

City of Capitola

City Council Meeting Agenda

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

Closed Session – 6 PM

Closed Sessions are not open to the public and held only on specific topics allowed by State Law (noticed below). An announcement regarding the items to be discussed in Closed Session will be made in the City Hall Council Chambers prior to the Closed Session. Members of the public may, at this time, address the City Council on closed session items only. There will be a report of any final decisions in City Council Chambers during the Open Session Meeting.

1. Conference with Legal Counsel - Existing Litigation

Gov't Code § 54956.9 (d)(1)

City of Capitola v. Anthony Oster – Case No. 20C-00584

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

4. Report on Closed Session

5. Additional Materials

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

6. 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.*

7. Staff / City Council Comments

Comments are limited to three minutes.

8. 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 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

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. 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.
- 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.
- 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.

10. Adjournment

Notice of Remote Access

In accordance California Senate Bill 361, the City Council meeting is not physically open to the public and in person attendance cannot be accommodated.

To watch:

Online at:

Spectrum Cable Television channel 8

City of Capitola, California YouTube Channel

To Join Zoom by Computer or Phone:

Meeting ID: **814 9248 3812**

Meeting Passcode: 426714

Meeting link: <https://us02web.zoom.us/j/81492483812?pwd=bnJlN25aYkRhRHlUajAzM3o1cnpDQT09>

Or dial one of these phone numbers: **1 (669) 900 6833, 1 (408) 638 0968, 1 (346) 248 7799**

To make public comment:

When submitting public comment, one comment (via phone or email, not both), per person, per item is allowed. If you send more than one email about the same item, the last received will be read. You will have three minutes to speak, and emails will be read aloud for no longer than three minutes. The Mayor will announce the public comment period for each agenda item.

If you have joined the Zoom Meeting: Use participant option to “raise hand”. The moderator will unmute you

If called in over the phone: Dial *9 on your phone to “raise your hand”. The moderator will unmute you

If you want to send an email: During the meeting, email written public comment to publiccomment@ci.capitola.ca.us

Emailed comments on items will be accepted after the start of the meeting until the Mayor announces that public comment for that item is closed

Emailed comments should be a maximum of 450 words, which corresponds to approximately 3 minutes of speaking time

Emails received by publiccomment@ci.capitola.ca.us outside of the comment period outlined above will not be included in the record

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.