

City of Capitola

City Council Meeting Agenda

Thursday, October 27, 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

3. Presentations

Presentations are limited to eight minutes.

- A. Mayor for a Day Essay Contest: Middle School Division Winner Recognition
- B. Introduction of new Customer Service/Office Coordinator Liliana Carrisoza

4. Additional Materials

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

5. 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.*

6. Staff / City Council Comments

Comments are limited to three minutes.

7. 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 October 13, 2022, regular City Council meeting
Recommended Action: Approve minutes.
- B.** Development Services Technician Job Description
Recommended Action: Approve changes to the Development Services Technician job description.
- C.** Consider Staffing Changes in the City Manager and Police Departments
Recommended Action: Approve proposed staffing changes and increase the Human Resources Analyst position to full-time, effective October 30, 2022.
- D.** 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.

8. 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.** Conceptual Review for 1) Future annexation of 1610 Bulb Avenue into Capitola City limit; and 2) Community Benefit Application for Senior Living facility at 3720 Capitola Road and 1610 Bulb Avenue in the Community Commercial Zoning District
Staff Recommendation: Continue the 3720 Capitola Road and 1610 Bulb Avenue conceptual review application to a date uncertain.
- B.** Permanent Local Housing Allocation Grant
Recommended Action: Accept staff presentation on the 5-year plan for Permanent Local Housing Allocation Funds (PLHA) and provide direction on the proposed allocation of funds.
- C.** Donations Report Full Year 2021-22
Recommended Action: Receive the Annual Donations and Contributions Report.

9. 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

To Join Zoom Application or Call in to Zoom:

- Meeting link:
<https://us02web.zoom.us/j/84207035009?pwd=ZXlXQ3NUbXpEOS9DWWNTdUU5MG9Vdz09>
- Or dial one of these phone numbers: **1 (669) 900 6833, 1 (408) 638 0968, 1 (346) 248 7799**
- Meeting ID: **842 0703 5009**
- Meeting Passcode: **080682**

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.

Capitola City Council Agenda Report

Meeting: October 27, 2022

From: City Manager Department

Subject: Consider the minutes from the October 13, 2022, regular City Council meeting



Recommended Action: Approve minutes.

Discussion: Attached for Council review and approval are the draft minutes from the regular City Council meeting on October 13, 2022.

Attachments:

1. October 13 draft

Report Prepared By: Chloé Woodmansee, Assistant to the City Manager

Reviewed/Approved By: Jamie Goldstein, City Manager

City of Capitola

City Council Meeting Minutes

Thursday, October 13, 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

1. Roll Call and Pledge of Allegiance

Council Members Jacques Bertrand, Yvette Brooks, Kristen Brown, Margaux Keiser, and Mayor Sam Storey were present.

2. Additions and Deletions to the Agenda

City Manager Goldstein announced that the new Office Coordinator will be introduced at a later meeting.

3. Presentations

A. Mayor for a Day Essay Contest: Elementary School Winner Recognition

Recreation Division Manager Bryant LeBlond introduced Desirae Adams, the elementary school essay contest winner.

B. Introductions of new Public Works Director Jessica Kahn and Customer Service/Office Coordinator Liliana Carrisoza

City Manager Goldstein introduced new Public Works Director Jessica Kahn; the Mayor welcomed her to City staff and to the community.

4. Additional Materials – none

5. Oral Communications by Members of the Public

Roy Johnson from the Art and Cultural Commission spoke about a proposed Begonia Festival memorial art piece project.

Laurie Hill from the Art and Cultural Commission announced Capitola Plein Air, with the closing event on November 6 from 11am to 4pm.

6. Staff / City Council Comments

Police Chief Dally announced the Pink Patch Project, sales will benefit local breast cancer foundations.

Council Member Brooks invited the community to enjoy the Chamber hosted Halloween trick-or-treat parade Sunday October 30 at 2pm.

7. Consent Items

- A. Consider the minutes from the September 22, 2022, regular City Council meeting
Recommended Action: Approve minutes.
- B. Approval of City Check Registers Dated September 2, September 16, and September 30.
Recommended Action: Approve check registers.
- C. Coastal Conservancy Grant Resolution
Recommended Action: Adopt the proposed resolution authorizing the City Manager, Finance Director, or Public Works Director to receive \$1,900,000 in grant funds from the State Coastal Conservancy for the Capitola Wharf Renovation.
- D. 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.

Motion: Approve Items 7.A, 7.B, 7.C, and 7.D as recommended

Result: Passed, 5:0 (Unanimous)

Mover: Council Member Brooks

Second: Council Member Brown

Yea: Vice Mayor Keiser, Council Member Bertrand, Council Member Brooks, Council Member Brown and Mayor Sam Storey

8. General Government / Public Hearings

- A. Community Development Block Grant COVID-19 Response Funding
Recommended Action: Adopt three proposed resolutions authorizing the City Manager to amend the current Community Development Block Grant Coronavirus Response (CDBG-CV) which will re-allocate CDBG-CV funding from rental assistance and business assistance to 1) Grey Bears and 2) Community Bridges, and 3) allocate Program Income to Second Harvest Food Bank.

Mayor Storey recused himself, Vice Mayor Keiser led the item.

Director Herlihy presented a brief staff report. There was no public comment.

Council Member Bertrand confirmed how the funding will be disbursed to the benefiting organizations.

Motion: Adopt three proposed resolutions

Result: Passed, 4:0 (Unanimous)

Mover: Council Member Brown

Second: Council Member Bertrand

Yea: Vice Mayor Keiser, Council Member Bertrand, Council Member Brooks, Council Member Brown

Recused: Mayor Sam Storey

- B. Community Grant 2022-25 Fund Allocation – Community Action Board
Recommended Action: Consider the recommendation of the Community Grant Subcommittee to award the Community Action Board of Santa Cruz County \$10,000 as part of the Community Grant Program.

Assistant to the City Manager Woodmansee presented a staff report.

In public comment, Elyssa from CAB spoke about how the organization helps members of the public.

Motion: Allocate \$10,000 to CAB as part of the Community Grant Program

Result: Passed, 4:0 (Unanimous)

Mover: Council Member Bertrand

Second: Council Member Brown

Yea: Vice Mayor Keiser, Council Member Bertrand, Council Member Brooks, Council Member Brown

Recused: Mayor Sam Storey

C. Community Grant 2022-25 Fund Allocations – Monterey Bay National Marine Sanctuary Foundation

Recommended Action: Consider the recommendation of the Community Grant Subcommittee to award the Monterey Bay National Marine Sanctuary Foundation \$5,000 from the General Fund and \$7,500 from Early Childhood and Youth Programming funds as part of the Community Grant Program.

Council Member Brooks recused due to being a Board Member on the National Marine Sanctuary. Assistant to the City Manager Woodmansee presented a staff report.

There was no public comment.

Council Member Bertrand opposed allocating funding to this organization and commented that he had expected a report on how previous funding was used.

Mayor Storey said that he felt administrative funding is important and asked that Council and staff keep an eye on how organizations meet their objectives.

Motion: Allocate the Monterey Bay National Marine Sanctuary Foundation \$5,000 from the General Fund and \$7,500 from Early Childhood and Youth Programming funds as part of the Community Grant Program

Result: Passed, 3:1

Mover: Council Member Brown

Second: Vice Mayor Keiser

Yea: Vice Mayor Keiser, Council Member Brown, and Mayor Sam Storey

No: Council Member Bertrand

Recused: Council Member Brooks

D. Community Grant 2022-25 Fund Allocations

Recommended Action: Consider the Community Grant Subcommittee grant award recommendations for program applications, excluding the grant requests from the Community Action Board and the Monterey Bay National Marine Sanctuary Foundation.

Assistant to the City Manager Woodmansee presented a staff report.

In public comment:

Steven Matzie from Advocacy Inc. spoke about how the organization helps the elderly.

Alexander Pedersen, president of Blue Circle, explained that the no-profit supports and encourages a Living Wage in local businesses.

Tracie Wise, from O'Neill Sea Odyssey thanked Council for considering funding the next generation of ocean stewards.

Eduardo Santana, from the Seniors Council, thanked Council for support.

Christina Thurston, from the Volunteer Center, thanked Council for supporting the organization.

Mayor Storey said he is proud that Council continues to support critical and essential safety-net services in Capitola and the greater community. He also encouraged Council to check in with partners more frequently than once every 3 years.

Council Member Bertrand asked that Council be familiar with the programs we are funding as Council Members.

Motion: Allocate Community Grant Program funding as recommended by the Subcommittee and outlined in the staff report.

Result: Passed, 5:0 (Unanimous)

Mover: Council Member Brooks

Second: Council Member Bertrand

Yea: Vice Mayor Keiser, Council Member Brown, Council Member Bertrand, Council Member Brooks, and Mayor Sam Storey

9. Adjournment

The meeting adjourned at 8:34pm to the next regular City Council meeting on October 27, 2022.

ATTEST:

Sam Storey, Mayor

Chloé Woodmansee, Interim City Clerk

Capitola City Council

Agenda Report



Meeting: October 27, 2022

From: Department of Public Works

Subject: Development Services Technician Job Description

Recommended Action: Approve changes to the Development Services Technician job description.

Background: The Development Services Technician is a para-professional public service role that is included in both the Community Development Department and the Public Works Department. Historically a single full-time person filled this role and worked part-time split between the two departments. Approximately 6 years ago the employee in this shared position was reclassified and took on a new role as the new Environmental Programs Manager position in the Public Works Department. The Development Service Technician position was left vacant for several years. In November 2021, a new employee was hired as a Development Services Technician to work solely within in the Community Development Department, to process building permits and work on affordable housing projects.

In the current budget, an additional Development Services Technician position was included within the Public Works Department to assist with project review, encroachment permits, and other administrative duties. This added position in Public Works will allow the existing Environmental Programs Manager to focus attention on solid waste and recycling, stormwater management, climate action plan implementation, and other related matters.

Discussion: The existing Development Services Technician job description was outdated and included several duties which are no longer part of the City's functions. In addition, a few minor changes were made to better clarify how the position can be supervised (based upon which department in which the position will work) and the role's minimal qualifications. No change to this position's salary is proposed. A marked up copy the proposed job description is included as Attachment 1 and a clean version as Attachment 2.

The Development Service Technician position is in the Association of Capitola Employees (ACE) bargaining unit. Staff communicated with Labor Relations Representative Ryan Heron, who notified the City that ACE reviewed the proposed changes and made no comments; thus fulfilling the meet and confer requirement.

Fiscal Impact: Revision of the job description will have no fiscal impact.

Attachments:

1. Development Services Technician revised 2022 markup
2. Development Services Technician 2022 clean version

Report Prepared By: Chloé Woodmansee, Assistant to the City Manager

Reviewed By: Jessica Kahn, Public Works Director; Samantha Zutler, City Attorney

Approved By: Jamie Goldstein, City Manager

DEVELOPMENT SERVICES TECHNICIAN

GENERAL PURPOSE

The Development Services Technician is a para-professional, public service and information/data management position which performs a variety of public information, records management, code compliance, administrative and clerical functions in support of the City's development services activities. The position requires extensive contact with the public, and interaction with and support to the Community Development and Public Works Departments. Records management includes maintenance of paper files and computerized Geographic Information Systems (GIS), land use database, and permit tracking software programs.

SUPERVISION RECEIVED

report to the Senior Planner, Building Official, or Public Works Project Manager.

SUPERVISION EXERCISED

None.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Perform a variety of planning, zoning, public counter, contract management, and administrative duties, including providing information and accepting applications at the public counter; processing certain minor applications; responding to telephone requests for information and appointments; carrying out legal public noticing activities; taking minutes at public meetings; conducting field work and investigations; and data entry, retrieval and management related to computerized database, permit tracking and GIS software programs, as well as paper files.

At the public counter and over the telephone, provide basic building code and zoning information and explain zoning ordinance and certain municipal code provisions and the development review process to the public.

Inform the public and process minor applications on matters pertaining to applications for development, home occupation use permits, sign permits, sidewalk sale permits, temporary banner/signage permits, home occupation use permits, tree removals, business licenses, encroachment permits, building permits and so forth.

Explain basic zoning district development standards, permit requirements, and land use regulations to the public, such as setbacks, height limits, density, parking, and use regulations.

Perform basic code enforcement duties, including responding to citizen complaints, field inspections to identify violations of zoning and other development regulations, investigations and information to violators, documentation, and referral to appropriate staff. As directed, review and determine development project compliance with conditions of approval.

Provide administrative support for Capitola’s affordable housing program including overseeing contract administration; tracking affordable units, drafting grant and loan documents; verifying income and asset limitations; and tracking budgets.

Assist the Public Works Department with preparation and release of bid documents for city public works projects, contract management including preparation and processing contracts, activities related to encroachment permits, GIS mapping, public noticing, development plan review, and other administrative support duties as assigned.

Provide administrative support for contract administration and tracking budgets.

Support commissions and citizen advisory committees by such actions as preparing agendas, hearing materials, legal notices, and minutes of their meetings.

Maintain the Community Development Department development application case files, maintain computerized permit tracking, land use database, and Geographic Information Systems (GIS) software.

Prepare maps, exhibits and reports using GIS and land use database software.

Work with, assist and support the efforts of the Community Development and Public Works staff.

Provide back-up support to receptionist on city telephone/voice mail system.

Perform other related clerical and administrative duties and responsibilities as required.

MINIMUM QUALIFICATIONS

Education and Experience:

(A) Education equivalent to graduation from high school, plus two years practical work experience involving general office practices, public relations and communication, zoning and land use, and/or computer word processing, GIS, database, and other software programs. A Bachelor's degree may substitute for the requirement for two years of practical experience.

(B) Any equivalent combination of education and experience.

Necessary Knowledge, Skills and Abilities:

(A) Working knowledge of computers and electronic word and data processing; modern office practices and procedures.

(B) Skill to proficiently learn and operate listed tools and equipment.

(C) Abilities:

Ability to interact and communicate with the public in a helpful, positive, fair, tactful, resourceful, courteous and effective manner, while providing accurate information regarding city ordinances and the development process, over the public counter, on the telephone, and in the field.

DEVELOPMENT SERVICES TECHNICIAN

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Ability to read, learn, understand and effectively and accurately explain zoning ordinance, municipal code provisions, policies and procedures to the public, including the ability to make and carry out appropriate judgments regarding referral of certain situations to other departmental and city staff.

Ability to read and understand site and building development plans.

Ability to use a computer and learn various word processing, database, spreadsheet, permit tracking, and GIS computer software programs.

Ability to perform arithmetic calculations and analyses; ability to write concise and accurate reports and correspondence; ability to keep accurate and detailed records both on computer and in paper files.

Ability to establish and maintain harmonious, effective and appropriate working relationships with other city staff, management, elected officials, applicants, and the general public.

Ability to work and use good judgment under stressful conditions and with frequent interruptions.

Ability to learn and appropriately employ various conflict management and conflict resolution techniques.

Ability to organize information and prioritize work.

Ability to work evening and/or occasional weekend hours to assist as needed to facilitate public meetings.

SPECIAL REQUIREMENTS

Possession of at time of hire and continued maintenance of a valid California driver's license and a safe driving record.

TOOLS AND EQUIPMENT USED

Personal computer, including word processing, database, GIS, permit tracking software; telephone including main city switchboard/voicemail system, pen/pencil, calculator, rulers, postage machine, fax machine, copy machine, light meter, noise meter, motor vehicle.

PHYSICAL DEMANDS AND WORK ENVIRONMENT

The physical demands and work environment characteristics described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Work is performed mostly in office settings. Some outdoor/field work is required to post public notices, observe zoning and other code violations, inspect properties and development projects for

DEVELOPMENT SERVICES TECHNICIAN

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compliance with codes and conditions of approval, and to attend off-site meetings. The employee is occasionally required to climb or balance, stoop, kneel, or crouch.

While performing the duties of this job, the employee is frequently required to stand or sit, drive a motor vehicle, walk, talk and hear, use hands to finger, handle, feel or operate objects, tools or controls, and reach with hands and arms. Hand-eye coordination is necessary to operate computers and various office equipment. The employee must frequently retrieve files, and must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus, for detailed computer work, reading, and field work. The noise level is usually moderately quiet, although it can be moderately noisy at the public counter.

SELECTION GUIDELINES

Formal application, rating of education and experience; oral interview and reference check; job-related tests may be required.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related to, or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

Effective Date: **Update**

DEVELOPMENT SERVICES TECHNICIAN

GENERAL PURPOSE

The Development Services Technician is a para-professional, public service and information/data management position which performs a variety of public information, records management, code compliance, administrative and clerical functions in support of the City's development services activities. The position requires extensive contact with the public, and interaction with and support to the Community Development and Public Works Departments. Records management includes maintenance of paper files and computerized Geographic Information Systems (GIS), land use database, and permit tracking software programs.

SUPERVISION RECEIVED

report to the Senior Planner, Building Official, or Public Works Project Manager.

SUPERVISION EXERCISED

None.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Perform a variety of planning, zoning, public counter, contract management, and administrative duties, including providing information and accepting applications at the public counter; processing certain minor applications; responding to telephone requests for information and appointments; carrying out legal public noticing activities; taking minutes at public meetings; conducting field work and investigations; and data entry, retrieval and management related to computerized database, permit tracking and GIS software programs, as well as paper files.

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DEVELOPMENT SERVICES TECHNICIAN

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SELECTION GUIDELINES

Formal application, rating of education and experience; oral interview and reference check; job-related tests may be required.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related to, or a logical assignment to the position.

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Effective Date: October 27, 2022

Capitola City Council

Agenda Report



Meeting: October 27, 2022

From: City Manager Department

Subject: Consider Staffing Changes in the City Manager and Police Departments

Recommended Action: Approve proposed staffing changes and increase the Human Resources Analyst position to full-time, effective October 30, 2022.

Background: Due to internal promotions, retirements, and resignations, several long-standing roles within the City of Capitola were held vacant throughout the COVID-19 pandemic as a cost-saving measure. This included the full-time Executive Assistant to the City Manager role, which was vacated in November 2020. To better suit the City's needs, the City created the Personnel Analyst position (now titled HR Analyst) and, to save money, budgeted the position for 20-hours a week (0.5 FTE). The approved Fiscal Year 2022-2023 Budget increased the HR Analyst to three-quarter time (0.75 FTE).

Historically, the City Police Department has had an Administrative Assistant position that supports the Chief of Police and provides human resource support for that Department. Since 2015, this is a 30 hours-a-week position (0.75 FTE). The current employee in this position plans to retire soon, which will leave the 0.75 FTE vacant. The Police Department also currently has two Police Records Technician positions: one at full time and one at three-quarter time.

Discussion: Staff has identified the need for a full-time Human Resource professional, not only to meet overall goals and complete day-to-day functions, but also more recently as the City has had more active recruitments than the City has potentially ever seen. Staff recommends immediately increasing the HR Analyst position to full-time (40 hours a week).

When the current 30-hour a week Police Department Administrative Assistant retires, staff plans to hold that position vacant, and reallocate 10 hours a week to the Police Records Division, increasing the three-quarter time Records Technician to full-time. With all these changes, holding the Administrative Assistant position vacant, and moving 10 hours to the Records Technician and 10 hours to the HR Analyst, the net result will be a small savings over time, while also increasing overall administrative capacity.

Fiscal Impact: Increasing hours for the HR Analyst position to full-time (1 FTE) will create an initial increase in cost, until the Administrative Assistant retires. However, savings from other current vacancies within the City Manager Department are greater than the short-term increase in cost for a full-time HR Analyst.

Report Prepared By: Chloé Woodmansee, Assistant to the City Manager

Reviewed By: Jim Malberg, Finance Director

Approved By: Jamie Goldstein, City Manager

Capitola City Council

Agenda Report



Meeting: October 27, 2022

From: City Manager Department

Subject: 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.

Background: In December 2019, an outbreak of a respiratory illness linked to the novel coronavirus (COVID-19) was first identified. In March 2020, the State of California, the County of Santa Cruz, and the City of Capitola each declared a state of emergency due to the virus. Also in March 2020, the World Health Organization declared COVID-19 a pandemic. State and local health officers issued health orders to stop the spread of COVID-19; in Santa Cruz County this included March, April, and May 2020 Shelter-In-Place orders that were more restrictive than statewide guidance. Since then, the County Health Officer has incorporated all Orders of the State Public Health Officer, which set baseline statewide restrictions on travel and business activities. Currently (and since February 2022), there are no State required COVID-19 restrictions, other than minimal masking requirements in certain settings. COVID-19 public safety economic restrictions were mostly removed in June 2021 when the state met the criteria to fully reopen the economy and moved beyond the Blueprint for a Safer Economy.

The Governor signed Assembly Bill 361 on September 16, 2021. The Bill allows cities to continue virtual meetings (much as Capitola City Council Meetings function now) as long as the state is under a proclaimed state of emergency; through 2024 when the bill will sunset. The Bill requires legislative bodies to comply with the requirements set forth in Government Code section 54953(e)(2) to ensure the public can safely participate and observe local government meetings. One of the requirements is for Council to adopt findings every thirty days.

Attached is a resolution that makes the following findings:

- 1) Find that current conditions authorize teleconference public meetings, based on the Governor's state of emergency regarding the COVID-19 Pandemic
- 2) Authorize legislative bodies to conduct teleconference meetings, allowing Capitola City Council, Planning Commission, and other advisory bodies to continue to meet using Zoom.

Council will need to adopt resolutions making findings required by AB361 if Hybrid Meetings (with Council Members attending remotely) continue.

Discussion: On Monday, October 17, Governor Newsom announced that the COVID-19 State of Emergency will officially end on February 28, 2023. Operating under AB 361 requires that the state be under a proclaimed state of emergency, meaning that teleconferencing meetings permissible with AB 361 will no longer be so beginning February 2023.

Governor Newsom signed Assembly Bill 2449 (AB 2449) in September, and the Bill goes into effect on January 1, 2023. This Bill amends the Brown Act to provide additional teleconference procedures which would allow Council Members (members of a legislative body) to participate remotely in public meetings, however this Bill is much more restrictive than AB 361.

For example, under AB 2449, Capitola Council Members could attend a Council meeting remotely if at least a quorum of Council Members are in-person at the Capitola City Council Chambers and Council also follows the following:

1. The Council must provide either a two-way audiovisual platform or two-way telephonic service and a live webcasting of the meeting to allow the public to remotely hear and visually observe the meeting, and remotely address the legislative body. (Zoom would likely fulfill this requirement.)
2. The agenda must identify and include an opportunity for all persons to attend via a call-in option, internet-based service option, and at the in-person location of the meeting. (Again, Zoom and the Council Chambers would likely fulfill this requirement.)
3. A member of the Council can only participate remotely if:
 1. the member notifies the Council at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for “just cause”; or
 2. the member requests that the Council allow them to participate in the meeting remotely due to "emergency circumstances," and the Council approves the request. The Council must request a general description (generally not exceeding 20 words) of the circumstances relating to the member’s need to appear remotely at the given meeting.
4. “Just cause” is defined as (i) a childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely; (ii) a contagious illness that prevents a member from attending in person; (iii) a need related to a physical or mental disability as defined by statute; or (iv) travel while on official business of the legislative body or another state or local agency.
5. Members of the Council are prohibited from using AB 2449 to participate in remote meetings for more than three consecutive months or for 20% of the regular meetings in a calendar year.
6. Members of the Council participating remotely must participate using both audio and visual technology (Zoom) and must publicly disclose whether any individual over the age of 18 is present at the remote location.
7. A meeting must be paused when there is any teleconference disruption for the public and no action can be taken if a disruption event prevents the Council from broadcasting the meeting. (This requirement is currently in place for remote or hybrid meetings.)
8. Real-time public comments must be allowed during the meeting.
9. The Council must implement procedures for resolving requests for reasonable accommodations for individuals with disabilities. (This requirement is currently in place for remote or hybrid meetings.)

Council may only conduct hybrid meetings under the current AB 361 rules until February 28, 2023. At that time, the new rules outlined above will take effect. Alternatively, after February 28, 2023, the Council could revert to the standard Brown Act procedures for teleconferencing, which require the City to post the address from which each teleconferencing member will be appearing on the agenda.

Staff is currently working to implement upgraded technology to allow for a smoother “hybrid” option so that members of the public may attend Council meetings either in-person or remotely. The rules outlined above pertain to members of the Council and their ability to participate remotely, and do not apply to the public.

Fiscal Impact: At Council direction, the City has maintained \$385,000 in a resiliency fund to help ensure the City has available resources should the pandemic result in further unforeseen impacts, which remains in the approved FY 2022-23 Budget.

Attachments:

1. Proposed Teleconferencing resolution

Report Prepared By: Chloé Woodmansee, Assistant to the City Manager; Samantha Zutler, City Attorney

Approved By: Jamie Goldstein, City Manager

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA AND ON BEHALF OF COMMISSIONS AND COMMITTEES CREATED BY THE CITY COUNCIL PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54952(b) AUTHORIZING TELECONFERENCE MEETINGS IN COMPLIANCE WITH AB 361 (GOVERNMENT CODE SECTION 54953(e)) TO CONTINUE TO ALLOW MEMBERS OF THE PUBLIC TO SAFELY PARTICIPATE IN LOCAL GOVERNMENT MEETINGS

WHEREAS, the City Council is committed to ensuring public access to observe and participate in local government meetings; and

WHEREAS, all meetings of the City Council and other legislative bodies created pursuant to Government Code Section 54952(b) are open and public, as required by the Ralph M. Brown Act, so that any member of the public may participate in local government meetings; and

WHEREAS, the recently adopted AB 361, codified at Government Code section 54953(e), makes provisions for remote teleconferencing participation in local government meetings, without compliance with the requirements of 54953(b)(3), during a Governor-proclaimed state of emergency and if the local legislative body determines, by majority vote, that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, and

WHEREAS, on March 4, 2020, Governor Newsom proclaimed a State of Emergency due to the outbreak of respiratory illness due to a novel coronavirus (now known as COVID-19) and that State of Emergency is still in effect in the State of California; and

WHEREAS, on March 12, 2020, the Capitola City Council proclaimed the existence of a local emergency due to the worldwide spread of the coronavirus with Resolution No. 4168, pursuant to Section 8.08.020 of the Capitola Municipal Code and Section 8625 of the California Emergency Services Act in response to the COVID-19 pandemic; and

WHEREAS, COVID-19 continues to threaten the health and lives of City residents; and

WHEREAS, the SARS-CoV-2 Delta Variant (Delta Variant) is highly transmissible in indoor settings; and

WHEREAS, on July 28, 2021, the California Department of Public Health issued guidance calling for the use of face coverings and stating that the Delta Variant is two times as contagious as early COVID-19 variants, leading to increasing infections, the Delta Variant accounts for over 80% of cases sequenced, and cases and hospitalizations of COVID-19 are rising throughout the state; and

WHEREAS, the Delta Variant has caused, and will continue to cause, conditions of imminent peril to the health safety of persons within the City; and

WHEREAS, on October 14, November 23, and December 9, 2021, January 13, February 10, and February 27, March 10, March 24, April 14, April 28, May 12 and May 26, June 9, June 23, and July 28, 2022, August 25, and September 8, September 22, and October 13, 2022 the City Council adopted a resolution proclaiming the need to meet by teleconference pursuant to Government Code Section 54953; and

WHEREAS, the City Council, acting as a legislative body pursuant to Government Code section 54952(a) and for the benefit of the commissions, committees and other bodies that were created by the City Council pursuant to Government Code section 54952(b) (collectively referred to as "Legislative Bodies"), finds that the current conditions meet the circumstances set forth in

Government Code section 54953(e)(3) to allow Legislative Bodies to continue to use teleconferencing to hold open and public meetings if the Legislative Bodies comply with the requirements set forth in Government Code section 54953(e)(2) to ensure the public can safely participate in and observe local government meetings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Capitola that the City Council does hereby:

- 1. Recitals. The Recitals set forth above are true and correct and are hereby incorporated by this reference.
- 2. Find that Current Conditions Authorize Teleconference Public Meetings of Legislative Bodies. The City Council has reconsidered the circumstances of the state of emergency and finds that based on the California Governor’s continued declaration of a State of Emergency and current conditions, meeting in person would present imminent risks to the health or safety of attendees, such that the conditions continue to exist pursuant to Government Code section 54953(e)(3) to allow Legislative Bodies to use teleconferencing to hold public meetings in accordance with Government Code section 54953(e)(2) to ensure members of the public have continued access to safely observe and participate in local government meetings.
- 3. Authorize Legislative Bodies to Conduct Teleconference Meetings. The Legislative Bodies are hereby authorized to take all actions necessary to carry out the intent and purpose of this Resolution, including conducting open and public meetings in accordance with Government Code section 54953(e)(2) and other applicable provisions of the Brown Act.

I HEREBY CERTIFY that the foregoing resolution was PASSED and ADOPTED by the City Council of the City of Capitola on the 27th day of October 2022, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Sam Storey, Mayor

ATTEST: _____
Chloé Woodmansee, Interim City Clerk

Capitola City Council

Agenda Report



Meeting: October , 2022

From: Community Development Department

Subject: Conceptual Review for 1) Future annexation of 1610 Bulb Avenue into Capitola City limit; and 2) Community Benefit Application for Senior Living facility at 3720 Capitola Road and 1610 Bulb Avenue in the Community Commercial Zoning District

Staff Recommendation: Continue the 3720 Capitola Road and 1610 Bulb Avenue conceptual review application to a date uncertain.

Applicant Proposal: The applicant is seeking feedback on conceptual plans to: 1) annex 1610 Bulb Avenue into the Capitola city limits; and 2) apply for Community Benefit incentives for a senior assisted living facility on 3720 Capitola Road and 1610 Bulb Avenue. The property at 3720 Capitola Road is located within the Community Commercial (C-C) zoning district. The applicant is proposing an 80-unit assisted living facility with integrated memory care within an approximate 70,000 square-foot, four-story building.

Background: On July 6, 2022, the city received a complete application for conceptual review. Staff then sent plans to RRM Design for architectural review of the proposed assisted living facility.

On July 26, 2022, the city received the Design Review memo from RRM Design (Attachment 2).

During a special meeting on October 20, 2022, the Planning Commission reviewed the application and provided feedback to the applicant, with a general direction the concept was not worthy of consideration for a community benefit as designed.

On October 21, 2022, the applicant requested the item be continued to a date uncertain. The item was noticed for the October 28, 2022, City Council meeting through publication in the newspaper, posting on site, and mailed. The site posting has been updated to reflect the request for continuance. The applicant would like additional time to further consider the feedback of the Planning Commission and the comments from the public.

Report Prepared By: Katie Herlihy, Community Development Director

Reviewed By: Chloé Woodmansee, Assistant to the City Manager; Samantha Zutler, City Attorney

Approved By: Jamie Goldstein, City Manager

Capitola City Council

Agenda Report

Meeting: October 27, 2022

From: Community Development

Subject: Permanent Local Housing Allocation Grant



Recommended Action: Accept staff presentation on the 5-year plan for Permanent Local Housing Allocation Funds (PLHA) and provide direction on the proposed allocation of funds.

Background: In 2017, Governor Brown signed a 15-bill housing package aimed at addressing California's housing shortage and high housing costs. Specifically, it included the Building Homes and Jobs Act, known as Senate Bill 2 (SB 2) to increase the supply of affordable homes in California. The Bill established a \$75 recording fee on real estate documents and created the Permanent Local Housing Allocation Fund (PLHA). Beginning in 2019, the Bill authorized the California Department of Housing and Community Development (HCD) to allocate 70 percent of PLHA fund moneys to local governments for eligible housing and homelessness activities. The intent of the bill is to provide a permanent, on-going source of funding to local governments for housing-related projects and programs that address the unmet housing needs of their local communities.

The California Department of Housing and Community Development (HCD) issued the first Notice of Funding Availability ("NOFA") under the PLHA program making affordable housing funding available statewide. HCD calculates and publishes the PLHA allocation annually. Over the last three years, the City of Capitola has been allocated the following amounts:

Year	PLHA NOFA Allocation
2020	\$105,092
2021	\$180,868
2022	\$195,772
Total	\$481,732

The state estimates a total of \$630,557 in funding for Capitola over the five-year funding cycle. To apply for the funding, the City must submit a signed resolution with a 5-year plan explaining which eligible activities the funding will be applied toward.

Analysis: The PLHA funding must be used for the following eligible activities:

1. The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is affordable to extremely low-, very low-, low-, or moderate-income households, including necessary operating subsidies
2. The predevelopment, development, acquisition, rehabilitation, and preservation of Affordable rental and ownership housing, including Accessory Dwelling Units (ADUs), that meets the needs of a growing workforce earning up to 120-percent of AMI, or 150-percent of AMI in high-cost areas. ADUs shall be available for occupancy for a term of no less than 30 days
3. Matching portions of funds placed into Local or Regional Housing Trust Funds
4. Matching portions of funds available through the Low- and Moderate-Income Housing Asset Fund pursuant to subdivision (d) of HSC Section 34176

5. Capitalized Reserves for Services connected to the preservation and creation of new permanent supportive housing
6. Assisting persons who are experiencing or at risk of homelessness
7. Accessibility modifications in lower-income owner-occupied housing
8. Efforts to acquire and rehabilitate foreclosed or vacant homes and apartments
9. Homeownership opportunities, including, but not limited to, down payment assistance
10. Fiscal incentives made by a county to a city to incentivize approval of one or more affordable housing projects, or matching funds invested by a county in an affordable housing development project in a city within the county

Of the ten eligible activities listed above, staff recommends the City allocated funding to the following three items:

Activity 1: The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is affordable to extremely low-, very low-, low-, or moderate-income households, including necessary operating subsidies.

The City is in the initial phase of updating its housing element to accommodate the 1,363 new units allocated to the City through the Regional Housing Needs Assessment (RHNA). Thus, the City could utilize funding to partner with local non-profits and developers to assist with future affordable housing projects. Designating PLHA funds for predevelopment, development, acquisition, rehabilitation, and preservation of affordable housing rental units would provide an opportunity for future collaboration on an affordable housing project. Staff recommends most of the funds be dedicated toward this first item to ensure the City can contribute to affordable housing production.

Activity 3. Matching portions of funds placed into Local or Regional Housing Trust Funds

In 2004, City Council adopted an Inclusionary Housing Ordinance (IHO) and in 2021 Council adopted an Affordable Housing Impact Fee Ordinance as part of the City's ongoing efforts to provide affordable housing. The IHO created the Affordable Housing Trust Fund to use as a flexible local funding source for the creation of new affordable housing, the rehabilitation of existing affordable housing, funding of local programs to assist lower and moderate-income buyers purchase affordable housing, or as leverage of local funds for larger State and Federal grants. The Trust Fund also allows for up to \$75,000 per year to be spent on affordable housing program administration. This includes working with developers on fee collection, administration of the Housing Trust Fund, and implementation of the Inclusionary Ordinance.

The IHO requires that fifteen percent (15%) of units in a new for-sale residential construction project be made available to very-low, low, or moderate-income buyers. Condominium conversion projects are also regulated by this ordinance. As outlined in the IHO, project developers must set-aside affordable units or, under certain conditions, pay an in-lieu fee. The Affordable Housing Impact Fees apply to developments with six or less units which meet specific criteria.

Annual Housing Trust Fund revenue for the past 5 years has fluctuated from \$5,000 to \$87,000. In December of 2021, the in-lieu fee and impact fee increased from \$10 to \$25 per square foot. Staff recommends \$15,000 in annual Housing Trust matching funds be included in the 5-year plan for years 2023 and 2024.

Activity 6. Assisting persons who are experiencing homelessness

Annually, the City of Capitola contributes approximately \$31,000 toward the Housing for Health Partnership (H4HP) program administered by the County of Santa Cruz. The H4HP utilizes jurisdictional contributions to support year-round emergency shelter operations, including the Salvation Army in Watsonville and Housing Matters in the City of Santa Cruz. Staff proposes funding the H4HP in 2023 and 2024 in the amount of \$35,000 per year with PLHA funds.

In summary, staff recommends the following 5-year plan for PLHA funds:

Year	PLHA NOFA Allocation	Allocation
2020	\$105,092	Activity 1: Affordable Rental Project
2021	\$180,868	
2022	\$195,772	
2023	\$74,713	Activity 1: \$24,713 Affordable Rental Project Item
2024	\$74,712	Activity 3: \$15,000 to Housing Trust Fund match Activity 6: \$35,000 to Homelessness

Fiscal Impact: Submitting a resolution for PLHA funding will provide \$630,557 of additional affordable housing funds for the City of Capitola in the next 5-years.

Report Prepared By: Katie Herlihy, Community Development Director

Reviewed By: Chloé Woodmansee, Assistant to the City Manager, Samantha Zutler, City Attorney

Approved By: Jamie Goldstein, City Manager

Capitola City Council

Agenda Report

Meeting: October 27, 2022

From: Finance Department

Subject: Donations Report Full Year 2021-22



Recommended Action: Receive the Annual Donations and Contributions Report.

Background: In July 2013, the City implemented Administrative Policy III-15, which authorizes the City Manager to accept and appropriate donations or grants of \$5,000 or less to support existing City projects and programs. Attachment 1 shows donations and contributions for the period July 2021 through June 2022.

Discussion: Between July 2021 and June 2022, the City received \$78,616.02 in donations and contributions with values of \$5,000 or less. The contributions include support for the Museum, Camp Capitola, the Afterschool Program, Plein Air, and the summer Twilight Concert series.

During this period, the City also received \$2,291,954.48 in state and federal grants (Attachment 2). Included was \$286,913.81 for Park Avenue storm damage repairs, \$45,963 for street bollards in the village, \$1,197,302 as American Rescue & Recovery Plan funding, \$525,859.93 for the Wharf Rehabilitation Project, and \$235,915.74 for Coronavirus Relief.

Fiscal Impact: The City of Capitola benefits greatly from the generosity of individual citizens, local businesses, non-profit agencies, and others. Between July 2021 and June 2022, the City received \$2,370,570.50 in donations, contributions, and grant funding.

Attachments:

1. Donations
2. Grants

Report Prepared By: Jim Malberg, Finance Director

Reviewed By: Chloé Woodmansee, Assistant to the City Manager

Approved By: Jamie Goldstein, City Manager

City of Capitola
Donations & Contributions \$5,000 and under
July 2021 - June 2022

Date	From	Description	Amount
Various	Various	Museum donations	\$ 9,266.02
6/30/22	Public Safety Foundation	Camp Capitola	\$ 5,250.00
10/12/21	Soquel Unified Elementary School District	Afterschool Program Scholarships	\$ 16,000.00
12/2/21	Aspromonte Hotels	Plein Air	\$ 600.00
12/2/21	Best Western Plus	Plein Air	\$ 600.00
1/20/22	Gayle's Bakery	Plein Air	\$ 500.00
			\$ 1,700.00
7/8/21	Dianne Pereira	Twilight Concerts	\$ 2,500.00
7/15/21	Devcon Construction	Twilight Concerts	\$ 1,500.00
7/15/21	Anonymous	Twilight Concerts	\$ 1,000.00
7/15/21	The Sand Bar	Twilight Concerts	\$ 1,500.00
7/15/21	Aspromonte Hotels	Twilight Concerts	\$ 1,000.00
8/5/21	Gayle's Bakery	Twilight Concerts	\$ 2,500.00
8/5/21	Lanai Financial Solutions	Twilight Concerts	\$ 2,500.00
8/5/21	Zelda's	Twilight Concerts	\$ 2,500.00
8/5/21	Pizza My Heart	Twilight Concerts	\$ 2,500.00
8/12/21	Capitola Beach Suites	Twilight Concerts	\$ 1,500.00
8/12/21	Merlone Geier	Twilight Concerts	\$ 2,500.00
11/12/21	Swenson Builders	Twilight Concerts	\$ 2,000.00
3/24/22	Greenwaste Recovery	Twilight Concerts	\$ 2,400.00
4/28/22	Devcon Construction	Twilight Concerts	\$ 2,500.00
4/28/22	Dianne Pereira	Twilight Concerts	\$ 2,500.00
5/5/22	Lanai Financial Solutions	Twilight Concerts	\$ 2,500.00
5/12/22	Capitola Beach Suites	Twilight Concerts	\$ 2,500.00
5/19/22	Best Western Plus	Twilight Concerts	\$ 1,000.00
5/19/22	Fairfield Inn & Suites	Twilight Concerts	\$ 1,000.00
5/26/22	Zelda's	Twilight Concerts	\$ 1,500.00
5/26/22	Pizza My Heart	Twilight Concerts	\$ 2,500.00
6/9/22	Merlone Geier	Twilight Concerts	\$ 2,500.00
6/16/22	The Sand Bar	Twilight Concerts	\$ 500.00
6/16/22	Britannia Arms	Twilight Concerts	\$ 1,500.00
			\$ 46,400.00
			\$ 78,616.02

City of Capitola Grants
July 2021 - June 2022

Date	From	Description	Amount
9/23/21	Dept. of Transportation	Park Ave. Storm Damage	\$ 286,913.81
6/23/22	Homeland Security	Street Bollards - Village	\$ 45,963.00
6/30/22	Federal Govt.	American Rescue Plan	\$ 1,197,302.00
Various	CA Coastal Conservancy	Wharf rehabilitation grant	\$ 525,859.93
Various	CDBG	Coronavirus releif	\$ 235,915.74
			\$ 2,291,954.48