



SANTA CRUZ
COUNTY
GRAND JURY

Grand Jury <grandjury@scgrandjury.org>

Capitola Response - Honoring Commitments to the Public

Moss, Julia <jmoss@ci.capitola.ca.us>

Fri, Sep 15, 2023 at 9:46 AM

To: "Syda.Cogliati@santacruzcourt.org" <Syda.Cogliati@santacruzcourt.org>, Santa Cruz Grand Jury
<grandjury@scgrandjury.org>

Good Morning,

Please see attached response to the "Honoring Commitments to the Public" SCC Civil Grand Jury Report. I have also attached draft minutes from our meeting showing this approval.

Please respond to confirm receipt.

Julia Moss

City Clerk - City of Capitola

831.475.7300 x228

2 attachments

 **09-14-2023 Draft Minutes.pdf**
251K

 **Capitola SC Grand Jury Response - Honoring Commitments.docx.pdf**
390K

City of Capitola

City Council Meeting Minutes

Thursday, September 14, 2023 – 6:00 PM



City Council Chambers
420 Capitola Avenue, Capitola, CA 95010

Mayor: Margaux Keiser

Vice Mayor: Kristen Brown

Council Members: Yvette Brooks, Joe Clarke, Alexander Pedersen

Closed Session – 5:15 PM

- i. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Gov. Code § 54956.9)
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: 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 6:00 PM. In attendance: Council Members Brooks, Clarke, Pedersen, Vice Mayor Brown, and Mayor Keiser.*
2. **Additions and Deletions to the Agenda** – *None*
3. **Presentations**
 - A. *The Mayor presented a Proclamation honoring the life of Sterling "Nathan" Cross.*
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** – *None*
6. **Oral Communications by Members of the Public**
 - *Goran Klepic, Santa Cruz County resident, spoke about the condition of the restroom at Jade Street Park.*
 - *Gerry Jensen, resident, spoke about upcoming fundraisers for the Wharf on September 27th and October 14th.*
7. **Staff / City Council Comments**
 - *Chief Dally reminded the City Council and public of the Gun Buy Back Program at the County Sheriff's Office September 15th.*
 - *Council Member Brooks requested that staff provide an update on the Jade Street Park restroom conditions, and commended the City Manager on his appointment as the Vice Chair of the Central Coast Community Power Board.*
 - *Council Member Clarke reminded the public of the Capitola Beach Festival.*
8. **Consent Items**
 - A. City Council Meeting Minutes
Recommended Action: Approve minutes from the regular meeting on August 24, 2023.
 - B. City Check Registers
Recommended Action: Approve check registers dated August 04, 2023 and August 18, 2023.

- C. **Grand Jury Response – Honoring Commitments to the Public**
Recommended Action: Approve the responses to the Grand Jury Report and direct the City Clerk to submit the completed response packet pursuant to California Penal Code Section 933.05.
- D. Purchasing and Procurement Policy and Ordinance
Recommended Action: Introduce, by title only, waiving further reading of the text, an ordinance amending Chapter 3.16 of the Capitola Municipal Code pertaining to Purchasing and Purchasing Contracts; and adopt revised Administrative Policy III-4: Purchasing and Procurement Policy.
- E. Chapter 18.02 Affordable (Inclusionary) Housing
Recommended Action: Adopt an ordinance of the City of Capitola amending Chapter 18.02 of the Capitola Municipal Code, Affordable (Inclusionary) Housing.
- F. CalOES Designated Agents for Disaster Assistance
Recommended Action: Adopt a resolution certifying the Capitola staff members who are authorized to submit CalOES paperwork.
- G. Designation of Loading Zone for the Capitola Hotel
Recommended Action: Adopt a resolution establishing a loading zone adjacent to the frontage of 210 Esplanade (Capitola Hotel).
- H. Surf Cameras on the Capitola Wharf and the Bandstand Pavilion
Recommended Action: Authorize the City Manager to execute an agreement with Surfline/Wavetrak, Inc. to install and maintain new surf cameras on the Capitola Wharf and maintain existing surf cameras on the Bandstand Pavilion at no cost to the City.

Motion to approve the Consent Calendar: Vice Mayor Brown

Seconded: Council Member Brooks

Voting Yea: Council Members Brooks, Clarke, Pedersen, Vice Mayor Brown, and Mayor Keiser

9. General Government / Public Hearings

- A. Mall Redevelopment Land Use Study
Recommended Action: Authorize the City Manager to execute an agreement with Kosmont Companies for the Capitola Mall Redevelopment Land Use Study in the amount of \$25,000.

Community Development Director Herlihy presented the staff report.

Council Member discussion included a request to include Housing Element outcomes in the scope of work for this agreement, and a request for a White Paper to be created and distributed in conjunction.

***Motion to authorize the City Manager to execute an agreement with Kosmont Companies:
Council Member Brooks***

Seconded: Vice Mayor Brown

Voting Yea: Council Members Brooks, Clarke, Pedersen, Vice Mayor Brown, and Mayor Keiser

- B. City Hall Needs Assessment and Alternatives Analysis
Recommended Action: Authorize the City Manager to execute a Professional Services Agreement with Group 4 Architecture for Phase 1 of the City Hall Sites Needs Assessment and Alternatives Analysis Report in the amount of \$49,950.

Community Development Director Herlihy presented the staff report.
Council Member discussion included requests to modify the scope of work to remove certain elements that staff could conduct.

Motion to authorize the City Manager to execute an agreement with Group 4 Architecture with additional direction to negotiate the scope of work: Vice Mayor Brown

Seconded: Council Member Clarke

Voting Yea: Council Members Brooks, Clarke, Pedersen, Vice Mayor Brown, and Mayor Keiser

- C. Pedestrian Pathway from the Upper Beach and Village Parking Lot to Monterey Avenue
Recommended Action: Direct staff to proceed with developing the final design of pedestrian pathway from the Upper Beach and Village Parking Lot to Monterey Avenue consistent with pathway configuration Alternative 3, as described in the staff report.

Public Works Director Kahn presented the staff report.
Council Member discussion included clarification on tree replacement sizing.

Motion to adopt the resolution: Council Member Clarke

Seconded: Council Member Pedersen

Voting Yea: Council Members Brooks, Clarke, Pedersen, Vice Mayor Brown, and Mayor Keiser

- D. Long-Term Strategic Planning
Recommended Action: Provide feedback regarding the development process for a longer-term City of Capitola Strategic Plan.

Chloe Woodmansee, Assistant to the City Manager, presented the staff report.

The City Council provided feedback to staff and recommended creation of a living document, recognition of the importance of priorities and strategies for the City, a request for a regional element of the plan, and the importance of an operational element which aligns with annual City Council goals.

- E. Interim Building Official
Recommended Action: Adopt a resolution for an exception to the 180-day wait period per Government Code Section 7522.56 & 21221(h) and approve the appointment of Robin Woodman as the Interim Building Official-Retired Annuitant.

Chloe Woodmansee, Assistant to the City Manager, presented the staff report.

Motion to adopt the resolution: Vice Mayor Brown

Seconded: Council Member Pedersen

Voting Yea: Council Members Brooks, Clarke, Pedersen, Vice Mayor Brown, and Mayor Keiser

- F. City Council Appointments to City Advisory Bodies
Recommended Action: Appoint members of the public to the City of Capitola Arts and Cultural Commission.

City Clerk Moss presented the staff report.

Motion to appoint Mario Beltramo to a term expiring 12/31/2024: Vice Mayor Brown

Seconded: Council Member Brooks

Voting Yea: Council Members Brooks, Clarke, Pedersen, Vice Mayor Brown, and Mayor Keiser

10. Adjournment – *Adjourned at 7:19 PM to the next regularly scheduled meeting on September 28, 2023.*

ATTEST:

Margaux Keiser, Mayor

Julia Moss, City Clerk



**The 2022–2023 Santa Cruz County Civil Grand Jury
Requires the
Capitola City Council**

to Respond by September 5, 2023

**to the Findings and Recommendations listed below
which were assigned to them in the report titled**

Honoring Commitments to the Public

**County Agency Actions in Response to
2019–2020 Grand Jury Recommendations**

Responses are **required** from elected officials, elected agency or department heads, and elected boards, councils, and committees which are investigated by the Grand Jury. You are required to respond and to make your response available to the public by the California Penal Code [\(PC\) §933\(c\)](#).

Your response will be considered **compliant** under [PC §933.05](#) if it contains an appropriate comment on **all** findings and recommendations **which were assigned to you** in this report.

Please follow the instructions below when preparing your response.

Instructions for Respondents

Your assigned [Findings](#) and [Recommendations](#) are listed on the following pages with check boxes and an expandable space for summaries, timeframes, and explanations. Please follow these instructions, which paraphrase [PC §933.05](#):

1. **For the Findings, mark one of the following responses with an “X” and provide the required additional information:**
 - a. **AGREE with the Finding**, or
 - b. **PARTIALLY DISAGREE with the Finding** – specify the portion of the Finding that is disputed and include an explanation of the reasons why, or
 - c. **DISAGREE with the Finding** – provide an explanation of the reasons why.
2. **For the Recommendations, mark one of the following actions with an “X” and provide the required additional information:**
 - a. **HAS BEEN IMPLEMENTED** – provide a summary of the action taken, or
 - b. **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE** – provide a timeframe or expected date for completion, or
 - c. **REQUIRES FURTHER ANALYSIS** – provide an explanation, scope, and parameters of an analysis to be completed within six months, or
 - d. **WILL NOT BE IMPLEMENTED** – provide an explanation of why it is not warranted or not reasonable.
3. **Please confirm the date on which you approved the assigned responses:**

We approved these responses in a regular public meeting as shown in our minutes dated September 14, 2023.

 DS

4. **When your responses are complete, please email your completed Response Packet as a PDF file attachment to both**

The Honorable Judge Syda Cogliati Syda.Cogliati@santacruzcourt.org and

The Santa Cruz County Grand Jury grandjury@scgrandjury.org.

If you have questions about this response form, please contact the Grand Jury by calling 831-454-2099 or by sending an email to grandjury@scgrandjury.org.

Findings

F1. The 2022-2023 Grand Jury reviewed responses to five of the 2019-2020 reports and found that, in general, commitments were kept.

AGREE

PARTIALLY DISAGREE

DISAGREE

Response explanation (required for a response other than **Agree**):

F2. The evident coordination of responses from agencies leaves the public without independent contributions across agencies.

AGREE

PARTIALLY DISAGREE

DISAGREE

Response explanation (required for a response other than **Agree**):

Capitola City Council reviews and prepares responses to Grand Jury recommendations and findings as accurately as possible. Depending on the topic, it may be appropriate to coordinate responses with other agencies. Additionally, the City Council approves responses to Grand Jury reports at public meetings where the public is welcome to participate and make comments.

F6. Although the Cities of Capitola, Scotts Valley, and Watsonville agreed that there appear to be unused or underutilized parcels of land that could possibly be used for homeless services, it is not clear how this could be done.

AGREE

PARTIALLY DISAGREE

DISAGREE

Response explanation (required for a response other than **Agree**):

Recommendations

R1. All agencies should provide their own independent responses to findings and recommendations instead of referring to the response of another agency. (F2)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain the scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Required response explanation, summary, and timeframe:

The City of Capitola works closely with many public entities, including the cities of Santa Cruz, Watsonville, and Scotts Valley, and the County of Santa Cruz. In some situations, it may be appropriate for the City of Capitola to consult with other agencies to better respond to Grand Jury reports. All responses submitted by the City of Capitola to the Grand Jury are the City's independent response.

R2. We continue to recommend that all organizations create and regularly update formal records of the actions they take to address Grand Jury recommendations, and to share those records with the public, in accordance with CA Penal Code Section 933(c). (F1, F2)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain the scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Required response explanation, summary, and timeframe:

All City actions taken to address Grand Jury reports are provided to the public consistent with CA Penal Code Section 933(c)

R5. As recommended in the 2022 “Homelessness Action Plan,” the Cities of Capitola, Scotts Valley, and Watsonville should collaborate with leaders from the County of Santa Cruz and the City of Santa Cruz to identify 20 new locations for shelters across the county. These cities should report on the status of this recommendation no later than December 31, 2023. (F6)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain the scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Required response explanation, summary, and timeframe:

The 2022 Homeless Action Plan is not a City of Capitola adopted plan.

R6. The County of Santa Cruz and the four cities should plan to provide services for homeless persons at the sites identified in their plans, including but not limited to supportive housing, case management, and medical services. The County of Santa Cruz and the four cities should report to the Grand Jury on the status of providing homeless services at the sites identified no later than December 31, 2023. (F5, F6)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain the scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Required response explanation, summary, and timeframe:

The City of Capitola does not have a homeless services plan. The City participates on the Housing for Health (H4H) Partnership, a collaboration with the County of Santa Cruz and all four cities within the County that is designed to coordinate resources and provide programs and services focused on ending homelessness.