

City of Capitola

City Council Meeting Agenda

Thursday, September 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

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

1. Presentations

Presentations are limited to eight minutes.

- A. Present a Mayor's Proclamation in Honor of Public Works Director Steve Jesberg's Retirement

2. Additional Materials

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

3. 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.*

4. Staff / City Council Comments

Comments are limited to three minutes.

5. 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 the minutes from the September 8, 2022, regular City Council meeting
Recommended Action: Approve minutes.
- B. Clares Street Traffic Calming Project Contract Change Order #1
Recommended Action: Approve Contract Change Order #1 for the Clares Street Traffic Calming Project in the amount of \$118,925, increasing the limits of the road rehabilitation work to 40th Avenue and adding vehicle activated safety lights to the library driveway.
- C. 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.

6. 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. Appeal of 1410 Prospect Avenue Design Permit, Historical Alteration Permit, Variance, and Coastal Development Permit to demolish an existing residence and construct a new home. This project is in the Coastal Zone and requires a Coastal Development Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.
Environmental Determination: Categorical Exemption
Property Owner: Alex Johnson,
Appellant: SCC Regional Transportation Commission, Filed: 04.18.22
Recommended Action: 1) Uphold the Planning Commission’s decision to approve the variance; and 2) adopt a resolution with additional conditions of approval and findings that address the matter appealed.
- B. Consider a Petition to Create a Dogs Off-Leash Area at Monterey Avenue Park
Recommended Action: Take no action; thereby maintaining existing rules requiring dogs remain on leash at Monterey Avenue Park due to existing Park uses.
- C. Lifeguard Tower Budget Amendment
Recommended Action: Approve a resolution to amend the budget increasing the budgeted amount of \$45,000 to \$62,000, increase of \$17,000, for the purchase of a new Lifeguard Tower.

7. Adjournment

Notice of In-Person & Remote Access

In accordance with Assembly Bill 361, City Council meetings are open to the public for in-person attendance at the Capitola City Council Chambers located at 420 Capitola Avenue, Capitola, California, 95010. Council and Staff will be meeting in-person and remotely, and the public can choose to attend either in-person or via remote access.

Other ways to Watch:

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

For Remote Access, Join Zoom Application or Call in to Zoom:

- Meeting link:
<https://us02web.zoom.us/j/89658842157?pwd=VS9WamYwMkgxRDAvV1NrVkp6V0xDZz09>
- Or dial one of these phone numbers: **1 (669) 900 6833, 1 (408) 638 0968, 1 (346) 248 7799**
- Meeting ID: **896 5884 2157**
- Meeting Passcode: **826489**

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.