

City of Capitola

City Council Meeting Minutes

Thursday, November 13, 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 – 5:30 PM

- i. CONFERENCE WITH LEGAL COUNSEL—LIABILITY CLAIMS (Gov. Code § 54956.95)
 - a. Syd J.
Claim Against the 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 6:00 PM. In attendance: Council Members Jensen, Orbach, Westman, Vice Mayor Morgan, and Mayor Clarke.*
- 2. Additions and Deletions to the Agenda** – *None*
- 3. Report on Closed Session** - *The City Council met and discussed one item on the Closed Session agenda. No reportable action was taken.*
- 4. Additional Materials**
 - A. *Item 5 – One email received after publication of the agenda packet.*
 - B. *Item 7H – One email received after publication of the agenda packet.*
- 5. Oral Communications by Members of the Public**
 - Goran Klepic
 - John Danforth
 - Charlie Thomas
 - Terre Thomas
 - Dana Wagner
 - Vig Kamath, CRP Affordable Housing
 - Kathleen Harris
 - Alberto Guardado, CRP Affordable Housing
 - Katie Thompson
 - Jennifer Gallagher
 - Angie Deans
 - Vic Lawser
 - Michael
 - Susan Sealy
 - Heidi Kellison
 - Caroline
 - Becky Steinbruner

6. Staff / City Council Comments

- *Community and Economic Development Director Herlihy advised the public and the City Council that draft language regarding the Capitola Mall zoning code updates will be published Friday, November 14th.*
- *Council Member Jensen provided updates from a recently attended RTC meeting; reminded the public that a Sip and Stroll event is taking place in the Village November 15th; commended Public Works Department staff; and commended the Capitola Cares non-profit organization on their community efforts.*
- *Council Member Orbach provided comments on the importance of marine sanctuary protections and requested an agenda item in January to update and revise the City's ordinance banning offshore oil drilling and seabed mining; and reminded the public of a food distribution event at New Brighton Middle School on November 14th.*
- *Council Member Westman thanked the City Council for their efforts to return Bay Avenue's intersection to the original traffic configuration.*
- *Vice Mayor Morgan echoed Council Member Westman's comments and urged the public to exercise safety while navigating the intersection; encouraged the community to support the Second Harvest Food Bank during the winter months; and requested an update on Park Avenue traffic calming efforts during the November 20th Town Hall.*
- *Mayor Clarke commended the Plein Air art competition on their 10th anniversary.*

7. Consent Items

- A. City Council Meeting Minutes
Recommended Action: Approve minutes from the regular meeting on October 23, 2025, and the special meeting on October 28, 2025.
- B. 2025 City Council Regular Meeting Schedule
Recommended Action: Adopt a resolution amending the 2025 City Council regular meeting schedule to cancel the November 20th meeting. **(Resolution No. 4459)**
- C. 2026 Holidays and City Hall Closures
Recommended Action: Adopt a resolution designating the holidays and City Hall closures in calendar year 2026. **(Resolution No. 4460)**
- D. Amendment to Capitola Municipal Code Chapter 15.04 Pertaining to Building and Fire Code
Recommended Action: Adopt an ordinance amending Chapter 15.04 and 15.18 of the Capitola Municipal Code pertaining to adoption of California Building Codes and the California Fire Code, 2005 Edition and portions of the 2024 International Fire Code, as amended by the Central Fire Protection District and ratified by the Capitola City Council. **(Ordinance No. 1071)**
- E. Surplus Vehicle
Recommended Action: Adopt a resolution to declare one Police Department vehicle as surplus property and authorize Public Works to dispose of the vehicle through public auction, in accordance with Administrative Policy III-8 – Surplus Property. **(Resolution No. 4461)**
- F. Phase 1 Conceptual Design – Grand Avenue Pathway
Recommended Action: Authorize the City Manager to execute a professional services agreement with SSA Landscape Architects, Inc. for Phase 1 Conceptual Design of the Grand Avenue Pathway in an amount not to exceed \$13,000, with funding from the Capital Improvement Program (CIP) Fund. **(Pulled for discussion by Council Member Jensen)**
- G. Liability Claims
Recommended Action: Deny a liability claim from Syd J.
- H. 3720 Capitola Road Request for Support of Grant Application

Recommended Action: No action. *(Pulled for discussion by Council Member Orbach)*

Council Member Orbach requested to pull Item 7H and Council Member Jensen requested to pull Item 7F from the Consent Calendar for further discussion.

Motion to approve Consent Items 7A-7E and 7G: Vice Mayor Morgan

Second: Council Member Orbach

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

8. General Government / Public Hearings

A. Annexation Feasibility Study Analysis Report

Recommended Action: Receive a presentation from RSG, Inc. on the results of the annexation feasibility study and authorize the City Manager to submit the analysis to the Santa Cruz Local Agency Formation Commission for analysis and revision of the City's sphere of influence.

Jim Simon, RSG, Inc. presented the results of the annexation feasibility study.

Public Comment:

- ***Becky Steinbruner***

The City Council discussed the results of the feasibility study; and directed the City Manager to submit the analysis to the Santa Cruz Local Agency Formation Commission for analysis and revision of the City's sphere of influence.

7. Consent Items Pulled for Discussion

F. Phase 1 Conceptual Design – Grand Avenue Pathway

Recommended Action: Authorize the City Manager to execute a professional services agreement with SSA Landscape Architects, Inc. for Phase 1 Conceptual Design of the Grand Avenue Pathway in an amount not to exceed \$13,000, with funding from the Capital Improvement Program (CIP) Fund. *(Pulled for discussion by Council Member Jensen)*

City Manager Goldstein provided a staff report.

Council Member Jensen requested to continue discussion of this item to December 11th so that the City can have a more accurate accounting of sales tax revenues and project expenditures.

Public Comment: None

Motion to continue the item to the December 11th City Council meeting with updated information on funding options and including a report from the City Attorney on liability: Council Member Westman

Second: Council Member Jensen

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

H. 3720 Capitola Road Request for Support of Grant Application

Recommended Action: No action. *(Pulled for discussion by Council Member Orbach)*

Community and Economic Development Director Herlihy provided a staff report.

The City Council inquired about the timeline of events concerning the developer's request.

The Mayor requested that public comment be limited to 90 seconds.

Public Comment:

- ***Vig Kamath, CRP Affordable Housing***
- ***Speaker***
- ***Alberto Guardado, CRP Affordable Housing***
- ***Marcus, CRP Affordable Housing***
- ***Caroline***
- ***Speaker***
- ***Speaker***
- ***John Tremain***
- ***Speaker***
- ***Speaker***
- ***Garrett Bascom, CRP Affordable Housing***

The City Council discussed the typical project timeline for affordable housing projects, the need for affordable housing, and the imposition of state housing laws.

Motion to deny the applicant's request for a letter of support: Council Member Westman
Second: Council Member Jensen

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

Voting Nay: Council Member Orbach

The Council took a recess at 8:00 PM and reconvened at 8:06 PM.

8. General Government / Public Hearings

- B. 41st Avenue Corridor Plan – Public Outreach Summary and Draft Goals

Recommended Action: Provide direction on the proposed goals for the 41st Avenue Corridor Plan based on the results of initial community outreach.

Community and Economic Director Herlihy introduced Daniel Cunningham, SWA Group, who presented a report on initial outreach findings for the 41st Avenue Corridor Plan.

Public Comment:

- ***Speaker***
- ***Becky Steinbruner***

The City Council voiced support for the inclusion of Clares Street into the 41st Avenue Corridor Plan; provided feedback on the goals presented by staff; and directed staff to return with a budget amendment to increase the scope of the project.

- C. Rispin Reflecting Pool Public Art Project

Recommended Action: Adopt a resolution amending the FY 2025-26 Adopted Budget to allocate an additional \$25,000 from the Public Art Fund, for a total project budget of \$50,000. ***(Resolution No. 4462)***

Community Services and Recreation Director Bryant presented the staff report.

Public Comment:

- ***Becky Steinbruner***

The City Council discussed the possibility of including public and youth outreach in the project.

Motion to adopt Resolution No. 4462: Vice Mayor Morgan

Second: Council Member Orbach

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

D. **Mandatory Organic Waste Disposal Reduction Ordinance**

Recommended Action: Introduce for first reading, by title only, waiving further reading, an ordinance amending Chapter 8.04 “Solid Waste Management” of the Capitola Municipal Code, establishing a Mandatory Organic Waste Disposal Reduction Ordinance consistent with Senate Bill 1383 regulations.

Public Works Director Kahn presented the staff report.

Public Comment:

- ***Speaker***

Motion to introduce Ordinance No. 1072: Vice Mayor Morgan

Second: Council Member Jensen

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

E. **2026 City Council Meeting Schedule**

Recommended Action: Adopt a resolution establishing the regular meeting schedule for 2026. ***(Resolution No. 4463)***

City Clerk Gautho presented the staff report.

Public Comment:

- ***Speaker***

Motion to adopt Resolution No. 4463: Council Member Orbach

Second: Vice Mayor Morgan

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

The Mayor advised the public of the November 20th Town Hall meeting at New Brighton Middle School.

9. Adjournment

The meeting adjourned at 9:07 PM. The City Council will hold a special meeting on November 20, 2025, at 6:00 PM at the New Brighton Middle School Performing Arts Center.

ATTEST:

Joe Clarke, Mayor

Julia Gautho, City Clerk