

City of Capitola

City Council Meeting Minutes

Thursday, January 09, 2025 – 6:00 PM



City Council Chambers
420 Capitola Avenue, Capitola, CA 95010

Mayor: Yvette Brooks

Vice Mayor: Joe Clarke

Council Members: Gerry Jensen, Melinda Orbach, Alexander Pedersen

Closed Session – 5:30 PM

- i. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant Exposure to Litigation Pursuant to Govt. Code § 54956.9(d)(2)
One Case

Regular Meeting of the Capitola City Council – 6 PM

- 1. Roll Call and Pledge of Allegiance** - *The meeting was called to order at 6:04 PM. In attendance: Council Members Jensen, Orbach, Pedersen, Vice Mayor Clarke, and Mayor Brooks.*
- 2. Additions and Deletions to the Agenda** – *Mayor Brooks reordered Item 8B as the first item on the agenda, following Item #7.*
- 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 8A - 59 emails received after publication of the agenda packet.*
 - B. *Item 8B - 1 email received after publication of the agenda packet.*
 - C. *Item 8C - 32 emails received after publication of the agenda packet.*
 - D. *Item 8D - 2 emails received after publication of the agenda packet.*
 - E. *Item 8E - 3 emails received after publication of the agenda packet.*
- 5. Oral Communications by Members of the Public**
 - *Goran Klepic*
 - *Adrienne West*
 - *Marilyn Garrett*
 - *Public Speaker*
- 6. Staff / City Council Comments**
 - *City Manager Goldstein thanked first responders who assisted with Capitola's emergency events during the holiday closure and expressed sympathy for the first responders assisting with the fires in Southern California.*
 - *Council Member Jensen thanked local first responders and the Building Official for their response times during the local emergency situations over the holidays and requested a presentation from Central Fire District and the Capitola Police Department about emergency preparedness.*

- *Council Member Orbach expressed thanks for staff for coordinating with the County and assisting with the regional emergencies over the holidays.*

7. Consent Items

A. City Council Meeting Minutes

Recommended Action: Approve minutes from the regular meeting on December 12, 2024.

B. Notice of Completion - City Hall Roof Restoration

Recommended Action: 1) Accept as complete the City Hall Roof Restoration Project completed by American Foam Experts; 2) authorize the City Clerk to file and record a Notice of Completion; and 3) authorize the release of the contract retention of \$4,902 as prescribed in the contract.

C. Annual and Five-Year Impact Fee Report

Recommended Action: Adopt Resolution No. 4411 adopting the Fiscal Year 2023-24 AB 1600 Report.

Motion to approve the Consent Calendar: Vice Mayor Clarke

Second: Council Member Orbach

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

8. General Government / Public Hearings

B. Resignation of a City Council Member

Recommended Action: Receive the resignation of Mayor Yvette Brooks.

Public Comments:

- ***Kristen Brown***
- ***Mauricio Arias, representing Assemblymember Dawn Addis***
- ***Larry Brooks***

The City Council and the City Manager shared comments congratulating Mayor Brooks on her new career and thanked her for her service. Mayor Brooks provided comments thanking the community, staff, and the City Council for their support. Mayor Brooks turned the meeting over to Vice Mayor Clarke and exited.

A. The Monte Foundation Fireworks 2025

Recommended Action: That the City Council 1) consider whether to support the continuation of the Monte Foundation Fireworks Show tentatively scheduled for Sunday, October 12, 2025; and 2) if the Council supports continuation, direct staff to coordinate with the Monte Foundation to obtain the required Coastal Development Permit for the event.

Public Works Director Kahn and Police Chief Ryan presented the staff report.

Public Comments:

- ***Dave Peyton***
- ***Skip Allen***
- ***Marilyn Garrett***
- ***Michael Monte***
- ***Ed Bottorff***
- ***Public Speaker***
- ***Christine McBroom***
- ***Rodney, Capitola Candy Company***

The City Council voiced appreciation for the Monte Foundation Fireworks Event but requested that the Foundation investigate potential alternatives to fireworks and the

impacts of such alternatives. If alternatives are not feasible, the City Council voiced support for the application for the event with the caveat that there would be further research into the environmental and community impacts.

Motion to direct staff to coordinate with the Monte Foundation to obtain the required Coastal Development Permit for the Monte Foundation Fireworks Event on October 12, 2025: Council Member Orbach

Motion amended to engage the Commission on the Environment and research environmental impacts: Council Member Jensen

Amendment Accepted: Council Member Orbach

Second: Council Member

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

The City Council took a three minute recess at 7:24 PM and reconvened at

C. Process to Fill Vacant Council Seat

Recommended Action: Staff recommends the City Council discuss the options to fill the vacant City Council position left by Mayor Yvette Brooks, and either 1) direct staff to prepare documentation to call for a special election; or 2) outline an appointment process to fill the vacancy.

City Clerk Gautho presented the staff report.

Public Comments:

- **Barry Scott**
- **Susan Westman**
- **Mike Morrissey**
- **Mick Routh**

The City Council thanked the public for their input, expressed concern about the cost of a special election, and directed staff to agendize an item for appointment on January 16th.

Motion to direct staff to contact Margaux Morgan and Enrique Dolmo Jr. and accept applications: Council Member Jensen

Motion died for lack of second.

Motion to utilize the November 5, 2024, General Election results to appoint the next City Council Member: Council Member Orbach

Second: Council Member Pedersen

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

Motion to allow each Council Member to create one question: Council Member Orbach

Motion died for lack of second.

The City Attorney suggested that Council Members send questions to the City Clerk to be included in the January 16th agenda packet.

D. City Council Reorganization for 2025

Recommended Action: Nominate and appoint a new Mayor and Vice-Mayor. **(Continued to January 16, 2025)**

The City Council continued Items 8D, 8E, and 8F to a special City Council meeting on January 16th at 5 PM.

E. City Council Representation on Regional Boards & City Advisory Bodies

Recommended Action: Review nominations for City Council representatives on regional boards for the City Selection Committee meeting on January 27, 2025. **(Continued to January 16, 2025)**

F. City Council Appointments to City Advisory Bodies

Recommended Action: Appoint members of the public to the City of Capitola’s Art and Cultural Commission, Commission on the Environment, Finance Advisory Committee, and Historical Museum Board. **(Continued to January 16, 2025)**

9. Adjournment - *The meeting adjourned at 8:00 PM. The City Council will hold a special meeting on January 16, 2025, at 5:30 PM.*

ATTEST:

Joe Clarke, Vice Mayor

Julia Gautho, City Clerk