

# City of Capitola

## City Council Meeting Agenda

### Thursday, June 13, 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 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 (Association of Capitola Employees, Mid-Management Employees, Police Captains, and Management); Samantha Zutler, City Attorney (Confidential Employees and City Manager)  
Employee Organizations: Association of Capitola Employees, Mid-Management Employees, Confidential Employees, Police Captains, Management, and City Manager
- ii. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Gov't. Code § 54956.9(d)(2).  
One Case

### 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. Mayor's Proclamation Honoring Elder Abuse Month
- B. Proclamation Honoring the 150th Anniversary of "Camp Capitola's" Founding

#### 4. Report on Closed Session

#### 5. Additional Materials

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

- A. Item 8F - Staff Memorandum and Updated Attachments 1 and 3
- B. Item 8H - Updated Staff Report and Attachments
- C. Item 9A – Staff Memorandum

## 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 May 23, and the special meeting on May 30, 2024.
- B. City Check Registers  
Recommended Action: Approve check registers dated May 3, May 10, May 17, and May 24, 2024.
- C. City Investment Policy  
Recommended Action: Approve the City's Administrative Policy Number III-1, Investment Policy as recommended by the Finance Advisory Committee.
- D. Year 2024-25 Appropriation Limit  
Recommended Action: Adopt a resolution establishing the Fiscal Year 2024-25 appropriation limit.
- E. Criminal Justice Council of Santa Cruz County  
Recommended Action: Authorize the City Manager to sign the third amendment to the Joint Exercise of Powers Agreement re-establishing the Criminal Justice County of Santa Cruz County to provide for a one-year extension through June 30, 2025.
- F. Construction Contract for Wharf Improvements  
Recommended Action: 1) By motion, authorize the City Manager to execute Amendment 1 to the Professional Services Agreement with Fuse Architects, Inc. in the amount of \$37,000, for a total contract amount of \$73,100, for the final design of the Wharf Enhancement Project; and 2) Adopt a resolution authorizing the City Manager to execute a sole source Professional Services Agreement with Fuse Architects, Inc. in the amount of \$199,325 for fabrication and installation of Capitola Wharf enhancements.

- G. 2024-25 Road Maintenance and Rehabilitation**  
Recommended Action: Adopt a resolution adopting a list of road maintenance and rehabilitation projects for Fiscal Year 2024-25 funded by Senate Bill 1: the Road Repair and Accountability Act of 2017.
- H. Memoranda of Understanding with Employee Groups**  
Recommended Action: 1) Authorize the City Manager to execute a successor agreement to the existing Memoranda of Understanding with negotiated changes for the Confidential Employee Group and the Association of Capitola Employees, subject to technical corrections; and 2) adopt a resolution approving the updated salary schedule, effective June 23, 2024.

## 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. Short-Term Wharf Use Agreement and Temporary Structure Plan**  
Recommended Action: 1) Authorize the City Manager to sign a short-term use agreement between the City of Capitola and JFS Incorporated (dba Boat and Bait) for temporary structures located on the Capitola Wharf in substantially similar form, as approved by the City Attorney, as the attached agreement; and 2) approve the outlined temporary structure plan.
- B. Capitola Village and Wharf Business Improvement Area Assessments for Fiscal Year 2024-25**  
Recommended Action: Conduct the noticed public hearing and adopt a resolution levying the Fiscal Year 2024-25 Capitola Village and Wharf Business Improvement Area (CVWBIA) Assessments and accepting the CVWBIA Annual Plan and budget.
- C. FY 2023-24 City Fee Schedule**  
Recommended Action: Adopt a resolution amending the fee schedule for Fiscal Year (FY) 2023-24.

**10. Adjournment** - The next regularly scheduled City Council meeting is on June 27, 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 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.**