

City of Capitola

City Council Meeting Minutes

Thursday, September 25, 2025 – 6:00 PM



City Council Chambers

420 Capitola Avenue, Capitola, CA 95010

Mayor: Joe Clarke

Vice Mayor: Margaux Morgan

Council Members: Gerry Jensen, Melinda Orbach, Susan Westman

Closed Session – 5:15 PM

- i. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov't Code § 54956.8)
Property: Capitola Wharf Buildings, 1400 Wharf Road (APN: 034-072-01)
City Negotiator: Jamie Goldstein, City Manager
Negotiating Parties: JFS Incorporated (dba Capitola Boat and Bait)
Under Negotiation: Terms of Lease

Regular Meeting of the Capitola City Council – 6 PM

1. **Roll Call and Pledge of Allegiance** – *The meeting was called to order at 6:00 PM. In attendance: Council Members Jensen, Orbach, Westman, Vice Mayor Morgan, and Mayor Clarke*
2. **Additions and Deletions to the Agenda** – *City Manager Goldstein requested to pull Item 9E from the agenda; it will return to the Council for consideration in late October.*
3. **Presentations**
 - A. *Mayor Clarke presented a proclamation to Council Member Orbach (as the City's METRO representative) recognizing September 29 through October 5 as "Week Without Driving 2025."*
4. **Report on Closed Session** – *The City Council met and discussed one item on the Closed Session agenda. No reportable action was taken.*
5. **Additional Materials**
 - A. *Item 8A – Two emails received after publication of the agenda packet.*
 - B. *Item 8B – Two emails received after publication of the agenda packet.*
 - B. *Item 9A – Sixty-six emails received after publication of the agenda packet.*
 - C. *Item 9B – One hundred and eighty-five emails received after publication of the agenda packet.*
 - D. *Item 9C – One email received after publication of the agenda packet.*
6. **Oral Communications by Members of the Public**
 - *Mary Beth Cahalen*
 - *Dorothy Anton*
 - *Gina Thompkins*
 - *Melody*
 - *Speaker*
 - *Keith Cahalen*

7. Staff / City Council Comments

- *City Manager Goldstein announced that staff will be holding a Town Hall at New Brighton Middle School on 10/8 at 6 PM to discuss zoning changes at the Capitola Mall.*
- *Council Member Westman provided comments on her attendance at a recent Seniors Council meeting; announced she has appointed Jacques Bertrand as her alternate to the Seniors Council.*
- *Council Member Morgan provided comments on her experience as an elected official in Capitola.*
- *Council Member Jensen provided comments on his attendance at the Visit Santa Cruz Board meeting.*
- *Council Member Orbach provided comments on her attendance at the Capitola Art and Wine Festival.*
- *Mayor Clarke expressed appreciation for the Capitola Beach Festival organizers and challenged the City Manager to a paddleboard race; and requested agenda items in November, December, or January to conduct performance evaluations for the City Manager and City Attorney.*

8. Consent Items

- A. City Council Meeting Minutes
Recommended Action: Approve minutes from the regular meeting on September 11, 2025.
- B. Capitola Municipal Code Title 17 Amendments
Recommended Action: 1) Adopt an ordinance amending Capitola Municipal Code Title 17: Zoning for the Residential Multifamily Zone and the Zoning Map; and 2) adopt an ordinance amending Capitola Municipal Code Title 17, Chapter 17.74: Accessory Dwelling Units.
(Ordinance Nos. 1069 and 1070)
- C. Coastal Conservancy Grant Application
Recommended Action: Authorize staff to submit a grant application to the State Coastal Conservancy for the Esplanade Park Coastal Access Enhancement & Adaptation Plan.
- D. Landscape Design and Planting Plan for the Park at Rispin Mansion
Recommended Action: Receive report.
- Motion to approve the Consent Calendar: Council Member Orbach***
Council Member Westman requested additional information on Item 8D.
Second: Vice Mayor Morgan
Voting Yea: Council Members Jensen, Orbach, Westman, Vice Mayor Morgan, and Mayor Clarke

9. General Government / Public Hearings

- A. Bay Avenue and Hill Street Traffic Safety Update
Recommended Action: Receive an update on the Bay Avenue and Hill Street intersection and provide direction regarding next steps.
- Council Member Jensen recused himself from the item due to a conflict of interest arising from his financial investment in his primary residence. Public Works Director Kahn presented the staff report.***
- Public Comment:**
- ***David Fox***
 - ***Liz McDade***
 - ***Speaker***

- **Speaker**
- **Ed Bottorff**
- **Paula Bradley**
- **Marie Martorella**
- **Adrienne West**
- **Dorothy Anton**
- **Keith Cahalen**
- **Bob Lipton**
- **Speaker**
- **Enrique Dolmo Jr.**
- **Hajin Coblani**
- **Kathy Howard**

The City Council discussed the merits of the options presented for the intersection and how other traffic issues have exacerbated the traffic congestion.

Motion to pursue Option 2 for the Bay Avenue and Hill Street intersection, restoring the previous road configuration: Council Member Orbach

Amendment proposed to include funding for the flag program proposed by the Bay Avenue Senior Housing residents: Council Member Westman

Amendment Accepted: Council Member Orbach

Second: Council Member Westman

Voting Yea: Council Members Orbach, Westman, Vice Mayor Morgan, and Mayor Clarke

Abstain: Council Member Jensen

The Council took a recess at 7:29 PM and reconvened at 7:39 PM. Council Member Jensen returned to the dais at 7:41 PM.

B. Code of Conduct Complaint

Recommended Action: Determine whether the complaint filed by Kevin Maquire against Council Member Orbach on June 12, 2025, should be added to a future agenda for further discussion and determination, or dismissed for the reasons stated in Administrative Policy I-42.

City Clerk Gautho presented the staff report. The Mayor limited public comment to one minute per speaker.

Public Comment:

- **Jenny Vij Olsen**
- **Laura Lee Martin**
- **Stephanie Brongloo**
- **Cynthia Matthews**
- **Shebreh Kalantari-Johnson**
- **Theresa Maguire**
- **Alamia Basaldua**
- **Speaker**
- **Sonia Brunner**
- **Amy**
- **Peter Wilk**
- **Scott Rohlf**
- **Arielle Gray**
- **Nicholas Brown**

- **Kristen Brown**
- **Chris O’Connell**
- **Tina**
- **Chaley Zachmeyer**
- **Shannon McQuade**
- **Speaker**
- **Matt Farrell**
- **Speaker**
- **Natasha Pedrosa**
- **Darlene Briano**
- **Paula Bradley**
- **Grace Studson**
- **Solodine Sao**
- **Carla Christensen**
- **Gavin Roth**
- **John Lamb**
- **Justin Maffia**
- **Juan Pedosa**
- **Mary Beth Cahalen**
- **Jacques Bertrand**
- **Ed Bottorff**
- **Speaker**
- **Speaker**
- **Bob Lipton**
- **Jim Weller**
- **Speaker**
- **Kevin Maguire**
- **Speaker**
- **Speaker**

Motion that the Council not pursue the Code of Conduct complaint and deny Mr. Maguire’s claim: Mayor Clarke

Second: Vice Mayor Morgan

City Council Members provided comments on the Administrative Policy’s language; Council Member Jensen requested that revisions to the Code of Conduct policy be put on the next agenda for Council consideration. The City Council invited Kevin Maguire to come speak at the next City Council meeting about his experience.

**Motion amended to authorize the City Manager to expend up to \$10,000 for mediation between the parties: Council Member Jensen
Council Member Westman called the question.**

Motion amended to state that the Council will no longer pursue the Code of Conduct violation: Mayor Clarke

Second: Vice Mayor Morgan

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

The City Council took a recess at 9:01 PM and reconvened at 9:06 PM.

- C. Sustainable Transportation Planning Grant for the Capitola Active Transportation Plan
Recommended Action: Provide direction to staff.

The City Council discussed implementation of an ad-hoc subcommittee, composed of Mayor Clarke and Council Member Jensen, to ensure that grant activities comply with Capitola Municipal Code Chapter 8.72.

Public Comment:

- Andrew Hoeksema
- Janine
- Speaker

Motion to appoint an ad-hoc subcommittee, composed of Mayor Clarke and Council Member Jensen, to work with staff and Ecology Action to ensure compliance with Capitola Municipal Code Chapter 8.72: Council Member Westman

Second: Vice Mayor Morgan

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

- D. Capitola Community Center Renovation - Quarterly Progress Report
Recommended Action: Receive a quarterly progress report on the Capitola Community Center Renovation Project.

Public Works Director Kahn presented the staff report.

Public Comment:

- Speaker

- E. Award of Construction Contract for Treasure Cove Playground Project
Recommended Action: Adopt a resolution awarding the construction contract for the Treasure Cove Playground Project to SSB Construction, Inc. in the amount of \$2,446,238, authorizing the City Manager to execute the construction contract, and authorizing the Public Works Department to issue a notice to proceed upon final contract execution. ***(Pulled from agenda by staff)***

- F. City Council Request for a Special Meeting
Recommended Action: Identify potential dates, structure, and topics for the proposed meeting.

City Clerk Gautho presented the staff report.

Public Comment: None

The City Council expressed a desire to hold a 2.5-hour meeting to discuss the following:

- ***Topics to include a budget presentation, revenue sources, and long-term projections for revenue.***
- ***Staff updates on the following: Capitola Mall development, 41st Avenue changes, Stockton Street Bridge, Cliff Drive Resiliency Project, the Park at Rispin Mansion Project and building renovation, City Hall property, Capitola Bandstand Project, update on Jade Street Projects, anticipated street projects, plans for a Village hotel, bluff erosion on Depot Hill, sea level rise study, plans to help the Village be more resilient to storm damage, Capitola Wharf and Wharf Master Plan, annexation feasibility study, draft 5 Year CIP Projects List.***

The Council provided direction to staff to repurpose the second November meeting (November 20th at 6:00 PM) to discuss the list of topics identified during Council discussion.

10. Adjournment

The meeting adjourned at 9:44 PM. The next regularly scheduled City Council meeting is on October 9, 2025, at 6:00 PM.

ATTEST:

Joe Clarke, Mayor

Julia Gautho, City Clerk