

City of Capitola

City Council Meeting Minutes

Thursday, April 10, 2025 – 6:00 PM



City Council Chambers

420 Capitola Avenue, Capitola, CA 95010

Mayor: Joe Clarke

Vice Mayor: Alexander Pedersen

Council Members: Gerry Jensen, Margaux Morgan, Melinda Orbach

Closed Session – 5:30 PM

- i. **LIABILITY CLAIMS (Gov't Code § 54956.95)**
Claimants: Kevin Smith, Jianyu (Catherine) Duan, EFC, Cynthia Rae Diola, Jeffrey S. Hines, The Estate of Helen Maureen Hines, The Helen Maureen Hines Revocable Trust
Agency Claimed Against: City of Capitola

Regular Meeting of the Capitola City Council – 6 PM

- 1. Roll Call and Pledge of Allegiance** – *The meeting was called to order at 6:01 PM. In attendance: Council Members Jensen, Morgan, Orbach, Vice Mayor Pedersen, and Mayor Clarke.*
- 2. Additions and Deletions to the Agenda** – *None*
- 3. Presentations**
 - A. *Mayor Clarke presented a proclamation honoring April 2025 as Arts, Culture, and Creativity Month to Roy Holmberg, Capitola Art and Cultural Commissioner, and Jim Brown, Executive Director of the Arts Council of Santa Cruz County.*
- 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 9A – Fourteen emails received after publication of the agenda packet.*
 - B. *Item 9B – One email received after publication of the agenda packet.*
 - C. *Item 9C - Three emails received after publication of the agenda packet.*
- 6. Oral Communications by Members of the Public**
 - *Gayle Ortiz*
 - *Sam Storey*
 - *Steven Woodside*
 - *Bud Colligan*
 - *Terre Thomas*
 - *Leslie Neilsen*
 - *Elizabeth Bertrand*
 - *Matt Arthur*
 - *Rodney Wartzok*
 - *Lynn Jackson*

- *Mike Morrissey*
- *Kevin Maguire*
- *Goran Klepic*
- *Dave Fox*
- *Enrique Dolmo*

7. Staff / City Council Comments

- *Police Chief Ryan introduced Officer Roger Schwingel and announced the retirement of Captain Kilroy. Captain Kilroy provided remarks to the City Council.*
- *Community Service and Recreation Director Bryant advised the Council and the public of an online survey regarding pickleball use in the City.*
- *Council Member Pedersen advised the public that the southbound offramp at Park Avenue will be closed for 6 months beginning on April 17th.*
- *Mayor Clarke requested that staff add a report on Capitola Municipal Code Chapter 8.72 to the Special Meeting Agenda on April 17th.*

8. Consent Items

A. City Council Meeting Minutes

Recommended Action: Approve minutes from the regular meeting on March 27, 2025, and the special meeting on April 2, 2025.

Motion to approve the Consent Calendar: Council Member Morgan

Second: Council Member Orbach

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

9. General Government / Public Hearings

A. Grand Avenue Pathway

Recommended Action: Receive a report on recent bluff failure and provide direction to staff on the next steps to address pathway safety and public access on the Grand Avenue Pathway.

Public Works Director Kahn presented the staff report.

Public Comments:

- ***Dave Fox***
- ***Mike Morrissey***
- ***Stan Ketner***
- ***Tom Parker***

The City Council expressed appreciation for the Depot Hill pathway and concern for the current safety conditions of the pathway. The Council discussed the formation of a neighborhood steering committee to review options for the continued use for the community pathway, to be led by a member of the community (Paul Estey). The Council requested that this item return to the City Council in six months to review costs for options for permanent closure, relocation without engineering, relocation with engineering, drainage, encroachment removal, grant opportunities, and community input.

The City Council took a recess from 7:45 PM and reconvened at 7:50 PM.

B. Filtered Tobacco Products

Recommended Action: Provide direction to staff on whether to prepare a draft ordinance on the prohibition on the sale of filtered tobacco products for City Council consideration.

Public Works Director Kahn, and Tara Leonard, Santa Cruz County Health Services Agency, presented the staff report.

Public Comments:

- **Katie Thompson, Executive Director of Save Our Shores**
- **Speaker**
- **Neal Savage**
- **Ardeep**
- **Taylor Lane**
- **Dani Madon**
- **Speaker**
- **Matt Arthur**
- **Speaker**

The City Council thanked the public speakers and the presenters for their comments. The Council expressed support for an ordinance prohibiting the sale of filtered tobacco products within the City. The Council urged impacted business owners to work with City staff and other organizations to mitigate impacts. The Council directed staff to return with a draft ordinance to amend Chapter 5.3 of the Municipal Code.

C. E-Bike Safety

Recommended Action: Receive report regarding existing City e-bike safety initiatives and direct the Mayor to sign a letter regarding proposed State legislation for e-bike safety to Representatives Dawn Addis, Gail Pellerin, and Senator John Laird.

City Manager Goldstein and Police Chief Ryan presented the staff report.

Public Comments:

- **Speaker**
- **Speaker**

The City Council expressed support for statewide legislation for electric bicycles and discussed potential age limitations for riders.

Motion to direct the Mayor to sign a letter to the legislature as proposed by staff with the modification to Section 2 to include language that allows permitting by the DMV, online, or other: Vice Mayor Pedersen

Second: Council Member Orbach

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

10. Adjournment – The meeting adjourned at 9:26 PM. The next regularly scheduled City Council meeting is on April 24, 2025, at 6:00 PM.

ATTEST:

Joe Clarke, Mayor

Julia Gautho, City Clerk