

# City of Capitola

## City Council Meeting Minutes

### Thursday, July 28, 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**

- 1. Conference with Legal Counsel - Existing Litigation**  
Gov't Code § 54956.9 (d)(1)  
City of Capitola v. Anthony Oster – Case No. 20C-00584
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#### **Regular Meeting of the Capitola City Council – 7 PM**

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

Council Members Jacques Bertrand, Yvette Brooks, Kristen Brown, Margaux Keiser, and Mayor Sam Storey.

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

##### **3. Presentations**

- A. Commend Dane Morin for Rescuing a Plane-Crash Victim at the Junior Guard Regional Competition in Huntington Beach

Staff and Council thanked Dane for his heroic work during the rescue.

##### **4. Report on Closed Session**

A closed session meeting was held on item listed on the agenda; no action was taken.

##### **5. Additional Materials – none**

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

Dave Montgomery presented an idea to open a portion of Monterey Park to off-leash dogs for an hour each evening.

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

Chief Dally announced National Night Out on Tuesday, August 2.

Council Member Bertrand said he has received two different petitions recently from members of the public and that he is following up with those that submitted them.

Council Member discussed the Community Action Board's mission to eliminate poverty and said that the Board is recruiting for members.

Vice Mayor Keiser gave her thanks to the community and staff for a wonderful Wharf to Wharf event.

Mayor Storey announced that the Art and Cultural Commission is starting to work on several projects including a tree stump project. He also said he will not be running for re-election and encouraged Capitola residents to run for office.

## 8. Consent Items

**Motion: Approve, Receive, Adopt, Declare, Authorize, Delay, and Determine as recommended**

**Result: Passed, 5:0 (Unanimous)**

**Mover:** Council Member Brooks

**Second:** Vice Mayor Keiser

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

- A. Consider the minutes from the May 19, 2022, special meeting and the June 23, 2022, regular City Council meeting  
Recommended Action: Approve minutes.
- B. Approval of City Check Registers Dated May 27, June 3, June 10, June 17, June 24, July 1, and July 8  
Recommended Action: Approve check registers.
- C. Consider a Five Year Measure D Master Funding Agreement with the Santa Cruz County Regional Transportation Commission  
Recommended Action: Approve a new Measure D Master Funding Agreement with the Santa Cruz County Regional Transportation Commission (RTC), extending the term of the agreement through 2047 (the life of Measure D).
- D. Art and Cultural Commission Annual Report  
Recommended Action: Receive Report
- E. Consider an Update to the 2022-2023 City Salary Schedule  
Recommended Action: 1) Approve changing the Receptionist job title to Customer Service – Office Coordinator and updated job description; 2) Approve changes to the job description for the Recreation Coordinator and Public Works Director; and 3) Adopt the proposed resolution updating the 2022-2023 salary scheduled with the classification and title changes.
- F. Consider a Computer Data Backup and Disaster Recovery Agreement  
Recommended Action: Authorize the City Manager to enter a managed services agreement with Exceedio to implement and manage a data backup, business continuity, and disaster recovery system for the City of Capitola.
- G. Consider a Police Vehicle as Surplus Property  
Recommended Action: Declare one Police Department vehicle as surplus property and authorize its sale.
- H. Affordable Housing Contract Services  
Recommended Action: Adopt the proposed resolution approving a sole source contract with Carolyn Flynn for professional services related to affordable housing programs in an amount not to exceed \$20,000 and amending the Fiscal Year 2022-23 Budget.
- I. Update on the Wharf Resiliency and Public Access Improvement Project

Recommended Action: Delay bidding the Wharf Resiliency and Public Access Improvement Project to allow compliance with the National Environmental Protection Act in anticipation of receiving Federal project funding.

- J. 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.

## 9. General Government / Public Hearings

- A. Review the Rispin Mansion Park Project and Consider Authorizing Advertising for Bids

Recommended Action: 1) Approve plans, specifications, and budget for construction of the Rispin Mansion Park; 2) Authorize advertising the project to receive bids setting the opening date for September 7, 2022; and 3) Approve the proposed resolution amending the budget by transferring \$30,000 from the General Fund to the Rispin Mansion Park Project.

Public Director Jesberg first thanked Assistant to the City Manager Larry Laurent for his time serving the City.

Public Works Project Manager Mozumder presented a staff report on the Rispin Park project.

In response to a question from Council Member Brown, Project Manager Mozumder said that if started in Spring 2023, the project should be completed in Fall 2023.

Council Member Bertrand confirmed that the project section that crosses into a conservation area is allowed and has been approved by the conservation's legal team.

There was no public comment.

**Motion: Approve plans, 2) Authorize the advertisement of BIDs, and 3) approve the resolution**

**Result: Passed, 5:0 (Unanimous)**

**Mover:** Council Member Brooks

**Second:** Council Member Bertrand

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

- B. Discuss Potential Content for a Hybrid Meeting Administrative Policy

Recommended Action: Provide direction to staff to assist in drafting a Hybrid Meeting policy for Council adoption at the August 25 meeting OR determine no policy is needed.

Vice Mayor Keiser suggested that virtual meetings are convenient to attend and may be a good option for the public to engage with Council.

Council Member Brooks said that members should be able to choose to attend virtually with no requirements necessary. She suggested that no more than 3 members should attend in person at one time.

After much discussion, Mayor Storey emphasized the need for a policy to set expectations for staff and Council.

**Motion: Direct Staff to draft an administrative policy indicating that: 1) At least 1 and no more than 3 Council Members should attend in person, 2) Council will self-determine who**

**will attend in person in a regular agenda item at the end of each meeting, 3) Safety precautions should be taken in the Council Chambers as determined by staff**

**Result: Passed, 5:0 (Unanimous)**

**Mover:** Council Member Brown

**Second:** Council Member Brooks

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

C. Amend the FY 2022-23 City Fee Schedule

Recommended Action: Adopt the proposed resolution amending the fee schedule for Fiscal Year (FY) 2022-23.

Vice Mayor Keiser was recused.

Finance Director Malberg presented a staff report. In response to a question from the Mayor, he explained that occupants for the outdoor dining program will only pay for the square-footage they use, if a parking space is split between two businesses they will each only pay for the area they use.

There was no public comment.

**Motion: Approve the resolution**

**Result: Passed, 4:0**

**Mover:** Council Member Brown

**Second:** Council Member Brooks

**Yea:** Mayor Storey, Council Member Bertrand, Council Member Brooks, Council Member Brown, Mayor Storey

**Recused:** Vice Mayor Keiser

## 10. Adjournment

The meeting adjourned at 8:58pm to the next regularly scheduled City Council meeting on August 25, 2022.

**ATTEST:**

Sam Storey, Mayor

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Chloé Woodmansee, City Clerk