

City of Capitola

City Council Meeting Agenda

Thursday, January 09, 2025 – 6:00 PM



City Council Chambers
420 Capitola Avenue, Capitola, CA 95010

Mayor: Yvette Brooks
Vice Mayor: Joe Clarke
Council Members: Gerry Jensen, Melinda Orbach, Alexander Pedersen

Closed Session – 5:30 PM

Closed Sessions are not open to the public and held only on specific topics allowed by State Law (noticed below). An announcement regarding the items to be discussed in Closed Session will be made in the City Hall Council Chambers prior to the Closed Session. Members of the public may, at this time, address the City Council on closed session items only. There will be a report of any final decisions in City Council Chambers during the Open Session Meeting.

- i. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant Exposure to Litigation Pursuant to Govt. Code § 54956.9(d)(2)
One Case

Regular Meeting of the Capitola City Council – 6 PM

All correspondence 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 Gerry Jensen, Melinda Orbach, Alexander Pedersen, Joe Clarke, and Mayor Yvette Brooks

2. Additions and Deletions to the Agenda

3. Report on Closed Session

4. Additional Materials

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

- A. Item 8A - Correspondence Received
- B. Item 8B - Correspondence Received
- C. Item 8C - Correspondence Received
- D. Item 8D - Correspondence Received
- E. Item 8E - Correspondence Received

5. Oral Communications by Members of the Public

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.

6. Staff / City Council Comments

Comments are limited to three minutes.

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.

A. City Council Meeting Minutes

Recommended Action: Approve minutes from the regular meeting on December 12, 2024.

B. Notice of Completion - City Hall Roof Restoration

Recommended Action: 1) Accept as complete the City Hall Roof Restoration Project completed by American Foam Experts; 2) authorize the City Clerk to file and record a Notice of Completion; and 3) authorize the release of the contract retention of \$4,902 as prescribed in the contract.

C. Annual and Five-Year Impact Fee Report

Recommended Action: Adopt a resolution adopting the Fiscal Year 2023-24 AB 1600 Report.

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. The Monte Foundation Fireworks 2025

Recommended Action: That the City Council 1) consider whether to support the continuation of the Monte Foundation Fireworks Show tentatively scheduled for Sunday, October 12, 2025; and 2) if the Council supports continuation, direct staff to coordinate with the Monte Foundation to obtain the required Coastal Development Permit for the event.

B. Resignation of a City Council Member

Recommended Action: Receive the resignation of Mayor Yvette Brooks.

C. Process to Fill Vacant Council Seat

Recommended Action: Staff recommends the City Council discuss the options to fill the vacant City Council position left by Mayor Yvette Brooks, and either 1) direct staff to prepare documentation to call for a special election; or 2) outline an appointment process to fill the vacancy.

D. City Council Reorganization for 2025

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

E. City Council Representation on Regional Boards & City Advisory Bodies

Recommended Action: Review nominations for City Council representatives on regional boards for the City Selection Committee meeting on January 27, 2025.

F. 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.

9. Adjournment - *The City Council will hold a special meeting on January 16, 2025, at 5:30 PM.*

How to View the Meeting

Meetings are open to the public for in-person attendance at the Capitola City Council Chambers located at 420 Capitola Avenue, Capitola, California, 95010.

Other ways to Watch:

Spectrum Cable Television channel 8

City of Capitola, California YouTube Channel

To Join Zoom Application or Call in to Zoom:

Meeting

link: <https://us02web.zoom.us/j/83328173113?pwd=aVRwcWN3RU03Zzc2dkNpQzRWVXAYdz09>

Or dial one of these phone numbers: **1 (669) 900 6833, 1 (408) 638 0968, 1 (346) 248 7799**

Meeting ID: **833 2817 3113**

Meeting Passcode: **678550**

How to Provide Comments to the City Council

Members of the public may provide public comments to the City Council in-person during the meeting. If you are unable to attend in-person, please email your comments to citycouncil@ci.capitola.ca.us and they will be included as a part of the record for the meeting. Please be aware that the City Council will not accept comments via Zoom.

Notice regarding City Council: The City Council meets on the 2nd and 4th Thursday of each month at 6:00 p.m. in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

Agenda and Agenda Packet Materials: The City Council Agenda and the complete Agenda Packet are available for review on the City’s website and at Capitola City Hall prior to the meeting. Need more information? Contact the City Clerk’s office at 831-475-7300.

Agenda Materials Distributed after Distribution of the Agenda Packet: Pursuant to Government Code §54957.5, materials related to an agenda item submitted after distribution of the agenda packet are available for public inspection at the Reception Office at City Hall, 420 Capitola Avenue, Capitola, California, during normal business hours.

Americans with Disabilities Act: Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the City Clerk’s office at least 24 hours in advance of the meeting at 831-475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

Si desea asistir a esta reunión pública y necesita ayuda - como un intérprete de lenguaje de señas americano, español u otro equipo especial - favor de llamar al Departamento de la Secretaría de

la Ciudad al 831-475-7300 al menos tres días antes para que podamos coordinar dicha asistencia especial o envíe un correo electrónico a jgautho@ci.capitola.ca.us.

Televised Meetings: City Council meetings are cablecast “Live” on Charter Communications Cable TV Channel 8 and are recorded to be rebroadcasted at 8:00 a.m. on the Wednesday following the meetings and at 1:00 p.m. on Saturday following the first rebroadcast on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25). Meetings are streamed “Live” on the City’s website by clicking on the Home Page link “Meeting Agendas/Videos.” Archived meetings can be viewed from the website at any time.



Monte fireworks

From Jane Parks-McKay <janerparksckay@gmail.com>

Date Sun 1/5/2025 6:04 PM

To City Council <citycouncil@ci.capitola.ca.us>

Hello. First of all we love our beloved Capitola by the Sea. Thanks for all that each of you do!

Because of that love we wanted to raise the subject of the annual monte fireworks show each year on the wharf.

Its time to modernize this show and do away with the enviromental contaminants along with the noise fireworks cause. I love the show as anyone does but honestly this is very old school now. More places are using the more silent type. Can we move into that ?.

The mckays
Opal cliff drive
Sent from my iPhone



Fireworks - Go Soundless

From Patti Brady <patrizia2@pacbell.net>
Date Sun 1/5/2025 8:55 PM
To City Council <citycouncil@ci.capitola.ca.us>

Dear Members of the Capitola City Council,

The repercussions of fireworks noises negative and disturbing impacts on wildlife and humans are widely known.

Your supporting this annual endeavor by the Monte Foundation is appreciated. However please make this year's 2025 display soundless.

Let the public experience this show not by the sounds of bullets but by hearing massive and enthusiastic roars of awe and joy - their own and those of fellow viewers!

Sincerely,
Patti Brady
500 34th
SC 95062
Sent from my iPhone



Fireworks Displays

From ptkaneko44@gmail.com <ptkaneko44@gmail.com>

Date Mon 1/6/2025 10:25 AM

To City Council <citycouncil@ci.capitola.ca.us>

Dear City Council members,

I am reaching out to you as a concerned citizen and environmentalist in this county.

I would hope that you will consider a more environmentally friendly approach for the fireworks display by the Monte Foundation. I would encourage you to think outside the box and consider other technologies to the usual explosions generated by gunpowder and other materials which distribute more air pollutants into the atmosphere. This is an old technology developed by discovery of gunpowder by the Chinese. I hope you will be more forward thinking in your decision making and consider the environmental impacts of your decision. Future generations will thank you for your consideration and action.

Sincerely,

Paul Kaneko, Santa Cruz county



Annual Monte Fireworks

From Fred J Perez <fredandnancyperez@sbcglobal.net>

Date Mon 1/6/2025 10:32 AM

To City Council <citycouncil@ci.capitola.ca.us>

Please vote no on granting the Monte Fdn any more fireworks permits.

It was good many many years ago.....but not now.

Hopefully they can come up with an alternative yearly fundraiser.

Sincerely

Nancy and Fred Perez

Long time Aptos Residents and homeowners

Sent from my iPad



Monte Fireworks - Digital Show Instead, Please

From Tom Ginsburg <tginsburg@gmail.com>
Date Mon 1/6/2025 11:06 AM
To City Council <citycouncil@ci.capitola.ca.us>

Hi Capitola City Council Members,

I live just outside the city limits in Live Oak, but the Monte Fireworks display is very loud in our neighborhood every October. We have animals who are sensitive to fireworks noise, and we are sensitive to the amount of pollution this event creates in the bay and its surroundings.

Although we understand this is a fundraising event for schools and community groups, it's time for the Monte Foundation to enter the 2020s and utilize a silent, digital laser show instead of traditional fireworks.

We respectfully request that the City Council requires this as a condition to approve this year's show. Thank you for your consideration.

Thanks,
Tom and Angie Ginsburg
102 Rey Ct, Santa Cruz, 95062



Outlook

Fireworks - against it

From Cle Amb <cle2mar@gmail.com>

Date Mon 1/6/2025 11:16 AM

To City Council <citycouncil@ci.capitola.ca.us>

Dear Sir or Madam,

This is but a small input against fireworks.

- Air pollution
- Sound pollution
- Debris on water

Time of us humans to evolve beyond it.

Sincerely,

Bob Ambiel



Fireworks

From Loree Vial Landry <loreevial@gmail.com>
Date Mon 1/6/2025 11:32 AM
To City Council <citycouncil@ci.capitola.ca.us>

PLEASE stop the fireworks!

It is so disruptive to so many of us and all of nature and all of our pets.

We don't need to do this any more. There are quieter options!

There are laser light shows, give it a try. We do not have to keep blowing things up.

Thank you,
Loree Landry



Time to end fireworks

From Will Mayall <will@mayall.com>

Date Mon 1/6/2025 11:37 AM

To City Council <citycouncil@ci.capitola.ca.us>

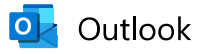
I love fireworks but it's time to end their use completely in Santa Cruz County. There are simply too many downsides compared to the entertainment they provide, including:

- Fire danger
- Pollution
- Noise

I suggest looking at alternatives like drone shows which have matured into truly magical spectacles.

Thanks,

Will Mayall
Pleasure Point



Annual Fireworks

From Lori Hennings <lorihenn@gmail.com>
Date Mon 1/6/2025 12:37 PM
To City Council <citycouncil@ci.capitola.ca.us>

Please let the Monte Foundation keep putting on the fireworks display as they see fit and not how some busybodies want them to change.

Thank you,
Lori Hennings





Outlook

fireworks

From debra burnham <debraburnham@yahoo.com>

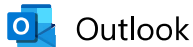
Date Mon 1/6/2025 2:00 PM

To City Council <citycouncil@ci.capitola.ca.us>

i am writing as a resident of Santa Cruz County to request that you do everything in your power to silence the loud, dangerous and polluting fireworks in October, and all other times of the year. Fireworks are like Harleys -- they only require one inconsiderate, thoughtless or selfish person to disturb the peace of tens thousands of people and animals trying to sleep, work, and exist quietly. Please stand up for those of us who wish to peacefully coexist in this magical place, and silence these insane fireworks!

Thank you.

Debra Burnham



Monte Foundation Fireworks Show, October 2025

From David Dwyer <dwyerdmc2@icloud.com>

Date Mon 1/6/2025 1:39 PM

To City Council <citycouncil@ci.capitola.ca.us>

We are opposed to the continuation of the gunpowder fireworks that the Monte Foundation uses to put on their annual fireworks shows. We encourage the City of Capitola to no longer support this type of endeavor due to the potential environmental impacts. The loud explosions can be heard for miles and can have a harmful consequences for humans and wildlife.

We understand this Monte Foundation fundraiser does a lot of good for the community, but it's time to also acknowledge and take action to stop the amount of damage it also does.

There are reasonable alternatives to the loud explosions that can be utilized to put on a spectacular community event without posing the negative impacts of fireworks. If City Council decides to support this endeavor, we hope they will require the Monte Foundation to utilize these alternatives in place of the negatively impactful methods they have been using over the years. It's time to consider the ENTIRE community and the environment we live in.

Dave and Marcy Dwyer

Sent from my iPad



Outlook

Request to Collaborate with the Monte Foundation for Environmentally Friendly Community Celebrations

From Jack Brown <jack.b.brown@gmail.com>

Date Mon 1/6/2025 2:15 PM

To City Council <citycouncil@ci.capitola.ca.us>

Dear Members of the Capitola City Council,

I am writing to express my concern regarding the annual use of fireworks as part of the community celebrations supported by the Monte Foundation planned for this October. While the displays are undoubtedly a cherished tradition, I urge you to consider the environmental impact and the effects on individuals affected by PTSD and other sensitivities.

Fireworks generate significant air and water pollution, which can harm local wildlife, marine ecosystems, and overall air quality. The debris often ends up in the ocean and on our beautiful beaches, threatening the natural environment that makes Capitola and Monterey Bay such a special place. Additionally, the loud noises from fireworks can be distressing for individuals living with PTSD, as well as for pets and wildlife in the area. I appreciate that the date and time is published and proper public safety measures are taken (unlike during the rest of the year when drunken revelers use unsafe illegal fireworks and explosives indiscriminately). We try to reach out to our community each year to let others know of the show, but many residents are still shocked by the noise and duration as they were not reached.

Our community is known for its innovative spirit and dedication to sustainability. I believe we can work together to explore alternatives that celebrate our community while aligning with our values of environmental stewardship and inclusivity. For example, drone light shows, laser displays, or other creative events could provide a stunning and memorable experience without the harmful side effects.

I respectfully request that the City Council engage in discussions with the Monte Foundation to evaluate these or other alternatives for future celebrations. We really appreciate all that the Monte Foundation does to help the community and many non-profits in the area. By making this change, Capitola and the Monte Foundation can set an example as a forward-thinking community that values the well-being of all its residents and the preservation of its natural environment.

Thank you for considering this important issue. I would be happy to participate in or support efforts to research and implement alternative celebration options. Please do not hesitate to contact me if you would like to discuss this matter further.

Sincerely,

Jack Brown

523 Townsend Drive

Aptos, CA 95003

Item 4 A.



Monte Foundation Fireworks

From Comcast <petesham@comcast.net>
Date Mon 1/6/2025 2:20 PM
To City Council <citycouncil@ci.capitola.ca.us>

I understand there is discussion about the future of our beloved show. We strongly support the fireworks show as it is. We are one of only a handful of full time jewel box residents of Prospect Avenue. We are most affected and we want to keep them as is. The petition I saw to limit the noise is from a resident of Live Oak. Keep Capitola the way it is today. Even better, make it the way it was in 2019 with a restaurant and music on the wharf. It is dying as is.

Best regards,
Peter Shamshoian



Retire fireworks

From Pam N <genbox1@icloud.com>

Date Mon 1/6/2025 3:18 PM

To City Council <citycouncil@ci.capitola.ca.us>

Good afternoon,

In the interest of our environment (pollution, noise and climate change), I request the city council END fireworks (including the Monte Foundation).

It's time this action be retired - perhaps with something more useful and beneficial to the Earth- perhaps family up day?

Pam North

Santa Cruz County resident



stop explosions

From frog88@baymoon.com <frog88@baymoon.com>

Date Mon 1/6/2025 3:45 PM

To City Council <citycouncil@ci.capitola.ca.us>

To: citycouncil@ci.capitola.ca.us
Subject: Fireworks - Go Soundless

Dear Members of the Capitola City Council,

I have no argument with charity events, and respect the efforts of the Mouny foundation.

But the repercussions of fireworks noises negative and disturbing impacts on wildlife and humans are widely known.

SO it is time to put effort into finding new ways to raise money for the needy, that does NOT include EXPLOSIONS!

Sincerely,
Howard Spruit
1577 El Dorado Ave
Santa Cruz 95062



Monte Foundation Fireworks

From Cindy Coccoli <cindycoccoli@gmail.com>
Date Mon 1/6/2025 4:02 PM
To City Council <citycouncil@ci.capitola.ca.us>

Hello

I am writing to the council to voice my opinion regarding the Monte fireworks show.

This past year it was so overcast to begin with, one could barely see the fireworks in the sky due to all the smoke generated, in addition to the low cloud cover.

I love fireworks (and marching bands) however, over the years of seeing the Monte Foundation's display, I have come to realize that:

- 1) They are traumatic for animas and some humans
- 2) They are a potential environmental pollutant and a noise pollutant
- 3) You really cannot see " the show" due to the weather and the smoke. Year after year!!!

I am asking the council to reevaluate this event~ however popular ~ to one with less impact on our community.

Thank you,
Cindy



Monte Foundation Fireworks

From GreenOuse gmail <greenouse@gmail.com>

Date Mon 1/6/2025 4:19 PM

To City Council <citycouncil@ci.capitola.ca.us>

Hi and thanks for allowing me to email my thoughts on this item in the upcoming meeting.

Please. Please. Please. Stop the fireworks! There is so many that are negatively impacted by an hour of 'fun' for others.

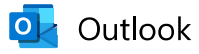
A year or two ago I took a survey on Nextdoor to have fireworks or not and if I remember correctly there was a wide majority (66%?) said no. I realize that this is not a true poll but maybe you can go in this direction or let's meet in the middle and try soundless fireworks.

Hope you can receive sufficient input to make a choice for our community

Thank you.

-=Michelle

GreenOuse



Fireworks

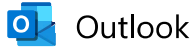
From Julie Norton <julienorton123@yahoo.com>

Date Mon 1/6/2025 5:11 PM

To City Council <citycouncil@ci.capitola.ca.us>

Many love the traditional fireworks. For over 70 years I've enjoy them. Please keep them

[Sent from Yahoo Mail for iPhone](#)



Jan 9 Meeting Agenda Item 8-A-Monte Foundation Event

From J Lighthill <jjmmight@comcast.net>
Date Mon 1/6/2025 5:57 PM
To City Council <citycouncil@ci.capitola.ca.us>

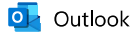
Dear Capitola City Council members,

Please vote to allow the family-friendly Monte Foundation tradition to continue—but without the fireworks.

Please consider that drone technology can provide exciting shows that are less environmentally impactful and may even draw more participants to the event.

We who live near the coast have grown weary of the noise and disturbance associated with celebratory fireworks. Thanks for your consideration.

Johanna Lighthill
Aptos Resident



Support for the Monte Foundation Fireworks

From David McCormic <mccormic.dave@gmail.com>
Date Mon 1/6/2025 6:01 PM
To City Council <citycouncil@ci.capitola.ca.us>

Good evening,

I understand that Capitola City Council will be considering whether or not to support the Monte Foundation Fireworks again this year.

The Monte Fireworks show is such a treasured tradition and creates so many lasting memories for children and families. While I certainly empathize with those with pets or for whom fireworks can reignite trauma, shared connection and community experiences also have value, value that should not be extinguished through an act of political calculus.

I've long worked in placemaking and community building, events like these are rare and hard to recreate once gone. Even fewer last for ever, please support Monte for as long as they are willing to give to our community and continue this Capitola tradition.

I've attached a couple photos from this year's magic. Please remember who it's really for...

Best,
David McCormic

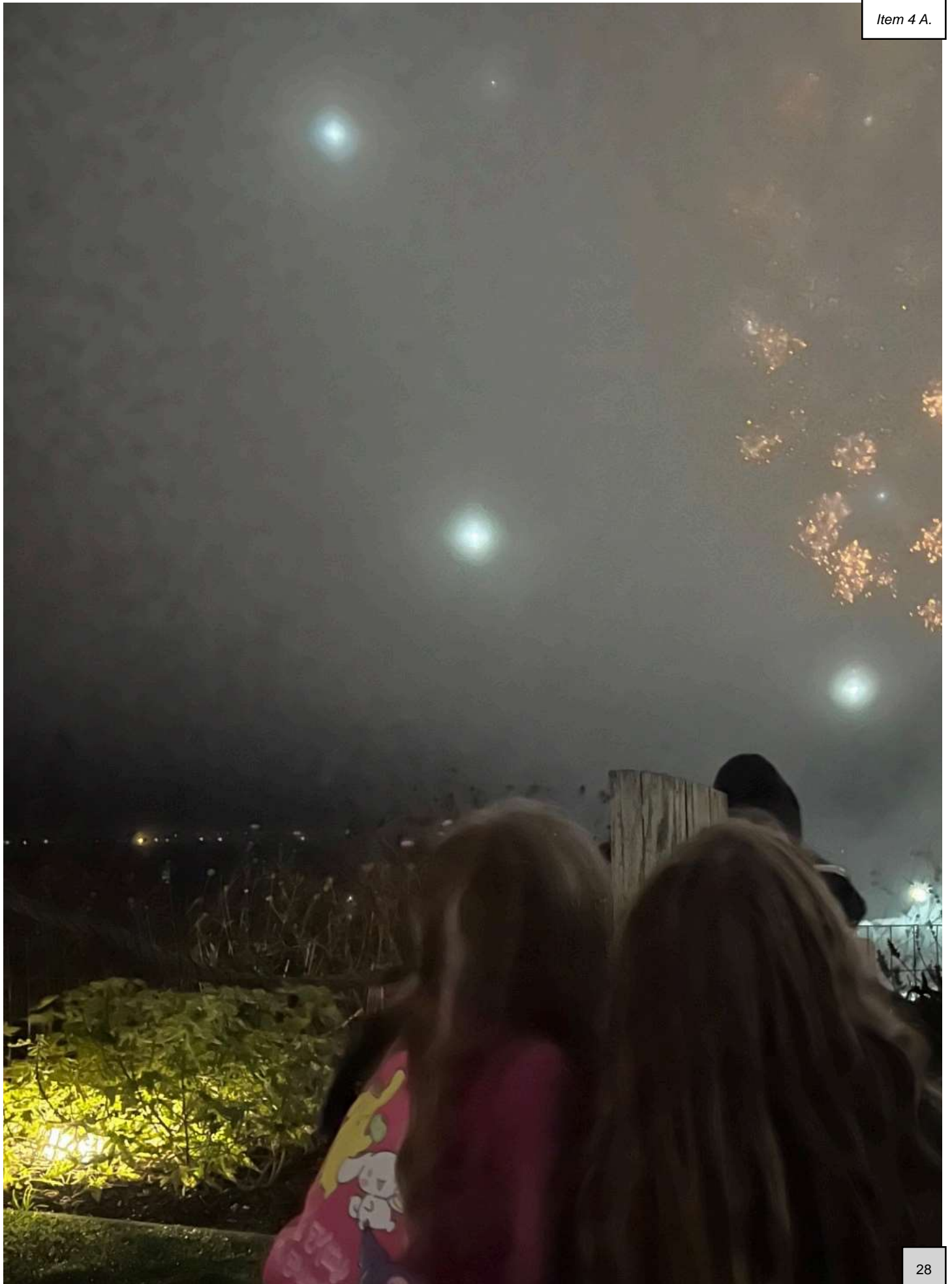
Item 4 A.



Item 4 A.

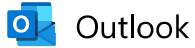


Item 4 A.



Item 4 A.





Comment on Items 8.A - City Council Meeting Jan 9, 2025

From Sue Campbell <suecampbell98@gmail.com>

Date Mon 1/6/2025 6:16 PM

To City Council <citycouncil@ci.capitola.ca.us>

Cc Sue Campbell <suecampbell98@gmail.com>

Hello, My name is Sue Campbell and I would like to provide feedback on Item 8.A on the agenda for the Jan 9th meeting.

I feel the Monte Foundation Fireworks are an asset to our community. Not only Capitola, but surrounding cities... Aptos, Watsonville, Soquel and Santa Cruz.

This is an annual event the community enjoys and brings families together to celebrate.

I would like to see the fireworks continue in future and appreciate the Monte Foundation for funding the event.

Thank you,
--Sue Campbell



Jan 9th City Council Meeting Agenda Items 8...

From Kevin Maguire <kmaguire831@gmail.com>

Date Mon 1/6/2025 6:47 PM

To City Council <citycouncil@ci.capitola.ca.us>

Hello Council Members.

Please take to heart the community voice and the majority of opinions on the follow:

A. The Monte Foundation Fireworks 2025 Recommended Action -

Replace gunpowder fireworks with Drones, or maybe the Monte Foundation could hosts a Free picnic BBQ instead of polluting our Marine Sanctuary! Beach Clean up and Tacos, that would be an Epic way to get the community together!

Fireworks shows are considered significantly bad for the environment, contributing to air pollution by releasing large amounts of particulate matter, heavy metals, and chemicals like perchlorates, which can contaminate water sources and harm wildlife; they also generate noise pollution and leave behind debris that can litter the environment and harm animals if ingested

C.. Fill the Vacate seat with Mr. Enrique Dolmo, or have a Special Election. Or send out an online Survey/mailer / Special Council meeting where members of the community can vote. There should be ways to hear the voice of the community that doesnt cost a lot. Even in the case of a Special Election, that is better than putting a former incumbent in that didn't try hard on her campaign, and barley beat out Enrique. As the incumbent, it is typically a shoe in. While exact probabilities depend on the specific circumstances, studies suggest that incumbents in local elections have a re-election success rate of **70–90%**.

The people dont want Margauex. Mr Dolmo has the heart and character our city would benefit from. Passion for making Capitola safer, and friendly for the youth and elderly. He has continued to serve our community, New Brighton Middle School, and has fresh ideas for vacated spaces.

We dont want any Termed out old council members. I have heard Susan Westman name mention as well, that sounds like it could be a good option.

E. City Council Representation on Regional Boards & City Advisory Bodies Recommended

Action: Many residents are on record for their concerns about Mr Pedersen. His Blue Dot Non-Profit taking money from our City. His behavior and voting against Measure L, and conflicts being on the RTS, and service the residents wishes.

Remove Pedersen from RTC! Listen to the people and Measure L, and the Costal Commission about no passenger Rail service should be active again in Santa Cruz.

Headways for a Choo-Choo would be once an hour, or maybe twice? How will trains pass each other with one track?

No Parking at proposed Stations? Speed limits of 25MPH due to setbacks next to a trail (8 foot from center line) The Choo-Choo will take over 30 minutes to get to Watsonville from Capitola, with the 4-6 stops in between.

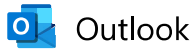
Farebox recovery rate is 20-30%. So tax payers will have to subsidise the rest.

The "Trail" Thru the Village is not Safe!!

If you care about Safety and the health and well-being of the residents and people visiting. We need a Trail on the Trestle, or PROTECTED Bike Lanes. Lets Remove all Parking from the Village!!

We need to put Safety First, Safety above all else!

Thank You
Kevin Maguire
Capitola Resident since 1974!



Monte Foundation Firework Show

From fresno_mike <fresno_mike@yahoo.com>

Date Mon 1/6/2025 7:48 PM

To City Council <citycouncil@ci.capitola.ca.us>

As a veteran and a dog owner, please appreciate what the Monte Foundation does for the community, but request that they replace their humongous annual firework show with a digital aerial show. Use music instead of loud bangs. Eliminate the smoke that pollutes the air and garbage that falls into the ocean.

I live in Live Oak, three miles away, and it causes problems for me and terror for my dog. Join the 21st century and replace fireworks with drones.

Thank You.

Mike Rebensdorf
1555 Merrill St
Santa Cruz, CA 95062



Support for the Continuation of the Monte Foundation Fireworks Show

From Aslan Ozcakir [Medyanova] <aozcakir@medyanova.com>

Date Mon 1/6/2025 9:05 PM

To City Council <citycouncil@ci.capitola.ca.us>

Dear Capitola City Council,

I am writing to express my support for the continuation of the Monte Foundation Fireworks Show, which has become a cherished annual tradition for our community. This event not only brings joy and excitement to thousands of residents and visitors but also fosters a sense of unity and celebration among people of all ages and backgrounds.

The Monte Foundation Fireworks Show is a family-friendly event that allows us to gather together, creating lasting memories under the beautiful night sky. It is one of the few remaining community-oriented events that truly brings everyone together, and its absence would be felt deeply by many. The fireworks display is free for all to enjoy, ensuring that it remains accessible to everyone, regardless of their financial situation.

Moreover, this event significantly contributes to our local economy. Many businesses in Capitola benefit from increased foot traffic on the day of the fireworks, as families come to enjoy not just the show but also the local shops and restaurants. The Monte Foundation has shown a remarkable commitment to our community by not only funding this event but also by donating proceeds from local businesses to support various projects and schools in Capitola.

As we approach the City Council meeting on January 9, I urge you to consider the positive impact this event has on our community. Please allow the Monte Foundation to continue its generous support for this beloved tradition. I believe that by doing so, we will preserve an important aspect of our community's identity and spirit.

Thank you for considering my request.

I look forward to seeing our community come together once again for this spectacular event.

Sincerely,
Aslan Ozcakir
1925 46th Avenue Unit 59 Capitola 95010
(831) 346-9830

--

 <http://www.medyanova.com>

Aslan Ozcakir
aozcakir@medyanova.com
-- email is the best way to contact me
+90 533 273-3042 Mobile



Please keep the Monte Foundation Fireworks in Capitola

From Diana Coatney <coatney.diana@gmail.com>

Date Mon 1/6/2025 9:23 PM

To City Council <citycouncil@ci.capitola.ca.us>

Dear Capitola City Council:

Our family has been watching the fireworks from the beach for years now, and we make it a tradition. We take hot chocolate down to the beach, and we gather with friends. We deeply missed the years that they had to take a break, due to COVID, and then the Wharf reconstruction after the 2023 storms.

The sense of community is terrific. The show is significant, but lasts only 30 minutes, and is done at a reasonable time of night.

We deeply respect the concerns of our neighbors that there are negative effects for some pets. However, we should balance the significant upside of a once annual event with a wonderful local history, significant community benefit and a very brief duration against these concerns.

Please keep the Monte Foundation Fireworks in Capitola.

Respectfully,

Diana, Eric, Zoe & Luke Coatney
1836 48th Avenue, Capitola, CA 95010
C.+1 831 334 5453



in favor of the Monte foundation firework show on January 9

From lesliebax@yahoo.c0m <lfrench777@gmail.com>

Date Mon 1/6/2025 10:16 PM

To City Council <citycouncil@ci.capitola.ca.us>

this is just to let you know that my husband and I are both in favor of the Monte foundation fireworks show on January 9, 2025

This is the best show ever and it would be a pity not to have it. It only happens one day a year hopefully it will happen this year. Thank you very much.

Leslie French-Baxter and Patrick J. McCarten



no more fireworks. there must be a better way

From carl casey <carloscasteneda1@gmail.com>

Date Tue 1/7/2025 5:36 AM

To City Council <citycouncil@ci.capitola.ca.us>

the idea that you need fireworks on the capitola coast to support a just cause is antiquated in this day and age of environmental degradation. there's no justification for it. let's come up with a better way. our wharf is unique, and has survived. let's put it to good use. why not light it up beautifully with an environment friendly and reusable LED light show. we could also fill it up with fun things to do and great eats for one night only, and name it Illuminate Mar Monte: A Sustainable Wharf Celebration.



Fireworks in Capitola

From Kaushal Patel <kaypatel1039@gmail.com>

Date Tue 1/7/2025 9:30 AM

To City Council <citycouncil@ci.capitola.ca.us>

ATT: City Council Capitola

This letter is in lieu of attending the meeting re fireworks by Monte Foundation (or anyone else) in person.

It has been brought to my attention that the council is entertaining firework shows again by the Monte Foundation! PLEASE do not allow this. Not only does it impact the environment but traffic and the noise from the fireworks causes a lot of harm for animals and people suffering from PTSD! The number of lost pets is becoming worse and it's horrendous on firework days! Surely, we can look at drone displays instead or think of other ways to collect funds and have fun! Why do we have to continue these old fashioned ways to celebrate when we know so much more now about the ill effects - we can do better as a community. Let's be a role model pls.

Thank you for your time and attention to this matter.

Sent from my iPhone



City Council Vacancy

From Meghan D Morrissey <mdmorrissey@sbcglobal.net>

Date Tue 1/7/2025 10:08 AM

To City Council <citycouncil@ci.capitola.ca.us>

Cc Capitola Morrissey <morrisseycapitola@gmail.com>

Dear Capitola City Council Members-

We are writing in support of the proposal made by Heidi Kellison to establish a process by which the Capitola community can actively participate in the selection process for the open city council seat vacated by the resignation of Yvette Brooks.

A special election would be the most democratic way to proceed in filling this open seat. Unfortunately, the expense and general election fatigue makes this option less attractive. We are very opposed to an immediate appointment by the existing four members of the city council as it's the least open and community-inclusive manner to select an individual to fill this critical position.

In our view, transparency, integrity and community involvement/oversight are the critical priorities for filling this seat. An open, efficient and community-based process is the optimal way to help the Capitola community rally around an individual of merit, purpose and commitment to fill this vacant seat.

We should not prioritize speed over transparency and community oversight. The lack of transparency and process displayed by the previous city council has left many long-term residents on the sidelines, actively questioning key governance decisions made by the previous city council that are in direct conflict with the will of Capitola's citizens, based on unequivocal election results, and simple safety concerns for the well being of current and future residents.

We need to dramatically improve our governance practices and now have the opportunity to add a new member that can work in a truly collaborative fashion with the council, city staff and community to help restore trust and help rebuild Capitola for the decades ahead of us.

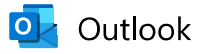
The proposal submitted by Heidi Kellison is well constructed and detailed in a step-by-step manner that is based on community-involvement and transparency from the outset. Let's seize the moment and come together as a community to embrace this process and use it as a model for how we solve important problems as a community, now and in the future.

Finally, we strongly urge the Capitola City Council to immediately amend the agenda for Thursday's city council meeting to postpone the Monte Foundation fireworks topic to a later time when the new Capitola City Council is reconstituted. The fireworks topic is simply a much lower priority than the absolute mission-critical nature of defining a process to select a new council member. We acknowledge the area residents who have sent letters to share their concerns about these annual fireworks and they should have a public forum to voice their opinions. However, we

count on the Capitola City Council to have the strategic oversight and clarity of vision to prioritize topics for discussion/decisions and hope they'll use the opportunity on Thursday to focus the topic on the single most important issue facing Capitola today.

Thanks - we look forward to sharing our views publicly Thursday at the meeting.

Meghan and Michael Morrissey
Capitola



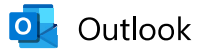
Outlook

(No subject)

From mer327@aol.com <mer327@aol.com>
Date Tue 1/7/2025 10:44 AM
To City Council <citycouncil@ci.capitola.ca.us>

Yes. Please consider keeping this tradition.

[Sent from the all new AOL app for iOS](#)



Vote for Monte Foundation Fireworks

From David Taylor <dtaylorrydes@gmail.com>
Date Tue 1/7/2025 10:55 AM
To City Council <citycouncil@ci.capitola.ca.us>

Please keep this tradition alive and vote to continue the event.

Thank you, David P. and Caryll-Lynn Taylor



Fireworks by Monte Foundation

From Yalenda Listmann <listmann@comcast.net>

Date Tue 1/7/2025 10:52 AM

To City Council <citycouncil@ci.capitola.ca.us>

Dear friends ~

Every year, an intense commercial fireworks show releases toxins in the air, land and sea near the Capitola wharf. It shatters the silence of sleeping people, especially babies, sleeping birds, sleeping sea otters. It terrorizes dogs and cats and other domesticated animals, as well as veterans with PTSD.

The noise comes from igniting gunpowder (potassium nitrate and sulfur) and flashes and bangs from aluminum powder. Gold sparks are produced by iron filings (magnetite, hematite) and small pieces of charcoal. Blues from copper, reds from strontium, etc.

The harm from such a show is accepted because it is a fundraiser so, unfortunately, people who object to the fireworks are seen as uncaring. We simply request that Marc Monte find a different way to raise money to support "local projects and schools."

Please advise the Monte Foundation to change to a **silent digital fireworks show** for this coming October, where the only noise would be the Oohs and Ahhhs of those watching the brilliance.

Thank you.



Monte Foundation Fireworks

From Michael Lewis <malewis@calcentral.com>
Date Tue 1/7/2025 11:03 AM
To City Council <citycouncil@ci.capitola.ca.us>

Hello City Council members:

I ask that you reconsider approval of the traditional 2025 Monte Foundation fireworks display.

Such a large commercial fireworks display has significant environmental impacts that affect shorebirds, land based wildlife, pets, children and veterans suffering from PTSD. Fireworks degrade air quality and release toxic chemicals, plastic and paper waste onto local beaches and into the Monterey Bay National Marine Sanctuary.

Please follow the Coastal Commission guidelines to permit silent drone or digital laser displays instead of traditional explosive chemical fireworks.

Michael Lewis, PhD
Live Oak



Agenda Item 8A - Monte Foundation Fireworks

From Jean Brocklebank <jeanbean@baymoon.com>

Date Tue 1/7/2025 12:08 PM

To City Council <citycouncil@ci.capitola.ca.us>

Dear Council Members ~

It is time for Capitola to join the rest of our greater community of living beings, in recognizing that blowing up the sky and creating air pollution is not the way to fundraise or celebrate anything.

A few people have suggested that this is a Capitola residents-only matter to decide. The fact that this pollution impacts the Monterey Bay National Marine Sanctuary settles this dispute! Additionally, I live across Leona Creek, about 2 miles from the Capitola Wharf and the noise of the traditional gunpowder fireworks still sounds like bombs, destroying my peace. Think what it does to a momma sea otter whose baby rests upon her chest for a night's sleep.

I read your **Staff Memo** in the 1/9/25 agenda packet. I am especially pleased to see the following from the CA Coastal Commission:

"Based on recent experiences in other jurisdictions, securing a Coastal Development Permit (CDP) for a fireworks display of this nature is expected to be a more complex process than in the past, requiring a detailed alternatives analysis conducted by a reputable firm. The key components of this analysis include:

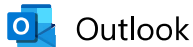
- Alternative Locations: Evaluating other potential venues for the event.
- Alternative Media: Exploring environmentally friendly alternatives, such as drone light shows, to replace traditional fireworks.
- **Environmental Impact Analysis: Assessing potential impacts on wildlife, noise levels, and the surrounding environment, along with proposed mitigation measures.**
- Community Support: Demonstrating strong public backing for the event.
- Public Agency Accountability: While the Monte Foundation has traditionally organized this event, based on recent hearings regarding fireworks displays over the ocean, the Coastal Commission appears to be strongly favoring issuing these permits directly to public agencies. If the City is willing to take a lead role in obtaining permits for the fireworks, preparation must begin immediately to maximize the chances of approval for the 2025 event, though securing the permit is not guaranteed."

Please follow the Coastal Commission guidelines to permit ***silent drone or digital laser displays*** instead of traditional explosive chemical fireworks. Let us ask the Monte Foundation to join us in doing the right thing, then supporting it wholeheartedly.

Sincerely,

Jean Brocklebank
[Freedom From Fireworks](#)

Item 4 A.



End Loud and Polluting Fireworks on Capitola Pier

From vivianfennerevans@yahoo.com <vivianfennerevans@yahoo.com>

Date Tue 1/7/2025 3:04 PM

To City Council <citycouncil@ci.capitola.ca.us>

Attention: City Council Members

I am writing to urge you to end the Mark Monte Foundation Fireworks on the Capitola Pier for a multitude of reasons including: Toxins and Pollution in the air, Distressing noise that terrifies pets and war veterans, Disruption to Birds, Otters and other Wildlife, Increase in Drones and noise in addition to the loud booms over Capitola which also terrifies Wildlife within a mile. There have been nesting Eagles in between Capitola and New Brighton over the past two years and Birds of Prey will fight to the death to protect their hatchlings if a Drone flies near a nest. This is one of the reasons that Drones are prohibited in most Santa Cruz Parks.

I live near Soquel Village and the booms can be heard all the way to my home. Imagine how domesticated pets, wildlife and veterans of war suffering from Post Traumatic Stress Disorder experience the excruciating loud booms near Capitola?

There are so many other ways to celebrate Capitola. How about silent digital fireworks, a parade, a fun day on the beach including activities. Many years ago, Mark Monte hosted a celebration by having all the elementary schools participate in a carnival type of event at Seacliff beach where each school created a game for kids.

Thank you for your service and for your attention to this matter.

Sincerely,

Vivian Fenner-Evans
Soquel Resident



8A Monte Fireworks 2025

From Vicki Guinn <vickiguinn01@hotmail.com>

Date Tue 1/7/2025 4:16 PM

To City Council <citycouncil@ci.capitola.ca.us>

Dear Council Members, I write in support of the Monte Fireworks Show for 2025. I understand the importance of considering the environmental impacts, however there are benefits to the show that need to be considered as well. First and foremost, donations and sponsorships for the show contribute to the Monte Foundation's mission of improving the lives of children and supporting community-based projects. The event also garners significant local attention, making it a highlight of the year for many residents and non-locals alike. It brings visitors to town. It benefits the Capitola Village businesses.

The Monte Foundation pays for most of the costs related to putting on the show and as you can see by the rough numbers below, it is a substantial outlay.

Large Fireworks Show (City Celebrations, Major Events):

- **Cost:** \$20,000–\$100,000+
- **Duration:** 20–30 minutes
- **Details:** High-quality displays with advanced choreography, intricate designs, and extensive use of large shells.

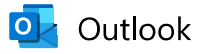
If they were forced to go in a different direction, such as drones the additional financial outlay would be significant as shown below.

Large Drone Show (500+ drones):

- **Cost:** \$100,000–\$500,000+
- **Duration:** 10–20 minutes
- **Details:** Used for major public events or brand promotions. High customization with complex animations and impressive formations.

Would "going in a different direction" be feasible or would it be the end of the event. We do not want to lose this opportunity. This once a year spectacular event is worth our support.

Thank you,
Vicki Guinn



Outlook

Item 8a

From Peter Wilk <petergwilk@gmail.com>
Date Tue 1/7/2025 5:03 PM
To City Council <citycouncil@ci.capitola.ca.us>

One vote in FAVOR of the fireworks

Sent from my iPad



Monte Supported Fireworks Show

From Katie Schaefer <katie4travel@yahoo.com>

Date Tue 1/7/2025 5:11 PM

To City Council <citycouncil@ci.capitola.ca.us>

Greetings,

I understand that the City Council will discuss the hot topic of the annual Monte Foundation Fireworks at the January 9 meeting.

I would strongly encourage that the council make the difficult decision to end the fireworks show and move towards an environmentally acceptable community celebration. With Capitola's strategic location on the National Marine Wildlife Sanctuary, the fireworks show must stop. You all know how precious, fragile and valuable this area is. It has become common knowledge now that firework noise and debris has a negative impact on marine and bird life. Please help protect this fragile ecosystem by making the decision to stop this disruptive and outdated tradition and move forward with a new tradition honoring, celebrating and respecting Capitola and the surrounding region.

Thank you for all that you do to improve Capitola.

Katie Schaefer



Monte Fireworks

From Sunny Sanoff <twinsuns@sbcglobal.net>
Date Tue 1/7/2025 5:54 PM
To City Council <citycouncil@ci.capitola.ca.us>

Dear Capitola City Council members;

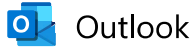
Please update the Montefireworks. The loud noises, the smoke, the smell, the dreadful sounds, the pollution, and the garbage left behind affecting people, animals, and ocean life, are really unacceptable on every level.

Many cities and businesses have switched to a different kind of fireworks, those not based using gunpowder, but rather those using silent digital fireworks.

There is so much emphasis placed on green this and climate change that, and yet Capitola continues using outdated fireworks.

Thank you for your consideration.

Sunny Sanoff



Please end the use of gunpowder fireworks by the Monte Foundation

From Deborah Simpson <mcksimp@comcast.net>

Date Tue 1/7/2025 6:27 PM

To City Council <citycouncil@ci.capitola.ca.us>

Dear Council Members,

I urge you to end the use of gunpowder fireworks by the Monte Foundation. Not only are these fireworks polluting, they are dangerous to wildlife, domestic animals, and veterans suffering from PTSD. Anyone who has seen an animal or a human shaking, crying, and trying to escape what sounds like gunfire will understand that inflicting that amount of pain on another creature is not a celebration.

Thank you for your attention,
Deborah Simpson

Sent from my iPhone



Please Discontinue The Stressful Horrible Gunpowder Fireworks in October (please say NO to the Monte Foundation)

From barbara spencer <bspencer6@gmail.com>

Date Tue 1/7/2025 6:55 PM

To City Council <citycouncil@ci.capitola.ca.us>

Hello to Each Member of the Capitola City Council:

Please Do Not Approve and instead DISCONTINUE any planned gunpowder fireworks displays in October or any other time in Capitola (please say NO to the Monte Foundation).

Every year, their fireworks pollute and bother a lot of people with the huge amount of noise they make.

Even with all the windows closed at our house 1.5 miles from Capitola Village, the fireworks in Capitola make a HUGE amount of NOISE - it sounds like a war zone here on Pleasure Point when the fireworks are going off.

It literally sounds like bombs going off here on 37th Ave, even with all our windows closed.

My husband and I are resident homeowners on 37th Ave for over a decade; my husband has lived on 37th Ave longer, so we are permanent residents. We have animals. Our animals hide in the house every year when the fireworks are happening.

The fireworks displayed by the Monte Foundation are archaic and should be discontinued.

Why allow one group to have fireworks when they're illegal? It's hypocritical. It's very polluting to the ocean, stressful to so many who are not interested in them. Please do not allow these kinds of fireworks anymore. Monterey Bay is a protected area. The fireworks are incredibly inconsiderate. Many of us dread it every October when the fireworks start going off.

If you MUST allow fireworks please require them to use more modern fireworks that don't make any noise.

Thank you very much for ending this outdated event. There are better ways to raise funds without doing damage and bothering so many people. Conventional fireworks are not a good way to raise funds, especially when we have such a big problem already with illegal fireworks (it's out of control here on the Point).

Thank you,

Barbara Spencer
670 37th Ave, Santa Cruz, CA 95062



Outlook

No Fireworks

From Lisa Rispaud <Irispaud@losd.ca>

Date Tue 1/7/2025 7:35 PM

To City Council <citycouncil@ci.capitola.ca.us>

Cc Lisa Rispaud <rispaud@cruzio.com>

Dear City Council Members,

I do not support continuing the annual Monty Foundation Firework Show.

If I recall correctly, this event began years ago as a fund raiser hosted by Mr. Monty of Aptos foods. It was held at Seacliff Beach, ticket required. Schools who precipitated in selling tickets, received a portion of the money raised for attendance at the show and kid friendly things to do at the beach before the show. Then somehow it became a free event held at the Capitola Wharf. It's not a celebration of any Capitola Historical event and no longer raises money for local schools or charities.

This event negatively impacts the neighborhoods above and around the wharf and because of our local weather patterns is mostly a waste of time as fog and clouds, marine layer and wind directions hide the intended dazzling display. Instead the local residents are forced to listen to the booms of the fireworks, the flashes of the night sky and cars driving around looking for parking! Our pets and some kids are terrified of the sounds. Do my tax dollars pay for this? Who benefits from this other than the promise of a fireworks display that each year is actually a dud!

I say it's time to let this go.

Sincerely,
Lisa Rispaud



Comment on Items 8.A - City Council Meeting Jan 9, 2025

From Don Campbell <don@doncampbell.net>

Date Tue 1/7/2025 8:35 PM

To City Council <citycouncil@ci.capitola.ca.us>

I would like to provide feedback on Item 8.A on the agenda for the Jan 9th meeting.

The Monte Foundation Fireworks are an asset to our community. Not only Capitola, but surrounding cities... Aptos, Watsonville, Soquel and Santa Cruz.

This is an annual event the community enjoys and brings families together to celebrate.

I would like to see the fireworks continue in future and appreciate the Monte Foundation for funding the event.

Thank you,
Don Campbell
402 Rosedale Ct, Capitola, CA 95010



Monte Fireworks show

From Teresa Green <teresajgreen@earthlink.net>

Date Wed 1/8/2025 7:48 AM

To City Council <citycouncil@ci.capitola.ca.us>

I just wanted to have a say in this decision. I would like the council to approve the Monte Fireworks show again this year. Thanks

Teresa Green
405 Hill St.
Capitola, CA



Fireworks Monte Foindation

From Linda Felicio <zenergy@bellsouth.net>
Date Wed 1/8/2025 9:00 AM
To City Council <citycouncil@ci.capitola.ca.us>

Hello City Council Members, I am writing today to voice my opinion regarding the harmful effects of shooting off fireworks in Capitola! 2 years ago I sent a letter to the Coty Council, Chief of Police Chief Daly at the time and the Fire Chief who supported my proposal of banning fireworks! The Fire Chief said if he had it his way the fines for shooting off fireworks would be \$5000. Hopefully my letter is still on file which was quite descriptive being an ER RN for over 20 years. I have seen children's fingers blown off and mangled. Tiny faces scarred and deformed. Veterans not leaving their homes for weeks just so paralyzed and paranoid about leaving. Our home pets dogs and cats unable to console them just frightened to death with fear. I will spare you the description of other patients and hope you can imagine the trauma they sustained both physically and emotionally. Our sea life and birds are exposed to the trauma of fireworks as well! Including the environment of the ocean!

The solution? Drones light up the sky with no physical or emotional effects to anyone, animals, sea life and our most important commodity our children!

Please consider banning all fireworks in Capitola such as sense act of harm!

With gratitude,
Linda Felicio RN, MSW
Resident of Capitola



Please continue the Monte Fireworks event

From Melinda Vento <melinda.vento@outlook.com>

Date Wed 1/8/2025 9:15 AM

To City Council <citycouncil@ci.capitola.ca.us>

Dear City Council, Mayor, City Manager, and City Clerk,

I am writing as I am unable to attend this evening's City Council meeting. I strongly believe that we should allow the Monte Fireworks event to occur in 2025. This annual event brings so much joy to our local community and benefits our community by raising money for local schools, skate park, library, etc.

*(I know that animal owners have some concerns but I am a dog owner and to accommodate for the noise I simply leave my dog inside with the TV on loud).

Thank you!

Melinda Vento



Stop All Fireworks

From Toesover <steamerlane1950@gmail.com>
Date Wed 1/8/2025 11:29 AM
To City Council <citycouncil@ci.capitola.ca.us>

Dear Capitola City Officials,

October is the best time of year to see blue whales, the largest animal on earth. There's no experience quite like seeing these gentle giants glide through the water. You can find them feeding on krill (tiny crustaceans) off the California coast from mid-June through October, when the food source is abundant.

For a city jurisdiction who advocates good environmental management, why do you continue to allow fireworks to explode over such sensitive waters? Besides the iconic Blue Whale, numerous sea life occupy your section of offshore ocean. Sea otters, dolphins, Humpbacks, Gray whales, seals, sea lions, hundreds of varieties of fish, many species migrating along your shores could very easily be disturbed detrimentally for such selfish behavior. Plus, there's no getting around the contaminates fireworks produce in the local atmosphere. Why should I have to stay indoors with a respiratory condition because of a 20 minute exhibition of colorful harmful pollution? Further, the noise pollution should be outlawed! How would you like it if someone came to your front yard and blasted 20 minutes of explosives outside your windows?

And for those sensitive to the noise such as our combat veterans, are you willing to provide 5 Star hotel accommodations somewhere out of ear shot for the evening?

On behalf of all sea life and human beings sensitive to this senseless noise, STOP! Find an alternative such as drone light shows! Do a benefit concert with a super star musician or group. Sell homemade cupcakes! Put your thinking caps on and please find another means to raise funds for such a worthy organization like the Monte Foundation.

Aloha,

Stephen Parlato
(Former Capitola resident)

Kauai 🌺



Support Drone Fireworks please! Safe and Quiet

From Julie Singleton <julieona@sbcglobal.net>

Date Wed 1/8/2025 12:34 PM

To City Council <citycouncil@ci.capitola.ca.us>

Request to Collaborate with the Monte Foundation for Environmentally Friendly Community Celebrations

Dear Members of the Capitola City Council,

I am writing to express my concern regarding the annual use of fireworks as part of the community celebrations supported by the Monte Foundation planned for this October. While the displays are undoubtedly a cherished tradition, I urge you to consider the environmental impact and the effects on individuals affected by PTSD and other sensitivities.

Fireworks generate significant air and water pollution, which can harm local wildlife, marine ecosystems, and overall air quality. The debris often ends up in the ocean and on our beautiful beaches, threatening the natural environment that makes Capitola and Monterey Bay such a special place. Additionally, the loud noises from fireworks can be distressing for individuals living with PTSD, as well as for pets and wildlife in the area. I appreciate that the date and time is published and proper public safety measures are taken (unlike during the rest of the year when drunken revelers use unsafe illegal fireworks and explosives indiscriminately). We try to reach out to our community each year to let others know of the show, but many residents are still shocked by the noise and duration as they were not reached.

Our community is known for its innovative spirit and dedication to sustainability. I believe we can work together to explore alternatives that celebrate our community while aligning with our values of environmental stewardship and inclusivity. For example, drone light shows, laser displays, or other creative events could provide a stunning and memorable experience without the harmful side effects.

I respectfully request that the City Council engage in discussions with the Monte Foundation to evaluate these or other alternatives for future celebrations. We really appreciate all that the Monte Foundation does to help the community and many non-profits in the area. By making this change, Capitola and the Monte Foundation can set an example as a forward-thinking community that values the well-being of all its residents and the preservation of its natural environment.

Thank you for considering this important issue. I would be happy to participate in or support efforts to research and implement alternative celebration options. Please do not hesitate to contact me if you would like to discuss this matter further.

Julie Roper

831-915-5123



Monte Fireworks Application second thoughts

From Lynne DeSpelder <lydespel@cabrillo.edu>

Date Wed 1/8/2025 2:37 PM

To City Council <citycouncil@ci.capitola.ca.us>

Cc Lynne DeSpelder <pacpubs@attglobal.net>

Please do whatever it takes to support the continuation of our community fireworks display. Do not put the emphasis on giving in to a vocal group of a few who wish to stop the joy of hearing the resounding accompaniment to a beloved family event. Thank you for your support. Lynne and Al

Sent from my iPhone



Agenda Item - Monte Foundation Fireworks

From marion@morrismed.com <marion@morrismed.com>

Date Wed 1/8/2025 3:46 PM

To City Council <citycouncil@ci.capitola.ca.us>

Dear Council Members,

It is my understanding that there will be discussion about the Monte Fireworks at your next meeting.

I believe it is time for a change on this venue. This hour long and *very intense* show spews toxins in the air, land and sea near the Capitola wharf disturbing our vibrant marine life. The noise however goes far beyond that. How can we claim to love and cherish our marine animals and birds when we force this terrifying mayhem upon them? In addition, the show shatters the night silence in waking people, especially babies, terrorizing dogs and cats and other domesticated and wild animals, as well as veterans with PTSD.

I urge the City Council to encourage the Monte Foundation to consider an alternative and change to ***silent digital fireworks show*** for this coming October. In addition, considering the thousands of dollars that literally go up in smoke, could they not put that money to better use in funding local projects and schools? I am sure supporters would understand the change in direction that would benefit the entire community and pay respect to our precious marine life.

Thank you.

Marion Morris

Gautho, Julia

From: Kathleen Schelhorse <kathleenandjosh@yahoo.com>
Sent: Wednesday, January 8, 2025 6:24 PM
To: City Council
Subject: Keep the Monte Fireworks

My family has had a home in the jewel box for almost 75 years and we've loved having the fireworks show here in Capitola for the past decade. Yes. it causes traffic and it's noisy but it's also a great community event and we would hate to see it leave. Please keep this wonderful family friendly event!

3 Registered voters in Capitola,

Amy Schelhorse
Josh Schelhorse
Amelia Schelhorse

Gautho, Julia

From: Bob Edgren <agren7@yahoo.com>
Sent: Wednesday, January 8, 2025 8:05 PM
To: City Council
Subject: Thursday Meeting

Honorable Mayor and Council,

My apologies for this late letter. I hope it is recieved in time for the meeting.

Okay, my main concern lies in the State Mandated affordable housing act. I apologize for not being up on this. I do not believe I am th4 only one who is in the dark. I think we need to be brought up to date on this issue. Frankly, it is appalling how our Governor and state representatives can impose such a radical move on any city. This program would significantly change the lifestyle many of us have worked hard to accomplish. If I could make some suggestions and questions;

1. At this point in time, where does the city sit with these high density state mandates?
2. Has anyone in a city position opposed this act, or looked into opposing it? Are the council members aware of avenues to take to contest the act?
3. How about appointing a task force to keep abreast of this issue, one that could communicate with other cities, invite speakers, hold public hearings and so forth.

Okay, I many cities have been cold cocked by this measure and after reading some cities that oppose it, It's impressive to see the number of cities stand up and say no.

That's all I have to say about that.

Regarding the replacement of the vacant Council seat, there is a pool of potentials that could be called on. If any are interested, perhaps we could have a customary panel discussion. Anyone opposing high density housing has my backing. But some names to consider;

Susan Westman
 Mick Routh
 Mike Termini
 Jacques Bertrand
 Sam Story
 Bruce Arthur
 Kirby Nicol

Regarding the fireworks.If someone could explain how the money in this works. How does anyone make money of fireworks. Is there money raised for a cause?

Okay, thanks for your time to review these ideas.

Yours truly,

Robert Edgren

Item 4 A.

Gautho, Julia

From: georgewilsonre@aol.com
Sent: Thursday, January 9, 2025 12:42 PM
To: City Council
Subject: Save the Monte Fireworks

Please let the Fireworks continue. It is a tradition!

Gautho, Julia

From: Denise Norris <denisecnorris@gmail.com>
Sent: Thursday, January 9, 2025 12:45 PM
To: City Council
Subject: Please have the fireworks

They are special!!!! and primarily for the locals, which makes it extra special. Please continue them,
Denise

--



DENISE NORRIS

REALTOR®, GRI, CRS, E-Pro | DRE 01452139

[831.325.1970](tel:831.325.1970)

dnorris@davidlyng.com

www.denisenorris.com

301 Capitola Avenue, Capitola, CA



Gautho, Julia

From: Alex Johnson <surfer@got.net>
Sent: Thursday, January 9, 2025 12:53 PM
To: City Council
Subject: Monte Foreworks

I support continuing the Monte Fireworks in October 2025.
Alex Johnson
Capitola small business owner
Resident of Santa Cruz since 1959
Sent from my iPhone

Gautho, Julia

From: Karin Anderson <karinanderson0128@gmail.com>
Sent: Thursday, January 9, 2025 3:54 PM
To: City Council
Subject: Fire works

Dear City Council,

I am writing to express my strong support for the continuation of the Monte Fireworks event in October. This annual celebration has become a cherished experience for families and the entire community. It not only provides a chance to enjoy breathtaking fireworks, but it also brings people together.

The event has consistently created lasting memories for attendees of all ages, and I believe its continuation would only enhance the spirit of togetherness. As a Capitola resident, I respectfully ask that you consider this event for our community and allow it to continue as a beloved tradition.

Thank you for your time and consideration.

Karin Anderson
Capitola resident

Sent from my iPhone

Gautho, Julia

From: Molly Tierney <tierneymolly7@gmail.com>
Sent: Thursday, January 9, 2025 5:21 PM
To: City Council
Subject: No more monte fireworks

Please make the right choice. The toxicity of fireworks is well documented, as is the psychological damage to pets and vets.

This money would be so much better spent towards supporting the needy in our communities.

Thank you.

Molly Tierney

Gautho, Julia

From: Vicki Malandra <ocnvuhomes@aol.com>
Sent: Thursday, January 9, 2025 5:17 PM
To: City Council
Subject: No fireworks please

Best regards,
Vicki Malandra
DRE #00548915
David Lyng Real Estate
831-818-2337
www.Vicki Malandra.com
Ocnvuhomes@aol.com

Gautho, Julia

From: David Schwartz <daschwar@cruzio.com>
Sent: Thursday, January 9, 2025 5:21 PM
To: City Council
Subject: Future of Monte Fireworks show

To: Capitola City Council Members and Community,

We believe due to wildlife impacts, very loud and extended noise levels we would definitely prefer a more environmentally friendly alternative to fireworks.

We've been so impacted that we have left the city during these events.

Our pets health and neighbors pets have been traumatically impacted by these yearly shows. We especially don't believe fireworks are safe for the care of the

[Monterey Bay National Marine Sanctuary.](#)

[Thank you for your time and consideration of the negative impact these fireworks cause our local community.](#)

[David Schwartz and Vera Brown](#)



Such a beautiful week

From John <jxmuly@gmail.com>
Date Wed 1/8/2025 10:54 AM
To City Council <citycouncil@ci.capitola.ca.us>

Hello Neighbors

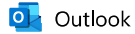
As we know my kryptonite is showing up. Luckily the folks who would like me neutralized are quite dumb, so I can repeatedly tell them exactly how to stop me and they will continue to fail at it. Makes the game kinda boring but meh.

Just a reminder item 8B or whatever it is when Yvette resigns is legally required to have public comment.

Also want to confirm this council will have a chance to vote on the traffic calming at bay hill in January as council instructed in November.

We really need a roundabout or light there and not finishing the study guarantees we will never get one.

Warmly JM



Happy New Year

From John <jxmlulry@gmail.com>

Date Fri 1/3/2025 10:20 AM

To City Council <citycouncil@ci.capitola.ca.us>

Glorious day folks. The Julian sun has risen to banish Pompeiiian night forever.

Has to be a special election. You can not just appoint Margaux who was recently not chosen by leaps and bounds. Interesting idea appoint Kristen.

But I doubt you folks will do an appointment. So recently after the election the optics would allow folks good at narrative to just own the processes for years after.

Maybe actually appointment is the best idea.

Item 4 C.



Item 4 C.



Warmly JM



City council vacancy

From michael routh <qwakwak@gmail.com>
Date Fri 1/3/2025 1:53 PM
To City Council <citycouncil@ci.capitola.ca.us>

Council Members,

With the impending vacancy on the city council, you have been presented with a great opportunity to appoint someone who cares more about Capitola than their political future.

I would encourage you to look at Planning Commissioner Susan Westman to fill the remaining two years of Mayor Brooks seat. She is likely the most knowledgeable person in the city to fill the position, having served as city planner and city manager.

I would also encourage you to select Joe Clarke as Mayor and Gerry Jensen as Vice-Mayor. One of the new mayor's first action should be to remove Council member Pedersen from the RTC, as his positions do not represent the views of Capitola residents.

Please use this opportunity to turn Capitola in a direction that will preserve our character, our historical features, and improve our economic base.

Mick Routh

Sent from my iPad



Asked Around

From John <jxmulry@gmail.com>
Date Fri 1/3/2025 2:58 PM
To City Council <citycouncil@ci.capitola.ca.us>

An appointment is right in the footsteps of the Dems putting Kamala on the ticket with no process. We saw how that ended.

Open applications if no elections. Former council members should be barred to not give the impression of a fixed insider political system as Capitola is already accused of.

Also, someone reliable. We don't want a councillor who will just quit halfway through to pursue wealth. We need someone who doesn't care about the money and prestige and is solely focused on service.

I would like these emails included in the agenda packet. I told so many folks this might happen when the job was announced and everyone called me crazy and said Yvette would never betray her commitment like that. I see folks so clearly.

This is such good luck for us. Let's not squander it. United Way made a bold choice considering her minimal schooling and experience but whatever. Not my problem. At that salary point she is unlikely to darken local politics again. I would like to offer the United Way a 10K donation if Yvette will pick up the check and take a photo of the handoff.

I can bundle two other donations for a total of 30K.

Warmly JM



Replacing Yvette

From John <jxmuly@gmail.com>

Date Sun 1/5/2025 7:52 AM

To City Council <citycouncil@ci.capitola.ca.us>; Gautho, Julia <jGautho@ci.capitola.ca.us>; Chris Neely Lookout <chris@lookoutlocal.com>; PK Hattis <pkhattis@santacruzsentinel.com>

5 points

If you choose to base any decision on the last election, it should be the last election Yvette was in, which means Enrique should get the position.

Choosing a white person over a minority to replace a minority on our currently and traditionally all white council is extremely racist, a reputation Capitola has worked hard to shed.

Choosing Margaux means you will have to go back and change the term limits laws. She will have served 6 years in 2026 so will be eligible for reelection but then only able to serve 2 years of her term once it hits 8 years.

Incumbents getting voted out in local government after one term is almost unheard of. The voters have spoken on Margaux. We don't want someone who has been confused as to what month it is while starting meetings to represent us.

And most important. Anyone who started to run in 2024 but pulled out because Gerry and Melinda were obviously going to win, would have a decent chance to sue the city and win and would be compelled to do so by this blatant disregard of democracy. They wouldn't have a choice. They would have to use all the legal means at their disposal to get such a decision overturned, it will become a scandal, consume the next 2 years of council activities and cost the city hundreds of thousands of dollars.

Imagine every meeting starting with a long speech about democracy and how our council chose racist oligarchy. Posted on robust social media platforms. Sent to anti racist influencers and orgs and news sources. Your faces on posters calling you racists posted on the Internet and sent around the world. This is a realistic scenario that greatly concerns me.

I also already see a trail showing Brown Act violations. I can't be sure but if Margaux is appointed someone is certain to file such a complaint, what if it's someone who has a knack for such oppo. Then a recall would likely follow.

We can't just dismiss voter's will because the easy choice is the racist one. Racist choices are often easy. Do not replace a minority with a white who was just voted out. Please. Racism has no place in Capitola. But if it's different for you, please choose racism. That is your right. Racism is everywhere. Learning it's found it's way onto our council would not surprise me.

Warmly JM



Outlook

Replacing Yvette

From John <jxmulry@gmail.com>

Date Sun 1/5/2025 4:57 PM

To City Council <citycouncil@ci.capitola.ca.us>; Gautho, Julia <jGautho@ci.capitola.ca.us>

In finale

20% of our city is Hispanic. After white people it is our only population demographic in the double digits. Yvette was their voice on our council.

While I don't love identity politics, I do embrace diversity of representation based on population demographics. Telling our 2000 Hispanic neighbors they do not deserve a voice on our council is a tragedy I can't believe is even under consideration when we have such an excellent candidate available.

Margaux sat on no committees before she was elected. Enrique is on our Museum Board. Margaux still fails to grasp even the most rudimentary facets of policy after 4 years on council, asking questions my 5 year old could answer, while Enrique has shown continued progress since first running in 2022.

Yvette is also a parent to school age children as is Enrique. We at minimum want two of our councillors to be parents so this essential demographic to our long term prosperity is represented.

I'm told the fix is in and Margaux is the candidate and nothing can be done but I can't believe that. All four of you have been to my home. I've looked you in the eyes. You are good people. You think you are powerless and have no choice but to do what the folks who bricked our budgets and our city want you to.

And I'm telling you right here, right now, you have regulatory powers. You can choose to be better than failures of our past. We don't have to make the same mistakes again and again.

We can do better than the mediocrity that got us to the sad situation our budgets and schools and infrastructure and economy and community are in. We can fix it. The first step is doing anything but the things we already know didn't work.

God Bless JM



Council Vacancy

From Heidi <Heidy@cwo.com>

Date Sun 1/5/2025 6:54 PM

To City Council <citycouncil@ci.capitola.ca.us>

Dear Capitola City Council,

Regarding your January 9, 2025 meeting, Agenda Item 8C (Process to Fill a Vacant Council Seat), and Agenda Item 8D (City Council Reorganization for 2025), I respectfully offer the following suggestions for a community-based approach to filling the City Council vacancy and leadership reorganization:

1. Community Choice is Always Best:

- While I recognize holding a special election is the most democratic way to fill the vacancy, I also understand cost and logistical challenges may make this option unfeasible.
- Considering this, I urge the council to pursue a transparent, equitable, and community-centered appointment process to ensure the public's trust and involvement in selecting the right candidate.

2. Prioritize Transparency and Community Engagement:

- The process should balance timeliness with careful consideration. A well-thought-out process builds trust, validates the individual chosen to serve, and ensures the best outcome for the community.
- The council should involve residents every step of the way, ensuring all voices are heard and considered.

3. Empower Residents with a Citizens' Commission:

- Establishing a temporary citizens' commission could provide an inclusive and impartial approach.
- This body would review applications, conduct interviews, and recommend the top candidates to the council for their decision.
- To ensure accountability and public trust, the commission's meetings should comply with the **Brown Act**, California's open meetings law, which ensures transparency and public participation in government decisions.
- One way to determine the commission's composition could be for each council member to appoint one member, with a final member selected by consensus of the current four-person council. A five-member commission ensures efficient decision-making and allows for an odd number to address potential disagreements.

- The commission should be supported by city staff to provide administrative and logistical assistance throughout the process.

4. Appointee Should Serve as a Steward, Not a Candidate:

- The appointee should commit to being a steward for the remainder of the term and agree not to run in the next election.
- This ensures the council does not inadvertently grant a political advantage to any individual through the appointment process, maintaining fairness and neutrality.
- By focusing on stewardship, the appointee can dedicate their time to serving the community's immediate needs without the distraction of future political ambitions.

5. Postpone the Selection of Mayor and Vice Mayor:

- Delaying the selection of the mayor and vice mayor until the council is fully seated with five members ensures fairness and inclusivity.
- This allows the new councilmember to participate in selecting their presiding officer(s), promoting collaboration and shared responsibility.
- The current vice mayor can fulfill mayoral duties temporarily, ensuring stability and continuity in leadership during the interim period.

All the best,
Heidy Kellison
Capitola, CA



appointment of new council member

From michael termini <4766206@gmail.com>
Date Mon 1/6/2025 9:19 AM
To City Council <citycouncil@ci.capitola.ca.us>

mayor and honorable councilmembers,

I am writing to urge you to appoint a new council member to fill the soon to be vacant position. a special election will confuse and delay your daily business as well as cost the city precious funds. You have the ability to appoint anyone you choose from a former council member to a planning commissioner to just anyone who is a citizen of our city. I would recommend appointing one of the other candidates from the most recent election. I believe this would be the most fair and representative of the wishes of our community. Either candidate would be appropriate since the votes were close

Please be decisive and expedient in your actions.

sincerely

Michael Termini



Jan 9th City Council Meeting Agenda Items 8...

From Kevin Maguire <kmaguire831@gmail.com>

Date Mon 1/6/2025 6:47 PM

To City Council <citycouncil@ci.capitola.ca.us>

Hello Council Members.

Please take to heart the community voice and the majority of opinions on the follow:

A. The Monte Foundation Fireworks 2025 Recommended Action -

Replace gunpowder fireworks with Drones, or maybe the Monte Foundation could hosts a Free picnic BBQ instead of polluting our Marine Sanctuary! Beach Clean up and Tacos, that would be an Epic way to get the community together!

Fireworks shows are considered significantly bad for the environment, contributing to air pollution by releasing large amounts of particulate matter, heavy metals, and chemicals like perchlorates, which can contaminate water sources and harm wildlife; they also generate noise pollution and leave behind debris that can litter the environment and harm animals if ingested

C.. Fill the Vacate seat with Mr. Enrique Dolmo, or have a Special Election. Or send out an online Survey/mailer / Special Council meeting where members of the community can vote. There should be ways to hear the voice of the community that doesnt cost a lot. Even in the case of a Special Election, that is better than putting a former incumbent in that didn't try hard on her campaign, and barley beat out Enrique. As the incumbent, it is typically a shoe in. While exact probabilities depend on the specific circumstances, studies suggest that incumbents in local elections have a re-election success rate of **70–90%**.

The people dont want Margauex. Mr Dolmo has the heart and character our city would benefit from. Passion for making Capitola safer, and friendly for the youth and elderly. He has continued to serve our community, New Brighton Middle School, and has fresh ideas for vacated spaces.

We dont want any Termed out old council members. I have heard Susan Westman name mention as well, that sounds like it could be a good option.

E. City Council Representation on Regional Boards & City Advisory Bodies Recommended

Action: Many residents are on record for their concerns about Mr Pedersen. His Blue Dot Non-Profit taking money from our City. His behavior and voting against Measure L, and conflicts being on the RTS, and service the residents wishes.

Remove Pedersen from RTC! Listen to the people and Measure L, and the Costal Commission about no passenger Rail service should be active again in Santa Cruz.

Headways for a Choo-Choo would be once an hour, or maybe twice? How will trains pass each other with one track?

No Parking at proposed Stations? Speed limits of 25MPH due to setbacks next to a trail (8 foot from center line) The Choo-Choo will take over 30 minutes to get to Watsonville from Capitola, with the 4-6 stops in between.

Farebox recovery rate is 20-30%. So tax payers will have to subsidise the rest.

The "Trail" Thru the Village is not Safe!!

If you care about Safety and the health and well-being of the residents and people visiting. We need a Trail on the Trestle, or PROTECTED Bike Lanes. Lets Remove all Parking from the Village!!

We need to put Safety First, Safety above all else!

Thank You

Kevin Maguire

Capitola Resident since 1974!



Expression of Interest for Open City Council Seat

From Enrique Dolmo Jr <44enrique@gmail.com>

Date Mon 1/6/2025 6:56 PM

To City Council <citycouncil@ci.capitola.ca.us>

Dear Capitola City Council,

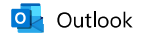
Happy New Year! I hope this message finds you well. I am writing to express my interest in the upcoming open seat on the Capitola City Council. I would be honored to be considered for this opportunity to serve and contribute to our beloved city's continued growth and improvement.

As someone deeply committed to Capitola, I am particularly passionate about addressing the needs of our youth, seniors, and underserved populations. I believe that investing in all our neighbors is a key step toward creating a thriving, sustainable community for generations to come.

My dedication to and love for our city is why I ran for public office. I volunteer at the Santa Cruz Juvenile Hall and currently serve on both the Capitola Historical Museum Board and the Capitola Chief Advisory Board. These experiences have allowed me to collaborate with community members and gain valuable insight into the needs and goals of our city.

I love our community. Thank you for considering my candidacy for the open seat. I would be grateful for the opportunity to serve and work alongside the Council to make Capitola an even better place to live and grow.

Sincerely,
Enrique Dolmo Jr



Outlook

item 8c

From Michael routh <qwakwak@icloud.com>
Date Tue 1/7/2025 6:57 AM
To City Council <citycouncil@ci.capitola.ca.us>

In the past 50 years there have been two previous council resignations - Phil Walker in 1975 and Margaret Fabrizio around 1990. Both vacancies were filled by appointment. The council should appoint and put a new face on the council.

Many residents have been unhappy with the direction of the city and this is a golden opportunity to put the city on a new path.

For the past 8 years Capitola has not progressed. Some council members appeared to be more concerned about their personal future than the city's. The council relinquished their policy making power to the staff and became a rubber stamp for staff proposals. Our city manager hasn't offered any creative solutions to move the city forward. What's important to residents has often been overlooked.

It's time for a change. Appoint someone who is assertive, not afraid to question staff proposals and city manager performance, Appoint someone who wants to preserve what makes Capitola special, and who will bring new ideas to improve our city. Someone with priorities that have been overlooked -like maintaining our streets, keeping the city, beach, and streets clean, prioritizing economic development, and city beautification.... someone who cares more about Capitola than their resume'. We don't need failed incumbents or candidates. We don't need more of the last 8 years. We need new ideas. Open the process up to the community, set up a citizen panel to interview applicants and make recommendations to the council who will then make the final selection.

Mick Routh
Crystal St

1/7/25, 9:52 AM

item 8c - Gautho, Julia - Outlook

Sent from my iPad

Item 4 C.



City Council Vacancy

From Meghan D Morrissey <mdmorrissey@sbcglobal.net>

Date Tue 1/7/2025 10:08 AM

To City Council <citycouncil@ci.capitola.ca.us>

Cc Capitola Morrissey <morrisseycapitola@gmail.com>

Dear Capitola City Council Members-

We are writing in support of the proposal made by Heidi Kellison to establish a process by which the Capitola community can actively participate in the selection process for the open city council seat vacated by the resignation of Yvette Brooks.

A special election would be the most democratic way to proceed in filling this open seat. Unfortunately, the expense and general election fatigue makes this option less attractive. We are very opposed to an immediate appointment by the existing four members of the city council as it's the least open and community-inclusive manner to select an individual to fill this critical position.

In our view, transparency, integrity and community involvement/oversight are the critical priorities for filling this seat. An open, efficient and community-based process is the optimal way to help the Capitola community rally around an individual of merit, purpose and commitment to fill this vacant seat.

We should not prioritize speed over transparency and community oversight. The lack of transparency and process displayed by the previous city council has left many long-term residents on the sidelines, actively questioning key governance decisions made by the previous city council that are in direct conflict with the will of Capitola's citizens, based on unequivocal election results, and simple safety concerns for the well being of current and future residents.

We need to dramatically improve our governance practices and now have the opportunity to add a new member that can work in a truly collaborative fashion with the council, city staff and community to help restore trust and help rebuild Capitola for the decades ahead of us.

The proposal submitted by Heidi Kellison is well constructed and detailed in a step-by-step manner that is based on community-involvement and transparency from the outset. Let's seize the moment and come together as a community to embrace this process and use it as a model for how we solve important problems as a community, now and in the future.

Finally, we strongly urge the Capitola City Council to immediately amend the agenda for Thursday's city council meeting to postpone the Monte Foundation fireworks topic to a later time when the new Capitola City Council is reconstituted. The fireworks topic is simply a much lower priority than the absolute mission-critical nature of defining a process to select a new council member. We acknowledge the area residents who have sent letters to share their concerns about these annual fireworks and they should have a public forum to voice their opinions. However, we

count on the Capitola City Council to have the strategic oversight and clarity of vision to prioritize topics for discussion/decisions and hope they'll use the opportunity on Thursday to focus the topic on the single most important issue facing Capitola today.

Thanks - we look forward to sharing our views publicly Thursday at the meeting.

Meghan and Michael Morrissey
Capitola



Office Hours

From John <jxmulry@gmail.com>

Date Tue 1/7/2025 10:08 AM

To City Council <citycouncil@ci.capitola.ca.us>; Gautho, Julia <jGautho@ci.capitola.ca.us>; Chris Neely Lookout <chris@lookoutlocal.com>; PK Hattis <pkhattis@santacruzsentinel.com>

Hello Neighbors

As some of you may remember, our city councillors used to be available to our residents not just on dais (the silent statue vibe is disconcerting/ quality psyops), but through community engagement.

With the failed takeover from those treating Capitola as a ladder for their own self enrichment near its end (congrats Yvette you make more than I do now/ good luck fundraising here it's brutal), I suggest a return to the service forward representation easily found in the example of Gerry Jensen.

His availability by text or phone isn't feasible for all councillors, however, office hours once a month 2 hours should be the minimum requirement, especially for councillors like Alexander Pedersen who rarely to never respond to residents queries when emailed. Please consider legislating such an office hours policy.

At minimum whoever replaces Yvette should commit to holding office hours TWICE a month, as such an appointment will be an unelected councillor still wielding regulatory powers.

Margaux has a reputation for never responding to constituents. This should disqualify her imo. Inclusion is easy when people agree with you. Service as a councillor requires including all of one's constituents, not just supporters.

In finale let me stress our Hispanic neighbors are 20% of our population/ 2000 souls, please prioritize replacing their only voice on council with a member of their community, if such a member meets all other requirements.

God Bless JM



City Council Vacancy

From vickee95010@aol.com <vickee95010@aol.com>

Date Tue 1/7/2025 12:46 PM

To City Council <citycouncil@ci.capitola.ca.us>

To Whom It May Concern:

In light of Yvette Brooks resignation from the Capitola City Council, we believe the most logical and cost-effective decision would be to appoint Margaux Keiser to complete the remainder of Yvette Brook's term.

Margaux is already highly knowledgeable about the workings of the City Council, and her dedication, intelligence, and commitment would continue to serve the best interests of the people of Capitola.

We are confident that Margaux would be a valuable asset to both the Council and the community.

Sincerely,

Vicki & Armando Rubalcaba



Council position

From Ron Burke <rburke477@gmail.com>
Date Tue 1/7/2025 1:19 PM
To City Council <citycouncil@ci.capitola.ca.us>

Hello, Council members,

As a former Planning Commissioner, I am aware of the challenge presented you with Yvette's departure for her outside opportunity and leaving her post as Council member.

First, thank you Yvette for your service to our community.

Second, in response to Yvette's upcoming vacancy, I suggest that the Council take the most straight-forward response to fill the vacancy by appointing the largest vote count candidate in last November's election not elected, that of Margaux Keiser.

The option of holding a special election is not wise. It is first time-consuming, which will leave you with a period of difficulty finding a solid quorum, especially when members are recused from any particular matter under consideration. Additionally, such a route is very costly, funds which would compete with needed city services and backlogged capital improvements from your CIP.

If there is an option of appointing another council member, that places you in a position of favoritism which will not be forgotten.

In closing, the people have already spoken, and they have already voiced their support for Margaux.

Thank you for your consideration,
Ron Burke



Item 8-C. Process to Fill Vacant Council Seat

From Susan Westman <susan@bestwestman.com>

Date Tue 1/7/2025 2:50 PM

To City Council <citycouncil@ci.capitola.ca.us>

January 7, 2025

Dear City Council Members,

On your agenda for January 9, 2025 is item 8-C "Process to fill vacant Council seat". I am hopeful that when the Council discusses this item that you will be mindful of the need to have some community input as part of the section process. Normally having an election to fill this position would provide for the most direct input from the community but a special election of that type will have a cost and time delay. As it is important to have a full 5-member Council I would offer the following suggestions to include in a selection process.

The Council should have a process that allows for applications to be accepted for this 2-year term. The applicants for this appointment should be committed to serving out the remainder of Mayor Brooks term and not be a candidate in the next election in 2026.

Not having the applicants be candidates in the 2026 election leaves that 2026 election process untainted. This is similar to the approach used by Governor Newsom in filling the 2-year Senate vacancy created by the death of Diane Feinstein.

There are numerous ways the Council can screen the applications but some community members should be involved in the screening process and having the process open to the public is critical.

Whatever committee is set up to evaluate the applications should use a consistent evaluation method for all applicants and have a rank scoring system. This is the only method that will allow for transparency in the ranking process.

Having this type of open process is important to assure the community that the Council has selected the best person to fill this 2-year term. It assures the public that this was not simply a politically motivated choice but shows the Council is choosing the best applicant to help Capitola move forward during the next 2 years. There are many important items which Capitola faces at this time. The mall project and City revenues are a top priority. Decisions on implementing the City's new adopted Housing Element are critical. Helping the City's businesses move through challenging times for retail in the Village and on 41st Avenue need to be addressed are a few examples.

Understandably this is a unique time for Capitola but it will be important for the Council to:

1. Involve the community in this selection process.
2. Select someone who is going to fill this position for 2 years but will not be a candidate in 2026.

3. Make certain there is a transparent ranking system of the applicants.

Item 4 C.

Thank you for taking the time to consider these issues.

Susan Westman
507 Riverview Drive
Capitola, CA 95050



Capitola City Council vacancies-Agenda Item 8-C

From Concerned Citizens Of Capitola <concernedcitizensofcapitola@gmail.com>

Date Wed 1/8/2025 9:57 AM

To City Council <citycouncil@ci.capitola.ca.us>

Cc Welch, Troy (TJ) (nowworries4TJ@mac.com) <nowworries4TJ@mac.com>; Gautho, Julia <jGautho@ci.capitola.ca.us>

Council Members,

Proper representation for Capitola residents by our City Council is now at stake with the vacancy created by the resignation of Council Member Yvette Brooks. Concerned Citizens of Capitola is requesting that the Council find a fair and transparent process that involves community input to select the new Council Member. Options include an appointment process that includes residents, or a special election.

Appointing the new Council Member from the last election-There has been some public discussion that the City Council is considering the appointment of past city council member Margaux Morgan simply because she placed third in the recent council election. Placing third however says a lot more than just a ranking. As an incumbent she lost by 775 votes to a first time candidate. The 775 vote gap for an incumbent in a Capitola election, is really a mandate from the residents that they have lost faith in her ability to appropriately represent our community. To appoint Enrique Dolmo would only further exacerbate the situation. The election was for two members only, and the community did not choose candidates Morgan or Dolmo.

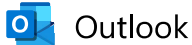
Appointing a member of the community-Any outside appointment without community input at this time would likely not have the full support by the community. The lack of transparency would further the lack of trust that already exist. Any selection by appointment should include respected community members.

Special Election-While a special election is the fairest, we recognize there is a substantial cost to the City and an extended timeframe. However, Concerned Citizens of Capitola believe a special election would be fair to all, as well as help to improve trust and reduce potential legal recourse.

Respectfully,

TJ Welch on behalf of

Concerned Citizens of Capitola



Public Comment for Thursday agenda items

From Leslie Nielsen <lpbeach21@gmail.com>

Date Wed 1/8/2025 10:04 AM

To City Council <citycouncil@ci.capitola.ca.us>; Gautho, Julia <jGautho@ci.capitola.ca.us>

Capitola City Council,

Re: Agenda Item 8C - Process to Fill a Vacant Council Seat, and Agenda Item 8D - City Council Reorganization for 2025

As I will be attending the meeting remotely this week, I submit the following public comments for your consideration.

Item 8C. While an election is clearly the least controversial and most democratic approach to filling the seat, the time and budget trade-offs are not insignificant. I believe this task can be managed in a democratic way that continues the momentum of improving collaboration amongst the City Staff, City Council, and Community using a transparent process versus the swift appointment of a named person.

The time required to get this done using a process that includes the community by having them involved in a committee approach or being present for application reviews, interviews, etc. will go a long way towards building trust. It will also ensure the newly appointed member can hit the ground running having been properly vetted in a public and transparent manner.

I am confident you can define a community inclusive process that doesn't have to be a huge time sink, and that the extra effort over a mere appointment will have a great payback for all constituent groups.

8D. It struck me as odd that item 8C was to define the approach to be used to select a council member, and that item 8D was to take action and appoint Mayor and Vice Mayor seats before the new member was identified. Please consider allowing the Vice Mayor to act in the Pro Tempore capacity covering the duties of the Mayoral position until a full council is seated, and postpone this action. Given the new council member will be a vetted and deemed qualified candidate, they should be a participant in selecting governing positions.

This logic may also warrant a discussion on postponing Items 8E and 8F.

Best regards,
Leslie Nielsen



01.09.2025 agenda item 8.C

From Katherine Harasz <katherine.harasz@gmail.com>

Date Wed 1/8/2025 10:48 AM

To City Council <citycouncil@ci.capitola.ca.us>

The Council has an important decision to make regarding an appointment versus special election to fill the current vacancy. I advocate for the appointment of Enrique Dolmo.

First and foremost, from my chair, it appears that the older, white Capitola resident perspective is well-represented on this council. And, I will throw in business interests, as this demographic seems to align with business interests.

Second, Mr. Dolmo is not retired or semi-retired. He is a working man very much in touch with another important demographic in our community: the youth. Through his employment he understands the current behavior, habits and trends of our youth. I think this is a perspective that is needed in improving pedestrian and bicycle paths, addressing the dangers of e-bikes, and addressing other current youth issues that I am not aware of as a person with adult children.

Third, as a working man, although Mr. Dolmo may not have the luxury of time to volunteer and glad-hand the predominant demographic in our community at various local festivals, he has volunteer hours with the Racial Justice Task Force and Police Chief's Advisory Committee. He has a unique perspective as a person of color, and we need that on our Council.

Melinda Orbach made an astute observation when launching her campaign: that the west side is not represented because Capitola does not have district elections, which would allow for neighborhood interests to be better represented. This same barrier prevents people like Mr. Dolmo from ever being elected. This appointment would not only save money, but achieve an equity that, in my opinion, is long overdue in this City absent the establishment of district elections.

Thank you for your consideration of my views.

Katherine Harasz
Capitola Resident



New Council Member

From Katharine Parker <katharinep3@gmail.com>

Date Wed 1/8/2025 2:38 PM

To City Council <citycouncil@ci.capitola.ca.us>

City Council of Capitola

Thank you for the work you devote to Capitola. You're serving the City at a pivotal time, trying to preserve its' historic charm, including its' small, close residential neighborhoods, with the push for more commerce and housing. Unfortunately, lack of outreach and transparency and an apparent lack of respect from some council members towards the community they're serving have led to distrust and concern among many local citizens.

Now, with Yvette Brooks' unexpected resignation you have an opportunity to extend outreach and rebuild trust in the community. An election would certainly be the most open route but also the most expensive. If an election is not possible, an appointment by city council together with a respected and varied group of Capitola residents (including resident business owners) could set the Council and constituents on a more productive and cooperative path for the betterment of Capitola.

Thank you,

Tom & Katharine Parker

Sent from my iPhone

Gautho, Julia

From: carol morgan <carolhillmorgan@gmail.com>
Sent: Wednesday, January 8, 2025 7:00 PM
To: City Council
Subject: best for Capitola

Dear Capitola City Council,

With Mayor Brooks stepping down, I urge you to honor the runner up of the most recent election.

We should not spend City funds on a special election.

Please do not waste time on an application system and swiftly move forward with appointing Margaux Morgan to City Council.

Ms. Morgan has plenty of experience, has stood as Mayor during one of our most tumultuous years, even greeted and toured the President through our beloved city. She has knowledge of, and has been involved with the issues at hand and maintains great relationships with city staff, council, and the community.

Please do what is best for Capitola by supporting consistency, vision and loyalty to our city.

Sincerely,
Carol Morgan

Gautho, Julia

From: Hollis Snell <hollisbsnell@yahoo.com>
Sent: Wednesday, January 8, 2025 7:30 PM
To: City Council
Subject: Margaux Morgan to City Council

Dear Capitola City Council,

With Mayor Brooks stepping down, I urge you to honor the runner up of the most recent election.

We should not spend City funds on a special election.

Please do not waste time on an application system and swiftly move forward with appointing Margaux Morgan to City Council.

Ms. Morgan has plenty of experience, has stood as Mayor during one of our most tumultuous years, even greeted and toured the President through our beloved city. She has knowledge of, and has been involved with the issues at hand and maintains great relationships with city staff, council, and the community.

Please do what is best for Capitola by supporting consistency, vision and loyalty to our city.

Sincerely,
Hollis Snell

Gautho, Julia

From: Teri Snell <terileighsnell@gmail.com>
Sent: Wednesday, January 8, 2025 7:33 PM
To: City Council
Subject: Mayor

Dear Capitola City Council,

With Mayor Brooks stepping down, I urge you to honor the runner up of the most recent election.

We should not spend City funds on a special election.

Please do not waste time on an application system and swiftly move forward with appointing Margaux Morgan to City Council.

Ms. Morgan has plenty of experience, has stood as Mayor during one of our most tumultuous years, even greeted and toured the President through our beloved city. She has knowledge of, and has been involved with the issues at hand and maintains great relationships with city staff, council, and the community.

Please do what is best for Capitola by supporting consistency, vision and loyalty to our city.

Sincerely, Teri Snell

Gautho, Julia

From: Sheryl Coulston <sheryl.coulston@gmail.com>
Sent: Wednesday, January 8, 2025 8:01 PM
To: City Council
Subject: Appoint Margaux Morgan to City Council

January 8, 2025

Dear Capitola City Council,

With Mayor Brooks stepping down, I urge you to honor the runner up of the most recent election.

We should not spend City funds on a special election.

Please do not waste time on an application system and swiftly move forward with appointing Margaux Morgan to City Council.

Ms. Morgan has plenty of experience, has stood as Mayor during one of our most tumultuous years, even greeted and toured the President through our beloved city. She has knowledge of, and has been involved with the issues at hand and maintains great relationships with city staff, council, and the community.

Please do what is best for Capitola by supporting consistency, vision and loyalty to our city.

Sincerely,

Sheryl Coulston
300 Plum St. #25
Capitola, CA 95010
831-227-9494
sheryl.coulston@gmail.com

Gautho, Julia

From: Bob Edgren <agren7@yahoo.com>
Sent: Wednesday, January 8, 2025 8:05 PM
To: City Council
Subject: Thursday Meeting

Honorable Mayor and Council,

My apologies for this late letter. I hope it is recieved in time for the meeting.

Okay, my main concern lies in the State Mandated affordable housing act. I apologize for not being up on this. I do not believe I am th4 only one who is in the dark. I think we need to be brought up to date on this issue. Frankly, it is appalling how our Governor and state representatives can impose such a radical move on any city. This program would significantly change the lifestyle many of us have worked hard to accomplish. If I could make some suggestions and questions;

1. At this point in time, where does the city sit with these high density state mandates?
2. Has anyone in a city position opposed this act, or looked into opposing it? Are the council members aware of avenues to take to contest the act?
3. How about appointing a task force to keep abreast of this issue, one that could communicate with other cities, invite speakers, hold public hearings and so forth.

Okay, I many cities have been cold cocked by this measure and after reading some cities that oppose it, It's impressive to see the number of cities stand up and say no.

That's all I have to say about that.

Regarding the replacement of the vacant Council seat, there is a pool of potentials that could be called on. If any are interested, perhaps we could have a customary panel discussion. Anyone opposing high density housing has my backing. But some names to consider;

Susan Westman
 Mick Routh
 Mike Termini
 Jacques Bertrand
 Sam Story
 Bruce Arthur
 Kirby Nicol

Regarding the fireworks.If someone could explain how the money in this works. How does anyone make money of fireworks. Is there money raised for a cause?

Okay, thanks for your time to review these ideas.

Yours truly,

Robert Edgren

Item 4 C.

Gautho, Julia

From: heatherohara36@yahoo.com
Sent: Wednesday, January 8, 2025 11:50 PM
To: City Council
Subject: Replacing Mayor Brooks seat on city council

With Mayor Brooks moving on to her next opportunity it leaves a vacancy on our city council. Having had an election recently it gives us a perfect candidate to fill in the remaining two years. The runner up.

Ms Morgan has plenty of current experience and knowledge of our city. She stood strong as our Mayor during a very difficult time for Capitola. Margaux has served our council with grace and class. I ask that our City Council and Staff waste no time or money on a special election or an application system.

Appointing Ms Morgan is the right and smart option in front of you.

Thank you
Heather OHara
20-year resident

Gautho, Julia

From: Andrew Baumhardt <andrew.baumhardt@yahoo.com>
Sent: Thursday, January 9, 2025 12:00 AM
To: City Council
Subject: Vacancy left by Mayor Brooks

I urge the Council and Staff to honor the latest election results by filling the seat with Ms Morgan. Please do not waste money or time on special election or applications. Margaux knowledge of our city and recent experience make her the perfect choice.

Thank you
Andrew Baumhardt

Gautho, Julia

From: Mary Cahalen <mbbythesea@aol.com>
Sent: Thursday, January 9, 2025 6:48 AM
To: City Council
Subject: Resignation of Mayor Yvette Brooks

Dear Capitola City Council,

I am writing in regard to the recent resignation of Mayor Yvette Brooks. As I understand, the City Council has two options for filling the mayoral vacancy:

1. Calling a special election, which is estimated to cost the city approximately \$80,000.
2. Appointing a Capitola resident to serve for the remainder of the mayor's term.

Regarding the first option, I strongly believe that calling a special election would be an unnecessary and wasteful expenditure, particularly given the tightness of the city's budget and the fact that a general election was held just two months ago. It seems inefficient to incur such significant costs when the community has already recently participated in the electoral process.

For the second option, I would like to express my strong support for appointing Margaux Morgan (Kaiser) to fill the mayoral vacancy. Having served a term on the City Council, Margaux has a solid understanding of the issues facing our city and would serve the residents of Capitola well. She has already demonstrated her commitment to the community, particularly in helping during the storms and with the Wharf. Furthermore, as the third-highest vote recipient in the recent election, she has the backing of a broad segment of the community, making her a logical and appropriate choice.

Additionally, I would like to make it clear that I am *strongly opposed* to the reappointment of former Mayor Kristen Brown to the City Council. Having completed two consecutive terms, Kristen is ineligible to serve another term under the City's term limits. Appointing her would be in direct contradiction to the will of the voters, who established the term limit rule to ensure fresh perspectives and accountability on the Council.

In conclusion, I believe appointing Margaux Morgan is the best course of action for our community and would reflect the values of fiscal responsibility and respect for the electoral process.

If you have any questions or would like further input, I am happy to provide additional information.

Sincerely,
Mary Beth Cahalen

Gautho, Julia

From: Kevin Zelter <zelv5@yahoo.com>
Sent: Thursday, January 9, 2025 7:39 AM
To: City Council
Subject: Margaux Morgan

Dear Capitola City Council,

With Mayor Brooks stepping down, I urge you to honor the runner up of the most recent election.

We should not spend City funds on a special election.

Please do not waste time on an application system and swiftly move forward with appointing Margaux Morgan to City Council.

Ms. Morgan has plenty of experience, has stood as Mayor during one of our most tumultuous years, even greeted and toured the President through our beloved city. She has knowledge of, and has been involved with the issues at hand and maintains great relationships with city staff, council, and the community.

Please do what is best for Capitola by supporting consistency, vision and loyalty to our city.

Sincerely,

Kevin Zelter
Santa Cruz County Resident

[Sent from Yahoo Mail for iPhone](#)

Gautho, Julia

From: Neal Stokes <curlyskidman@gmail.com>
Sent: Thursday, January 9, 2025 8:19 AM
To: City Council
Subject: Best for Capitola

Dear Capitola City Council,

With Mayor Brooks stepping down, I urge you to honor the runner up of the most recent election.

We should not spend City funds on a special election.

Please do not waste time on an application system and swiftly move forward with appointing Margaux Morgan to City Council.

Ms. Morgan has plenty of experience, has stood as Mayor during one of our most tumultuous years, even greeted and toured the President through our beloved city. She has knowledge of, and has been involved with the issues at hand and maintains great relationships with city staff, council, and the community.

Please do what is best for Capitola by supporting consistency, vision and loyalty to our city.

Sincerely,
Neal Stokes

Sent from my iPhone

Gautho, Julia

From: Judy Garrison <judyxgarrison@gmail.com>
Sent: Thursday, January 9, 2025 9:45 AM
To: City Council
Subject: Margaux Morgan

Dear Capitola City Council,

With Mayor Brooks stepping down, I urge you to honor the runner up of the most recent election.

We should not spend City funds on a special election.

Please do not waste time on an application system and swiftly move forward with appointing Margaux Morgan to City Council.

Ms. Morgan has plenty of experience, has stood as Mayor during one of our most tumultuous years, even greeted and toured the President through our beloved city. She has knowledge of, and has been involved with the issues at hand and maintains great relationships with city staff, council, and the community.

Please do what is best for Capitola by supporting consistency, vision and loyalty to our city.

Sincerely,

Judy Garrison

Gautho, Julia

From: Lori Mahan <lori.mahan@yahoo.com>
Sent: Thursday, January 9, 2025 1:04 PM
To: City Council
Subject: Margaux Morgan

Dear Capitola City Council,

With Mayor Brooks stepping down, I urge you to honor the runner up of the most recent election.

We should not spend City funds on a special election.

Please do not waste time on an application system and swiftly move forward with appointing Margaux Morgan to City Council.

Ms. Morgan has plenty of experience, has stood as Mayor during one of our most tumultuous years, even greeted and toured the President through our beloved city. She has knowledge of, and has been involved with the issues at hand and maintains great relationships with city staff, council, and the community.

Please do what is best for Capitola by supporting consistency, vision and loyalty to our city.

Sincerely,
Lori Mahan
504 Oak Drive
Capitola ca

Gautho, Julia

From: robin elias <robinlelias@gmail.com>
Sent: Thursday, January 9, 2025 3:11 PM
To: City Council
Subject: City Council replacement

Dear Capitola City Council,

With Mayor Brooks stepping down, I urge you to honor the runner up of the most recent election.

We should not spend City funds on a special election.

Please do not waste time on an application system and swiftly move forward with appointing Margaux Morgan to City Council.

Ms. Morgan has plenty of experience, has stood as Mayor during one of our most tumultuous years, even greeted and toured the President through our beloved city. She has knowledge of, and has been involved with the issues at hand and maintains great relationships with city staff, council, and the community.

Please do what is best for Capitola by supporting consistency, vision and loyalty to our city.

Sincerely,
Robin Elias

Gautho, Julia

From: Margaux Morgan <margauxpmorgan@gmail.com>
Sent: Thursday, January 9, 2025 2:47 PM
To: City Council
Subject: Vacancy Letter of Intent

Dear Capitola City Council,

While it is the end of an era to see Mayor Brooks step down, I want to put forth my letter of intent to occupy the new vacant seat on Capitola City Council.

I would be honored to serve the City of Capitola for the next 2 years while the City works through this transitional period. I can provide some up to date leadership as I have been serving the city for the last four years.

During my term in office I worked well with my fellow council members and our city staff to complete many successful projects. Affordable housing projects, rebuilding and reopening of the Municipal Wharf, moving forward with our City's strategic plan, passing measure Y to ensure the prosperity of our community, among many other things.

One of my main goals taking office was to have more community awareness, knowledge and engagement and I am seeing that come to fruition as we navigate this transition and I could not be more pleased.

I would be proud to assist this new council for the end of Mayor Brooks' term, creating space for more people to become informed, and up to date with upcoming decisions so that they may properly run for a seat on council in 2026.

Council, you have a hard decision ahead of you as to how to move forward and I will support your decision whatever it may be. Serving this beautiful city is not easy, and you are never going to be able to please everyone at once, but I have faith you will do what is best for our community.

Please, if you have any questions do not hesitate to reach out.

Best regards,
Margaux Morgan
Capitola City Mayor 2023

Sent from my iPhone

Gautho, Julia

From: olson_steven@yahoo.com
Sent: Thursday, January 9, 2025 2:27 PM
To: City Council
Subject: Support for Margaux Morgan

I am writing to express my support for appointing Margaux Morgan to the council to serve the remainder of Yvette Brooks term. I have known Margaux for several years, and as some of you that served with her can attest, she is a smart, thoughtful, and dedicated person, whose experience on the council and as mayor, would be invaluable now. I also realize that there may be other former council members willing to take on this role, but I really think she brings a fresh perspective, and youthful energy, that will service our community best.

Sincerely,

Steve Olson
olson_steven@yahoo.com
831.419.6142
www.linkedin.com/in/swolson



Public Comment for Thursday agenda items

From Leslie Nielsen <lpbeach21@gmail.com>

Date Wed 1/8/2025 10:04 AM

To City Council <citycouncil@ci.capitola.ca.us>; Gautho, Julia <jGautho@ci.capitola.ca.us>

Capitola City Council,

Re: Agenda Item 8C - Process to Fill a Vacant Council Seat, and Agenda Item 8D - City Council Reorganization for 2025

As I will be attending the meeting remotely this week, I submit the following public comments for your consideration.

Item 8C. While an election is clearly the least controversial and most democratic approach to filling the seat, the time and budget trade-offs are not insignificant. I believe this task can be managed in a democratic way that continues the momentum of improving collaboration amongst the City Staff, City Council, and Community using a transparent process versus the swift appointment of a named person.

The time required to get this done using a process that includes the community by having them involved in a committee approach or being present for application reviews, interviews, etc. will go a long way towards building trust. It will also ensure the newly appointed member can hit the ground running having been properly vetted in a public and transparent manner.

I am confident you can define a community inclusive process that doesn't have to be a huge time sink, and that the extra effort over a mere appointment will have a great payback for all constituent groups.

8D. It struck me as odd that item 8C was to define the approach to be used to select a council member, and that item 8D was to take action and appoint Mayor and Vice Mayor seats before the new member was identified. Please consider allowing the Vice Mayor to act in the Pro Tempore capacity covering the duties of the Mayoral position until a full council is seated, and postpone this action. Given the new council member will be a vetted and deemed qualified candidate, they should be a participant in selecting governing positions.

This logic may also warrant a discussion on postponing Items 8E and 8F.

Item 4 D.

Best regards,
Leslie Nielsen



Outlook

Capitola City Council vacancies-Agenda Item 8-D,E

From Concerned Citizens Of Capitola <concernedcitizensofcapitola@gmail.com>

Date Wed 1/8/2025 10:47 AM

To City Council <citycouncil@ci.capitola.ca.us>; Gautho, Julia <jGautho@ci.capitola.ca.us>

Cc Welch, Troy (TJ) (nowworries4TJ@mac.com) <nowworries4TJ@mac.com>

Council Members,

We recognize that Vice Mayor Joe Clark is the likely Council Member to assume the vacant role of Mayor, thereby creating a vacancy of Vice Mayor on the Council. Our concern is with the possibility that Council Member Alexander Pedersen is the nominee for Vice Mayor simply due to his tenure on the Council. In an effort to provide honesty and transparency, Concerned Citizens of Capitola believes that Council Member Pedersen should be removed from consideration for the Vice Mayor position given the number of ethical issues he presents at this time. In fact, there is a growing number of residents that is considering a recall of Council Member Pedersen because of these ethical concerns, which include:

- **Misuse of public funds**-Two months before Council Member Pedersen's appointment to the City Council, he was awarded a \$15,000. outcome based community grant from taxpayer money for his non-profit organization Blue Circle or Fair Wages. This grant was outcome or performance based specifically for improving the health and wellness in Capitola. Council Member Pedersen cashed \$5,000. Of those funds, but then decided the money does not support his non-profit organizations mission and purpose, so he did not cash the checks for the remaining \$10,000. The question that comes to mind is if that is the case why did he take the funds in the first place? and secondly why did Council Members Kristen Brown and Margaux Morgan award him the grant? The next question is, what did he do with the \$5,000 he kept that was supposed to benefit the health & wellness of the City of Capitola? That is unknown since he has not presented the required presentation yet. Letters from Council Member Pedersen to the city disclose that he asked the City to schedule his presentation at the latest date possible in June 2025. It should be noted there is nothing on his non-profit website indicating he has done anything for Capitola.
- **Use of false City address**-Aside from having a non-profit company, Council Member Pedersen also has a handyman business. A few months prior to running for Capitola City Council, Council Member Pedersen was a resident of Aptos. However, he used a residential address on Fanmar Way in Capitola as his business address. An address that he never resided at or ran his business from.
- **Intentionally violating Capitola Municipal Code**-Council Member Pedersen is our representative to the Regional Transportation Commission (RTC), and in his capacity on the RTC is has voted for and approved motions that are in direct violation of Capitola Municipal Code 8.72-The Greenway code. This code was established in 2016 after Capitola residents overwhelmingly passed Measure Y. He should be removed as the City of Capitola RTC representative.
- **Stockton Bridge**- In addition to intentionally violating Municipal code 8.72 on the RTC, Council Member Pedersen has also made the request to widen the historic Stockton bridge to accommodate the RTC bicycle pedestrian path, again in direct conflict of City municipal code 8.72.

- **Fair Political Practice Commission (FPPC) investigation**-Council Member Pedersen is currently being investigated for ethical violations by the FPPC.

Item 4 D.

Due to these ethical concerns, Concerned Citizens of Capitola respectfully request that Council Member Alexander Pedersen not be considered for the position of Vice Mayor.

In addition, since he has not kept his sworn oath to uphold Capitola City law, we believe he should also be removed from the appointment to the RTC and replaced with a Council Member that will uphold Capitola law and the will of the people.

Respectfully,
TJ Welch on behalf of
Concerned Citizens of Capitola



Jan 9th City Council Meeting Agenda Items 8...

From Kevin Maguire <kmaguire831@gmail.com>

Date Mon 1/6/2025 6:47 PM

To City Council <citycouncil@ci.capitola.ca.us>

Hello Council Members.

Please take to heart the community voice and the majority of opinions on the follow:

A. The Monte Foundation Fireworks 2025 Recommended Action -

Replace gunpowder fireworks with Drones, or maybe the Monte Foundation could hosts a Free picnic BBQ instead of polluting our Marine Sanctuary! Beach Clean up and Tacos, that would be an Epic way to get the community together!

Fireworks shows are considered significantly bad for the environment, contributing to air pollution by releasing large amounts of particulate matter, heavy metals, and chemicals like perchlorates, which can contaminate water sources and harm wildlife; they also generate noise pollution and leave behind debris that can litter the environment and harm animals if ingested

C.. Fill the Vacate seat with Mr. Enrique Dolmo, or have a Special Election. Or send out an online Survey/mailer / Special Council meeting where members of the community can vote. There should be ways to hear the voice of the community that doesnt cost a lot. Even in the case of a Special Election, that is better than putting a former incumbent in that didn't try hard on her campaign, and barley beat out Enrique. As the incumbent, it is typically a shoe in. While exact probabilities depend on the specific circumstances, studies suggest that incumbents in local elections have a re-election success rate of **70–90%**.

The people dont want Margauex. Mr Dolmo has the heart and character our city would benefit from. Passion for making Capitola safer, and friendly for the youth and elderly. He has continued to serve our community, New Brighton Middle School, and has fresh ideas for vacated spaces.

We dont want any Termed out old council members. I have heard Susan Westman name mention as well, that sounds like it could be a good option.

E. City Council Representation on Regional Boards & City Advisory Bodies Recommended

Action: Many residents are on record for their concerns about Mr Pedersen. His Blue Dot Non-Profit taking money from our City. His behavior and voting against Measure L, and conflicts being on the RTS, and service the residents wishes.

Remove Pedersen from RTC! Listen to the people and Measure L, and the Costal Commission about no passenger Rail service should be active again in Santa Cruz.

Headways for a Choo-Choo would be once an hour, or maybe twice? How will trains pass each other with one track?

No Parking at proposed Stations? Speed limits of 25MPH due to setbacks next to a trail (8 foot from center line) The Choo-Choo will take over 30 minutes to get to Watsonville from Capitola, with the 4-6 stops in between.

Farebox recovery rate is 20-30%. So tax payers will have to subsidise the rest.

The "Trail" Thru the Village is not Safe!!

If you care about Safety and the health and well-being of the residents and people visiting. We need a Trail on the Trestle, or PROTECTED Bike Lanes. Lets Remove all Parking from the Village!!

We need to put Safety First, Safety above all else!

Thank You

Kevin Maguire

Capitola Resident since 1974!



Planning Commission Appointment

From John <jxmulry@gmail.com>

Date Tue 1/7/2025 10:23 AM

To City Council <citycouncil@ci.capitola.ca.us>; Gautho, Julia <jGautho@ci.capitola.ca.us>

Hello Neighbors

As you know Yvette Brooks chose to use her planning commission appointments to empower special interests, continuously appointing a non resident developer representative. (Might I add I love Fuse and they do excellent work for our city).

This is a deep betrayal of our community by someone we now know was always in this for their own self enrichment, as she abandons her Mayoral term no less for a payday. Whoever replaces Yvette should commit to appointing a Capitola resident not a developer representative to the planning commission.

I know all 4 of you who are in this for our community agree with me. You don't have to be afraid of the bullies Kristen or Yvette anymore (as hard as it is to mess up a United Way CEO position I admit her lack of credentials or necessary experience might prove me wrong here). I'm still here. Now that Yvette has the money she desired we will never hear from her again. Kristen I'm hoping runs again but this time with me not Yvette as her campaign manager so I can guarantee her election. Still can't believe how badly Yvette blew that. Even my modeling showed beating Kristen was impossible. Such incompetence. Meh.

These are my thoughts.

God Bless JM



Capitola City Council vacancies-Agenda Item 8-D,E

From Concerned Citizens Of Capitola <concernedcitizensofcapitola@gmail.com>

Date Wed 1/8/2025 10:47 AM

To City Council <citycouncil@ci.capitola.ca.us>; Gautho, Julia <jGautho@ci.capitola.ca.us>

Cc Welch, Troy (TJ) (noworries4TJ@mac.com) <noworries4TJ@mac.com>

Council Members,

We recognize that Vice Mayor Joe Clark is the likely Council Member to assume the vacant role of Mayor, thereby creating a vacancy of Vice Mayor on the Council. Our concern is with the possibility that Council Member Alexander Pedersen is the nominee for Vice Mayor simply due to his tenure on the Council. In an effort to provide honesty and transparency, Concerned Citizens of Capitola believes that Council Member Pedersen should be removed from consideration for the Vice Mayor position given the number of ethical issues he presents at this time. In fact, there is a growing number of residents that is considering a recall of Council Member Pedersen because of these ethical concerns, which include:

- **Misuse of public funds**-Two months before Council Member Pedersen's appointment to the City Council, he was awarded a \$15,000. outcome based community grant from taxpayer money for his non-profit organization Blue Circle or Fair Wages. This grant was outcome or performance based specifically for improving the health and wellness in Capitola. Council Member Pedersen cashed \$5,000. Of those funds, but then decided the money does not support his non-profit organizations mission and purpose, so he did not cash the checks for the remaining \$10,000. The question that comes to mind is if that is the case why did he take the funds in the first place? and secondly why did Council Members Kristen Brown and Margaux Morgan award him the grant? The next question is, what did he do with the \$5,000 he kept that was supposed to benefit the health & wellness of the City of Capitola? That is unknown since he has not presented the required presentation yet. Letters from Council Member Pedersen to the city disclose that he asked the City to schedule his presentation at the latest date possible in June 2025. It should be noted there is nothing on his non-profit website indicating he has done anything for Capitola.
- **Use of false City address**-Aside from having a non-profit company, Council Member Pedersen also has a handyman business. A few months prior to running for Capitola City Council, Council Member Pedersen was a resident of Aptos. However, he used a residential address on Fanmar Way in Capitola as his business address. An address that he never resided at or ran his business from.
- **Intentionally violating Capitola Municipal Code**-Council Member Pedersen is our representative to the Regional Transportation Commission (RTC), and in his capacity on the RTC is has voted for and approved motions that are in direct violation of Capitola Municipal Code 8.72-The Greenway code. This code was established in 2016 after Capitola residents overwhelmingly passed Measure Y. He should be removed as the City of Capitola RTC representative.
- **Stockton Bridge**- In addition to intentionally violating Municipal code 8.72 on the RTC, Council Member Pedersen has also made the request to widen the historic Stockton bridge to accommodate the RTC bicycle pedestrian path, again in direct conflict of City municipal code 8.72.

- **Fair Political Practice Commission (FPPC) investigation**-Council Member Pedersen is currently being investigated for ethical violations by the FPPC.

Item 4 E.

Due to these ethical concerns, Concerned Citizens of Capitola respectfully request that Council Member Alexander Pedersen not be considered for the position of Vice Mayor.

In addition, since he has not kept his sworn oath to uphold Capitola City law, we believe he should also be removed from the appointment to the RTC and replaced with a Council Member that will uphold Capitola law and the will of the people.

Respectfully,
TJ Welch on behalf of
Concerned Citizens of Capitola

Capitola City Council Agenda Report

Meeting: January 9, 2025

From: City Manager Department

Subject: City Council Meeting Minutes



Recommended Action: Approve minutes from the regular meeting on December 12, 2024.

Background: Attached for City Council review and approval are the draft minutes from the regular meeting on December 12, 2024.

Attachments:

1. Regular Meeting Minutes 12/12

Report Prepared By: Julia Gautho, City Clerk

Approved By: Jamie Goldstein, City Manager

City of Capitola

City Council Meeting Minutes

Thursday, December 12, 2024 – 5:30 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

Regular Meeting of the Capitola City Council – 5:30 PM

1. **Roll Call and Pledge of Allegiance** - *The meeting was called to order at 5:30 PM. In attendance: Council Members Clarke, Morgan, Pedersen, Vice Mayor Brooks, and Mayor Brown.*
2. **Additions and Deletions to the Agenda** – *City Manager Goldstein requested to pull Item 6E from the Consent Calendar and advised the public that Park Avenue is closed due to necessary tree work. Police Chief Ryan thanked the City Council for their attendance at the Police Chief swearing-in ceremony and invited them to attend a swearing-in ceremony next week for promotional Police roles.*
3. **Additional Materials**
 - A. *Item 5E – One email received after publication of the agenda packet.*
 - B. *Item 6E - Corrected Resolution*
 - C. *Item 7C - One email received after publication of the agenda packet.*
4. **Oral Communications by Members of the Public**
 - *Nicholas Brown*
 - *Goran Klepic*
5. **Elections Business**
 - A. City Council Meeting Minutes
Recommended Action: Approve minutes from the regular meeting on November 21, 2024.

Motion to adopt the November 21st City Council Meeting Minutes: Council Member Morgan
Second: Council Member Clarke
Voting Yea: Council Members Clarke, Morgan, Pedersen, Vice Mayor Brooks, Mayor Brown
 - B. Presentation of Certificates of Appreciation to Outgoing Council Members and Outgoing Council Member Comments
Recommended Action: Receive comments from outgoing Council Members.

The City Manager presented the outgoing City Council Members with certificates of appreciation and flowers. The outgoing City Council Members provided comments about their experience as elected officials. The City Council shared comments thanking the outgoing members for their contributions to the City.

- C. Results of the General Municipal Election
Recommended Action: Adopt a resolution confirming and approving the canvass of returns and results of the General Municipal Election, held on November 5, 2024.

Motion to adopt Resolution No. 4404: Vice Mayor Brooks
Second: Council Member Clarke
Voting Yea: Council Members Clarke, Morgan, Pedersen, Vice Mayor Brooks, Mayor Brown

- D. Oath-of-Office Ceremony
Recommended Action: Administer the oath of office and receive comments from newly elected Council Members.

The City Clerk administered the Oath of Office to Gerry Jensen and Melinda Orbach. Council Members Jensen and Orbach provided comments upon taking their seats.

- E. City Council Reorganization for 2025
Recommended Action: Nominate and appoint a new Mayor and Vice-Mayor.

Motion to appoint Joe Clarke as Vice Mayor for 2025: Council Member Jensen
Second: Vice Mayor Brooks
Voting Yea: Council Members Clarke, Jensen, Orbach, Pedersen, Vice Mayor Brooks

Motion to appoint Yvette Brooks as Mayor for 2025: Vice Mayor Clarke
Second: Council Member Orbach
Voting Yea: Council Members Jensen, Orbach, Pedersen, Brooks, Vice Mayor Clarke

6. Consent Items

- A. City Check Registers
Recommended Action: Approve check registers dated November 1, 2024, November 8, 2024, November 15, 2024, and November 22, 2024.

- B. Interest Rate for Tenant’s Security Deposits
Recommended Action: Adopt a resolution setting the interest rate for tenant’s security deposits for 2025 at zero percent (0%). ***(Resolution No. 4405)***

- C. Implementation of Transactions and Use Tax
Recommended Action: 1) Adopt a resolution authorizing the execution of a preparatory agreement and administration agreement with the California Department of Tax and Fee Administration (CDTFA) relating to the passage of Measure Y; 2) adopt a resolution authorizing the examination of sales or transactions and use tax records; and 3) authorize staff to prepare and submit all required documentation to the CDTFA to implement the changes resulting from the recently approved tax measure. ***(Resolution Nos. 4406, 4407)***

- D. Capitola Lifeguard Season Overview
Recommended Action: Receive a report on Capitola Lifeguard Service season statistics.

- E. 2025 City Council Meeting Schedule
Recommended Action: Adopt a resolution establishing the regular meeting schedule for 2025. ***(Pulled from Consent Calendar by the City Manager)***

- F. Temporary/Hourly Employee Pay Schedule
Recommended Action: Adopt a resolution amending the temporary/hourly employee pay schedule. ***(Resolution No. 4408)***

Motion to approve Consent Items 6A, 6B, 6C, 6D, and 6F: Council Member Orbach

Second: Vice Mayor Clarke

Council Member Pedersen requested that staff bring back Item 6B for further discussion.

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

7. General Government / Public Hearings

A. FY 2024-2025 Salary Schedule Update

Recommended Action: Adopt a resolution approving the Fiscal Year 2024 – 2025 salary schedule, consistent with the following employment agreements: Association of Capitola Employees, Police Officers Association, Mid-Management Employees, Confidential Employees, Police Captains, the Department Head Compensation and Benefit Plan, and the City Manager Employment Agreement.

Council Member Jensen recused himself due to a conflict of interest relating to his wife being a City employee.

Chloe Woodmansee, Assistant to the City Manager, presented the staff report.

Public Comment: None

Motion to adopt Resolution No. 4409: Council Member Pedersen

Second: Council Member Orbach

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

Abstain: Council Member Jensen

B. City Council Representation on Regional Boards & City Advisory Bodies

Recommended Action: Appoint City Council representatives to County and Regional Boards and City Advisory Bodies.

City Clerk Gautho presented the staff report.

Public Comment: None

Motion to make the following appointments for City Council representatives to regional groups: Vice Mayor Clarke

Second: Council Member Orbach

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

- **AMBAG: Brooks, Orbach**
- **Capitola Safety Foundation: Clarke**
- **3CE Policy Board: Brooks**
- **CAB: Pedersen**
- **CJC: Clarke, Jensen**
- **LAFCO: Brooks**
- **MBUAPCD: Jensen**
- **Zone 5: Clarke, Orbach**
- **Library Financing Authority: Orbach, Clarke**
- **SCC Integrated Waste Management Local Task Force: Erika Senyk, Pedersen**
- **SCC RTC: Pedersen, Clarke**
- **Sanitation District: Clarke, Jensen**
- **METRO: Orbach, Pedersen**

Motion to make the following appointments for City Council representatives to City advisory bodies: Council Member Pedersen

Second: Councilmember Jensen

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

- **Art and Cultural Commission: Vice Mayor Clarke**
- **Commission on the Environment: Council Member Orbach**
- **Finance Advisory Committee: Mayor Brooks, Council Member Pedersen**

C. Planning Commission Appointments

Recommended Action: City Council provide a report on individual Planning Commission Appointments.

The City Council made appointments to the Planning Commission for terms expiring in December 2026 in accordance with Capitola Municipal Code Section 2.12.020.

Council Member	Appointment
Brooks	Courtney Christiansen
Clarke	Matthew Howard
Jensen	Susan Westman
Orbach	Nathan Kieu
Pedersen	Paul Estey

6E. 2025 City Council Meeting Schedule (*pulled from Consent by the City Manager*)

Recommended Action: Adopt a resolution establishing the regular meeting schedule for 2025. (**Resolution No. 4410**)

Item 6E was pulled from Consent by the City Manager.

Motion to approve Resolution No. 4410: Council Member Orbach

Second: Vice Mayor Clarke

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

8. Adjournment – *The meeting adjourned at 6:32. The next regularly scheduled City Council meeting is January 9, 2025, at 6:00 PM.*

ATTEST:

Yvette Brooks, Mayor

Julia Gautho, City Clerk

Capitola City Council

Agenda Report

Meeting: January 9, 2025

From: Public Works Department

Subject: Notice of Completion - City Hall Roof Restoration



Recommended Action: 1) Accept as complete the City Hall Roof Restoration Project completed by American Foam Experts; 2) authorize the City Clerk to file and record a Notice of Completion; and 3) authorize the release of the contract retention of \$4,902 as prescribed in the contract.

Background: The Fiscal Year 2022-23 adopted budget included a general fund allocation of \$100,000 for "Minimal City Hall Maintenance." During the May 19, 2022, budget hearing, staff recommended a silicone coating system with a 10-year warranty for the City Hall Roof Restoration Project. In November 2022 construction bids were advertised based on approved plans, specifications, and construction estimate, with a project budget of \$75,000. Bids were received on Tuesday, November 15, 2022, and American Foam Experts submitted the lowest bid of \$58,480. The City Manager executed the agreement with American Foam Experts on November 22, 2022.

Discussion: Construction of the project began on December 5, 2022, and was completed on October 24, 2024. In January 2023, a change order totaling \$10,280 was executed to cover additional roof coverage not included in the original bid. The extended timeline resulted from the need to address deficiencies caused by issues with the initial installation over multiple seasons. Staff has inspected the completed improvements and confirmed that the work complies with the approved plans and specifications.

Fiscal Impact: The total available funding for construction of the project was \$75,000. Final American Foam Experts contract cost was \$68,760 with the remaining funds expended on additional City Hall maintenance.

Attachments:

1. Notice of Completion

Report Prepared By: Kailash Mozumder, Public Works Project Manager

Reviewed By: Jessica Kahn, Public Works Director; Julia Gautho, City Clerk

Approved By: Jamie Goldstein, City Manager

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City of Capitola
Public Works Department
Attn: Jessica Kahn
420 Capitola Avenue
Capitola, California 95010

SPACE ABOVE THIS LINE FOR RECORDER'S USE

THIS INSTRUMENT IS BEING RECORDED FOR THE BENEFIT OF THE CITY OF CAPITOLA
NO RECORDING FEE IS REQUIRED PURSUANT TO GOVERNMENT CODE §27383

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN that the City of Capitola, owner of the property hereinafter described, whose address is 420 Capitola Avenue, Capitola, California, has caused a work of improvements more particularly described as follows:

PROJECT NAME: City Hall Roof Restoration

PROJECT DESCRIPTION: Installation of a Carlisle Roof Foam and Coatings (CRFC) SeamlesSeal Ultra HSLV with 10 year warranty. To be constructed on property more particularly described as follows:

DESCRIPTION: Capitola City Hall Roof

ADDRESS: 420 Capitola Ave, Capitola CA 95010

APN: 03514135

The work of the improvement was completed by:

CONTRACTOR: American Foam Experts

ADDRESS: 2950 Buskirk Avenue, Suite 300, Walnut Creek, CA 94597

The work of the improvements was actually completed on the 24th day of October 2024 and accepted by the City Council of said City on the 9th day of January 2025.

Signature of City Clerk: _____
Julia Gautho, City Clerk

The undersigned certifies that he is an officer of the City of Capitola, that he has read the foregoing Notice of Completion and knows the content thereof; and that the same is true of his own knowledge, except as to those matters which are therein stated on information or belief, and as to those matters that he believes to be true. I certify under penalty of perjury that the foregoing is true and correct. Executed at the City of Capitola, County of Santa Cruz, State of California.

Jessica Kahn
Director of Public Works

Signed: _____

Date: _____

Capitola City Council

Agenda Report

Meeting: January 9, 2025
From: Finance Department
Subject: Annual and Five-Year Impact Fee Report



Recommended Action: Adopt a resolution adopting the Fiscal Year 2023-24 AB 1600 Report.

Background: In California, State legislation sets certain legal and procedural parameters for the charging of development impact fees. This legislation was passed as Assembly Bill (AB) 1600 by the California Legislature and is now codified as California Government Code Sections 66000 through 66023 (Mitigation Fee Act). The Mitigation Fee Act requires any local agency that imposes development impact fees to prepare an Annual and Five-Year Impact Fee Report that provides specific information about those fees (“AB 1600 Report”). The AB 1600 Report serves as both the annual and five-year report.

Capitola collects affordable housing impact fees, affordable housing in-lieu fees, tree replacement in-lieu fees, and public art fees, all of which are subject to the AB 1600 reporting requirements.

On December 20, 2024, staff published the City of Capitola’s AB 1600 Report for FY 2023-2024 in accordance with the provisions of the California Government Code Section 66006 (b) and 66001 (d). On December 30, 2024, staff amended and republished the AB 1600 Report for FY 2023-2024 to provide clarifying information.

Discussion: When new development is constructed, or an existing use is changed to a use that has additional impacts on public facilities, the City experiences increased demand for the services and facilities it provides. Impact fees are one-time contributions made by project applicants to offset the impacts that result from their project. Impact fees cannot exceed the reasonable costs to address the proportionate impacts of new development. This means applicants only pay their fair share of necessary upgrades to meet the increased demand that results from their project, and their impact fees cannot be used to address deficiencies that existed before their project. The Mitigation Fee Act regulates impact fees and requires the City to demonstrate the required nexus between the impact of the project on public facilities and the fees charged to the project applicant.

The Mitigation Fee Act imposes certain accounting and reporting requirements with respect to the fees collected. The Mitigation Fee Act also requires any local agency that imposes development impact fees to prepare an annual report and a five-year report that provides specific information about those fees which summarize the fee revenue collected, expenditures made with this fee revenue, fund balances, and plans for future expenditures based upon additional fee collection.

The attached AB 1600 Report serves both the annual and five-year requirements. Upon adoption, the AB 1600 Report will remain publicly available the City’s website. Staff will submit the AB 1600 Report to the City Council for adoption on an annual basis.

The City currently has an unexpended balance from housing impact fees, housing in-lieu fees, tree replacement fees, and public art fees.

Housing Impact Fee: The year-end balance of Housing Impact Fee for FY 2023-24 was \$74,175. This was the first year the City received the fee, and there were no expenditures. The remaining funds are currently committed the implementation of the Housing Element.

Housing In-Lieu Fee: The year-end balance of Housing In-Lieu Fee for FY 2023-24 was \$202,948. In FY 2023-24, \$201,000 was allocated toward the Pacific Cove Residential Relocation Program loan payoff. The remaining funds are currently committed to the implementation of the Housing Element.

The housing impact fee and housing in-lieu fee are deposited into the Housing Trust Fund. This special revenue fund can be utilized for the following activities:

1. Creation of new affordable units.
2. Preservation of existing affordable housing (rehabilitation).
3. Assistance with multi-family rehabilitation programs and projects.
4. Conversion of market-rate units to affordable housing units.
5. Construction of affordable accessory dwelling units.
6. Acquisition and rehabilitation of potential limited equity housing cooperatives.
7. First-time homebuyer loans.
8. Predevelopment loans/grants to assist non-profit and for-profit developers with project Feasibility studies, site acquisition and preliminary design studies for potential affordable housing projects.

Tree Replacement In-Lieu Fee: The year-end balance of tree replacement in-lieu fees for FY 2023-24 was \$34,572. There were no expenditures. The remaining funds are currently committed to the planting and maintenance of trees.

Public Art Fee: The year-end balance of public art fees for FY 2023-24 was \$158,505. In FY 2023-24, \$2,500 was allocated toward the Tree Stump Art Project, \$1,500 was allocated toward the Begonia Festival Commemorative Sculpture, and \$3,431 was allocated toward the Monterey Ave. Railing Art Project. The remaining funds are currently committed to the Begonia Festival Commemorative Project, the Monterey Avenue Railing Project, and other future public art projects.

Fiscal Impact: The acceptance of this report has no fiscal impact.

Attachments:

1. Resolution
2. AB 1600 Report

Report Prepared By: Jim Malberg, Finance Director

Reviewed By: Julia Gautho, City Clerk, Sam Zutler, City Attorney

Approved By: Jamie Goldstein, City Manager

RESOLUTION NO. _____
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
ACCEPTING AND ADOPTING THE DEVELOPMENT FEE IMPACT REPORT PURSUANT
TO GOVERNMENT CODE SECTIONS 66001 AND 66006

WHEREAS, the City of Capitola imposes development fees that are subject to the Mitigation Fee Act (Gov. Code §§ 66000 *et seq.*): the Housing Impact Fee, the Housing In-Lieu Fee, the Tree In-Lieu Fee, and Public Art Fee (collectively Impact Fees); and

WHEREAS, pursuant to Government Code Section 66006, the City is required to prepare an annual report regarding the collection and use of the Impact Fees within 180 days after the close of each fiscal year; and

WHEREAS, pursuant to Government Code Section 66001, the City is required to make findings with respect to any unexpended Impact Fee funds every fifth fiscal year following the first deposit into the Impact Fee accounts; and

WHEREAS, Staff has prepared the *City of Capitola Annual and Five-Year Impact Fee Report* also known as the Assembly Bill (AB) 1600 Report (Exhibit A), and incorporated by reference; and

WHEREAS, the AB 1600 Report satisfies the reporting requirements stated in Government Code sections 66001 AND 66006; and

WHEREAS, notice was provided to the extent required by Government Code section 66006; and

WHEREAS, pursuant to Government Code section 66006(b)(2), the AB 1600 Report has been made available to the public not less than fifteen (15) days from the date of the next regularly scheduled public meeting. The report has been available for public review at the Clerk’s office and on the City’s website since December 20, 2024 and revised on December 30, 2024; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Capitola that the forgoing recitals are true and correct.

BE IT FURTHER RESOLVED that the City Council does hereby find and adopt as follows:

1. In accordance with Government Code Section 66000 *et seq.*, the City has conducted an annual and five-year review of its Impact Fees and capital infrastructure programs and the Council has reviewed the AB 1600 Report for the Fiscal Year 2023-24 attached hereto as Exhibit A, which is hereby accepted and adopted as the report required pursuant to Government Code sections 66001 and 66006.
2. The funds have been and shall be used for the purposes stated in said report and are necessary to mitigate impacts resulting from development in the City and there is a reasonable relationship between the use of the fees and the type of development project upon which the fee is imposed.

Section 1. Effective Date. This resolution shall take effect immediately upon its adoption.

Section 2. The City Clerk shall certify the adoption of this Resolution and shall cause a certified Resolution to be filed in the Office of the City Clerk.

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the City Council of the City of Capitola on the 9th day of January 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Yvette Brooks, Mayor

ATTEST:

Julia Gautho, City Clerk

City of Capitola



AB 1600 Report

INTRODUCTION AND BACKGROUND

In California, State legislation sets certain legal and procedural parameters for the charging of development impact fees. This legislation was passed as AB1600 by the California Legislature and is now codified as California Government Code Sections 66000 et. seq. (“Mitigation Fee Act”). This State law went into effect on January 1, 1989.

Requirements for Development Impact Fee Reporting

The Mitigation Fee Act imposes certain accounting and reporting requirements with respect to the fees collected. The fees must be deposited in special accounts to avoid comingling the fees with the City’s other revenues or funds. Interest on each development fee fund or account must be credited to that fund or account and used only for those purposes for which the fees were collected.

The Mitigation Fee Act also requires any local agency that imposes development impact fees to prepare an Annual Report on Development Impact Fees (“Report”), containing annual findings and five-year findings that provide specific information about those fees. This Report serves both of those functions and has been prepared for the City of Capitola for the fiscal year (FY) ended June 30, 2024, in accordance with the provisions of the California Government Code Section 66006 (b) and 66001 (d).

Annual Findings

California Government Code Section 66006 (b) requires each local agency that imposes Development Impact Fees under the Mitigation Fee Act to prepare annual findings providing specific information about those fees for the previous fiscal year. Specifically, Section 66006 (b) requires that for each separate fund, the local agency shall make available to the public the information shown below for the most recent fiscal year.

- 66006 (b) (1) (A): A brief description of the type of fee in the account or fund.
- 66006 (b) (1) (B): The amount of the fees.
- 66006 (b) (1) (C): The beginning (July 1) and ending (June 30) balance of a particular impact fee fund.
- 66006 (b) (1) (D): The amount of the fees collected, and interest earned by fund.
- 66006 (b) (1) (E): An identification of each public improvement upon which fees were expended and the amount of expenditures on each improvement including the total percentage of the cost of the public improvement that was funded with fees.
- 66006 (b) (1) (F): An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement and an identification of each public improvement identified in a previous report and whether construction began on the approximate date noted in the previous report.

- 66006 (b) (1) (G): A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended; and, in the case of an interfund loan, the terms of the loan, including the repayment schedule for the loan, and the rate of interest that the account or fund will receive on the loan.
- 66006 (b) (1) (H): A summary of any refunds made, and their respective amount, due to sufficient funds being collected to complete financing of scheduled public improvements and the amount of reallocation of funds made due to administrative costs of refunding unexpended revenues exceeding the amount to be refunded.

Five-Year Findings

California Government Code Section 66001 (d) (1) requires the local agency make of the following findings every fifth year with respect to that portion of the account remaining unexpended, whether encumbered to a specific project or remaining unencumbered in an impact fee fund.

- 66001 (d) (1) (A): Identify the purpose to which the fee is to be put.
- 66001 (d) (1) (B): Demonstrate a reasonable relationship between the fee and purpose for which it is charged.
- 66001 (d) (1) (C): Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements.
- 66001 (d) (1) (D): Designate the approximate dates on which the funding is expected to be deposited into the appropriate account or fund.

State law requires the City to prepare and make available to the public the above information within 180 days after the last day of each fiscal year. The City Council must review the Report at a regularly scheduled public meeting not less than fifteen days after the information is made available to the public. This report was filed with the City Clerk's office and available for public review on December 20, 2024.

ANNUAL REPORT

Description of Impact Fee Programs

66006(b)(1)(A) and 66013(d)(1)

The City has 5 development impact fee programs.

- 1. Affordable Housing Impact Fee (CMC 18.05).** Housing development projects creating less than seven for-sale housing units pay an affordable housing impact fee that is used to provide assistance for production of affordable housing units, acquisition of at-risk units, or rehabilitation of affordable housing units for very low-, low-, and moderate-income households.
- 2. Affordable Housing In-Lieu Fee (CMC 18.02).** Residential development projects that are subject to the City’s affordable housing inclusionary requirements may elect to pay affordable housing in-lieu fees, rather than produce the required inclusionary units on site in accordance with the City’s requirements. Affordable housing in-lieu fees are used to assist in the construction of new or the rehabilitation of existing affordable housing units.
- 3. Tree In-Lieu Fee (CMC 12.12.190).** The Tree In-Lieu fee is a fee that the City imposes on residential and non-residential development in-lieu of planting required trees. The purpose of this fee is to fund the community tree and forest management account, measured by the number of trees required to be planted, to maintain and plant trees for the need created when trees are removed.
- 4. Public Art Fee (CMC 2.58).** Eligible private and public construction projects are subject to fee for public art. The City of Capitola wishes to enhance the cultural and aesthetic environment of the city, to encourage creativity, the appreciation of the arts and our cultural heritage. Through the establishment of a program of public art funded by eligible development projects, the city will promote the general welfare through balancing the community’s physical growth and revitalization with its cultural and artistic resources.

Current Impact Fee Schedules

66006(b)(1)(B)

Affordable Housing Impact Fee

The Affordable Housing Impact Fee in effect during the fiscal year ending June 30, 2024, are presented below in **Table 1**.

Table 1 Affordable Housing Impact Fee

For sale housing development of six or less units	\$25 per square foot
Rental multi-family	\$6 per square foot
Addition to housing units of 50% or more	\$2.50 per square foot

Affordable Housing In-Lieu Fee

The Affordable Housing in-Lieu Fee in effect during the fiscal year ending June 30, 2024, are presented below in **Table 2**.

Table 2 Affordable Housing In-Lieu Fee

For sale housing developments of two to six units		\$25 per square foot
For sale housing development of seven or more units		Total Units
# Units	# Units Built	
7	1	\$0
8-13	1	Total # units minus 7 @ \$25 Square foot
14	2	\$0
15-20	2	Total # units minus 14 @ \$25 Square foot
21	3	\$0
22-27	3	Total # units minus 21 @ \$25 Square foot
28	4	\$0
Rental Multi-Family		\$6 per square foot

Tree In-Lieu Fee

The Tree In-Lieu Fee in effect during the fiscal year ending June 30, 2024, are presented below in Table 3.

Table 3 Tree In-Lieu Fee

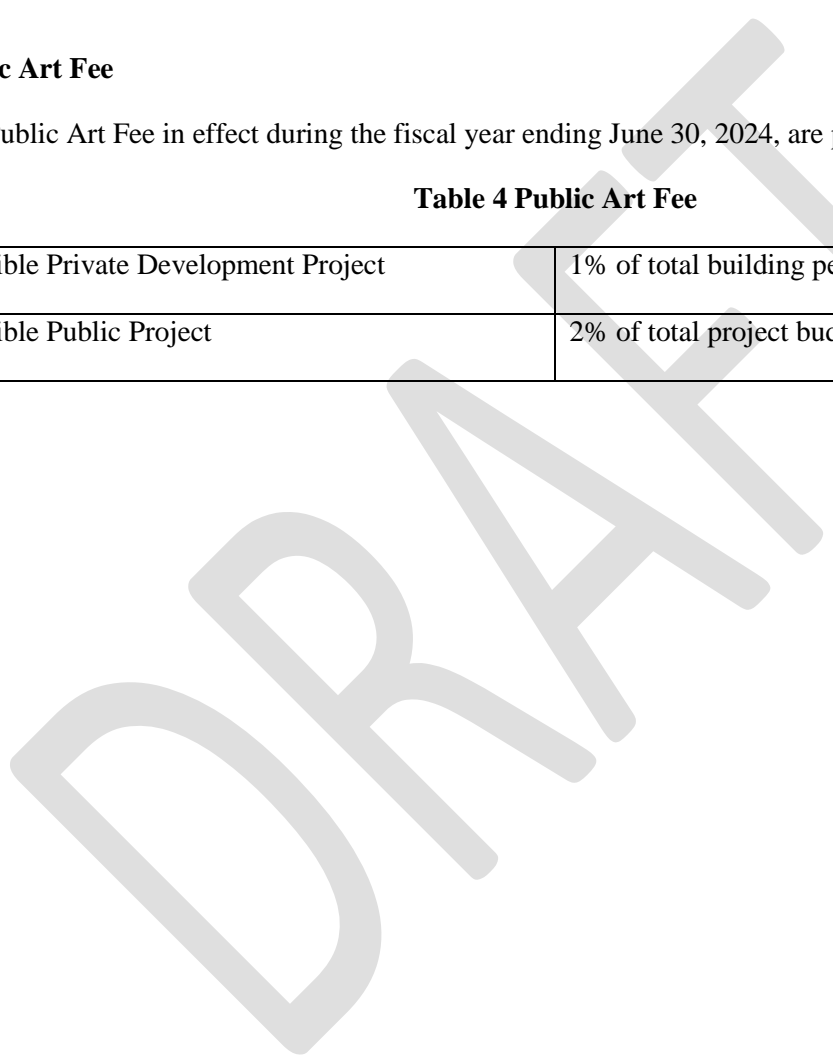
Tree replacement in-lieu fee	\$600 per tree
-------------------------------------	----------------

Public Art Fee

The Public Art Fee in effect during the fiscal year ending June 30, 2024, are presented below in **Table 5**.

Table 4 Public Art Fee

Eligible Private Development Project	1% of total building permit valuation
Eligible Public Project	2% of total project budget



Annual Financial Summary

**Table 5. Annual Financial Summary
 Statement of Affordable Housing Fee Program
 Revenues, Expenditures, and Changes in Fund Balance
 For the Fiscal Year Ending June 30, 2024**

Description	FY 2023/24	
REVENUES		
Fees		\$ 74,175
Interest		0
Total Revenues		<u>\$ 74,175</u>
Interfund Transfers		\$0
Interfund Loans	Interest rate of loan: 0%	\$0
Refunds		\$0
EXPENDITURES -- Capital Improvements	Amount	Percent
None	\$0	0%
Total Expenditures		<u>\$0</u>
REVENUES OVER (UNDER) EXPENDITURES		\$ 74,175
Fund Balance, Beginning of the Year		<u>\$0</u>
Fund Balance, End of Year		<u><u>\$ 74,175</u></u>

This was the first year that the City received Affordable Housing Impact fees and therefore no expenditures were incurred.

Annual Financial Summary

**Table 6. Annual Financial Summary
 Statement of Affordable Housing In-Lieu Program
 Revenues, Expenditures, and Changes in Fund Balance
 For the Fiscal Year Ending June 30, 2024**

Description	FY 2023/24
REVENUES	
Fees	\$ 4,013
Interest	\$ 17,599
Total Revenues	\$ 21,612
Interfund Transfers	\$ 201,000
Interfund Loans Interest rate of loan: 0%	\$0
Refunds	\$0
EXPENDITURES -- Capital Improvements	
Pacific Cove Resident Relocation Program	Amount Percent \$201,000 30%
Total Expenditures	\$ 201,000
REVENUES OVER (UNDER)	
EXPENDITURES	(\$ 179,388)
Fund Balance, Beginning of the Year	\$ 382,336
Fund Balance, End of Year	\$ 202,948

The Pacific Cove Resident Relocation Program loan with an outstanding balance of \$670,000 was paid off during the fiscal year. Affordable Housing In-Lieu Fees in the amount of \$201,000, representing 30% of the outstanding balance, were combined with \$469,000 of general funds to retire the loan.

**Table 7. Annual Financial Summary
 Statement of Tree In-Lieu Fee Program
 Revenues, Expenditures, and Changes in Fund Balance
 For the Fiscal Year Ending June 30, 2024**

Description	FY 2023/24	
REVENUES		
Fees		\$ 7,200
Interest		\$0
Total Revenues		\$ 7,200
Interfund Transfers		\$0
Interfund Loans	Interest rate of loan: 0%	\$0
Refunds		\$0
EXPENDITURES -- Capital Improvements	Amount	Percent
Tree Supply Program	\$2,500	100%
Tree planting & Maintenance	\$8,615	100%
Total Expenditures		\$ 11,115
REVENUES OVER (UNDER) EXPENDITURES		(\$ 3,915)
Fund Balance, Beginning of the Year		\$ 38,442
Fund Balance, End of Year		\$ 34,527

During fiscal year 2023-24 the City utilized \$2,500 for the tree supply program and \$8,615 towards tree planting and maintenance on City property. The remaining \$27,885 programmed towards tree planting and maintenance is anticipated to be spent during fiscal year 2024-25.

**Table 8. Annual Financial Summary
 Statement of Public Art Fee
 Revenues, Expenditures, and Changes in Fund Balance
 For the Fiscal Year Ending June 30, 2024**

Description	FY 2023/24	
REVENUES		
Fees		\$ 0
Interest		\$ 0
Total Revenues		\$ 0
<hr/>		
Interfund Transfers		\$0
Interfund Loans	Interest rate of loan: 0%	\$0
Refunds		\$0
EXPENDITURES -- Capital Improvements	Amount	Percent
Tree Stump Art	\$2,500	100%
Begonia Festival Commemorative Art	\$1,500	65.5%
Monterey Ave. Railing	\$3,431	100%
Total Expenditures		\$ 7,731
<hr/>		
REVENUES OVER (UNDER) EXPENDITURES		(\$ 7,731)
Fund Balance, Beginning of the Year		\$ 166,236
Fund Balance, End of Year		\$ 158,505

FIVE-YEAR REPORT AND FINDINGS

California Government Code Section 66001(d)(1) requires the City to make findings every fifth year with respect to that portion of each impact fee account that remains unexpended, whether encumbered to a specific project or remaining unencumbered in an impact fee fund. As of June 30, 2024, 5 funds have unexpended balances totaling \$471,355. Therefore, the City is reporting the following findings relating to each of the fee programs.

- 66001(d)(1)(A): Identify the purpose to which the fee is to be put.
- 66001(d)(1)(B): Demonstrate a reasonable relationship between the fee and purpose for which it is charged.
- 66001(d)(1)(C): Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements.
- 66001(d)(1)(D): Designate the approximate dates on which the funding is expected to be deposited into the appropriate account or fund.

Affordable Housing Impact Fee

- The purpose of the Affordable Housing Impact Fee is to mitigate the impact of new development on the need for affordable housing infrastructure and facilities and to provide affordable housing to serve new growth as the City’s population increases.
- There is a reasonable relationship between the fee and the purpose for which it is charged because the fee does not exceed the reasonable costs of meeting the demand for affordable housing generated by new housing development projects.
- There is an unexpended balance in the Affordable Housing Impact Fee fund, which is expected to be used to fund improvements to housing stock, which will provide affordable housing for Capitola residents.
- The estimated timing and cost of the project are shown below. This project is expected to begin in FY 2024/25. The balance of the project costs is expected to be funded with grants and other revenue.

Table 9: Affordable Housing Impact Fee Project Identification

Project Name	Estimated Start Year	Total Project Cost	% Funded with Impact Fee Revenue	Amount funded with Impact Fee Revenue	Amount funded with other sources	Other Sources
First time home buyer down payment assistance	2024/2025	\$153,123	48%	\$74,175	\$78,948	Affordable Housing In-Lieu Fee

Affordable Housing In-Lieu Fee

- The purpose of the Affordable Housing In-Lieu Fee is to mitigate the impact of new development on the need for affordable housing infrastructure and facilities and to maintain existing and provide new affordable housing to serve new growth as the City’s population increases.
- There is a reasonable relationship between the fee and the purpose for which it is charged because the fee does not exceed the reasonable costs of meeting the demand for affordable housing generated by new housing development projects.
- There is an unexpended balance in the Affordable Housing In-Lieu Fee fund, which is expected to be used to fund improvements to housing stock, which will provide affordable housing for Capitola residents.
- The estimated timing and cost of the project are shown below. This project is expected to begin in FY 2024/25. The balance of the project costs is expected to be funded with grants and other revenue.

Table 10: Affordable Housing Impact Fee Project Identification

Project Name	Estimated Start Year	Total Project Cost	% Funded with Impact Fee Revenue	Amount funded with Impact Fee Revenue	Amount funded with other sources	Other Sources
First time home buyer down payment assistance	2024/2025	\$153,123	52%	\$78,948	\$74,145	Affordable Housing Impact Fee
Housing Element Implementation	2025/2026	\$124,000	100%	\$124,000	\$0	

Tree In-Lieu Fee

- The purpose of the Tree In-Lieu Fee is to mitigate the impact of tree removals to accommodate development in the City.
- There is a reasonable relationship between the fee and the purpose for which it is charged because the fee does not exceed the reasonable costs of meeting the demand for replacing trees removed by new development projects.
- There is an unexpended balance in the Tree In-Lieu Fee fund, which is expected to be used to fund the planting and maintenance of trees.
- The estimated timing and cost of the project are shown below. This project began in FY 2023/2024. The balance of the project costs is expected to be funded with grants and other revenue.

Table 11: Tree In-Lieu Fee Project Identification

Project Name	Estimated Start Year	Total Project Cost	% Funded with Impact Fee Revenue	Amount funded with Impact Fee Revenue
Tree planting and maintenance on City property	2024/2025	\$32,027	100%	\$32,027
Tree Supply Program	2024/2025	\$2,500	100%	\$2,500

Public Art Fee

- The purpose of the Public Art Fee is to enhance the cultural and aesthetic environment of the city, to encourage creativity, the appreciation of the arts and our cultural heritage.
- There is a reasonable relationship between the fee and the purpose for which it is charged because the fee does not exceed the reasonable costs of mitigating new developments’ impact on public art projects.
- There is an unexpended balance in the Public Art fund, which is expected to be used to fund future public art projects.
- The estimated timing and cost of the project are shown below. These projects began in FY 2023/2024. The balance of the project costs is expected to be funded with grants and other revenue.

• **Table 12: Public Art Fee Project Identification**

Project Name	Estimated Start Year	Total Project Cost	% Funded with Impact Fee Revenue	Amount funded with Impact Fee Revenue	Amount funded with other sources	Other Sources
Begonia Festival Commemorative Project	2023/2024	\$58,000	65.5%	\$38,000	\$20,000	General Fund
Monterey Avenue Railing Project	2023/2024	\$55,000	100%	\$55,000	\$0	
Future Public Art	2025/2026	\$65,505	100%	65,505	\$0	

Capitola Municipal Code Chapter 2.56 – Art and Cultural Commission states that the Art & Cultural Commission shall advise the City Council on the allocation of public funds for the support & encouragement of public art. In January 2025 new Art & Cultural Commissionaires will be appointed to develop the public art program for the remaining \$65,505 in the public art fund.

Capitola City Council

Agenda Report

Meeting: January 9, 2025

From: Police Department

Subject: The Monte Foundation Fireworks 2025



Recommended Action: That the City Council 1) consider whether to support the continuation of the Monte Foundation Fireworks Show tentatively scheduled for Sunday, October 12, 2025; and 2) if the Council supports continuation, direct staff to coordinate with the Monte Foundation to obtain the required Coastal Development Permit (CDP) for the event.

Background: The Monte Foundation has funded an annual charity Fireworks Show since the mid-1990s. In 2015 the event was moved from Seacliff State Beach to the City of Capitola. The Monte Foundation has raised money for the McGregor Skate Park, the children's wing of the Capitola Library, resurfacing the tennis courts at Jade Street Park, and most recently, resurfacing the bike pump track at McGregor.

The event has been scheduled for a Sunday night in October, to attempt to focus the show on local Capitola residents and the broader Santa Cruz County community. The Capitola Police Department has managed the event by closing roads and ensuring community safety. The fireworks are launched from Capitola Wharf; other possible launch options have been evaluated, but none have been determined feasible. The Police Department estimates the event attracts 10,000 attendees each year, with increases in recent years.

Overall community feedback consistently highlights the event as a valued and unifying experience that promotes civic pride based on overwhelming attendance. However, the City also receives several complaints about the event each year.

The Monte Foundation contracts with Zamboni Fireworks to put on the fireworks display. The Capitola Wharf is closed to the public 16 hours before the event for safety checks and fireworks set up. "No Parking" signs are posted in the area 72 hours before the event and messaging is provided to the public that the Wharf is closed the day of the event. A permit for the event is also issued by the Central Fire District of Santa Cruz County and Central Fire personnel are present for the duration of the event, along with the Coast Guard.

The City's permit requires the Monte Foundation to provide additional garbage containers and recycling bins for the event. The event organizers also coordinate with Save Our Shores to conduct clean-up for the event on the Wharf and surrounding area, as well as a one-day beach cleanup following the event.

The Coastal Commission regulates events over coastal waters and previously issued a five-year Coastal Development Permit (CDP) for the fireworks show, which expired in 2024. A new permit will be required for the 2025 event.

Discussion: The continuation of the Monte Foundation Fireworks Show is an important consideration for the community, as the event has become a Capitola tradition. There has been ongoing discussion about the potential for exploring alternative forms of the event, including the possibility of a drone and/or hybrid show. Additionally, concerns have been raised about the event's impact on surrounding neighborhoods, particularly regarding noise and environmental factors. These considerations will play a role in the permitting process moving forward.

Staff has reached out to the Monte Foundation to discuss the potential for a drone or hybrid show. Based on the event coordinator's prior experience with drone shows, the Monte Foundation does not believe that this is a feasible option due to the possibility of high winds, among other factors.

Based on recent experiences in other jurisdictions, securing a Coastal Development Permit (CDP) for a fireworks display of this nature is expected to be a more complex process than in the past, requiring a detailed alternatives analysis conducted by a reputable firm. The key components of this analysis include:

- **Alternative Locations:** Evaluating other potential venues for the event.
- **Alternative Media:** Exploring environmentally friendly alternatives, such as drone light shows, to replace traditional fireworks.
- **Environmental Impact Analysis:** Assessing potential impacts on wildlife, noise levels, and the surrounding environment, along with proposed mitigation measures.
- **Community Support:** Demonstrating strong public backing for the event.
- **Public Agency Accountability:** While the Monte Foundation has traditionally organized this event, based on recent hearings regarding fireworks displays over the ocean, the Coastal Commission appears to be strongly favoring issuing these permits directly to public agencies. If the City is willing to take a lead role in obtaining permits for the fireworks, preparation must begin immediately to maximize the chances of approval for the 2025 event, though securing the permit is not guaranteed.

Fiscal Impact: All costs related to the event, including permit fees and expenses for the required alternatives analysis, will be borne by the Monte Foundation. The Monte Foundation will also be responsible for all permit costs with other agencies. Funds raised by the Monte Foundation will be donated to benefit youth in the community.

Attachments:

1. 2024 Monte Foundation Fireworks Major Special Event Permit
2. Staff Agenda Report from 2014

Report Prepared By: Sarah Ryan, Chief of Police

Reviewed By: Julia Gautho, City Clerk, Jessica Kahn, Public Works Director, Katie Herlihy, Community Development Director

Approved By: Jamie Goldstein, City Manager



CITY COUNCIL AGENDA REPORT

MEETING OF MAY 22, 2014

FROM: CITY MANAGER'S DEPARTMENT

SUBJECT: APPROVE A FIREWORKS SHOW BY THE MONTE FOUNDATION IN THE CAPITOLA VILLAGE TO RAISE FUNDS FOR THE MCGREGOR DRIVE SKATE PARK

RECOMMENDED ACTION: (1) Approve a fireworks show on October 16, 2014, in the Capitola Village by the Monte Foundation; and (2) Authorize the City Manager to issue a special event permit.

BACKGROUND: The Rudolph Monte Foundation (Foundation) is well known for the annual Monte Foundation Fireworks Show (Show) at Seacliff State Beach which raised funds for local schools and nonprofits. In 2013 the show was cancelled after 18 years due to the high cost to put on the show at the state beach. The event would raise money by having the schools sell tickets and have booths at the event to sell food.

The Foundation still has a desire to find an avenue to raise money for youth activities while providing an opportunity for the community to come together for an evening of fun. In so doing, the Foundation has approached the City with a fundraising plan for the McGregor Property.

DISCUSSION: The Foundation has been putting on the fireworks show at Seacliff State beach for 18 years. This event has raised over 4 million dollars for schools and youth groups since its inception. The financial cost of producing the show which included highway exit closures, California Highway Patrol staff, State Parks and County Sherrifs personnel and the extensive permitting process through the State, County and Coastal Commission forced an end to the event.

The Foundation would like to partner with the City to produce the fireworks show in Capitola. The event would be held on Thursday, October 16, 2014, in the Capitola Village. Fireworks would be shot from either a barge or from the wharf depending upon the availability of either location. The show would be free to all attendees. Funds will be raised through a surcharge by participating local businesses, and donations will go to the City to fund the skate park element at McGregor Park.

It is anticipated the Village area will remain open until just prior to the start of the show then would be closed to vehicle traffic for the duration of the show, for approximately one to one and a half hours. Vehicles may exit the Esplanade, but vehicle access into the area will be stopped. The Depot Hill neighborhood would be closed to non-resident vehicle traffic earlier in the evening. All vehicle traffic into the Village will be closed one-half hour prior to the show to prevent cars from stopping in the middle of the road to watch the show and to prevent emergency accesses from being blocked. The Police Department may also consider closing Park Avenue 15 to 20 minutes prior to the show to prevent cars from stopping in the middle of the road to watch the show. All other areas will remain open to vehicle traffic.

The Foundation would be responsible for obtaining all the necessary permits from the state and working with the City on an implementation plan and special event permit.

FISCAL IMPACT: The costs associated with the event will be paid for through the special event permit process by the Monte Foundation. The Foundation will also be responsible for all permit costs with other agencies. Funds raised by the Foundation will be donated to the skate park element at McGregor Park.

ATTACHMENT: None

Report Prepared By: Lisa G. Murphy
Administrative Services Director

Reviewed and Forwarded
by City Manager: _____



422 CAPITOLA AVENUE
CAPITOLA, CALIFORNIA 95010
TELEPHONE (831) 475-4242
FAX (831) 479-8881

MAJOR SPECIAL EVENT PERMIT APPLICATION

Application fee of \$68 must be submitted with this completed application

Applicant Information:

Name of Applicant: Marc Monte / Michael Monte
Address: 783-39 Rio Del Mar Blvd. City Aptos State CA Zip 95003
Phone #: 831-685-3317 Email: mnm36@mindspring.com

Organization Information:

Company Name: Rudolph F. Monte Foundation
Address: 783-39 Rio Del Mar Blvd. City Aptos State CA Zip 95003
Phone #: 831-685-3317 Nonprofit ID: 77-0427532
Website: Monte-foundation.org

Event Information:

Athletic Competition Parade Festival Water/Surf Other: Fireworks display

Event Name: <u>Monte Foundation Fireworks Extravaganza</u>					
Event Date: <u>October 13, 2024</u>			Event Date: <u>October 14, 2024</u>		
	Start Time	End Time		Start Time	End Time
Setup	<u>7:00AM</u>	<u>All day</u>	Setup		
Open to Public	<u>All day</u>		Open to Public		
Breakdown	<u>9:00 PM</u>	<u>Midnight</u>	Breakdown	<u>Daybreak</u>	<u>8 AM</u>

Event Location: Capitola Wharf Anticipated Attendance: 8,000 to 10,000

Event Description:

The Monte Foundation is holding its annual Fireworks Extravaganza display for the general public present to view on October 13th. Donations go towards kids programs and schools of Santa Cruz.

Name of Onsite Event Coordinator During Event: Michael Monte

Phone #: 408-540-4649 Email: mnm36@mindspring.com

1.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Has this event been held before? Number of years? 29
2.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Is this a charitable fundraiser? For what cause? Kids Programs/SC County Sc
3.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will participant registration fees be charged? Registration fee amount?
4.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will you be selling merchandise? Type of merchandise?
5.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will alcohol be sold or served? <input type="checkbox"/> Beer <input type="checkbox"/> Wine <input type="checkbox"/> Alcohol Note: ABC Permit will be required. Applicant will coordinate with Capitola Police Department.
6.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will food be sold or served? <input type="checkbox"/> Pre-packaged <input type="checkbox"/> Food Trucks <input type="checkbox"/> Other Note: Food service may need to be approved by the County Health Department.
7.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will you be cooking onsite? <input type="checkbox"/> Wood/Charcoal BBQ <input type="checkbox"/> Liquid Fuel Device
8.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Will any generators be used? Location: On Capitola Wharf
9.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Will banners/signs be used? Note: Applicant must complete an Over-the-Street Banner Application.
10.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will canopies be used? Quantity? Type?
11.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will you be setting up a stage? Details (W x L x H):
12.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will you be using the Capitola Bandstand? Note: Describe use information on page # 4. Separate fees to be paid by applicant.
13.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will reserved parking be requested? Number of Spaces? Note: <ul style="list-style-type: none">• Document parking locations on page # 4. Separate parking fees to be paid by applicant.• "No Parking" signs must be posted seventy-two (72) hours prior to your event start time.• See <i>Guidelines for "No Parking" Signage and Towing During Special Events</i> document for specific public notification and posting requirements.
14.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Will a street closure be requested? Note: <ul style="list-style-type: none">• Specify street names and closure times on page # 4.• "No Parking" signs must be posted seventy-two (72) hours prior to your event start time.• See <i>Guidelines for "No Parking" Signage and Towing During Special Events</i> document for specific public notification and posting requirements.
15.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Do you anticipate any police needs? Note: <ul style="list-style-type: none">• Describe police needs on page # 4.• Some events will be required to have Capitola Police Department Officers assigned and paid for at appropriate rates by applicant.
16.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Do you anticipate any lifeguard/first aid needs? Note: <ul style="list-style-type: none">• Describe lifeguard/first aid needs on page # 5.• Some events will be required to have City of Capitola Lifeguards assigned and paid for at appropriate rates by applicant.
17.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Will you be using private security? Security Company Name: First Alarm
18.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Will you have portable toilet facilities? Note: <ul style="list-style-type: none">• Describe toilet facilities plan on page # 5.• One (1) portable restroom per every 100 people with 10% being ADA Compliant is required.
19.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Do you have a garbage/recycling plan? Describe garbage/recycling plan on page # 5.

Amplified Sound Information:

Item 8 A.

1.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Will sound amplification be used? Note: Applicant must complete an Amplified Sound Permit Application. Separate fee to be paid by applicant.
2.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Have you read, considered, and agree to abide by the rules and regulations for sound amplification?
Type of Amplified Sound			<input type="checkbox"/> PA Speaker System for Announcements Only <input type="checkbox"/> PA Speaker System for Announcements and Music <input type="checkbox"/> Professional Sound System for Music <input type="checkbox"/> Professional Sound System for Live Music/Band
Live Music/Band Info			Name of Band: Type of Music: Will sound checks be conducted prior to the event? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, date(s) and time(s):
3.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Will fireworks, rockets or other pyrotechnics be used?
			Pyrotechnics Company Name: Zambelli Fireworks Pyrotechnics Company Address: 120 Marshall Dr., Warrendale, PA 15086

AGREEMENT AND SUBMITTAL INFORMATION

There are no refunds for cancelled events. A completed application package, with associated forms, are required for permit consideration. Completed applications include:

- Application Form(s)
- Detailed Plans with Timelines
- Diagram of Event Layout and Set-Up Location(s) (including location markers)
- Security and Public Safety Plan
- Certificate of Insurance
- Non-Refundable Application Fee(s)

By signing below, I declare, under penalty of perjury, that I am the authorized representative of the organization listed on this application and that the information contained in the foregoing application is true and correct to the best of my knowledge and understanding.

Name of Applicant: Marc Monte / Michael Monte

Signature of Applicant: *Michael Monte* Date: July 8, 2024

Completed application, supporting documents and fee(s) should be submitted to the Special Event Coordinator. Checks should be made payable to the City of Capitola. Visa and MasterCard payments are accepted in person only.

Capitola Police Department
Attn: Esmeralda Gonzalez
 422 Capitola Avenue
 Capitola, CA 95010
 (831) 475-4242

Bandstand Use Information:

Item 8 A.

[Empty box for Bandstand Use Information]

Reserved Parking Information:

The turnaround area directly in front of the entrance to Capitola wharf is reserved for emergency vehicles ambulance/fire truck and the Pyrotechic crew trucks as well as first alarm guard.

Street Closure Information:

The entrance to the Capitola Wharf will be closed to the public so that the pyrotechnics will not be meddled with at any time during the set up and lasting until cleanup is complete after the fireworks have been fired for the show. Requesting 1400 Wharf Road closure so the Fire engines have emergency access if need be and an ambulace usually is stationed there as well. The entrance to the Wharf is reserved so that the Pyrotechnic crew can work there and so that the First Alarm guard can park at the wharf entrance to enforce the wharf closure.

Police Needs:

[Empty box for Police Needs]

Lifeguard/First Aid Needs:

Toilet Facilities Plan:

We provide the Zambelli pyrotechnic crew, First Alarm guard and officers of the Monte Foundation porta potties on site at the Capitola Wharf.

Garbage/Recycling Plan:

We work with Save Our Shores nonprofit to conduct beach cleanup on the two mornings after the firework show is held ensuring any pyrotechnic debris is cleared off the shore and beach as well as any other trash found on the beach.

Other Pertinent Information Not Listed on Application:

One guard from First Alarm is employed to enforce the closure of the wharf and watch/guard the entrance so no one without clearance for conducting the pyrotechnic show has access.
Concerning cleanup timeline on the 14th the morning after:
Daybreak: the Zambelli crew makes the final sweep of the wharf and surrounding beach/area for any debris or unexploded devices.
8 AM: Final debriefing and Zambelli crew departs.



Monte Foundation Fireworks 2025

City Council

January 9, 2025

Recommended Action

1. Determine whether to support the continuation of the Monte Foundation Fireworks Show, tentatively scheduled for October 12, 2025
2. If supported, direct Staff to:
 - Coordinate with Monte Foundation.
 - Obtain required Coastal Development Permit (CDP) for event.

Background

- **Event Established:** Mid-1990s, Seacliff State Beach
- **Moved to Capitola:** 2015
- **Scheduled during Fall to promote local attendance**
- **Beneficiaries:**
 - McGregor Skate Park
 - Capitola Library children's wing
 - Jade Street Park tennis court
 - McGregor bike pump track
 - Total funding to date approximately \$300k
- **Attendance:** Approximately 10,000 annually, with increasing trends

Event Management

- **Lead Organizer:** Monte Foundation contracts Zamboni Fireworks
- **Launch Location:** Capitola Wharf
- **Road Closures:** Managed by CPD
- **Safety Coordination:**
 - Wharf closed 16 hours prior
 - No parking 72 hours prior
 - CFD permit required; personnel present
 - Coast Guard coordination
- **Cleanup Efforts:**
 - Additional garbage/recycling bins
 - Save Our Shores post event cleanups

Coastal Development Permit & Key Considerations

- **CDP Requirement:** Coastal Commission mandates CDP for events over coastal waters
- **Previous Permit:** Expired in 2024; new permit required
- **New Permit Needs:**
 - Analysis of alternative locations/media (e.g., drone shows)
 - Environmental impact analysis (noise, wildlife, etc.)
 - Demonstration of community support
 - Public agency involvement

Discussion & Alternatives

- **Community Tradition**
- **Concerns:** Noise and environmental concerns
- **Alternatives Explored:**
 - **Drone Shows:** Limited feasibility (wind factors)
 - **Hybrid Shows:** Further exploration needed
- **Permit Complexity:** Significant effort required; additional permits needed from MBNMS, Central Fire, and Coast Guard

Fiscal Impact

- **Monte Foundation Costs**
 - Permit fees and consultants
 - Other agency permits
 - Special event fees (PD and PW staff time)
- **City Costs**
 - Staff time for permits from other agencies
- **Fundraising Proceeds:**
Donations benefit youth-focused community projects

Next Steps

- **Council Decision:** Support continuation of the event or explore alternatives
- **If Approved:**
 1. Begin CDP application process
 2. Collaborate with the Monte Foundation on requirements
 3. Ensure alignment with all agency regulations

Recommended Action

- 1) Consider whether to support the continuation of the Monte Foundation Fireworks Show tentatively scheduled for Sunday, October 12, 2025; and if the Council supports continuation
- 2) Direct staff to coordinate with the Monte Foundation to obtain the required Coastal Development Permit (CDP) for the event.



Capitola City Council

Agenda Report

Meeting: January 9, 2025
From: City Manager's Department
Subject: Process to Fill Vacant Council Seat



Recommended Action: Staff recommends the City Council discuss the options to fill the vacant City Council position left by Mayor Yvette Brooks, and either 1) direct staff to prepare documentation to call for a special election or 2) outline an appointment process to fill the vacancy.

Background: On January 3rd, Mayor Yvette Brooks announced her resignation from the City Council effective January 15, 2025. The requirements to fill a vacancy on the City Council are defined by Government Code Section 36512; this staff report is intended to outline these options for the Council's consideration.

Section 36512(b) states if a vacancy occurs in an elective office, the Council shall, within 60 days from the commencement of the vacancy, either call a special election to fill the vacancy or fill the vacancy by appointment.

If the Council should choose to hold a special election, the special election is required to be held at the next regularly established election date not less than 114 days from the call of the special election. If a regularly established election date is not within 114 days from the call of the special election, the Council may hold a special election at any time. The person elected to fill a vacancy holds the office for the unexpired term of the former incumbent.

If the Council fills the vacancy by appointment, the person appointed to fill the vacancy shall serve out the unexpired term of Mayor Brook's seat, until December 2026, pursuant to Section 36512(b)(2)(B). In order to be appointed to fill the vacancy, the person being appointed must be a Capitola resident, a registered voter within the City of Capitola, and at least 18 years of age.

Discussion: The two options available to fill the vacancy are to hold a special election or for the City Council to make an appointment to fill the vacancy and serve the remainder of the term (December 2026).

If directed, staff will determine estimated election costs and return to Council with a budget amendment and documentation to call for the special election.

There are no statutory requirements that define a specific process for how the Council may decide to appoint the successor. The following are a few of the processes that have been used in other cities:

- Accepting applications/letters of interest from the public for a period of time decided upon by the City Council and interviewing applicants in an open session before voting for the appointment
- Selecting the individual who received the next highest number of votes below the candidates most recently elected to the Council in the most recent election
- Allowing Council Members to nominate candidates to the full Council, which votes on the appointment.

The Council must either appoint a successor to the vacant seat or call a special election no later than 60 days from the commencement of the vacancy, pursuant to Government Code Section 36512 (b). This appointment deadline is March 16, 2025 following the commencement of the vacancy on January 15, 2025.

Fiscal Impact: There would be no fiscal impact to appoint a replacement Councilmember to fill the vacancy. The current adopted budget does not include funding for a special election. Should Council

direct staff to prepare documentation for such an election, staff would work with the County Clerk to determine estimated election costs and prepare a budget amendment.

Report Prepared By: Julia Gautho, City Clerk

Reviewed By: Samantha Zutler, City Attorney

Approved By: Jamie Goldstein, City Manager



CITY COUNCIL VACANCY

January 9, 2025



Background

- Government Code 36512 defines how to fill a vacancy on the City Council
 - Special Election; or
 - Appointment

- Council must either appoint a successor to vacant seat or call a special election no later than 60 days from commencement of vacancy, pursuant to Government Code Section 36512 (b).
 - March 13th



Background

- Person who fills vacancy will serve through December 2026
- Must meet requirements of regularly elected officials
 - Resident of Capitola
 - Registered voter
 - 18 years of age



Special Election

- Special Election can be held at any time (<114 days from regular election)
- Cost: \$49,189 to \$56,216
- If Council wishes to call Special Election, staff will return with required resolutions and a budget amendment



Appointment

- No statutory requirements define a specific process for how to appoint a successor. Majority vote
- Examples:
 - ▣ Applications from public, optional interviews, appointment
 - ▣ Selecting individual with next highest # of votes from most recent election
 - ▣ Nomination of candidates, full Council to vote on appointment



Recommended Action

- Staff recommends the City Council discuss the options to fill the vacant City Council position left by Mayor Yvette Brooks, and either 1) direct staff to prepare documentation to call for a special election or 2) outline an appointment process to fill the vacancy.

Capitola City Council

Agenda Report

Meeting: January 9, 2024
From: City Manager's Department
Subject: City Council Reorganization for 2025



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

Background: With the resignation of Mayor Brooks, the City Council should select a new mayor and vice-mayor by motion.

Capitola Municipal Code Section 2.04.150 states that each year, the City Council shall select a mayor and vice mayor. During years with a general election, such selection shall be made at the meeting during which election results are certified.

California Government Code Section 36802 defines the roles of the Mayor and Vice Mayor (Mayor Pro Tempore): "The mayor shall preside at the meetings of the council. If he or she is absent or unable to act, the mayor pro tempore shall serve until the mayor returns or is able to act. The mayor pro tempore has all of the powers and duties of the mayor."

Fiscal Impact: None.

Report Prepared By: Julia Gautho, City Clerk

Approved By: Jamie Goldstein, City Manager

Capitola City Council Agenda Report



Meeting: January 9, 2025

From: City Manager Department

Subject: City Council Representation on Regional Boards & City Advisory Bodies

Recommended Action: Review nominations for City Council representatives on regional boards for the City Selection Committee meeting on January 27, 2025.

Background: City Council Members sit on several County and Multi-Jurisdiction boards, of which certain appointments need to be reviewed and updated. With the resignation of Mayor Brooks, the City Council will need to review the following nominations for appointment to regional boards and committees. These nominations will be brought to the City Selection Committee meeting on January 27, 2025. Staff will return to the City Council with a comprehensive review of all vacancies created by Mayor Brooks resignation once the City Council vacancy is filled.

Attachment 1 lists the current County and Regional Board appointments, expiration dates, and groups that will be requiring appointments due to the City Council vacancy.

Discussion: Staff recommends Council review the following nominations for appointment to regional boards and committees before the City Selection Committee meeting on January 27, 2025.

Table 1: County/Multi-County and Regional Boards

Name of Board – Meeting Information	Capitola Representative(s)	Action Required
Central Coast Community Energy Policy Board <i>(Meets: Meeting dates are variable, virtual option in SC County)</i>	<i>Shared seat with Scotts Valley, Chosen by City Selection, No Term Limits. Terms last 2 years.</i> Yvette Brooks (Nomination Dec. 24, as non-voting representative)	<i>Optional. City Council may nominate a member for City Selection appointment as non-voting member on Jan. 27, however voting position is scheduled to rotate to Scotts Valley</i>
LAFCO (Local Agency Formation Commission) ▲ ◆ <i>(Meets: 1st Wednesday of each month except for July, at 9 AM in the County Board of Supervisors Chambers, 701 Ocean Street, Santa Cruz)</i>	<i>Share voting seat with Scotts Valley. Ex-officio when not holding voting seat. 2-year terms. Capitola reassume voting seat Jan 2025,</i> Yvette Brooks (Nomination Dec. 24)	Yes, nominate Councilmember for City Selection appointment on Jan. 27
Monterey Bay Unified Air Pollution Control District (MBUAPCD) ▲ <i>(Meets: 3rd Wednesday of each month at 1:30 PM at the District Office: 24580 Silver Cloud Ct., Monterey)</i>	<i>Chosen by Selection Committee, rotates between all cities in County. Council should review and recommend every 2 years.</i> Gerry Jensen (Nomination Dec. 24)	No, Councilmember Jensen is current nominee

Fiscal Impact: None.

Attachments:

1. County and Regional Board Appointments

Report Prepared By: Julia Gautho, City Clerk

Approved By: Jamie Goldstein, City Manager

2025 COUNTY/MULTI-COUNTY BOARDS CAPITOLA REPRESENTATIVES LIST

Name of Board – Meeting Information	Capitola Representative(s)	Action Required
Advisory Council of the Area Agency on Aging -Seniors Council of Santa Cruz & San Benito Counties <i>(Meets: 2nd Wednesday of each month except for August and December, at 10 AM in Aptos)</i>	<i>No Alternate, No Term Limits. Recommended to review appts. every 2 years.</i> <ul style="list-style-type: none"> • Yvette Brooks (Appt. Jan. 24) 	Yes, due to resignation of Mayor Brooks.
Arts Council Santa Cruz County <i>(Meeting dates are variable; Wednesdays 4:30-6:30 PM)</i> <i>Not a dedicated Capitola seat</i>	<i>No Alternate. No Term Limits</i> <ul style="list-style-type: none"> • Roy Johnson (A&C) (Appt. Jan. 24) 	No
Association of Monterey Bay Area Governments (AMBAG) ▲ ◆ <i>(Meets: 2nd Wednesday of each month at 6 PM in Monterey)</i>	<i>No Term Limits. Recommended to review appts. every 2 years.</i> <ul style="list-style-type: none"> • Yvette Brooks (Appt. Dec. 24) • Melinda Orbach (Alternate) 	Yes, due to resignation of Mayor Brooks.
Bicycle Advisory Committee of the SCCRTC (Santa Cruz County Regional Transportation Commission)	<i>2-year term, expires 2025</i> <ul style="list-style-type: none"> • Paula Bradley (Appt. Feb. 24) <i>Recruited through RTC, City Council reviews applications and provides nomination.</i>	No
Capitola Community Safety Foundation	<i>No Alternate, No Term Limits, no fixed term</i> <ul style="list-style-type: none"> • Joe Clarke (Appt. Dec. 24) 	No. <i>Councilmember Jensen currently serves on the Foundation Board in a personal capacity.</i>
Central Coast Community Energy Policy Board <i>(Meets: Meeting dates are variable, virtual option in SC County)</i>	<i>Shared seat with Scotts Valley, Chosen by City Selection, No Term Limits. Terms last 2 years.</i> <ul style="list-style-type: none"> • Yvette Brooks (Appt. Dec. 22) • Vacant (Alternate) 	Yes, City Council may nominate a member for City Selection appointment on Jan. 27
Community Action Board of Santa Cruz County <i>(Meets: 3rd Wednesday of each month at 6:15 PM)</i>	<i>2-year terms</i> <ul style="list-style-type: none"> • Alexander Pedersen (Appt. 2024) 	<i>The City Council may choose to appoint a member of the public to this body.</i>
Community Television of Santa Cruz County Board of Directors <i>(Meets: Monthly at 5:30 PM)</i>	<ul style="list-style-type: none"> • Chloe Woodmansee, Assistant to the City Manager 	No

<p>Criminal Justice Council of Santa Cruz County ♦</p> <p><i>(Meets: Quarterly at 3 PM)</i></p> <p>2 seats, 1 Council and 1 Council, CM, or ACM</p>	<p><i>Review following seating of new Council</i></p> <ul style="list-style-type: none"> • Joe Clarke (Appt. Dec 24) • Gerry Jensen (Appt. Dec 24) 	<p>No.</p>
<p>LAFCO (Local Agency Formation Commission) ▲ ♦</p> <p><i>(Meets: 1st Wednesday of each month except for July, at 9 AM in the County Board of Supervisors Chambers, 701 Ocean Street, Santa Cruz)</i></p>	<p><i>Share voting seat with Scotts Valley. Ex-officio when not holding voting seat. 2-year terms. Capitola reassume voting seat Jan 2025,</i></p> <ul style="list-style-type: none"> • Yvette Brooks (Appt. 2024) currently ex-officio 	<p>Yes, nominate Councilmember for City Selection appointment on Jan. 27</p>
<p>League of California Cities</p> <p><i>(Meets: Monterey Bay Division meets on the 1st Monday of every other month at 7 PM at various locations.)</i></p>	<p>Open to All Council Members</p>	<p>No</p>
<p>Monterey Bay Unified Air Pollution Control District (MBUAPCD) ▲</p> <p><i>(Meets: 3rd Wednesday of each month at 1:30 PM at the District Office: 24580 Silver Cloud Ct., Monterey)</i></p>	<p><i>Chosen by Selection Committee, rotates between all cities in County. Council should review and recommend every 2 years.</i></p> <ul style="list-style-type: none"> • Gerry Jensen (Nomination Dec. 24) 	<p>Yes, nominate Councilmember for City Selection appointment on Jan. 27</p>
<p>Santa Cruz County Children's Network</p> <p><i>(Meets five times a year at noon in the County Office of Education)</i></p>	<p><i>No Term Limits. Council should review and recommend every 2 years.</i></p> <ul style="list-style-type: none"> • Yvette Brooks (Appt. 2019) 	<p>Yes, due to resignation of Mayor Brooks.</p>
<p>Santa Cruz County Conference & Visitors Council</p> <p><i>(Meets: Last Wednesday at 3:00 PM every other month except for November when meeting is TBD, at Goodwill Industries, 350 Encinal Street, Santa Cruz)</i></p>	<p><i>Chosen by City Selection Committee, rotates between Cap, Wat, SV. Council should review and recommend every 2 years.</i></p> <p>Not currently Capitola</p>	<p>No.</p>

<p>Santa Cruz County Flood Control & Water Conservation District, Zone 5 ▲ ◆ <i>(Meets: Quarterly on the 4th Tuesday at 10 AM in the County Board of Supervisors Chambers, 701 Ocean Street)</i></p>	<p><i>Council to review appointments annually</i></p> <ul style="list-style-type: none"> • Joe Clarke (Appt. Dec. 24) • Melinda Orbach (<i>Alternate</i>) 	<p>No.</p>
<p>Santa Cruz County Hazardous Materials Advisory Commission <i>(Meets: 4th Wednesday of every other month at 9 AM at Capitola City Hall Community Room)</i></p>	<p><i>Four-year term expires in April 2027</i></p> <ul style="list-style-type: none"> • Nicholas Brown (Appt. Apr. 23) • 	<p>No</p>
<p>Santa Cruz County Library Financing Authority ◆ <i>(Meets: Semi-annually, in January and June, Main Library)</i></p>	<p><i>Council to review appointments annually</i></p> <ul style="list-style-type: none"> • Melinda Orbach (Appt. Dec. 24) • Joe Clarke (<i>Alternate</i>) 	<p>No.</p>
<p>Santa Cruz Public Libraries Library Advisory Commission <i>(Meets: Monday evenings, various branches)</i></p>	<p><i>4-year term, expires March 2027</i></p> <ul style="list-style-type: none"> • Mike Termini (Appt. Jan. 23) <i>Recruited through Library, City Council reviews applications and provides appointment.</i> 	<p>No</p>
<p>Santa Cruz Public Libraries Joint Powers Authority Board ▲ (LJPA) <i>(Meets: 1st Monday of each month at 7:30 PM at the Main Library Community Room)</i></p>	<p><i>City Manager is appointed by JPA</i></p> <ul style="list-style-type: none"> • Jamie Goldstein 	<p>No</p>
<p>Santa Cruz County Integrated Waste Management Local Task Force <i>(Meets: Quarterly)</i></p>	<ul style="list-style-type: none"> • Erika Senyk (Appt. Dec. 24) • Alexander Pedersen (<i>Alternate</i>) 	<p>No.</p>
<p>Santa Cruz County Regional Transportation Commission (SCCRTC) ▲ ■ <i>(Meets: 1st Thursday of each month except for July, at 9 AM at various locations)</i></p>	<p><i>No Term Limits. Council should review and recommend every 2 years.</i></p> <ul style="list-style-type: none"> • Alexander Pedersen (Appt. Dec. 24) • Joe Clarke (<i>Alternate</i>) 	<p>No.</p>

<p>Santa Cruz County Sanitation District ▲ ◆ <i>(Meets: 1st & 3rd Thursday of each month at 4:45 PM at the East Cliff Pumping Station on Lode St., Santa Cruz)</i></p>	<p><i>Council to review appointments annually</i></p> <ul style="list-style-type: none"> • Joe Clarke (Appt. Dec. 24) • Gerry Jensen (Alternate) 	<p>No.</p>
<p>Santa Cruz Metropolitan Transit District Board ▲ ■ <i>(Meets: 3rd Friday of each month at 8:15 AM at various locations)</i></p>	<p><i>Four-year term, expires December 31, 2028</i></p> <ul style="list-style-type: none"> • Melinda Orbach (Appt. Dec. 24) • Alexander Pedersen (alternate) 	<p>No.</p>
<p>Santa Cruz Regional 911 Board ▲ <i>(Meets: Every other month at 1:30 PM)</i></p>	<p><i>City Manager is appointed</i></p> <ul style="list-style-type: none"> • Jamie Goldstein, City Manager 	<p>No</p>
<p>Housing for Health Partnership Policy Board</p>	<p><i>Two-year term, rotates with Scotts Valley, term expires Fall 2026</i> Not currently Capitola</p>	<p>No</p>
<p>Santa Cruz County Animal Services Agency</p>	<p>Chief Ryan</p>	<p>No</p>

- ▲ = Members are required to File Statements of Economic Interest, Form 700
- = Members are required to complete AB 1234 Ethics Training
- ◆ = Council Member appointment required

Revised: 12/30/2024 JG

CITY SELECTION COMMITTEE NOMINATIONS

JANUARY 9, 2024

STAFF RECOMMENDS CITY COUNCIL:

- Review nominations for City Council representatives on regional boards for the City Selection Committee meeting on January 27, 2025.

COUNTY & MULTI-JURISDICTIONAL BOARDS:

- The City of Capitola is represented on various Multi-Jurisdictional advisory bodies by members of City Council. These boards/committees are established by other codes or bylaws.
- Certain of these boards require appointment by the City Selection Committee; Capitola City Council may provide nominations.

Name of Board – Meeting Information	Capitola Representative(s)	Action Required
<p>Central Coast Community Energy (3CE) Policy Board (Meets: Meeting dates are variable, virtual option in SC County)</p>	<p>Shared seat with Scotts Valley, Chosen by City Selection, No Term Limits. Terms last 2 years. Yvette Brooks (Nomination Dec. 24, as non-voting representative)</p>	<p>Optional. City Council may nominate a member for City Selection appointment as non-voting member on Jan. 27, however voting position is scheduled to rotate to Scotts Valley</p>
<p>LAFCO (Local Agency Formation Commission) ▲ ◆ (Meets: 1st Wednesday of each month except for July, at 9 AM in the County Board of Supervisors Chambers, 701 Ocean Street, Santa Cruz)</p>	<p>Share voting seat with Scotts Valley. Ex-officio when not holding voting seat. 2-year terms. Capitola reassume voting seat Jan 2025. Yvette Brooks (Nomination Dec. 24)</p>	<p>Yes, nominate Councilmember for City Selection appointment on Jan. 27</p>
<p>Monterey Bay Unified Air Pollution Control District (MBUAPCD)▲ (Meets: 3rd Wednesday of each month at 1:30 PM at the District Office: 24580 Silver Cloud Ct., Monterey)</p>	<p>Chosen by Selection Committee, rotates between all cities in County. Council should review and recommend every 2 years Gerry Jensen (Nomination Dec. 24)</p>	<p>No, Councilmember Jensen is current nominee</p>

Capitola City Council

Agenda Report



Meeting: January 9, 2025

From: City Manager Department

Subject: 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.

Background: Members of the public are appointed to serve in a voluntary capacity on the City's advisory bodies for terms, some of which expired in December 2024. This necessitates that the Council make reappointments or new appointments for the next term.

Applications for membership on advisory bodies are accepted year-round and are valid for one year. Members who are currently serving on advisory bodies were notified of their term expiration and invited to reapply to be reappointed.

As a part of the advisory body appointment process, staff published a regular vacancy notice on the City website and through social media, and an unscheduled vacancy notice in the Santa Cruz Sentinel.

Discussion: Each of the City's advisory bodies is governed by relevant bylaws, which outline information about the appointment process of the group. More information concerning each group is listed below. Attachment 1 outlines the current composition of each group, applicants seeking reappointment, new applicants, and the next meeting date for all groups with current vacancies. Attachment 2 includes a link to all applications for appointment or reappointment on file with the City Clerk's office received on or before the printing of this agenda packet.

In January, the Art and Cultural Commission is scheduled to meet on January 14 and the Commission on the Environment on January 15. The Finance Advisory Committee and Museum Board are not scheduled to meet in January.

Art and Cultural Commission: The Art and Cultural Commission (Commission) was originally established in 1997 and advises the City Council as to the allocation of public funds for the support and encouragement of existing and new programs in the arts, and for the acquisition of works of art, and to enhance the cultural climate of the City and foster public interest in the arts. Commission Bylaws (Resolution No. 3326) state that the Commission is composed of nine members: one City Council Member (Vice Mayor Clarke), one Planning Commissioner [respectively chosen by a majority vote of each body], one artist or arts organization representative, one arts professional, and five at-large members. The Bylaws state that the Commission must review applications and provide a recommendation to the City Council for appointment. There are currently fifteen applications on file. In addition to the reappointment of returning commissioners, the Commission has recommended the appointment of Roy Holmberg (artist), Tara Hunt, Jill Payonzeck Lengre, Esther Sylvan, Karin Anderson, Thomas Pederson, Kristina McCann and Helynn Nourishad.

Commission on the Environment: The Commission on the Environment (COE) was originally established in 2005 and provides advice and recommendations to the City Council on policy and funding matters relating to sustainability, environmental protection, climate action plan implementation and resource enhancement which benefit the City. COE Bylaws (Resolution No. 4373) state that the COE is composed of five members: a member of the City Council and four members appointed by the four City Council members who do not serve on the COE. On December 12, 2024, the City Council appointed Melinda Orbach to serve as the City Council representative. There are currently six applications on file.

Finance Advisory Committee: The Finance Advisory Committee (FAC) was originally established in 2000 and advises the City Council on financial matters pertaining to the governing of the City, as well as on

the use of fiscal resources. FAC Bylaws (Resolution No. 4365) state that the FAC is composed of seven or eight members: the Mayor, the Vice Mayor, three at-large members appointed by the City Council, and one or two business representatives recommended by the Chamber of Commerce and appointed by the City Council. On December 12, 2024, the City Council appointed Mayor Brooks and Councilmember Pedersen to serve as Council representatives to the FAC. There are nine applications on file.

Historical Museum Board: The Historical Museum Board (Board) was originally established in 1992 and promotes a program that will bring about better understanding and appreciation by the Capitola community of its history, architecture, culture, technology, and its creative and natural environments. Board Bylaws (Resolution No. 4099) state that the Board is composed of seven members. The Bylaws state that the Commission must review applications and provide a recommendation to the City Council for appointment. There is one unscheduled vacancy and there are currently two applications on file. The Board has not made any recommendations at this time.

Fiscal Impact: None.

Attachments:

1. Advisory Body Composition
2. Advisory Group Applications:
<https://www.dropbox.com/scl/fo/fz7qttmk1ubx1tal7icwa/ABeBTms6St-musROjybP57s?rlkey=b5wxl9umzysyfo0ur1512stih&st=cr2mrnbu&dl=0>

Report Prepared By: Julia Gautho, City Clerk

Approved By: Jamie Goldstein, City Manager

Capitola City Council

Attachment to Agenda Report

Meeting: January 9, 2025

From: City Manager Department

Subject: Appointments to City Advisory Bodies – Attachment 1



Arts & Cultural Commission			
<i>The Arts and Cultural Commission is composed of 5 “at large” members, 1 artist, and 1 art professional. These members each serve a two-year term. The Commission also has one representative from the Planning Commission and one representative from the City Council. The next meeting of the Commission is January 14th, 2025.</i>			
Commissioner Name	Appointed Date	Term Expiration	
Council Member Clarke	12/12/2024	12/31/2026	
Courtney Christiansen (Planning Commission Representative)	12/8/2022	12/31/2024	
Mario Beltramo (At Large)	9/14/2023	12/31/2024	
Jennifer Pepiot (nee Major) (At Large)	7/27/2023	12/31/2024	Seeking Reappointment
Mary Beth Cahalen (At Large)	12/8/2022	12/31/2024	Seeking Reappointment
Laurie Hill (At Large)	1/27/2022	12/31/2024	Seeking Reappointment
James Wallace (At Large)	1/27/2022	12/31/2024	Seeking Reappointment
Roy Johnson (Art Professional)	1/12/2023	12/31/2024	Seeking Reappointment
Vacant (Artist)	N/A	N/A	
Jill Payonzeck Lengre (At Large)	N/A	N/A	New Applicant
John Mulry (Artist and At Large)	N/A	N/A	New Applicant
Karin Anderson (At Large)	N/A	N/A	New Applicant
Kristina McCann (At Large)	N/A	N/A	New Applicant
Roy Holmberg (Artist)	N/A	N/A	New Applicant
Tara Hunt (At Large)	N/A	N/A	New Applicant
Esther Sylvan (At Large)	N/A	N/A	New Applicant
Helyne Nourishad (Artist, Arts Pro., At Large)	N/A	N/A	New Applicant
Thomas Pedersen (Artist, Arts Pro., At Large)	N/A	N/A	New Applicant

Commission on the Environment			
<p><i>The Commission on the Environment is composed of 4 members, each appointed by a City Council Member, and one City Council representative. These members each serve a two-year term. The Commission also has one representative from the City Council. The next meeting of the Commission January 15th, 2025.</i></p>			
Commissioner Name	Appointed Date	Term Expiration	
Council Member Orbach	12/12/2024	12/31/2026	
Jason Shepardson (Brown)	3/24/2022	12/31/2024	
Peter Wilk (Pedersen)	1/12/2023	12/31/2024	
Anthony Lacenere (Clarke)	1/12/2023	12/31/2024	Seeking Reappointment
Michelle Beritzhoff-Law (Brooks)	1/12/2023	12/31/2024	Seeking Reappointment
Dennis Norton	N/A	N/A	New Applicant
Michael Maroney	N/A	N/A	New Applicant
Neal Savage	N/A	N/A	New Applicant
John Mulry	N/A	N/A	New Applicant

Finance Advisory Committee

The Finance Advisory Committee is composed of 3 members appointed by the City Council and two business representatives who are nominated by the Capitola Chamber of Commerce and appointed by the City Council. These members each serve a two-year term. The Commission also has two representatives from the City Council. The next meeting of the Commission is February 18th, 2025.

Commissioner Name	Appointed Date	Term Expiration	
Mayor Brooks	12/12/2024	12/31/2026	
Council Member Pedersen	12/12/2024	12/31/2026	
Laura Alioto (Clarke)	1/12/2023	12/31/2024	
Anthony Rovai (Keiser)	1/12/2023	12/31/2024	Seeking Reappointment
Michelle Coffman (Brooks)	1/12/2023	12/31/2024	Seeking Reappointment
Anthony Guajardo (Business Rep.)	6/27/2024	12/31/2024	Seeking Reappointment
Matt Arthur (Business Rep.)	6/27/2024	12/31/2024	Seeking Reappointment
Leslie Nielsen (Business Rep.)	N/A	N/A	New Applicant
Keith Cahalen (At Large)	N/A	N/A	New Applicant
John Mulry (Business Rep. and At Large)	N/A	N/A	New Applicant
Emeline Nguyen (At Large)	N/A	N/A	New Applicant
Daniel Castagnola (Business Rep.)	N/A	N/A	New Applicant

Historical Museum Board

The Historical Museum Board is composed of 7 members. These members each serve a three-year term. The next meeting of the Commission is February 6th, 2025.

Commissioner Name	Appointed Date	Term Expiration	
Emmy Mitchell-Lynn (President)	6/9/2022	6/30/2025	
Roger Wyant (Vice President)	7/25/2024	6/30/2027	
Gordon van Zuiden	6/9/2022	6/30/2025	
Enrique Dolmo	1/12/2023	6/30/2025	
Antonia Alldredge	7/25/2024	6/30/2027	
Brian Legakis	7/25/2024	6/30/2027	
Vacant	8/25/2022	6/30/2025	
Amanda Dover	N/A	N/A	New Applicant
Helynn Nourishad	N/A	N/A	New Applicant

Key
Applicants Seeking Reappointment
Applicants Leaving Office (Not Reapplying)
New Applicants
City Council Representatives

APPOINTMENTS TO CITY ADVISORY BODIES

JANUARY 9, 2024

STAFF RECOMMENDS:

- 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.
- Members of the public are appointed to serve in a voluntary capacity on the City's Advisory bodies for terms, some of which expired in December 2024. This necessitates that the Council make reappointments, or new appointments for the next term.

ART AND CULTURAL COMMISSION:

- Arts and Cultural Commission is composed of 5 “at large” members, 1 artist, and 1 art professional. The Commission also has one rep from the Planning Commission and one rep from the City Council.
- These members each serve a two-year term, with terms expiring December 2026.
- Next meeting is January 14th, 2025.

ART AND CULTURAL COMMISSION APPOINTMENTS:

Seat	Appointee
Council Representative	Clarke
Planning Commission Representative	Appointed by the Planning Commission
At Large	
At Large	
At Large	
At Large	
At Large	
Artist	
Art Professional	

COMMISSION ON THE ENVIRONMENT:

- The Commission on the Environment is composed of 4 members, each appointed by a City Council Member, and one City Council Representative.
- These members each serve a two-year term, with terms expiring December 2026.
- The next meeting of the Commission is January 15th, 2025.

COMMISSION ON THE ENVIRONMENT APPOINTMENTS:

Seat	Appointee
Council Representative	Orbach
Brooks Appointee (TBD)	
Clarke Appointee	
Jensen Appointee	
Pedersen Appointee	

FINANCE ADVISORY COMMITTEE:

- The Finance Advisory Committee is composed of 3 members appointed by the City Council and 2 business representatives who are nominated by the Capitola Chamber of Commerce and appointed by the City Council. The Committee also has two representatives from the City Council.
- These members each serve a two-year term, expiring December 2026.
- Next meeting of Committee is February 18th, 2025.

FINANCE ADVISORY COMMITTEE APPOINTMENTS:

Seat	Appointee
Council Representative	Brooks (TBD)
Council Representative	Pedersen
Regular	
Regular	
Regular	
Business Representative	
Business Representative	

HISTORICAL MUSEUM BOARD:

- The Historical Museum Board is composed of 7 members. These members each serve a three-year term, expiring June 2027.
- The next meeting is of the Board is February 6th, 2025. There is one unscheduled vacancy which necessitates an appointment, the term will expire June 30th, 2025.