

# City of Capitola

## City Council Meeting Minutes

### Thursday, May 12, 2022 – 7:00 PM



City Council Chambers  
420 Capitola Avenue, Capitola, CA 95010

**Mayor:** Sam Storey  
**Vice Mayor:** Margaux Keiser  
**Council Members:** Jacques Bertrand, Yvette Brooks, Kristen Brown

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#### **Closed Session – 6 PM**

Conference with Real Property Negotiator  
[Govt. Code §54956.8]  
Property: 4400 Jade Street, APN 034-551-02, Capitola, CA  
City Negotiator: Jamie Goldstein, City Manager  
Negotiating Parties: Soquel Union Elementary School District  
Under Negotiation: Terms of Joint Use Agreement

#### **Regular Meeting of the Capitola City Council – 7 PM**

##### **1. Roll Call and Pledge of Allegiance**

Council Members Jacques Bertrand, Kristen Brown, Vice Mayor Margaux Keiser, and Mayor Sam Storey were present. Council Member Brooks was absent.

##### **2. Additions and Deletions to the Agenda**

##### **3. Report on Closed Session**

City Attorney Zutler said there was no reportable action.

##### **4. Additional Materials – none**

##### **5. Oral Communications by Members of the Public**

A member of the public asked about National Police Week, in an email a member of the public commented on graffiti at Jade Street Park.

##### **6. Staff / City Council Comments**

City Manager Goldstein clarified that the staff report regarding Travel Reimbursements, the proposed tip ceiling is 18%.

Chief Dally announced that second annual SkateTola event is Saturday, May 14, 11am to 4pm.

Council Member Brown thanked Capitola Police and said Police Week is a time to thank and honor Police Officers. She said that May is Community Action Month and shared the work of the Community Action Board. She also announced that the Capitola Police Department, via the Criminal Justice Council, submitted a Policy Analysis Report to the National Association of Counties and won an award the first of its' kind for the report.

Mayor Storey thanked Capitola Police and encouraged the public to express gratitude during National Police Week and always. He also announced that the summer Twilight Concert Series band lineup has been finalized; events begin June 15.

## 7. Consent Items

**Motion: Approve, Authorize, Determine, and Adopt, as recommended**

**Result: Passed, 4:0 (Unanimous)**

**Mover:** Council Member Brown

**Second:** Vice Mayor Keiser

**Yea:** Mayor Storey, Vice Mayor Keiser, Council Member Bertrand, Council Member Brown

**Absent:** Council Member Brooks

- A. Consider the minutes from the April 28, 2022, regular City Council meeting  
Recommended Action: Approve minutes.
- B. Approval of City Check Registers Dated April 1, April 8, April 15, April 22, and April 29  
Recommended Action: Approve check registers.
- C. Updated Travel Reimbursement Policy  
Recommended Action: Approve amended Administrative Policy III-2: Employee & Public Official Travel Expense Reimbursement & Travel Regulations.
- D. Contract for Housing Element Update  
Recommended Action: Authorize the City Manager to enter a contract with RRM Design Group in the amount of \$183,560 for the Housing Element Update.
- E. Receive Update on Pandemic Response and Consider Adopting Proposed Resolution Allowing for the Continuation of Teleconferencing  
Recommended Action: 1) Make the determination that all hazards related to the worldwide spread of the coronavirus (COVID-19) as detailed in Resolution No. 4168 adopted by the City Council on March 12, 2020, still exist and there is a need to continue action; and 2) Adopt the proposed resolution authorizing the City Council (along with the Planning Commission and all advisory bodies) to continue to conduct teleconferencing meetings.

## 8. General Government / Public Hearings

- A. Application from the Capitola Village and Wharf Business Improvement Association to Replace Arbor Sign at Stockton Avenue and Capitola Avenue  
Recommended Action: Consider an application from the Capitola Village and Wharf Business Improvement Association to replace the sign hanging at the Stockton-Capitola Avenue arbor with a surfboard-style sign.

Public Works Director Jesberg presented a staff report.

Mayor Storey asked if the City would repurpose the current sign once it is replaced. Director Jesberg confirmed that the City owns the sign and that staff could identify a location for it. Vice Mayor Keiser supported the idea and suggested the parking lot corner at Monterey/Park Ave.

In public comment, Anthony from the BIA said the intention of the new sign is to highlight parking and to use bright colors to enhance visibility. Carin said that the proposed sign is more contemporary and represents a fresh update. Vicki said that she appreciates the use of the international symbol for parking on the proposed sign.

**Motion: Approve the proposed surf-board style sign**

**Result: Passed, 4:0 (Unanimous)**

**Mover:** Council Member Brown

**Second:** Vice Mayor Keiser

**Yea:** Mayor Storey, Vice Mayor Keiser, Council Member Bertrand, Council Member Brown

**Absent:** Council Member Brooks

B. Women on Waves Surf and Swim Contest

Recommended Action: Consider expanding Women on Waves Surf and Swimming Contest, a previously approved General Special Event, from a one-day to a two-day event.

Police Chief Dally presented a staff report.

Vice Mayor Keiser asked about the composure of the event and verified that the same activities will take place across two days, rather than a full second day of new added activities.

In response to a question from Mayor Storey, Chief Dally explained that based on the projected number of attendees and impacts a portable bathroom is recommended as a condition of the event. Mayor Storey asked about the early event start time, Chief Dally said that noise conditions can be included in the official event permit.

There was no public Comment.

Council Member Bertrand said he is pleased the event will return.

**Motion: Approve extending the event to two days**

**Result: Passed, 4:0 (Unanimous)**

**Mover:** Council Member Brown

**Second:** Council Member Bertrand

**Yea:** Mayor Storey, Vice Mayor Keiser, Council Member Bertrand, Council Member Brown

**Absent:** Council Member Brooks

C. Senate Bill 9 Residential Developments and Urban Lot Splits Ordinance

Recommended Action: 1) Introduce, by title only, waiving further reading of the text, an ordinance of the City of Capitola adding Municipal Code Chapters 16.78 and 17.75, adding Municipal Code section 16.08.020, and amending section 17.74.040 for the implementation of government code sections 66411.7 and 65852.21 related to Urban Lot Splits and Senate Bill 9 Residential Developments; and 2) Adopt proposed resolution Authorizing Submittal to the California Coastal Commission for the Certification of an Amendment to the Local Coastal Program Adding Municipal Code Chapters 16.78 and 17.75, adding Municipal Code Section 16.08020, and Amending Section 17.74.040 for the Implementation of Government Code Sections 66411.7 and 65852.21 Related to Urban Lot Splits and Senate Bill 9 Residential Developments.

Director Herlihy introduced Ben Noble, who presented a report on a proposed Ordinance.

Council Member Bertrand asked about urban lot splits and subdivisions.

Mayor Storey asked about requiring residents to use their garages for cars, rather than relying on street parking. He also asked for clarification on rideshare. In response to a question about Accessory Dwelling Units, Director Herlihy said that ADUs do count towards the City's RHNA; when a building permit is pulled determines which RHNA Cycle the unit is attributed to. ADUs do not count as opportunity sites.

Council Member Bertrand asked about internal lot lines and building separation.

During public comment a member asked about Senate Bill 5 and 10, and how train corridors affect Senate Bill 9. After direction from the Mayor, Mr. Noble responded that Senate Bill 9 applies to all zones, regardless of their proximity to a train corridor.

**Motion: 1) Introduce by title only waiving further reading of the text the proposed ordinance and 2) Approve the resolution authorizing the submittal to the Coastal Commission**

**Result: Amended**

**Mover:** Council Member Bertrand

**Second:** Council Member Brown

**Motion: 1) Introduce by title only waiving further reading of the text the proposed ordinance and 2) Approve the resolution authorizing the submittal to the Coastal Commission Amendment: Include definition of rideshare in the ordinance (Storey)**

**Result: Passed, 4:0 (Unanimous)**

**Mover:** Council Member Bertrand

**Second:** Council Member Brown

**Yea:** Mayor Storey, Vice Mayor Keiser, Council Member Bertrand, Council Member Brown

**Absent:** Council Member Brooks

D. Objective Standards for Multifamily and Mixed-Use Residential Ordinance

Recommended Action: 1) Introduce, by title only, waiving further reading of the text, an ordinance of the City of Capitola adding Municipal Code Chapter 17.82 to establish objective standards for multifamily dwellings and mixed-use residential development, amending section 17.16 Residential Zoning Districts, section 17.20 Mixed Use Zoning Districts, and 17.24 Commercial and Industrial Zoning Districts to reference Chapter 17.82 Objective Standards for Multifamily Dwellings and Mixed-Use Residential Development; and 2) Adopt the proposed resolution Authorizing Submittal to the California Coastal Commission for the Certification of an Amendment to the Local Coastal Program.

Director Herlihy reintroduced Ben Noble, who presented on the objective standards ordinance.

In public comment, a member asked about Senate Bill 35, standards for non-residential buildings, and rail corridors. After direction from the Mayor, Mr. Noble responded that objective standards apply in all zones where multifamily/mixed-use residential is allowed.

**Motion: 1) Introduce by title only waiving further reading of the text the proposed ordinance and 2) Approve the resolution authorizing the submittal to the Coastal Commission**

**Result: Passed, 4:0 (Unanimous)**

**Mover:** Council Member Bertrand

**Second:** Vice Mayor Keiser

**Yea:** Mayor Storey, Vice Mayor Keiser, Council Member Bertrand, Council Member Brown

**Absent:** Council Member Brooks

**9. Adjournment**

The meeting was adjourned at 8:53pm to the next regular City Council Meeting on May 26, 2022.

**ATTEST:**

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Sam Storey, Mayor

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Chloé Woodmansee, City Clerk