

City of Capitola

City Council Meeting Agenda

Tuesday, November 22, 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

REVISED

Regular Meeting of the Capitola City Council – 7 PM

All correspondences received prior to 5:00 p.m. on the Wednesday preceding a Council Meeting will be distributed to Councilmembers to review prior to the meeting. Information submitted after 5 p.m. on that Wednesday may not have time to reach Councilmembers, nor be read by them prior to consideration of an item.

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

Presentations are limited to eight minutes.

A. Staff Introductions

Recommended Action: Introduction of City Clerk Julia Moss.

4. Additional Materials

Additional information submitted to the City after distribution of the agenda packet.

A. **Item 8A - One public comment email**

5. Oral Communications by Members of the Public

*Please review the Notice of Remote Access for instructions. Oral Communications allows time for members of the Public to address the City Council on any "Consent Item" on tonight's agenda, or on any topic within the jurisdiction of the City that is not on the "General Government/Public Hearings" section of the Agenda. Members of the public may speak for up to three minutes, unless otherwise specified by the Mayor. Individuals may not speak more than once during Oral Communications. All speakers must address the entire legislative body and will not be permitted to engage in dialogue. A **maximum of 30 minutes** is set aside for Oral Communications.*

6. Staff / City Council Comments

Comments are limited to three minutes.

7. Consent Items

All items listed as “Consent Items” will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time the Council votes on the action unless members of the City Council request specific items to be discussed for separate review. Items pulled for separate discussion will be considered following General Government. Note that all Ordinances which appear on the public agenda shall be determined to have been read by title and further reading waived.

- A.** Consider and Approve City Council Meeting Minutes from November 10, 2022 Regular Meeting and November 15, 2022 Special Meeting
Recommended Action: Approve minutes.
- B.** Approval of City Check Registers Dated October 14, October 28, and November 10, 2022.
Recommended Action: Approve check registers.
- C.** Long Term Use Agreement Between City of Capitola and Soquel Union Elementary School District for Jade Street Property
Recommended Action: Authorize the City Manager to sign a Long-Term Use Agreement between the City of Capitola and Soquel Union Elementary School District for the Jade Street Park Property including the Capitola Community Center in substantially similar form, as approved by the City Attorney, as the attached Agreement.
- D.** Environmental Projects Manager Job Description
Recommended Action: Approve changes to the Environmental Projects Manager job description.
- E.** Second Reading of an Ordinance Amending Chapter 15.04 of the Capitola Municipal Code Pertaining to Building and Fire Code
Recommended Action: Pass an Ordinance amending Municipal Code Chapter 15.04, pertaining to building and fire codes.
- F.** Second Reading of an Ordinance Amending Chapter 17 of the Capitola Municipal Code pertaining to Zoning and Amending the Zoning Map and the Coastal Land Use Plan Map
Recommended Action: 1) Pass an Ordinance amending Title 17: Zoning of Capitola Municipal Code, amending the Capitola General Plan land use map, and amending the Capitola Zoning Map, and 2) Adopt the proposed resolution authorizing submittal to the California Coastal Commission for Certification of amendment to the Local Coastal Program including modifications to the LCP Implementation Plan, Zoning Map, and the Coastal Land Use Plan Map (General Plan Land Use Map).
- G.** Second Reading of an Ordinance Amending Sections 5.36 and 9.61 of the Capitola Municipal Code Pertaining to Cannabis Delivery
Recommended Action: Pass an Ordinance amending Capitola Municipal Code Sections 5.36 and 9.61 allowing cannabis deliveries within the City of Capitola from any authorized licensed retailers physically located within Santa Cruz County.
- H.** Suspend Village Parking Meter and Pay Station Operation for the 2022 Holiday Season
Recommended Action: Authorize the suspension of parking meter and pay station operation to allow free three-hour parking in the Village Parking Meter Zone A (1) from November 24, 2022, through December 25, 2022.
- I.** Award of Contract to American Foam Experts for the City Hall Roof Repair Project in Total Amount Not to Exceed \$58,480 and Determine Project Exempt from CEQA Pursuant to CEQA Guidelines Section 15301
Recommended Action: 1. Accept the lowest responsible bid for the City Hall Roof Repair Project and determine project exempt from CEQA; and 2. Authorize the City Manager to award the

construction contract to the lowest responsible bidder after receipt of the required contract documents, execute contract documents, and approve potential contract changes in aggregate amount not exceeding 10% of the contract award amount.

- J. Consider a Contract to Install a Backup Power Generator for the City Hall and Police Department
Recommended Action: Authorize the City Manager to award a contract to Triad Electric for the City Hall and Police Department Backup Generator Project in total amount not to exceed \$197,200, approve potential contract changes in the aggregate amount not exceeding 15% of the contract award amount, and determine the project is exempt from CEQA Pursuant to CEQA Guidelines Section 15303.
- K. Consider Update to the Police Officer Association 2021-2024 Memorandum of Understanding
Recommended Action: Authorize the City Manager to sign an updated 2021-2024 Police Officer Association (POA) Memorandum of Understanding (MOU) including negotiated changes.
- L. 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.

8. General Government / Public Hearings

All items listed in “General Government / Public Hearings” are intended to provide an opportunity for public discussion of each item listed. The following procedure pertains to each General Government item: 1) Staff explanation; 2) Council questions; 3) Public comment; 4) Council deliberation; 5) Decision.

- A. San Jose Avenue Parking Layout Modifications
Recommended Action: Authorize modifications to on-street parking on San Jose Avenue.
- B. Authorize a Request for Proposals for the Jade Street Park Universally Accessible Playground Project
Recommended Action: Authorize the Public Works Department to issue a Request for Proposals for the design of a universally accessible playground at Jade Street Park.
- C. Receive 2022 Special Event Report and Provide Direction for Recurring 2023 Events
Recommended Action: Receive report, provide direction regarding changes to specific recurring special event permit conditions, and determine if any additional review should be required for any 2023 special events.

9. Adjournment

Notice of In-Person & Remote Access

Meetings are open to the public for in-person attendance at the Capitola City Council Chambers located at 420 Capitola Avenue, Capitola, California, 95010

Other ways to Watch:

- Spectrum Cable Television channel 8
- City of Capitola, California YouTube Channel

To Join Zoom Application or Call in to Zoom:

- Meeting link:
<https://us02web.zoom.us/j/83328173113?pwd=aVRwcWN3RU03Zzc2dkNpQzRWVXAydz09>
- Or dial one of these phone numbers: **1 (669) 900 6833, 1 (408) 638 0968, 1 (346) 248 7799**
- Meeting ID: **833 2817 3113**
- Meeting Passcode: **678550**

To make a remote public comment:

- **Via Zoom Application:** Use participant option to “raise hand”. The moderator will unmute you
- **Via Zoom phone call:** Dial *9 on your phone to “raise your hand”. The moderator will unmute you

Note: Any person seeking to challenge a City Council decision made as a result of a proceeding in which, by law, a hearing is required to be given, evidence is required to be taken, and the discretion in the determination of facts is vested in the City Council, shall be required to commence that court action within ninety (90) days following the date on which the decision becomes final as provided in Code of Civil Procedure §1094.6. Please refer to code of Civil Procedure §1094.6 to determine how to calculate when a decision becomes “final.” Please be advised that in most instances the decision become “final” upon the City Council’s announcement of its decision at the completion of the public hearing. Failure to comply with this 90-day rule will preclude any person from challenging the City Council decision in court.

Notice regarding City Council: The City Council meets on the 2nd and 4th Thursday of each month at 7:00 p.m. (or in no event earlier than 6:00 p.m.), in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

Agenda and Agenda Packet Materials: The City Council Agenda and the complete Agenda Packet are available for review on the City’s website: www.cityofcapitola.org and at Capitola City Hall prior to the meeting. Agendas are also available at the Capitola Post Office located at 826 Bay Avenue Capitola. Need more information? Contact the City Clerk’s office at 831-475-7300.

Agenda Materials Distributed after Distribution of the Agenda Packet: Pursuant to Government Code §54957.5, materials related to an agenda item submitted after distribution of the agenda packet are available for public inspection at the Reception Office at City Hall, 420 Capitola Avenue, Capitola, California, during normal business hours.

Americans with Disabilities Act: Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the City Clerk’s office at least 24 hours in advance of the meeting at 831-475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

Televised Meetings: City Council meetings are cablecast “Live” on Charter Communications Cable TV Channel 8 and are recorded to be rebroadcasted at 8:00 a.m. on the Wednesday following the meetings and at 1:00 p.m. on Saturday following the first rebroadcast on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25). Meetings are streamed “Live” on the City’s website at www.cityofcapitola.org by clicking on the Home Page link “**Meeting Agendas/Videos.**” Archived meetings can be viewed from the website at any time.