

Moss, Julia

From: Michelle Strong <info@capitolabarandgrill.com>
Sent: Tuesday, June 20, 2023 4:02 PM
To: Moss, Julia; City Council
Subject: [PDF] In support of Capitola Bar & Grill
Attachments: support-live-music-at-capitola-bar-amp-grill_062023.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Please add the updated petition signatures for the June 22nd meeting.

Thank you,
Michelle Strong

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Support Live Music at Capitola Bar & Grill

<https://www.thepetitionsite.com/464/903/626/support-live-music-at-capitola-bar-amp-grill/>

Author: LaSalle & Michelle Strong

Recipient: Capitola City Council

Petition:

Please support live music at Capitola Bar & Grill. We plan to meet at CBG at 5:00pm and walk over to Capitola City Hall. If you cannot join us in person, there is a link to attend via zoom. All are requested to email a letter of support to the City Council of Capitola. More information at capitolastrong.com

Please CC admin@capitolastrong.com on emails to the City Council, we will also print and bring to the meeting.

	Name	From	Comments
1.	Kelly G	Santa Cruz, CA	
2.	Xavier G	Santa Cruz, CA	
3.	Jennifer	Martinez, CA	
4.	Lori L	Antioch, CA	
5.	Marlene M	Fresno, CA	Please continue to allow Live Music at Capitola Bar & Grill. .
6.	Trisha A	Watsonville, CA	Please allow music at capitola bar and grill it also helps bring in tourist to visit other capitola village bussinesses
7.	Elizabeth P	Campbell, CA	Why are they being treated differently than other business\'s that have live music.
8.	Marji K	La Selva Beach, CA	
9.	Dawn C	Capitola , CA	
10.	scott m	scotts valley, CA	
11.	Chick G	Soquel, CA	Enjoyed music in Capitola for over 40 years. Capitola Bar and Grill has supplied some of the best of recent years AND it is early for those of us that don't stay up late. It brings us and our wallets into the village instead of staying home and we spend money on food and other things once we're in the village.
12.	Steven H	Santa Cruz, CA	Keep the village alive with live music at Capitola bar and grill
13.	Andrea I	Fresno, CA	
14.	Laurie L	La Selva Beach, CA	
15.	josie F	Capitola, CA	Live music and Dancing in the village is so important to us. This venue is so lovely and always bring us out to spend money and have a great time. As someone who lives and works in town it\'s great to have a place I like and can also refer tourists to also. They make a fun experience for locals and out of towners alike. Especially in this time when most of the other live music venues are closed, lets support joy in our village
16.	Kim M	Santa Cruz, CA	
17.	Belinda G	Martinez, CA	
18.	Anonymous	SANTA CRUZ, CA	
19.	Ted W	Santa Cruz, CA	
20.	Paul W	Capitola, CA	
21.	Karen M	Capitola , CA	
22.	CARALEENA M	Lemoore , CA	
23.	Julie L	Aptos, CA	
24.	Rick A	Capitola, CA	

	Name	From	Comments
25.	Jasmine A	Salinas , CA	Fingers crossed band night comes back, we miss our magical nights with our cbg family !
26.	Sheamir I	Salinas , CA	☺☺Music soothes the soul ☺☺
27.	Glenn B	Santa Cruz , CA	
28.	Andre M	Long Beach, CA	
29.	Shameeka M	Long Beach, CA	
30.	Belita M	Santa Cruz, CA	
31.	Anonymous	HOMETOWN, IL	
32.	Dawn S	CAPITOLA, CA	
33.	Nancy W	Santa Cruz, CA	
34.	Jennifer W	Soquel, CA	
35.	Shelly M	Watsonville , CA	Margaux you know how much music helps. Let them have it
36.	Pam L	Aptos, CA	We've been enjoying live music in the village for over a decade. This situation sounds personal and I suggest the city council stay out of that and continue to allow the show to go on as they have in the past.
37.	Rupert H	Ben Lomond, CA	
38.	Natalie M	Soquel, CA	Live music is essential for the Village
39.	Emanuel B	Santa Cruz, CA	Music heals everything!
40.	Janice. W	Santa Cruise, CA	
41.	Amy V	Santa Cruz , CA	As a neighboring store owner to this business who has also been very challenged staying afloat in this economy we ask you approve this permit not only to help a local business survive but so we go enjoy the music! My store is also in Capitola village right on Capitola avenue
42.	Alexa T	Capitola , CA	
43.	Joseph U	Santa Cruz , CA	Bring back the music !!!
44.	Lucas C	Capitola, CA	☺☺
45.	Ed V	Soquel, CA	
46.	Kyle C	Soquel, CA	Thank you!
47.	Karen B	Sacramento, CA	
48.	Elizabeth P	Santa Cruz, CA	
49.	Ingrid S	Capitola, CA	
50.	Tamara J	Felton , CA	
51.	Kylie O	Santa Cruz, CA	
52.	Michael W	San Jose, CA	
53.	Timothy P	Santa Cruz, CA	
54.	Scott O	Santa Cruz, CA	
55.	Jennifer F	Gilroy , CA	

	Name	From	Comments
56.	Donna D	San Martin, CA	
57.	Will L	Capitola , CA	
58.	Jack G	San diego, CA	
59.	Lynn Y	Santa Cruz, CA	
60.	Ariana K	Campbell, CA	
61.	Emma S	slo, CA	
62.	kyle y	santa cruz, CA	
63.	Michelle R	Santa Cruz, CA	
64.	Ed L	Davis, CA	
65.	Erin B	Benicia, CA	
66.	Diane G	Gilroy, CA	
67.	Stan E	San Francisco , CA	Capitola Bar and Grill has had music for years. Why would that change? Besides offering customers quality entertainment, it helps the restaurant make a profit. Don't we all want that? Things are difficult enough for business owners in Capitola, after the recent storms. Let's help the businesses that are still open. Thank you. -Stan
68.	James M	Campbell , CA	Let the music play every day and every way
69.	Anonymous	Capitola, CA	Please we support live music in Capitola at Capitola Bar and Grill!
70.	Lisa H	Campbell , CA	I'm someone who loves Capitola and the music scene! Please don't take this away from this business!
71.	Mark M	SCOTTS VALLEY, CA	
72.	Amber C	Martinez, CA	
73.	Ron G	Santa Cruz, CA	I support the Capitola Bar & Grill.
74.	Debra K	Aptos, CA	
75.	Serena W	Santa Cruz, CA	I live in Capitola Village. I support and expect the legal right to have an entertainment permit not be denied to CBG due to any landlord request. I want live entertainment where I live it's a main reason why I moved here! Thank you.
76.	Andrew E	Capitola, CA	Hearing live music as we walk into the village is a huge part of the experience that makes Capitola as charming as it is. Personally, I'm sensitive to loud sounds so karaoke and live band nights at CBG are nights I avoid eating there, but I still enjoy the atmosphere that they create! It's very disappointing to see the news that they are now being told that they can't do this. Please provide them with whatever permits are required so they can continue entertaining our residents and visitors
77.	Kevin M	Capitola, CA	We need to support our local businesses, Music and art! Show your support for Capitola Bar & Grill to get permitted and continue to serve our Community

	Name	From	Comments
78.	John Z	Modesto, CA	Supporting live music
79.	Carol D	Imperial Beach , CA	Keep the music! Thank you.
80.	Kara D	Soquel, CA	
81.	Rigo A	Soquel, CA	Bring back live music!
82.	Dennis F	Santa Cruz, CA	Down with the haters! Bring back live music!
83.	Roberta M	Aptos, CA	
84.	James L	Martinez, CA	
85.	Tim H	Santa Cruz, CA	
86.	Joezette M	Madera , CA	Best of luck on this journey to win for Capitola Village!!
87.	David D	Santa Cruz, CA	
88.	Sandra R	Santa Cruz, CA	
89.	Amber G	Hollister , CA	
90.	Lorette K	Santa Cruz, CA	
91.	Molly W	Aptos, CA	
92.	Jefferson H	APTOS, CA	
93.	Amy T	Santa Clara, CA	If you are allowing other businesses to have music you need to allow ALL Businesses. Do better City of Capitola!
94.	Raina C	Aptos, CA	
95.	Madeline A	Santa Cruz, CA	What is the reasoning and who is behind the effort to prohibit live music that: 1. support musicians & 2. Support local business and 3. bring immense joy to a wide range of a large swath of members of this community?
96.	Danielle S	Capitola, CA	
97.	Dan S	Capitola, CA	
98.	Robert J	Capitola, CA	
99.	Debbie d	Aptos, CA	Capitola Bar and Grill(LaSalle and Michelle) is one of my favorite restaurants in Capitola Village which makes me keep going back for a variety of reasons...good food , nice people and great atmosphere. What is missing is the live music (supports local musicians)that I once enjoyed. Capitola Bar and Grill created a safe and tasteful place to dance and listen to good music. Let\'s hope it begins again, soon!
100.	Annie E	Capitola, CA	
101.	Travis W	Santa Cruz, CA	We need more music in Capitola!!!
102.	Ryan W	Santa Cruz, CA	
103.	Stephen A	Hollister , CA	
104.	Annie F	Gilroy, CA	We love the music at Capitola Bar & Grill!! They have brought life back to the village and support all the other businesses too!

	Name	From	Comments
105.	Danniel L	Antelope , CA	
106.	Jeff B	Capitola, CA	
107.	Maureen T	Capitola , CA	
108.	Margaret P	Redding , CA	My family owns one of the 6 sisters. We support Capitola Bar and Grille and their right to have live music in the village!! It's a necessary cultural and social component of Village life!
109.	Tara H	Aptos, CA	
110.	Megan H	Aptos, CA	
111.	Ralph I	Watsonville , CA	This place is so clean food views and customer service is Amazing
112.	Tom P	Santa cruz, CA	This discourse taking place is blasphemy. The one person who should be hoping and rooting for their tenants success is rather trying to sabotage them.. Steve Yates as a building owner should be guiding, supporting, and rooting for the success of the CBG establishment. I'm amazed how this is even up for discussion and it's appalling how blatant the toxicity is. It goes to show how one doesn't become mature, thoughtful, or full of wisdom with simple aspect of age. Steve Yates is the building owner sure.. who lives out of state in Hawaii apparently, but what is the name of his man child son who CHOOSES to live right at the very location where tourists around the world travel to? I can only imagine what past tenants has to say regarding their experience with these folks. Where this backfires is making the mistake of stripping the essence of music from not only the establishment, but the community. You just made a huge mistake with music simply bring a cultural universal. The Santa Cruz county is filled with musicians and those who enjoy live music!! Looking forward to the huge live music parties and jam sessions to follow at CBG Mardi Gras style to celebrate the victory of this outcome of this battle for now as I'm prepared to support CBG in the more battles to come. You've got your irrational miserable complaint up against the community, tax-generating revenue for the city, and the culture of the Village. This maybe unfathomable and difficult for you to do, but rotate the axis of your index finger to where you're pointing it towards you. You literally brought this on yourself. This is happening is the direct result of a man failing to raise his son and becoming a delusional, self-centered, self-righteous, stubborn, difficult, unwilling-to-compromise, kind of human being. This matter is no different than a child brat throwing a fit and having its parent supporting their tantrum. Here we are being an inconvenience and ruining everybody's joy and bringing the city, community, and your very own tenants down to your miserable level of being. Congratulations to the Yates family
113.	Amanda A	Fresno, CA	

	Name	From	Comments
114.	Tim M	Capitola, CA	
115.	Eve W	Salinas , CA	
116.	Erika H	Santa Cruz, CA	
117.	Bill S	Santa Cruz, CA	Support Capitola Bar & Grille music and FIX THE WHARF NOW!!!
118.	Dorothy W	Marina, CA	I drive from Marina to do Karaoke there. They have a great KJ and the sound and atmosphere is awesome.
119.	Terri T	Watsonville , CA	
120.	Julie S	Burlingame, CA	
121.	Graham G	Aptos, CA	Please let usic play
122.	Jane S	Santa Cruz, CA	We need businesses such as Capitola Bar & Grill that bring more diverse cultural offerings to Capitola. Please be fair and renew their entertainment permit so they can continue being a successful business.
123.	Phillip Z	Sparks, NV	Love this place, save the music!
124.	Karen P	San Jose, CA	
125.	Barbara S	San Jose CASan Jose, CA	
126.	Joanne C	Laguna hills, CA	Please support live music permit
127.	Dan B	Aptos, CA	
128.	Rebecca D	Santa Cruz, CA	Capitola has a long legacy of live music and there are very few options right now. This is an established business with a great reputation. They have an early venue and fit perfectly with the Capitola culture.
129.	levonne m	Capitola, CA	
130.	Rae S	Aptos, CA	
131.	Jessica P	Santa Cruz , CA	Jojo is wonderful
132.	Shelondon B	Stockton , CA	I really enjoy the live music after a long week of work it\'s nothing more beautiful to hear beautiful music played by wonderful musicians.
133.	Jasmine W	Sacramento, CA	
134.	Sharnae F	Sacramento, CA	
135.	Tajia W	Rancho Cordova, CA	
136.	Treana W	Sacramento, CA	
137.	Tara S	Gold River, CA	
138.	katcha b	aptos, CA	PLEASE allow Capitola Bar and Grill have live music. LIVE and support people having fun please. It is a huge draw.
139.	Elizabeth H	Elk Grove , CA	
140.	Tammy G	Capitola, CA	
141.	Marc G	Capitola, CA	

	Name	From	Comments
142.	Gaye Z	Sparks , NV	
143.	Shauna S	Capitola, CA	I support live entertainment there! :)
144.	Tanisha C	Fairfield , CA	I support Capitola Bar and Grill with keeping live music.
145.	Erica L	Hollister, CA	
146.	JoeAnna M	Fresno , CA	
147.	Alessandra C	Capitola , CA	I support the music
148.	Alysia W	Watsonville, CA	Support live music and love!
149.	Kevin C	Watsonville , CA	Please keep live music going at the Capitola Bar & Grill. Treat them equally with other establishments offering the same music with no permit restrictions for them. They are a great establishment that serves the village patrons in many great ways, music being one of them. May they be victorious in being treated equally according to the laws of America that protect the interests of all Americans regardless of their race. I love Capitola Bar and Grill. God bless the Stongs in this very important fight to keep live music going at their wonderful establishment.
150.	Armand R	Royal Oaks, CA	The Capitola Bar and Grill, and their live music offerings, are an important part of the character and quality of Capitola Village. It is a matter of basic fairness that Capitola Bar and Grill be allowed the same rights as other local establishments - in the same block on the Capitola Esplanade - to provide the live music that is so valued by their patrons, such as myself. It is fundamentally unfair to deny their permit based on the personal issues of one disgruntled neighbor. Capitola Bar and Grill has proven to be a responsible operator, and a valuable asset for both patrons and the City of Capitola.
151.	David C	Sale, gb	As a tourist the live music i experienced in Capitola was essential to my enjoyment of the place, many of the musicians are now long friends and I hate to see them without a gig to play
152.	Donneka R	Sacramento, CA	The main concern for customer appreciation is the service. I truly believe having a business that pleases their customers whether it's service or music is amazing.
153.	Howard W	Manchester , gb	
154.	Alfonso P	Vacaville, CA	
155.	Dee M	Daly City, CA	
156.	Pam H	Capitola , CA	
157.	Gary S	San jose, CA	
158.	Anna S	Capitola , CA	Our favorite place to go.
159.	Ernie B	Moss Landing , CA	

	Name	From	Comments
160.	Kathleen D	Lincoln, CA	Anyone who truly cares about Capitola Village would want to see Capitola Bar and Grill succeed . We have been coming here for 25 years and over the years music on the Esplanade has been a huge draw. With Covid and the storms to deal with it's incomprehensible what this landlord is putting this business through.
161.	Tamara K	Sacramento , CA	
162.	Nora C	Santa Cruz, CA	I have been a part of the music community for 35 years. As a professional vocalist, relying on the enormous support of all the venues is essential to all musicians and club owners success. The Capitola Bar & Grille is an essential establishment that supports a thriving musical cultural necessity that draws in financial revenue and cultural diversity. We need to support our local businesses and help them thrive!
163.	Ruby R	Watsonville, CA	Live music is best!
164.	Lauren R	San Francisco, CA	
165.	Loralyn S	SANTA CRUZ, dz	We loved the live music at Capitola Bar a Grill. Please bring it back.
166.	Anonymous	San Jose, CA	Please allow the music. Most the other places have it. This place is a great place and brings us back because its so fun.
167.	Anne Marie W	Santa Cruz , CA	
168.	Cheryl E	Capitola, CA	
169.	Davisha B	Grants Pass, OR	
170.	Sean O	Santa Cruz, CA	
171.	Savanna L	Soquel, CA	MUSIC
172.	Aaron L	Santa Clara, CA	
173.	Christian L	Capitola, CA	Please bring back live music
174.	Lois L	Houston, TX	
175.	Deb B	Santa Cruz, CA	Capitola Bar & Grill should be allowed to have live music. Please bring it back
176.	Eli A	san mateo, CA	
177.	Mike F	Alris, CA	
178.	Keith W	Aptos, CA	Please support live music at Capitola Bar & Grill.
179.	Shawn M	Santa Cruz, CA	
180.	Marilyn F	Santa Cruz, CA	It doesn't make sense to restrict businesses from providing popular music in the village. If the businesses cannot provide music, then why can the city Council permit music on the Esplanade stage? Capitola is for all people to enjoy, not one particular group. diversity in people and activities should be allowed within reasonable guidelines.
181.	Amy K	Santa Cruz, CA	

	Name	From	Comments
182.	Elizabeth R	Scotts Valley, CA	
183.	Kathleen F	capitola, CA	
184.	Janeen N	Capitola , CA	We love music
185.	Julie I	Morgan hill, CA	The Capitola bar and Grill music always brings me back to capitola, where I spend a lot of money. And not just the restaurant. It was very disappointing to come all the way over the hill and you have no music. Bring back music. I have so many friends that will stop coming.
186.	Sandy P	Aptos , CA	
187.	Doug M	Capitola, CA	
188.	Yolanda L	San Jose, CA	
189.	Nancy C	Aptos, CA	In support of continuing music at Capitola Bar & Grill
190.	Hillary M	Watsonville, CA	
191.	Alison D	Soquel, CA	
192.	Monica G	La selva beach , CA	

Moss, Julia

From: Celine Grenier <celine.grenier@gmail.com>
Sent: Tuesday, June 20, 2023 4:15 PM
To: City Council
Subject: Denial of Entertainment Permit at the Capitola Bar and Grill

Follow Up Flag: Follow up
Flag Status: Flagged

Dear City Council,

The Capitola Bar and Grill's music was a positive addition to the atmosphere on the Esplanade. If the music was too loud for some people, perhaps volume restrictions could be set or the music could be allowed at least on Fridays, Saturdays and Sundays. Please look for a compromise.

Thank you for your consideration,

Celine Grenier and Jon Fatula

Capitola

Moss, Julia

From: jane.sooby.007@gmail.com on behalf of NAACP Santa Cruz County
<santacruznaacp@gmail.com>
Sent: Wednesday, June 21, 2023 9:02 AM
To: City Council
Cc: admin@capitolastrong.com
Subject: [PDF] NAACP Santa Cruz County supports Capitola Bar & Grill's appeal of denied entertainment permit
Attachments: Capitola Bar n Grill support 6.20.23.letterhead.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Dear Members of the Capitola City Council,

Regarding the item on the agenda for tomorrow, we submit the attached letter of support for the Capitola Bar and Grill's appeal of denial of their entertainment permit and strongly urge the council to be fair in its decision and grant them the permit.

Sincerely,
Jane Sooby
Secretary

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NAACP Santa Cruz County Branch #1071
(831) 429-2266
P.O. Box 1433
Santa Cruz CA, 95061
santacruznaacp@gmail.com
<https://www.naacpsantacruz.com/>



WWW.NAACP.ORG

NAACP

Santa Cruz County Branch #1071

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June 20, 2023

Capitola City Council
420 Capitola Ave
Capitola, CA 95010

Executive Committee Members

Ariba Alston
Carrie Whitley
Deborah Berkson
Brenda J. Griffin
Deborah Hill-Alston
Belita Magee
Johnny Simmons
Lizann Keyes
Meilin Obinata
Nancy Williams
Simba Kenyatta

Dear Council Members,

This letter is to support LaSalle and Michelle Strong's application for an entertainment permit for the Capitola Bar & Grill at 231 Esplanade, Capitola, CA 95010. We urge the Council Members to approve the entertainment permit for 2023. The Strongs were granted permits in 2021 & 2022 without the landlord's signature. This has been common practice by the city. We expect the City of Capitola to treat all businesses fairly and equally.

We are weighing in because the NAACP Santa Cruz County Branch #1071 has received a complaint of racial discrimination at the 231 Esplanade property.

We thank you in advance for your attention to this situation.

Sincerely,

NAACP Santa Cruz County Branch
Executive Committee

Moss, Julia

From: Ryan Yates <rynyates@outlook.com>
Sent: Tuesday, June 20, 2023 10:52 PM
To: Moss, Julia; Keiser, Marguax; Gonzalez, Francisco@ABC; Brown, Kristen; Brooks, Yvette; Clarke, Joe; Pedersen, Alexander
Subject: [PDF] Urgent: Final Submission Regarding Capitola Bar and Grill's Music Permit
Attachments: La Serena Letter to Capitola City Council.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Julia, Madam Mayor and Council Members,

Please include my final input on the music permit application for Capitola Bar and Grill in the record and note that I strongly object to its issuance.

I find myself at the center of Capitola Bar and Grill's unethical behavior, and while it's difficult, I'm glad it's me, not someone less equipped to handle it.

Their conduct over the past two years has involved intimidation, personal attacks, and even baseless legal claims to hurt me personally. Only to have the owners to turn around and accuse me of what they themselves are guilty of. And now it appears, their attacks do not just include me but also my children. These actions are more than just unethical - they show a total disregard for not only my family's well-being, but a flat disregard for societal norms and basic humanity.

As you may already know, the latest in the string of actions, over a music permit, is a fraudulent restraining order and an unprecedented amount of perjury on legal documents with ZERO evidence. I would like note: Capitola Bar and Grill has cameras everywhere on the building, and still have zero evidence to support any claims. Unfortunately, for the perpetrator who filed this against me, this misuse of the law could lead to serious consequences, including heavy fines and imprisonment. Since there is no proof for the claims, the actions seem to be a thinly veiled SLAPP suit, intended to infringe on my First Amendment rights to protest the bad behavior of the business.

I have only conducted myself in a professional manner of petition, protest and free speech, as protected by the United States Constitution, as well as worked closely and ethically with Chief Dally and the Capitola Police Department. This blatant attempt to suppress my freedom of speech is deeply troubling.

The continuous attacks only strengthen my resolve. They serve as a reminder of why standing up for my rights and our community's integrity is so crucial. I am not perfect, as no one is. However, no matter the deceitful, baseless and cowardly tactics used, I'm not backing down.

I believe that granting a music permit to Capitola Bar and Grill would send the wrong message - that their behavior is somehow acceptable. This could potentially harm the peace and integrity of our community further. Their actions will not stop with me. Permitting this behavior would only embolden it. It will be directed at whichever citizen holds them accountable next. As they have now proven themselves willing to break the law and lie under oath to get what they want, this is certain to happen again.

All of this aside I would further like to remind the city council of the basic facts:

- Capitola Bar and Grill's license to sell alcohol, by the State of California, strictly prohibits entertainment to be audible beyond the area under their control.
- Capitola Bar and Grill's lease within the building prohibits disrupting other tenants quiet enjoyment, NO MATTER THE TIME OF DAY.
- The State of California, County of Santa Cruz, and City of Capitola prohibit disrupting others quiet enjoyment, no matter the time of day, especially at elevated levels that constitute harassment, and contribute to physical harm and psychological distress.
- Capitola Bar and Grill was in CONSTANT violation of the guidelines of the music permit Capitola issues. Even when Capitola Bar and Grill mistakenly received a music permit, they violated it with complete disregard. 6 nights a week. In a manner that was blatant and intentional.
- Capitola Bar and Grill does not have permission from the owner of the property. Nor was it EVER consented to.

Capitola Bar and Grill has undoubtedly questionable motivation behind them. Their unethical and unreasonable tactics, coupled with their illogical insistence, in such an unbearable and nonsensical way, undoubtedly raise concerns about the integrity of their business practices.

I trust that you'll weigh these issues carefully when making a decision, keeping our city and its people's welfare at the forefront.

Thank you for your time and consideration.

Best,

Ryan Yates
231 Esplanade, UNIT 301, Capitola, CA 95010

Steve Yates
La Serena Properties
231 Esplanade
Capitola, California 95010

Capitola City Council
420 Capitola Ave
Capitola, CA 95010

Re: Opposition to the issuance of a live entertainment permit to Capitola Bar and Grill without landlord permission

Dear Members of the Capitola City Council,

I hope this letter finds you in good health and high spirits. I am writing to express my strong opposition to the request made by Capitola Bar and Grill to obtain a live entertainment permit from the City without seeking permission from their landlord. Based on the recent decision of the Honorable Glenda Sanders, the Emergency Arbitrator for the JAMS, I believe it is crucial that the City Council considers the implications of this request and acts in accordance with the decision reached.

On April 17th, 2023, the Honorable Glenda Sanders rendered a decision that denied the interim relief sought by Capitola Bar and Grill. The decision clearly stated that the claimants failed to demonstrate immediate loss or damage that would necessitate emergency relief. Furthermore, the arbitrator found that the claimants did not establish a likelihood of success on the merits at that stage of the proceedings.

Considering the decision of the Emergency Arbitrator, it is evident that the request for emergency relief, whether characterized as a provisional mandatory injunction, a provisional injunction, or an interim declarator, was unequivocally denied. This decision reinforces the importance of adhering to established legal procedures and respecting the rights and obligations of all parties involved.

Allowing, Capitola Bar and Grill to proceed with obtaining a live entertainment permit without the consent of their landlord would not only disregard the decision made by the Honorable Glenda Sanders but also set a dangerous precedent that undermines the legal framework and compromises the rights of property owners. It is crucial for the City Council to uphold the principles of fairness and legal integrity by respecting the rights and responsibilities of both tenants and landlords.

I kindly request that the City Council carefully consider the ramifications of granting a live entertainment permit to Capitola Bar and Grill without the necessary permission from their landlord. Doing so would not only contravene the decision made by the Honorable Glenda Sanders but also disregard the established legal processes and protections in place. It is essential to maintain a fair and just environment for all parties involved and uphold the integrity of our legal system.

Thank you for your time and consideration. I trust that you will make a decision that reflects the best interests of the community and ensures a harmonious balance between the rights of tenants and landlords. Please feel free to contact me if you require any further information or if there are any opportunities for public input regarding this matter.

Sincerely,

Steve Yates, La Serena Properties

231 Esplanade, Capitola, Ca 95010