

City of Capitola

City Council Meeting Agenda

Thursday, April 14, 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.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

[Govt. Code §54956.8]

Property: 4400 Jade Street, APN 034-551-02, Capitola, CA

City Negotiator: Jamie Goldstein, City Manager

Negotiating Parties: Soquel Union Elementary School District

Under Negotiation: Terms of Joint Use Agreement

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 Kristen Brown, Jacques Bertrand, Margaux Keiser, Mayor Sam Storey, and Yvette Brooks

2. Additions and Deletions to the Agenda

3. Presentations

Presentations are limited to eight minutes.

- A. Introduction of new Capitola City Manager Department Staff Member Louis Osemwegie and Recreation Division Staff Member Jesse Leyva

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 March 24, 2022, City Council Meeting Minutes
Recommended Action: Approve minutes.
- B.** Approval of City Check Registers Dated March 4, March 11, March 18 and March 25, 2022
Recommended Action: Approve check registers.
- C.** 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.** Report on Community Grant Program Review
Recommended Action: Receive report and provide direction.
- B.** Consider a Community Survey Contract
Recommended Action: Authorize the City Manager to enter a contract with Gene Bregman and Associates in an amount not to exceed \$17,000 for a community survey

to help gauge public interest on potential ballot measures for the November election and approve the proposed resolution amending the FY 2021/22 Budget.

C. Adopt a Resolution Declaring an Emergency for Storm Drain Repairs in Noble Gulch Park

Recommended Action: Adopt a resolution that 1) declares an emergency, 2) authorizes procurement and services without giving notice for bids pursuant to Public Contract Code Section 22050 and authorizing staff to enter a contract for such services with Graniterock Construction for repairs to a storm drain located in Noble Gulch Park at the intersection of Bay Avenue and Monterey Avenue and 3) approves a budget amendment transfer of \$60,000 from Emergency Reserve Fund to the Capital Improvement Project fund and authorize the creation of a new project entitled Noble Gulch Park Storm Drain Project.

D. Consider Adding a Section to the Municipal Code in Accordance with Assembly Bill 481

Recommended Action: Introduce for first reading, by title only, waiving the full reading of the text, an ordinance adding Section 2.60 to the Capitola Municipal Code, approving a Military Equipment Use Policy for Police Services.

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 <http://cityofcapitola.org/meetings>
- Spectrum Cable Television channel 8
- Youtube

Join Zoom by Computer or Phone:

- Click this meeting link:
<https://us02web.zoom.us/j/81492483812?pwd=bnJjN25aYkRhRHlUajAzM3o1cnpDQT09>

- Or call one of these phone numbers:

- 1 (669) 900 6833
- 1 (408) 638 0968
- 1 (346) 248 7799

- Meeting ID: **814 9248 3812**
- Meeting Passcode: **926714**

To submit 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.

- **Zoom Meeting (Via Computer or Phone) Link:**

If using computer: Use participant option to “raise hand” during the public comment period for the item you wish to speak on. Once unmuted, you will have up to 3 minutes to speak

If called in over the phone: Press *9 on your phone to “raise your hand” when the mayor calls for public comment. Once unmuted, you will have up to 3 minutes to speak

- **Send Email:** During the meeting, send comments via email 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.

- Each emailed comment will be read aloud for up to three minutes and/or displayed on a screen.

- 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.