *Public Speaker*
 - *Mike Morrissey*
 - *Heidi Kellison*
 - *Linda Smith*
 - *Keith Cahalen*

- **Ed Bottorff**
- **Jacques Bertrand**
- **Marilyn Garrett**
- **Margaux Morgan**
- **Lunamar Harter**

The City Council thanked the community for attending the meeting and participating in this process. They shared the personal criteria they used while reviewing applications.

Motion to appoint Margaux Morgan to fill the vacant City Council seat, with a term expiring in December 2026: Council Member Orbach

Second: Council Member Pedersen

Voting Yea: Council Members Jensen, Orbach, Pedersen, Vice Mayor Clarke

The City Council took a three-minute recess at 6:43 PM.

B. Oath of Office Ceremony

Recommended Action: Administer the oath of office and receive comments from newly appointed Council Member.

Public Comments:

- **Goran Klepic**
- **Christine McBroom**

The City Clerk swore in Margaux Morgan.

C. City Council Reorganization for 2025

Recommended Action: Nominate and appoint a new Mayor and Vice-Mayor.

City Clerk Gautho presented the staff report.

Public Comments:

- **TJ Welch**

Council Member Pedersen responded to comments made by TJ Welch.

Motion to appoint Joe Clarke to serve as Mayor for 2025: Council Member Orbach

Second: Council Member Jensen

Voting Yea: Council Members Jensen, Morgan, Orbach, Pedersen, Vice Mayor Clarke

Motion to appoint Alexander Pedersen to serve as Vice Mayor for 2025: Council Member Orbach

Second: Council Member Morgan

Voting Yea: Council Members Morgan, Orbach, Pedersen

Voting Nay: Council Member Jensen, Mayor Clarke

5. Oral Communications by Members of the Public

- **Keith Cahalen**
- **Marilyn Garrett**
- **Jondi Gumz**
- **Kevin Maguire**

6. Staff / City Council Comments

- *City Manager Goldstein advised the public that there is a recruitment for a Capitola representative on the Measure Q Citizens Oversight Advisory Committee; shared that he had been in contact with other local cities concerning e-bike safety regulations.*
- *Assistant City Attorney Marc Tran clarified some of the points brought up in public comment regarding California residency and the requirements to run for City Council.*
- *Community Development Department Director Herlihy provided an update on the implementation of the City's Zoning Code Update.*
- *Council Member Morgan thanked the City Council and the public for their support in her appointment; and requested that staff continue to work on e-bike safety and provide an update to the City Council.*
- *Council Member Jensen provided a verbal report on his attendance at the California League of Cities New Mayor and Councilmember Academy; he also requested that staff consider issuing a local government academy in non-election years.*
- *Council Member Orbach provided a verbal report on his attendance at the California League of Cities New Mayor and Councilmember Academy; shared that she has been appointed as the Chair of the Library Financing Authority Board; and wished the public a happy Lunar New Year.*
- *Mayor Clarke requested that staff research term limits for the City's advisory bodies.*

7. Consent Items

- A. City Council Meeting Minutes
Recommended Action: Approve minutes from the regular meeting on January 9, 2025, and the special meeting on January 16, 2025.
- B. City Check Registers
Recommended Action: Approve check registers dated December 06, 2024, December 13, 2024, December 20, 2024, January 03, 2025, and January 10, 2025.
- C. State Division of Boating and Waterways Grant Application for the Cliff Drive Resiliency Project
Recommended Action: Adopt a resolution authorizing the submittal of an application for the Shoreline Erosion Protection Grant from the State of California Department of Parks and Recreation, Division of Boating and Waterways. **(Resolution No. 4412)**
- D. Park Reservation Permit Review
Recommended Action: Receive a six-month progress report on Administrative Policy V-21: Park Reservation Permit Use Policy.
- E. RFP for Climate Action Plan Updates
Recommended Action: Authorize staff to issue a Request for Proposals (RFP) to seek a consultant to update the City's Climate Action Plan.
- F. Affordable Housing Development Loan Amendment
Recommended Action: Adopt a resolution rescinding Resolution No. 4393 and reauthorizing the City Manager to execute an Amended and Restated \$1,600,000 Loan Agreement with MP Rail Trail Associates, LP to fund development of 52 residential units affordable to low-income households at 1098 38th Avenue and allocating \$449,376 of PLHA Funds and \$900,624 of Housing Successor Agency Funds thereto, and amending the FY 2024-25 Budget. **(Resolution No. 4413)**

Motion to approve the Consent Calendar: Council Member Morgan

Second: Vice Mayor Pedersen

Voting Yea: Council Members Jensen, Morgan, Orbach, Vice Mayor Pedersen, Mayor Clarke

8. General Government / Public Hearings

A. Short Term Wharf Events

Recommended Action: Receive report regarding the City events held on the Capitola Wharf during 2024 and provide direction regarding plans for 2025.

Community Services and Recreation Department Director Bryant presented the staff report.

Public Comments:

- **Mary Beth Cahalen**
- **Marilyn Garrett**

The City Council discussed the costs required to host events on the Wharf and discussed the possibility of alcohol-free events. The Council requested that staff work with the Chamber of Commerce and the CVWBIA to explore the possibility of partnership for future events on the Wharf.

B. City Council Appointments to City Advisory Bodies

Recommended Action: Appoint members of the public to the City of Capitola's Art and Cultural Commission, Commission on the Environment, Finance Advisory Committee, and Historical Museum Board; appoint a member of the public as an alternate to the Santa Cruz County Regional Transportation Commission Bicycle Advisory Committee.

Deputy City Clerk Wyatt presented the staff report.

Public Comments:

- **Mary Beth Cahalen**

Motion to appoint Karin Anderson to the Art and Cultural Commission for a term expiring December 2026: Council Member Morgan

Second: Council Member Orbach

Voting Yea: Council Members Jensen, Morgan, Orbach, Vice Mayor Pedersen, Mayor Clarke

Motion to appoint the following members of the public to the Commission on the Environment: Council Member Morgan

Second: Council Member Jensen

Voting Yea: Council Members Jensen, Morgan, Orbach, Vice Mayor Pedersen, Mayor Clarke

- **Clarke Appt., Term Expiring 12/2026: John Mulry**
- **Jensen Appt., Term Expiring 12/2026: Dennis Norton**
- **Pedersen Appt., Term Expiring 12/2026: Michael Maroney**
- **Morgan Appt., Term Expiring 12/2026: Michelle Beritzhoff-Law**

Motion to appoint the following members of the public to the Finance Advisory Committee: Council Member Morgan

Second: Council Member Orbach

Voting Yea: Council Members Jensen, Morgan, Orbach, Vice Mayor Pedersen, Mayor Clarke

- **Regular Member, Term Expiring 12/2026: Emeline Nguyen**
- **Regular Member, Term Expiring 12/2026: Anthony Rovai**
- **Regular Member, Term Expiring 12/2026: Keith Cahalen**

- **Business Rep. Member, Term Expiring 12/2026: Leslie Neilsen**
- **Business Rep. Member, Term Expiring 12/2026: Matt Arthur**

**Motion to nominate Christopher O’Connell to serve as an alternate to Capitola’s representative on the SCC RTC Bicycle Advisory Committee: Council Member Morgan
Second: Vice Mayor Pedersen**

Voting Yea: Council Members Jensen, Morgan, Orbach, Vice Mayor Pedersen, Mayor Clarke

C. CDBG Program Income Funds

Recommended Action: 1) Conduct a public hearing and receive public comment regarding Program Income and its eligible uses; 2) adopt a resolution allocating \$160,240.62 of Program Income for the Community Center Rehabilitation Project; and 3) adopt a resolution amending the FY 2024-25 budget.

Community Development Department Director Herlihy presented the staff report.

Public Comments: None

Motion to adopt Resolution Nos. 4414 and 4415: Council Member Morgan

Second: Council Member Orbach

Voting Yea: Council Members Jensen, Morgan, Orbach, Vice Mayor Pedersen, Mayor Clarke

D. Community Center Renovation Project

Recommended Action: Staff recommends the City Council: 1) approve the construction contract for the Capitola Community Center Renovation Project with SSB Contracting, Inc. in the amount of \$4,726,000, including selected additive alternates.; 2) authorize the Public Works Department to issue a notice to proceed upon final contract execution; 3) approve Amendment 3 to the Professional Services Agreement with Boone Low Ratliff Architects for design consultant services for the Project in the amount of \$18,320, for a total contract amount of \$579,033; and 4) adopt a resolution adopting the NEPA and CEQA determination and amending the FY 2024-25 Budget.

Public Works Department Director Kahn presented the staff report.

Public Comments:

- **Leslie Nielsen**

The City Council discussed inclusion of the Community Center generator as a contingent item for the Project; discussed the needs and anticipated costs of maintaining Capitola’s infrastructure.

**Motion to approve the construction contract with SSB Contracting, Inc.; authorize staff to issue a notice to proceed; approve Amendment 3 to the agreement with Boone Low Ratliff Architects; and adopt Resolution No. 4416: Council Member Orbach
Second: Council Member Morgan**

Second: Council Member Morgan

Voting Yea: Council Members Jensen, Morgan, Orbach, Vice Mayor Pedersen, Mayor Clarke

E. 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.

City Clerk Gautho presented the staff report.

Public Comments: None

Motion to appoint the following Council Members to represent Capitola on the following groups: Council Member Morgan

Second: Council Member Jensen

Voting Yea: Council Members Jensen, Morgan, Orbach, Vice Mayor Pedersen, Mayor Clarke

Advisory Council of the Area Agency on Aging:

- **Council Member Jensen**

AMBAG:

- **Vacant (Continued to February 13, 2025, meeting)**
- **Alternate: Council Member Orbach**

Community Action Board:

- **Kristen Brown, resident**

Children's Network:

- **Council Member Orbach**

Motion to appoint the Mayor and Vice Mayor to the City of Capitola's Finance Advisory Committee: Council Member Orbach

Second: Council Member Morgan

Voting Yea: Council Members Jensen, Morgan, Orbach, Vice Mayor Pedersen, Mayor Clarke

- 9. Adjournment** - *The meeting adjourned at 9:04 PM. The City Council will hold a special meeting on February 4, 2025, at 12:00 PM. The next regularly scheduled City Council meeting is on February 13, 2025, at 6:00 PM.*

ATTEST:

Joe Clarke, Mayor

Julia Gautho, City Clerk