

# City of Capitola

## City Council Meeting Agenda

### Thursday, April 25, 2024 – 6:00 PM



City Council Chambers  
420 Capitola Avenue, Capitola, CA 95010

**Mayor:** Kristen Brown

**Vice Mayor:** Yvette Brooks

**Council Members:** Joe Clarke, Margaux Morgan, Alexander Pedersen

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#### Closed Session – 5:30 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.*

- i. CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code § 54957.6)  
Negotiator: Mark Wilson, Labor and Employment Practice, Burke, Williams, & Sorensen, LLP  
Employee Organizations: Association of Capitola Employees, Police Officers Association, Mid-Management Employees, Confidential Employees, Police Captains, and Management
- ii. CONFERENCE WITH LEGAL COUNSEL—LIABILITY CLAIMS (Gov. Code § 54956.95)  
1) Mark and Nancy Nicholson  
Claim against the City of Capitola
- iii. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov't Code § 54956.8)  
Property: Capitola Wharf Buildings, 1400 Wharf Road (APN: 034-072-01)  
City Negotiator: Jamie Goldstein, City Manager  
Negotiating Parties: JFS Incorporated (dba Capitola Boat and Bait)  
Under Negotiation: Price and terms of payment

#### Regular Meeting of the Capitola City Council – 6 PM

*All correspondence 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 Joe Clarke, Margaux Morgan, Alexander Pedersen, Yvette Brooks, and Mayor Kristen Brown.

#### 2. Additions and Deletions to the Agenda

#### 3. Presentations

*Presentations are limited to eight minutes.*

- A. Presentations of Certificates of Recognition to Capitola Local Government Academy Participants
- B. Introduction of Finance Department Account Clerk Kathryn Haney

#### 4. Report on Closed Session

#### 5. Additional Materials

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

- A. Item 9A - Correspondence Received

#### 6. Oral Communications by Members of the Public

*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. City Council Meeting Minutes  
Recommended Action: Approve minutes from the regular meeting on April 11, 2024.
- B. City Check Registers  
Recommended Action: Approve check registers dated March 22, 2024, March 29, 2024, April 5, 2024, and April 12, 2024.
- C. Liability Claims Against the City of Capitola  
Recommended Action: Deny liability claim submitted by Mark and Nancy Nicholson.
- D. Setting Mobile Home Park Rent Stabilization Anniversary Date  
Recommended Action: Adopt a resolution establishing July 1 as the anniversary date for rent increases for mobile home parks pursuant to Capitola Municipal Code Chapter 2.18 Mobile Home Park Rent Stabilization.
- E. Agreement for Auditing Services  
Recommended Action: Authorize the City Manager to execute a five-year agreement for professional auditing services with Chavan & Associates, LLP, certified public accountants, to conduct the 2023-24 through 2027-28 fiscal year audits and required reports in an amount not to exceed \$51,000 annually, for a total contract amount not to exceed \$255,000.
- F. Opposition to the California Taxpayer Protection and Government Accountability Act  
Recommended Action: Adopt a resolution opposing Initiative #21-0042A1, the California Taxpayer Protection and Government Accountability Act.
- G. Surplus Land Declaration  
Recommended Action: Adopt a resolution declaring a portion of Monterey Park, comprising approximately 4,284 square feet, to be exchanged for a portion of New Brighton Middle School,

comprising approximately 5,592 square feet, by and between the City of Capitola and the Soquel Union Elementary School District, as exempt surplus land pursuant to California Government Code §§ 54221 (f)(1)(C) and 54221 (f)(1)(D).

Environmental Determination: Categorically exempt pursuant to State CEQA Guideline §15312.

## 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. City Hall Needs Assessment

Recommended Action: Receive presentation from Group 4 Architecture on the findings of Phase 1 of the City Hall Needs Assessment and Alternatives Analysis.

### B. Jade Street Park UA Playground Project

Recommended Action: Authorize the City Manager to execute Amendment 1 to the Professional Services Agreement with Verde Design in the amount of \$107,030 for final Plans, Specifications, and Estimates for the Jade Street Park Universally Accessible Playground Project.

## 10. Adjournment - The next regularly scheduled City Council meeting is on May 9, 2024, at 6:00 PM.

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### How to View the Meeting

**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**

### How to Provide Comments to the City Council

Members of the public may provide public comments to the City Council in-person during the meeting. If you are unable to attend in-person, please email your comments to [citycouncil@ci.capitola.ca.us](mailto:citycouncil@ci.capitola.ca.us) and they will be included as a part of the record for the meeting. Please be aware that the City Council will not accept comments via Zoom.

**Notice regarding City Council: The City Council meets on the 2nd and 4th Thursday of each month at 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.ci.capitola.ca.us](http://www.ci.capitola.ca.us) and at Capitola City Hall prior to the meeting. 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.

Si desea asistir a esta reunión pública y necesita ayuda - como un intérprete de lenguaje de señas americano, español u otro equipo especial - favor de llamar al Departamento de la Secretaría de la Ciudad al 831-475-7300 al menos tres días antes para que podamos coordinar dicha asistencia especial o envíe un correo electrónico a [jgautho@ci.capitola.ca.us](mailto:jgautho@ci.capitola.ca.us).

**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 by clicking on the Home Page link “Meeting Agendas/Videos.” Archived meetings can be viewed from the website at any time.