

City of Capitola

City Council Meeting Agenda

Thursday, August 25, 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. Introduction to Capitola's First Hybrid City Council Meeting
- B. Introduction of Capitola Community Development Staff; Senior Planner Brian Froelich, Building Inspector II Eric Martin, and Development Service Technician Jorge Melgoza
- C. Presentation of a Certificate of Appreciation to Brandon Napoli the Director of the Santa Cruz Small Business Development Center for administering the CDBG Small Business Covid-19 Economic Development Grants

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 July 28, 2022, regular City Council meeting and the August 11, 2022, special City Council meeting
Recommended Action: Approve minutes.
- B.** Consider an update to the Accountant I, Accountant II, and Senior Accountant job descriptions
Recommended Action: Approve changes to the job descriptions for the Accountant I, Accountant II, and Senior Accountant job classifications.
- C.** Consider the Purchase of New Mobile Computers for the Police Department
Recommended Action: Adopt the proposed resolution amending the Budget and authorizing the Police Department to use funding from the Supplement Law Enforcement State Funds (SLESF) and Information Technology Funds (totaling \$50,000) for the purchase of ten mobile computers from government contractor CDW Government LLC.
- D.** Over-the-Street Banner Policy Update
Recommended Action: Approve updates to Administrative Policy V-17: Capitola Village Street Banner Program to ensure consistency with current best practices.
- E.** Appeal of Design Permit, Historic Alteration Permit, Variance, and Coastal Development Permit to demolish an existing residence and construct a new home that retains nonconformities for size and setbacks at 1410 Prospect Avenue
Recommended Action: Set a public hearing during the City Council meeting of September 22, 2022, to consider the appeal of Application #21-0376.
- F.** 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.

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.** Appoint Representatives to the Historical Museum Board
Recommended Action: Appoint two representatives to the Historical Museum Board.
- B.** Consider a Resolution Accepting a Grant in the Amount of \$19,304.88 from the Department of Alcoholic Beverage Control Alcohol Policing Partnership Program, Authorizing the Police Chief to Execute the Grant Agreement, and Authorizing the Finance Director to Amend the 2022-23 Fiscal Year City Budget by \$19,304.88

Recommended Action: Adopt the proposed resolution accepting a State of California Department of Alcoholic Beverage Control (ABC) grant in the amount of \$19,304.88, authorizing the Police Chief to execute the Grant Agreement with the ABC, and authorizing the Finance Director to amend the FY 2022-23 General Fund operating budget to increase revenues and expenditures by \$19,304.88.

C. Community Grant Subcommittee

Recommended Action: Appoint two Council Members to a subcommittee to review applications for the 2022 – 2023 Community Grant Program.

D. Consider Hybrid Meeting Administrative Policy

Recommended Action: Review draft policy and provide feedback.

E. Designation of the Voting Delegate and Alternate for the 2022 League of California Cities Annual Conference

Recommended Action: Designate voting delegate and alternate(s), if desired.

F. In-Person Council Attendance

Recommended Action: Determine which City Council Members will attend the next regularly scheduled Council meeting in-person and remotely.

9. Adjournment

Notice of In-Person & Remote Access

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/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: August 25, 2022

From: City Manager Department

Subject: Consider the minutes from the July 28, 2022, regular City Council meeting and the August 11, 2022, special 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 July 28 and the special City Council meeting held on August 11, 2022.

Attachments:

1. July 28 draft
2. August 11 draft

Report Prepared By: Chloé Woodmansee, City Clerk

Reviewed/Approved By: Jamie Goldstein, City Manager

City of Capitola City Council Meeting Minutes 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

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

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

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

Staff and Council thanked Dane for his heroic work during the rescue.

4. Report on Closed Session

A closed session meeting was held on item listed on the agenda; no action was taken.

5. Additional Materials – none

6. Oral Communications by Members of the Public

Dave Montgomery presented an idea to open a portion of Monterey Park to off-leash dogs for an hour each evening.

7. Staff / City Council Comments

Chief Dally announced National Night Out on Tuesday, August 2.

Council Member Bertrand said he has received two different petitions recently from members of the public and that he is following up with those that submitted them.

Council Member discussed the Community Action Board's mission to eliminate poverty and said that the Board is recruiting for members.

Vice Mayor Keiser gave her thanks to the community and staff for a wonderful Wharf to Wharf event.

Mayor Storey announced that the Art and Cultural Commission is starting to work on several projects including a tree stump project. He also said he will not be running for re-election and encouraged Capitola residents to run for office.

8. Consent Items

Motion: Approve, Receive, Adopt, Declare, Authorize, Delay, and Determine as recommended

Result: Passed, 5:0 (Unanimous)

Mover: Council Member Brooks

Second: Vice Mayor Keiser

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

- 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

- 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.

Public Director Jesberg first thanked Assistant to the City Manager Larry Laurent for his time serving the City.

Public Works Project Manager Mozumder presented a staff report on the Rispin Park project.

In response to a question from Council Member Brown, Project Manager Mozumder said that if started in Spring 2023, the project should be completed in Fall 2023.

Council Member Bertrand confirmed that the project section that crosses into a conservation area is allowed and has been approved by the conservation's legal team.

There was no public comment.

Motion: Approve plans, 2) Authorize the advertisement of BIDs, and 3) approve the resolution

Result: Passed, 5:0 (Unanimous)

Mover: Council Member Brooks

Second: Council Member Bertrand

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

- 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.

Vice Mayor Keiser suggested that virtual meetings are convenient to attend and may be a good option for the public to engage with Council.

Council Member Brooks said that members should be able to choose to attend virtually with no requirements necessary. She suggested that no more than 3 members should attend in person at one time.

After much discussion, Mayor Storey emphasized the need for a policy to set expectations for staff and Council.

Motion: Direct Staff to draft an administrative policy indicating that: 1) At least 1 and no more than 3 Council Members should attend in person, 2) Council will self-determine who

will attend in person in a regular agenda item at the end of each meeting, 3) Safety precautions should be taken in the Council Chambers as determined by staff

Result: Passed, 5:0 (Unanimous)

Mover: Council Member Brown

Second: Council Member Brooks

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

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.

Vice Mayor Keiser was recused.

Finance Director Malberg presented a staff report. In response to a question from the Mayor, he explained that occupants for the outdoor dining program will only pay for the square-footage they use, if a parking space is split between two businesses they will each only pay for the area they use.

There was no public comment.

Motion: Approve the resolution

Result: Passed, 4:0

Mover: Council Member Brown

Second: Council Member Brooks

Yea: Mayor Storey, Council Member Bertrand, Council Member Brooks, Council Member Brown, Mayor Storey

Recused: Vice Mayor Keiser

10. Adjournment

The meeting adjourned at 8:58pm to the next regularly scheduled City Council meeting on August 25, 2022.

ATTEST:

Sam Storey, Mayor

Chloé Woodmansee, City Clerk

City of Capitola

Special City Council Meeting Minutes

Thursday, August 11, 2022 – 4:30 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

Special Meeting of the Capitola City Council – 4:30 PM

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 – none

3. Additional Materials – none

4. Oral Communications by Members of the Public – none

5. Staff / City Council Comments – none

6. General Government / Public Hearings

A. Consider a Short-Term Loan Agreement with the County of Santa Cruz for the Purpose of Funding the Purchase of Watsonville Community Hospital

Recommended Action: Authorize the City Manager to execute a short-term (not to exceed 60 days) loan agreement with the County of Santa Cruz in the amount of \$5 million to assist in funding the County's purchase of the Hospital, pending availability of the additional \$20 million in funding needed to complete the purchase.

City Manager Goldstein presented a brief staff report outlining the Watsonville Community Hospital funding situation and short-term needs.

Council Member Bertrand asked about the investment in the Hospital, Santa Cruz County Administrative Officer Palacios responded that he is confident that the financial situation will turn around quickly, and that the Hospital is a vital asset to the community.

Mayor Storey confirmed that the State will amend its budget error on August 31 and that the reimbursement funds should be available shortly after. The Mayor also asked that an attorney's fees clause be included in the loan agreement.

can we make our approval conditioned on the other cities approving their loan? Carlos - I don't think that will be an issue - remember this is a community project and we are just a conduit

There was no public comment.

Motion: Authorize the City Manager to execute a short-term loan agreement with the County in the amount of \$5 million dollars with 1) the addition of an attorney's fees clause and 2) IF

the City of Santa Cruz and the City of Watsonville also approve their short-term loan agreements with the County.

Result: Passed, 5:0 (Unanimous)

Mover: Council Member Bertrand

Second: Council Member Brooks

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

7. Adjournment

The special meeting was adjourned at 5pm to the next regular scheduled meeting on August 25, 2022.

ATTEST:

Sam Storey, Mayor

Chloé Woodmansee, City Clerk

DRAFT

Capitola City Council

Agenda Report



Meeting: August 25, 2022

From: City Manager Department

Subject: Consider an update to the Accountant I, Accountant II, and Senior Accountant job descriptions

Recommended Action: Approve changes to the job descriptions for the Accountant I, Accountant II, and Senior Accountant job classifications.

Background: The City Council approves job descriptions for all City job classifications. Any job description changes or changes in classification also need to be reviewed by the appropriate employee group.

Discussion: The City's Senior Accountant recently resigned, and the Finance Department is preparing to recruit to fill positions; staff now request minor modifications to the Accountant I, Accountant II, and Senior Accountant job classifications. The requested changes update outdated job titles, remove references to the former Capitola Redevelopment Agency, and better define reporting structures within the department.

The Accountant I and Accountant II classifications are represented by the Association of Capitola Employees (ACE) and the Senior Accountant classification is represented by the Mid-Management employee group. The appropriate group for each has reviewed the proposed job descriptions.

Fiscal Impact: There is no fiscal impact associated with this action as there are no changes to the salary schedule.

Attachments:

1. Accountant I Job Description
2. Accountant II Job Description
3. Senior Accountant Job Description

Report Prepared By: Jim Malberg, Finance Director

Reviewed By: Chloé Woodmansee, City Clerk

Approved By: Jamie Goldstein, City Manager

City of Capitola

ACCOUNTANT I

GENERAL PURPOSE

Accountant I is an entry-level, professional accounting position. Under general supervision, performs professional accounting work in compliance with Generally Accepted Accounting Principles (GAAP) in the maintenance of the financial record system of the City; prepares and analyzes complete financial statements, and performs related work as required.

SUPERVISION RECEIVED

Works under the supervision of the Senior Accountant or Finance Director.

SUPERVISION EXERCISED – None.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Performs complex numerical analyses, including interfund analyses and account reconciliations.

Performs basic accounting functions relevant to a municipality including: understanding fund accounting, make journal entries, understanding the general ledger and various subsidiary ledgers.

Understands and administers to a city budget, including: making journal entries; understanding the mechanisms involved in making appropriations and encumbrances; and understanding the relationship of revenues to expenditures in the budgetary process.

Prepares letters and staff reports.

Reviews and analyzes financial records for completeness and accuracy

Assists in the maintenance of the accounting system.

Prepares adjusting journal entries, trial balances, fiscal and statistical reports.

Assists in the annual closing of the fiscal records

Aids in the maintenance of a perpetual inventory of fixed assets and in the periodic physical verification of the equipment recorded therein.

Prepares monthly reconciliations to the general ledger

Acts as primary back-up for the Account Technician and prepares PERS reports.

Assists in the preparation of annual state reports, questionnaires, and other related documents.

Prepares audit work papers, statistical data and assists the auditors in their annual review of the accounting records.

Consults with and assists subordinate personnel on difficult assignments.

Maintains detailed records of special assessment districts and housing loans.

Performs related duties as required.

ACCOUNTANT I

MINIMUM QUALIFICATIONS

Education and Experience:

Graduation from an accredited college with a degree in accounting or closely related field, which must include twelve (12) semester units in accounting subjects.

Necessary Knowledge, Skills and Abilities:

Knowledge of: Generally Accepted Accounting Principles (GAAP); general principles of auditing; a familiarity with data processing principles and applications.

Ability to: Interpret accounting and other financial reports; prepare clear and accurate financial statements and reports; make sound decisions and recommendations regarding matters of a technical nature in financial records maintenance; establish and maintain cooperative working relationships with others

TOOLS AND EQUIPMENT USED

Personal computer, including spreadsheet and word processing software; central financial computer system; telephone; 10-key calculator; typewriter; copy machine, fax.

PHYSICAL DEMANDS AND WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The physical demands 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.

While performing the duties of this job, the employee is frequently required to sit and talk or hear. The employee is occasionally required to walk; use hands to finger, handle, or feel objects, tools, or controls; and reach with hands and arms.

The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus. The noise level in the work environment is usually quiet to moderate.

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 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.

Revised: 8/8/22

ACCOUNTANT II

GENERAL PURPOSE

Accountant II is the journey-level classification in the Accountant series fully qualified and capable of independently performing the full range of accounting duties and can successfully complete more complex work and projects. Incumbent in this classification may provide training and guidance to less experienced employees.

SUPERVISION RECEIVED

Works under the under the general supervision of the Senior Accountant or Finance Director .

SUPERVISION EXERCISED – None.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Perform complex numerical analyses, including interfund analyses and account reconciliations.

Maintain debt service portfolio; study cash flow; and prepare activity summaries and reports.

Establish and maintain detailed accounts relating to assessment districts, bond issues and bond servicing.

Plan and coordinate all required reporting/disclosure compliance for assessment districts and bond issues and close-out when complete.

Establish and maintain detail accounts relating to Capitola Redevelopment Agency.

Research and implement Government Accounting Standards Board (GASB) pronouncements as required by law.

Perform analysis, research and special projects for City's participation in the Public Employee Retirement System (PERS).

Perform complex research and analysis for various departments, which include jointly managing the housing loans portfolio and accounting for new low/moderate housing projects/programs with the City Community Development Department.

Gather, analyze and summarize data as it relates to the City economic development projects.

Understand and administer to the City budget, including: making journal entries; understanding the mechanisms involved in making appropriations and encumbrances; and understanding the relationship of revenues to expenditures in the budgetary process.

Lead staff for planning and coordinating annual audit activities; develop and prepare financial and statistical reports, schedules and work papers.

Perform duties of Accountant I position, as necessary, and other related duties as assigned.

MINIMUM QUALIFICATIONS**Education and Experience:**

Graduation from an accredited college with a degree in accounting or closely related field, which must include twelve (12) semester units in accounting subjects and at least two years experience as an Accountant I or equivalent position. A masters degree may be substituted for one year of experience.

Necessary Knowledge, Skills and Abilities:

Knowledge of: Generally Accepted Accounting Principles (GAAP); general principles of auditing; a familiarity with valid research and data analysis principles and applications.

Ability to: Interpret accounting and other financial reports; prepare clear and accurate financial statements and reports; perform complex analyses and make sound decisions and recommendations regarding matters of a technical nature; make presentations and justify recommendations before the City Council, establish and maintain cooperative working relationships with others.

TOOLS AND EQUIPMENT USED

Personal computer, including spreadsheet and word processing software; central financial computer system; telephone; 10-key calculator; typewriter; copy machine, fax.

PHYSICAL DEMANDS AND WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The physical demands 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.

While performing the duties of this job, the employee is frequently required to sit and talk or hear. The employee is occasionally required to walk; use hands or finger, handle or feel objects, tools, or controls; and reach with hands and arms.

The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus. The noise level in the work environment is usually quiet to moderate.

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 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: 8/8/22

SENIOR ACCOUNTANT

DEFINITION

Under general direction and oversight of the Finance Director, the Senior Accountant performs complex professional governmental accounting functions in the maintenance of the City's computerized accounting system; performs internal audits, special studies and analyses; and assists in preparation of annual City budgets and financial reports. Employees in this job class direct, coordinate, monitor and evaluate the work and performance of other accounting staff. The Senior Accountant regularly advises and consults with the City Treasurer, City Manager, and City Council Members on accounting matters.

SUPERVISION RECEIVED AND EXERCISED

Receives executive direction from the Finance Director

Supervises Accountant I/II, Account Clerk, and Account Technician

BARGAINING UNIT: MID MANAGEMENT (EXEMPT)

ESSENTIAL DUTIES & RESPONSIBILITIES (may include, but are not limited to:)

- Supervise and evaluate assigned accounting staff, including account clerks and account technicians. May Supervise an Accountant I position.
- Plan and direct general accounting operation functions, including general ledger maintenance, Accounts Payable, Revenue Collection, Payroll, and Purchasing.
- Perform in-depth account analyses and interfund reconciliations.
- Analyze revenues and expenditures and establish revenue and expenditure projections for budgetary, labor negotiation, cost-benefit analyses, and other purposes.
- Assist with the administration of budget amendments
- Participate in the preparation and administration of the annual City budget
- Participate in the preparation and coordination of the Comprehensive Annual Financial Report (CAFR)
- Assist in the development and implementation of departmental goals, policies, and procedures related to accounting activities
- Assure that City financial records are complete, accurate, and in compliance with laws, ordinances, and regulations which affect municipal finance operations (i.e. Governmental Accounting Standards Boards "GASB" and generally accepted accounting principles "GAAP").
- Develop, evaluate, and/or improve fiscal practices and controls in accordance with generally accepted accounting principles.
- Analyze legislative changes as it pertains to areas of responsibility and develops systems and procedures to implement changes as appropriate
- Coordinate, supervise and manage annual audits (i.e., independent financial audits, state audits).
- Prepare or assist in prepare quarterly, monthly, or annual special financial reports or studies
- Prepare staff reports for Finance Committee and City Council.
- Initiate and record interfund transfers and loans.
- Assist in the development, maintenance, and enhancement of computerized information systems for accounting and financial functions; performs financial systems software management, including maintaining financial system software controls, administering accounting aspects of the general ledger software, and serves as resource for departments
- Respond to public information requests related to areas of assignment

- May manage, record, or reconcile various accounting records, including capital assets, grants, internal service funds, and special revenue funds
- Assist department heads and other City staff on technical accounting matters.
- Assist in preparation of City's annual financial reports to County and State Agencies and reports to management.
- Other accounting duties as assigned

Qualifications and Employment Standards

Knowledge of:

- Laws, ordinances, and regulations affecting municipal finance operations
- Governmental accounting and auditing theory, principles and practices and application to a wide variety of accounting transactions, situations, and problems
- Accounting software and general software applications (including Windows, Excel, Word, Outlook, PowerPoint, and government accounting systems)
- Principles and practices of revenue and expenditure forecasting

Ability to:

- Prepare clear, comprehensive, concise written reports and communications as well as complex statistical analyses.
- Accurately and efficiently perform a wide variety of complex accounting tasks.
- Understand, interpret, and apply a variety of laws, regulations, procedures, and other authoritative documents.
- Provide clear and accurate accounting advice to others.
- Effectively supervise the work of junior accounting staff.
- Establish and maintain effective and harmonious working relationships with other staff, managers, elected and appointed officials and the Public.

Required Education, Experience and Licenses:

1. Bachelor's degree from an accredited college or university in Accounting, Finance, Business Administration, or a related field. A Bachelor's Degree in Accounting or Business Administration with a Concentration in accounting or professional certification as a Certified Public Accountant (CPA) is preferable.
2. Three years of professional accounting experience, including at least two years in governmental accounting.
3. Any equivalent combination of education and experience.

WORKING CONDITIONS:

Position requires prolonged sitting, standing, walking, reaching, twisting, and turning, kneeling, bending, squatting and stooping in the performance of daily activities. The position also requires grasping, repetitive hand movement and fine coordination in using a computer keyboard. Additionally, the position requires near and far vision in reading written reports and work related documents. Acute hearing is required when providing phone and personal services. The need to lift, drag and push files, paper and documents weighing up to 25 pounds also is required. The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is usually quiet to moderate.

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.
Rev. 12/21/2012
8/9/2022

Item 7 B.

Capitola City Council

Agenda Report



Meeting: August 25, 2022

From: Police Department

Subject: Consider the Purchase of New Mobile Computers for the Police Department

Recommended Action: Adopt the proposed resolution amending the Budget and authorizing the Police Department to use funding from the Supplement Law Enforcement State Funds (SLESF) and Information Technology Funds (totaling \$50,000) for the purchase of ten mobile computers from government contractor CDW Government LLC.

Background: In 2005, California Legislature passed the “State Supplemental Law Enforcement Services Fund” (SLESF) Bill. Funds from this grant are used exclusively for supporting front-line law enforcement and cannot be used to supplant existing funding. In addition, the City has an Information Technology Internal Service Fund (ISF) for the replacement of citywide hardware and software.

Discussion: To support our front-line law enforcement officers, the Police Department requests the purchase of ten Getac A140 computers for our patrol fleet. Each marked police vehicle is equipped with a county-wide Computer Aided Dispatch (CAD) system to communicate with our regional 911 dispatch center. To properly interface with the CAD system, the Police Department needs to upgrade the computers currently installed in our patrol vehicles. The current laptop computers were purchased in December 2017.

For the past several months, the Police Department has researched supply vendors and has tested the Getac A140 computer. Getac computers are reliable and are designed to maximize mobile performance and productivity. Police staff has configured two vehicles to test the recommended equipment and received positive response. The cost of purchasing and installing the Getac computers is approximately \$50,000. The Police Department requests splitting the purchase equally between the SLESF fund and the Information Technology ISF.

In following the guidelines in the City’s Administrative Policy 111-4, the Police Department asks to purchase the computers from our government contract vendor, CDW Government LLC. CDW is a leading multi-brand provider of technology solutions for the City; a trusted source that offers these computers at a discounted rate.

Fiscal Impact: The proposed budget amendment will have no impact on the General Fund. Sufficient funds are available in the SLESF fund and the Information Technology ISF which have estimated fund balances of \$118,500 and \$318,000, respectively.

Attachments:

1. Quote from CDW-G
2. Resolution and Budget Amendment

Report Prepared By: Andrew Dally, Chief of Police

Reviewed By: Chloé Woodmansee, City Clerk; Tamar Burke, Assistant City Attorney

Approved By: Jamie Goldstein, City Manager

QUOTE CONFIRMATION



DEAR LARRY LAURENT,

Thank you for considering CDW•G LLC for your computing needs. The details of your quote are below. [Click here](#) to convert your quote to an order.



ACCOUNT MANAGER NOTES: Thank You.

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
MWPX788	7/27/2022	GETAC	0674730	\$41,149.39

IMPORTANT - PLEASE READ

Fees applied to item(s): 6363981

QUOTE DETAILS

ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
Getac A140 G2 14" Core i7-10510U 16GB RAM 256GB SSD Windows 10 Pro Mfg. Part#: AM42T4QAXDXX Contract: MARKET	10	6363981	\$2,862.96	\$28,629.60
Getac TF1 Vehicle Docking Station Mfg. Part#: 543314010501 Contract: MARKET	8	6059749	\$895.85	\$7,166.80
Getac 120W 11-16V 22-32V DC Vehicle Adapter Mfg. Part#: GAD2X8 Contract: MARKET	8	5522532	\$97.51	\$780.08
TIG3 Electronics BLTX Series - keyboard - with touchpad Mfg. Part#: KBA-BLTX-USNNR-US UNSPSC: 43211706 Contract: MARKET	8	4710120	\$142.32	\$1,138.56
RECYCLING FEE DETAILS				
ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
RECYCLING FEE 4" TO LESS THAN 15" Fee Applied to Item: 6363981	10	654809	\$4.00	\$40.00

PURCHASER BILLING INFO		
Billing Address: CITY OF CAPITOLA ACCTS PAYABLE 420 CAPITOLA AVE CAPITOLA, CA 95010-3318 Phone: (831) 475-7300 Payment Terms: Net 30 Days-Govt State/Local	SUBTOTAL	\$37,715.04
	SHIPPING	\$0.00
	RECYCLING FEE	\$40.00
	SALES TAX	\$3,394.35
	GRAND TOTAL	\$41,149.39
DELIVER TO	Please remit payments to:	

Shipping Address:
 CITY OF CAPITOLA
 LARRY LAURENT
 420 CAPITOLA AVE
 CAPITOLA, CA 95010-3318
Phone: (831) 475-7300
Shipping Method: DROP SHIP-GROUND

CDW Government
 75 Remittance Drive
 Suite 1515
 Chicago, IL 60675-1515

Need Assistance? CDW•G LLC SALES CONTACT INFORMATION



Tim Sharkey

(877) 881-6919

timshar@cdwg.com

LEASE OPTIONS

FMV TOTAL	FMV LEASE OPTION	BO TOTAL	BO LEASE OPTION
\$37,755.04	\$1,021.27/Month	\$37,755.04	\$1,176.82/Month

Monthly payment based on 36 month lease. Other terms and options are available. Contact your Account Manager for details. Payment quoted is subject to change.

Why finance?

- Lower Upfront Costs. Get the products you need without impacting cash flow. Preserve your working capital and existing credit line.
- Flexible Payment Terms. 100% financing with no money down, payment deferrals and payment schedules that match your company's business cycles.
- Predictable, Low Monthly Payments. Pay over time. Lease payments are fixed and can be tailored to your budget levels or revenue streams.
- Technology Refresh. Keep current technology with minimal financial impact or risk. Add-on or upgrade during the lease term and choose to return or purchase the equipment at end of lease.
- Bundle Costs. You can combine hardware, software, and services into a single transaction and pay for your software licenses over time! We know your challenges and understand the need for flexibility.

General Terms and Conditions:

This quote is not legally binding and is for discussion purposes only. The rates are estimate only and are based on a collection of industry data from numerous sources. All rates and financial quotes are subject to final review, approval, and documentation by our leasing partners. Payments above exclude all applicable taxes. Financing is subject to credit approval and review of final equipment and services configuration. Fair Market Value leases are structured with the assumption that the equipment has a residual value at the end of the lease term.

This quote is subject to CDW's Terms and Conditions of Sales and Service Projects at <http://www.cdw.com/content/terms-conditions/product-sales.aspx>
 For more information, contact a CDW account manager

© 2022 CDW•G LLC 200 N. Milwaukee Avenue, Vernon Hills, IL 60061 | 800.808.4239



QUOTE CONFIRMATION

DEAR LARRY LAURENT,

Thank you for considering CDW•G LLC for your computing needs. The details of your quote are below. [Click here](#) to convert your quote to an order.



ACCOUNT MANAGER NOTES: Thank You.

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
MXGL982	8/15/2022	GETAC X 2	0674730	\$8,725.03

IMPORTANT - PLEASE READ

Fees applied to item(s): 6363981

QUOTE DETAILS

ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
Getac A140 G2 14" Core i7-10510U 16GB RAM 256GB SSD Windows 10 Pro Mfg. Part#: AM42T4QAXDXX Contract: MARKET	2	6363981	\$2,862.96	\$5,725.92
Getac TF1 Vehicle Docking Station Mfg. Part#: 543314010501 Contract: MARKET	2	6059749	\$895.85	\$1,791.70
Getac 120W 11-16V 22-32V DC Vehicle Adapter Mfg. Part#: GAD2X8 Contract: MARKET	2	5522532	\$97.51	\$195.02
TG3 Electronics BLTX Series - keyboard - with touchpad Mfg. Part#: KBA-BLTX-USNNR-US UNSPSC: 43211706 Contract: MARKET	2	4710120	\$142.32	\$284.64

RECYCLING FEE DETAILS

ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
RECYCLING FEE 4" TO LESS THAN 15" Fee Applied to Item: 6363981	2	654809	\$4.00	\$8.00

PURCHASER BILLING INFO	SUBTOTAL	\$7,997.28
Billing Address: CITY OF CAPITOLA ACCTS PAYABLE 420 CAPITOLA AVE CAPITOLA, CA 95010-3318 Phone: (831) 475-7300 Payment Terms: Net 30 Days-Govt State/Local	SHIPPING	\$0.00
	RECYCLING FEE	\$8.00
	SALES TAX	\$719.75
	GRAND TOTAL	\$8,725.03
	DELIVER TO	Please remit payments to:

Shipping Address:
 CITY OF CAPITOLA
 LARRY LAURENT
 420 CAPITOLA AVE
 CAPITOLA, CA 95010-3318
Phone: (831) 475-7300
Shipping Method: DROP SHIP-GROUND

CDW Government
 75 Remittance Drive
 Suite 1515
 Chicago, IL 60675-1515

Need Assistance? CDW•G LLC SALES CONTACT INFORMATION



Tim Sharkey

(877) 881-6919

timshar@cdwg.com

LEASE OPTIONS

FMV TOTAL	FMV LEASE OPTION	BO TOTAL	BO LEASE OPTION
\$8,005.28	\$224.87/Month	\$8,005.28	\$256.89/Month

Monthly payment based on 36 month lease. Other terms and options are available. Contact your Account Manager for details. Payment quoted is subject to change.

Why finance?

- Lower Upfront Costs. Get the products you need without impacting cash flow. Preserve your working capital and existing credit line.
- Flexible Payment Terms. 100% financing with no money down, payment deferrals and payment schedules that match your company's business cycles.
- Predictable, Low Monthly Payments. Pay over time. Lease payments are fixed and can be tailored to your budget levels or revenue streams.
- Technology Refresh. Keep current technology with minimal financial impact or risk. Add-on or upgrade during the lease term and choose to return or purchase the equipment at end of lease.
- Bundle Costs. You can combine hardware, software, and services into a single transaction and pay for your software licenses over time! We know your challenges and understand the need for flexibility.

General Terms and Conditions:

This quote is not legally binding and is for discussion purposes only. The rates are estimate only and are based on a collection of industry data from numerous sources. All rates and financial quotes are subject to final review, approval, and documentation by our leasing partners. Payments above exclude all applicable taxes. Financing is subject to credit approval and review of final equipment and services configuration. Fair Market Value leases are structured with the assumption that the equipment has a residual value at the end of the lease term.

This quote is subject to CDW's Terms and Conditions of Sales and Service Projects at <http://www.cdw.com/content/terms-conditions/product-sales.aspx>
 For more information, contact a CDW account manager

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RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
AMENDING THE 2022-23 FISCAL YEAR CITY BUDGET AND CAPITAL IMPROVEMENT
PROGRAM BUDGET**

WHEREAS, it is necessary to adopt the 2022-23 Fiscal Year Budget for all City funds and Capital Improvement Program; and

WHEREAS, the City Council conducted budget study sessions, heard and considered public comments, had modified and proposed a budget accordingly, and on June 23, 2022 adopted such budget for the Fiscal Year July 1, 2022, through June 30, 2023; and

WHEREAS, since the adoption of the budget staff has determined that ten mobile computers in Police Department patrol vehicles need to be replaced; and

WHEREAS, the City's Supplemental Law Enforcement State Fund and Information Technology Internal Service Fund have available fund balance to provide funding for the purchase of the mobile computers; and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Capitola that the 2022-2023 Fiscal Year Budget is hereby amended, including Exhibit A (Budget Amendment) to this Resolution; and

BE IT FURTHER RESOLVED that the Finance Director is directed to enter the budget into the City's accounting records in accordance with appropriate accounting practices, and the City Manager, with the Finance Director's assistance, shall assure compliance therewith.

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the City Council of the City of Capitola on the 25th day of August 2022, by the following vote:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**

Sam Storey, Mayor

ATTEST:

Chloe Woodmansee, City Clerk

City of Capitola Budget Adjustment Form



Item 7 C.

Date 8/17/2022

Requesting Department Police

Administrative Council

Item # TBD
 Council Date 8/25/2022
 Council Approval _____

Revenues		
Account #	Account Description	Increase/Decrease
Total		-

Expenditures		
Account #	Account Description	Increase/Decrease
1300-00-00-000-4650.400	Capital Outlay Equipment	25,000
2211-00-00-000-4650.400	Capital Outlay Equipment	25,000
Total		50,000

Net Impact (50,000)

Purpose: Funding for PD mobile computers

Department Head Approval *[Signature]*
 Finance Department Approval *[Signature]*
 City Manager Approval _____

Capitola City Council

Agenda Report

Meeting: August 25, 2022
From: City Manager Department
Subject: Over-the-Street Banner Policy Update



Recommended Action: Approve updates to Administrative Policy V-17: Capitola Village Street Banner Program to ensure consistency with current best practices.

Background: The City allows banners to be above the street at Capitola Avenue in front of City Hall and on Monterey Avenue at Park Place (bottom of the hill entering the Village). The City first adopted a banner policy in 2003. According to the banner policy the intent is to provide a tool to promote events, provide the community with information, and enhance the streetscape.

The current banner policy regulates over-the-street banners; those banners may be allowed for special events, and by nonprofits, government agencies, and public information campaigns.

This policy only contains regulations regarding over-the-street banners flown at these two locations. Banners flown from the vertical Village banner poles are regulated by Administrative Policy V-16: Village Streetscape Decorations.

Discussion: Based on a recent review of Administrative Policies, staff identified a need to update the banner policy to ensure the City has content neutral banner and clear regulations. Specifically, the current banner policy allows nonprofits to hang banners but not-for-profit businesses. In addition, while the current policy prohibits commercial advertising on banners, the policy does not include specific standards related to what kind of language is appropriate for the banners.

To resolve these issues staff reviewed all approved banner applications over the last seven years. That review showed that banners were only hung for special events and for governmental information campaigns (safe streets, census, bike to work).

Changes to Special Event Banners: For the special events, most of the banners hung over the last seven years were clearly intended to notify the public about the pending event, however some included additional information about event sponsors or included information about how to sign up for the event.

Staff concluded the clearest way to ensure that banners for special events are not inherently commercial in nature is to limit their content to event title, dates, and graphics applicable to the event. This simple format has been used for years for events like the Wharf to Wharf and Art and Wine Festival.

Changes to Informational Banners: Previously the policy allowed nonprofits, government agencies and “public information campaigns” to hang banners. Because the policy treated nonprofits differently than other users, and allowed banners for “public information campaigns” but did not define what that was, staff has proposed a revision to the policy that would only allow informational banners for public agency community outreach. This revision would mean the Regional Transportation Commission could propose a banner promoting safe driving habits or the library could propose a banner encouraging people to read. With the revision, the City would no longer allow nonprofits to utilize the City’s over-the-street banner poles, however as previously noted, no nonprofit informational banners has been hung over street in the last seven years.

Fiscal Impact: None

Attachments:

1. Draft Administrative Policy, redlined version
2. Draft Administrative Policy, clean version

Reviewed By: Chloé Woodmansee, City Clerk; Tamar Burke, Assistant City Attorney

Prepared and Approved By: Jamie Goldstein, City Manager

ADMINISTRATIVE POLICY

Number: V-17 Issued:
10/23/03 Revised:
01/24/08 Revised: 09/24/15
Revised & Re-
numbered: 5/9/19
Jurisdiction: City Council

CAPITOLA VILLAGE ~~OVER-THE-~~STREET BANNER PROGRAM POLICY

I. PURPOSE

The Street Banner Program provides a service to ~~public agencies, community nonprofits and public service organizations~~ that need an effective tool to ~~promote events and provide the public with information of interest and regarding the date, time and location of events for the benefit of~~ Capitola residents and visitors. Street banners enhance the streetscape of Capitola Village, by adding a vibrant element that enlivens the mobility experience for pedestrians, cyclists, transit users, and drivers.

This policy covers the banners flown on ~~the City-~~owned banner poles on Monterey Avenue and Capitola Avenue. Banners flown from City streetlights are covered under V-16 Village Decorations Policy.

Street Banners are intended to be informational only and are made of the same type of material, size and shape regardless of the event that is the subject of the Banner. Design review approval is required for the display of any Banner on City-owned banner poles.

II. POLICY

It is the Policy of the City of Capitola to ~~provide-allow community nonprofits and public service organizations a cost-effective, high impact~~ Street Banners that ~~-, place-based tool for engaging the public by in promoting~~ providing information about events and communicate key messages to the public, raising awareness, and communicating key messages about the date, time and place of events in the City.

III. SPECIFICATIONS

~~Nonprofit groups, pPublic and governmental agencies, and public information campaigns may display Promotional-Educational Street Banners for charitable, educational, arts, community events, and public information campaigns, and public interest activities, regulations and events. Approved General/Major-Special Eevents that have significant impacts to the community may also display Informational Street Banners. The City prohibits the use of Street Banners for commercial, political or religious messages, advertising or campaigns. impacts to the community may also display Informational Street Banners. The City prohibits the use of Street Banners for commercial, political or religious messages, advertising or campaigns.~~

SPECIFICATIONS

1. Installation Period is a maximum of two (2) weeks.
2. Authorized locations: Capitola Ave. at Riverview Drive or Monterey Avenue at Park Place

3. Banners shall be a minimum of 3' high x 14' wide to a maximum of 3' high x 18' wide. No exceptions.
4. Base fabric shall be 18 oz. heavyweight vinyl banner material.
5. D-rings attached to the banner corners with reinforced webbing to provide a place to attach a rope or other tie down to the banner.
6. Wire cable sewn into the top hem is recommended.
7. Wind slits spaced ~10" apart from each other and at least 4" from the edges of the banner.
8. Banners should be printed double-sided.
9. Back to back banners are not permitted.
10. Content on ~~the Informational Street Banners hung for Special Events~~ may only include the event name, date, and time ~~and applicable graphics~~. ~~The~~Those banners may be enhanced by the addition of applicable graphics related to the event as approved.

IV. PROCEDURE

1) ~~Banner Sign. Per Capitola Municipal Code, Chapter 17.57 80 Signs, "Banner Sign"~~

~~Commercial Banner sign standards are listed in Table 17.80-10 of the Capitola Municipal Code which provides sign standards for private businesses. Those standards do not apply to Street Banners described in this Policy. means a sign that hangs over a public street or walkway made of fireproof cloth or canvas, which is displayed on a temporary basis to advertise a special event. Such temporary type signs are exempt from the provisions of the sign code enforced by the Community Development Department. Public Banners can only be displayed on city banner poles. Design review approval of the Public Works Director is required prior to displaying any banner in city right of way.~~

~~2) Application Required. No person, nonprofit corporation, or any department or agency shall~~ All applicants shall be required to submit an application to the Public Works Department for a Street Banner at least 60 days prior to the proposed installation date. ~~install a banner in the City of Capitola, without submitting to the Public Works Department an application and obtaining approval pursuant to this administrative policy.~~ Application submittal requirements include:

- A. Name, address, phone number, email address of the applicant and organization;
- B. Name of the event or topic;
- C. Banner text;
- D. Date of the event;
- E. Installation and removal dates;
- F. Name and phone number of person who will pick up the banner;
- G. Color graphic of the banner design including the dimensions.

~~3) Banner Review and Approval Process.~~ The Public Works Director and /or designee shall review the application for compliance with the purpose and the standards set in this policy. Upon determination of compliance of a proposed banner with this policy, the application shall be approved, if space is available.

~~34) Banner Schedules and Installation.~~ The Public Works Department shall be responsible for maintaining a banner schedule on a calendar year basis. Banners shall be scheduled at the discretion of the Public Works Director to best benefit the City. Nothing in ~~this~~ policy constitutes a guarantee of space availability for a given event or date. Banners may only be placed by Public Works staff or authorized personnel.

~~5) Banner Content. Banners may include the name of the event, dates and times, locations, logos and other graphics and web site addresses.~~

- ~~A. Informational Street Banners must primarily serve to provide public notification.~~

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~~B. Promotional Street Banners may include information advertising the event, program, or regulation.~~

This policy is approved and authorized by:

Number: V-17 Issued:
10/23/03 Revised:
01/24/08 Revised: 09/24/15
Revised & Re-
numbered:5/9/19
Jurisdiction: City Council

CAPITOLA VILLAGE OVER THE STREET BANNER PROGRAM POLICY

I. PURPOSE

The Over-the-Street Banner Program provides a service to community organizations that need an effective tool to provide the public with information regarding the date, time and location of events for the benefit of Capitola residents and visitors. Street banners enhance the streetscape of Capitola Village by adding a vibrant element that enlivens the mobility experience for pedestrians, cyclists, transit users, and drivers.

This policy covers the banners flown on City-owned banner poles on Monterey Avenue and Capitola Avenue. Banners flown from City streetlights are covered under V-16 Village Decorations Policy.

Street Banners are intended to be informational only and are made of the same type of material, size and shape regardless of the event that is the subject of the Banner. Design review approval is required for the display of any Banner on City-owned banner poles.

II. POLICY

It is the Policy of the City of Capitola to allow Street Banners that provide information about events and communicate key messages to the public.

III. SPECIFICATIONS

Public agencies may display Educational Street Banners for community events, and public information campaigns. Approved Special Events that have significant impacts to the community may also display Informational Street Banners.

1. Installation Period is a maximum of two (2) weeks.
2. Authorized locations: Capitola Ave. at Riverview Drive or Monterey Avenue at Park Place
3. Banners shall be a minimum of 3' high x 14' wide to a maximum of 3' high x 18' wide. No exceptions.
4. Base fabric shall be 18 oz. heavyweight vinyl banner material.
5. D-rings attached to the banner corners with reinforced webbing to provide a place to attach a rope or other tie down to the banner.
6. Wire cable sewn into the top hem is recommended.
7. Wind slits spaced ~10" apart from each other and at least 4" from the edges of the banner.
8. Banners should be printed double-sided.

9. Back to back banners are not permitted.

10. Content on Informational Street Banners hung for Special Events may only include event name, date, and time. Those banners may be enhanced by the addition of applicable graphics related to the event as approved.

Item 7 D.

IV. PROCEDURE

1) Application Required. All applicants shall be required to submit an application to the Public Works Department for a Street Banner at least 60 days prior to the proposed installation date. Application submittal requirements include:

- A. Name, address, phone number, email address of the applicant and organization;
- B. Name of the event or topic;
- C. Banner text;
- D. Date of the event;
- E. Installation and removal dates;
- F. Name and phone number of person who will pick up the banner;
- G. Color graphic of the banner design including the dimensions.

2) Banner Review and Approval Process. The Public Works Director and /or designee shall review the application for compliance with the purpose and the standards set in this policy. Upon determination of compliance of a proposed banner with this policy, the application shall be approved, if space is available.

3) Banner Schedules and Installation. The Public Works Department shall be responsible for maintaining a banner schedule on a calendar year basis. Banners shall be scheduled at the discretion of the Public Works Director to best benefit the City. Nothing in this policy constitutes a guarantee of space availability for a given event or date. Banners may only be placed by Public Works staff or authorized personnel.

This policy is approved and authorized by:

Capitola City Council

Agenda Report



Meeting: August 25, 2022

From: Community Development Department

Subject: Appeal of Design Permit, Historic Alteration Permit, Variance, and Coastal Development Permit to demolish an existing residence and construct a new home that retains nonconformities for size and setbacks at 1410 Prospect Avenue

Recommended Action: Set a public hearing during the City Council meeting of September 22, 2022, to consider the appeal of Application #21-0376.

Background: On April 7, 2022, the Planning Commission approved Application #21-0376 (a project located at 1410 Prospect Avenue) by a 5 – 0 vote. An appeal of the approval was received on April 8, 2022. The appeal includes a challenge related to technical analysis of slope stability. A third-party review of the slope stability analysis was finalized on August 18, 2022.

The purpose of this item is for Council to set a public hearing for the appeal during the September 22, 2022, City Council meeting.

Report Prepared By: Katie Herlihy, Community Development Director

Reviewed By: Chloé Woodmansee, City Clerk

Approved By: Jamie Goldstein, City Manager

Capitola City Council

Agenda Report

Meeting: August 25, 2022

From: City Manager Department

Subject: 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.

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 State released the SMARTER Plan on February 17, 2022, which focuses on Shots, Masks, Ventilation, Tests, Isolation, and Treatment as the keys to prepare for future COVID-19 surges or variants.

As of August 18, 2022, more than 6.44 million people worldwide have died of COVID-19. More than one million of those deaths have been in the United States. This is likely an undercount of all those that have died from the virus. There have been 593 million cases reported worldwide, though this is an undercount of all those that have been infected with COVID-19.

In the United States, more than one million people have died from Covid since the beginning of the pandemic. More than 93 million COVID-19 cases have been reported in the U.S.

Discussion: In California 93,517 deaths due to COVID-19 have been reported since the beginning of the pandemic. According to data from August 18, 2022, the average new COVID-19 case count per 100k was 28.1 (on July 22, the average was 48.5). There is currently a daily average of 36 deaths a day, up from 21 a month ago. In California, at least 1 in 4 residents have been infected with COVID-19.

CDC Guidance

On August 11, 2022, the Center for Disease Control released updated guidance on the prevention and treatment of COVID-19. Included in this guidance are details on isolating if one is infected, stating:

“Symptomatic or infected persons should isolate promptly, and infected persons should remain in isolation for ≥ 5 days and wear a well-fitting and high-quality mask or respirator if they must be around others. Infected persons may end isolation after 5 days, only when they are without a fever for ≥ 24 hours without the use of medication and all other symptoms have improved, and they should continue to wear a mask or respirator around others at home and in public through day 10”

Boosters

On March 29, 2022, the Center for Disease Control (CDC) announced a recommendation that certain individuals (outlined below) receive an additional mRNA booster (a Moderna or Pfizer shot). Those recommended for an additional booster are:

- 1) Immunocompromised individuals
- 2) People over the age of 50 who received an initial booster dose at least 4 months ago
- 3) Adults who received a primary vaccine and booster dose of Johnson & Johnson’s Janssen COVID-19 vaccine at least 4 months ago

California Statewide Mask Guidelines

Masks are required in:

- Healthcare settings
- Emergency shelters
- Jails and prisons
- Homeless shelters
- Long-term care

Masks are strongly recommended in:

- Public transit, stations, terminals, and airports
- Indoor public settings
- K-12 schools
- Childcare settings

The U.S. Government is giving out free N95 masks to those that need them. Each person is eligible for three masks, and masks will be available at community health centers, pharmacies, and other stores. Locally, Walgreens and CVS are currently distribution points.

At-home tests are now more readily available at many drug stores. Four free rapid antigen at-home tests are also available for all residents, provided by the federal government. Shipments are limited per household, and you can sign up for your free delivery through the United States Postal Service with this link: <https://special.usps.com/testkits>. Tests are generally delivered within a week-and-a-half of ordering.

Local Case Numbers and Statistics in Santa Cruz County

According to data from August 18, the active case count in Santa Cruz County was 1,407. This is less than the active case count from July 21 (a month ago) which was 1,932. The average case count per 100k is 31.4, slightly higher than the statewide average.

In our County the total death count due to COVID-19 is 267.

City Hall Operations

City Hall has been open to the public since June 2020 in one configuration or another, dependent upon applicable health guidance and local COVID-19 case levels. Staff has returned to the COVID-default setup, with the lobby open to one member of the public at a time.

Virtual/Teleconferencing Meetings & In-Person Meetings

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 continue adopting resolutions making findings required by AB361 as long as remote attendance continues.

Fiscal Impact: Fiscal impacts are continually reviewed by Staff as business restrictions and consumer behaviors change in our community. City Council 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, City Clerk

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, 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 25th day of August 2022, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Sam Storey, Mayor

ATTEST: _____
Chloé Woodmansee, City Clerk

Capitola City Council

Agenda Report

Meeting: August 25, 2022

From: City Manager Department

Subject: Appoint Representatives to the Historical Museum Board



Recommended Action: Appoint two representatives to the Historical Museum Board.

Background/Discussion: On June 9, 2022, City Council reappointed Niels Kisling, Emmy Mitchell-Lynn, and David Peyton, to serve additional three-year terms expiring in 2025. Also on June 9, Council approved extending the recruitment to June 23 in the hopes the City would receive more applicants to serve on the Museum Board, as there is one remaining vacancy and, due to a recent resignation, there is also a partial term vacancy.

During the extended recruitment, the City received one more application. The three applicants are listed below, and their applications are attached.

Applicants:

- John Compton
- Mary Hay
- John Mulry

The Historical Museum Board met on July 7 and July 18 to interview the three applicants. On July 18, the Board made the following recommendation:

Appoint Mary Hay to the term ending June of 2025, and to appoint John Mulry to the term ending June of 2024. Although not recommended for appointment at this time, John Compton expressed interest in serving as a volunteer at the Museum in various capacities discussed by Curator Osterberg.

Fiscal Impact: None.

Attachments:

1. Compton Application
2. Hay Application
3. Mulry Application

Report Prepared By: Chloé Woodmansee, City Clerk

Reviewed/Approved By: Jamie Goldstein, City Manager

Woodmansee, Chloe

From: City of Capitola California <capitola-ca@municodeweb.com>
Sent: Friday, May 27, 2022 4:58 PM
To: Woodmansee, Chloe
Subject: Form submission from: Apply to Serve on the Historical Museum Board

Follow Up Flag: Follow up
Flag Status: Flagged

Submitted on Friday, May 27, 2022 - 4:58pm

Submitted by anonymous user: 50.0.68.116

Submitted values are:

Name: First, Last John R Compton
Telephone Number XXXXXXXXXX
E-mail Address XXXXXXXXXXXXXXXXXXXX
Residential Neighborhood Brookvale Terrace Mobile Home Park
Are you a resident of the City of Capitola yes
Occupation Retired

Describe your qualifications and interest in serving on this Board/Commission/Committee:

I am a California 2nd generation native. I first came to Capitola in 1949. I started living here in the early 60s and have made it my permanent home since 1976. I was involved in the retail business in Capitola for a number of years. I also have a love of California history and Capitola, in particular.

Application for: Historical Museum Board

The results of this submission may be viewed at:

<https://www.cityofcapitola.org/node/21828/submission/28732>



CITY of CAPITOLA BOARDS AND COMMISSIONS APPLICATION

Application for:

- Art & Cultural Commission
[Artist; Arts Professional; At Large Member]
Please underline category above.
- Architecture & Site Committee
[Architect; Landscape Architect; Historian]
Please underline category above.
- Finance Advisory Committee
[Business Representative; At Large Member]
Please underline category above.
- Traffic & Parking Commission
[Village Resident; Village Business Owner; At Large Member]
Please underline category above.
- Historical Museum Board
- Planning Commission
- Library Advisory Committee
- Other Committee _____

Name: Mulry John
Last First

Residential Neighborhood: Depot Hill

Occupation: Consultant / Stay at Home Dad

Describe your qualifications and interest in serving on this Board/Commission/Committee: _____
Deep knowledge of Ancient, European, US, Indigenous + Japanese history in comparison to the mean. Strong knowledge of Capitola, SC, Ohlone history by same measure. Decent at California history.
 • Professional Fundraising Experience specialty Grassroots;
 • Have hoped to work with the Capitola Museum since I was a lad.

Please Note: Appointment to this position may require you to file a conflict of interest disclosure statement with the City Clerk. This information is a public record and these statements are available to the public on request.

05/10/22
Date

[Signature]
Signature of Applicant

Email to: cwoodmansee@ci.capitola.ca.us

-OR- Mail/Deliver Application to:
 Capitola City Hall
 Attn: City Clerk
 420 Capitola Avenue, Capitola, CA 95010

Capitola City Council

Agenda Report



Meeting: August 25, 2022

From: Police Department

Subject: Consider a Resolution Accepting a Grant in the Amount of \$19,304.88 from the Department of Alcoholic Beverage Control Alcohol Policing Partnership Program, Authorizing the Police Chief to Execute the Grant Agreement, and Authorizing the Finance Director to Amend the 2022-23 Fiscal Year City Budget by \$19,304.88

Recommended Action: Adopt the proposed resolution accepting a State of California Department of Alcoholic Beverage Control (ABC) grant in the amount of \$19,304.88, authorizing the Police Chief to execute the Grant Agreement with the ABC, and authorizing the Finance Director to amend the FY 2022-23 General Fund operating budget to increase revenues and expenditures by \$19,304.88.

Background: Each fiscal year, the State of California Department of Alcoholic Beverage Control (ABC) awards grants through its Alcohol Policing Partnership Program Grant Assistance to Local Law Enforcement Program to help law enforcement agencies reduce alcohol-related crimes with training and prevention, community involvement, and enforcement. The Capitola Police Department has applied for and received several ABC grants. Our last ABC grant was for FY 2019-20. This grant is for FY 2022-23

Discussion: To help reduce underage drinking and address alcohol-related harm in the community, the Police Department applied for and was awarded a \$19,304.88 ABC grant for FY 2022-23. This funding will be used for public and merchant outreach, special enforcement operations, and merchant compliance checks. The funding will cover officer overtime, travel expenses, equipment, and supplies to expand efforts in addressing underage and adult alcohol-related problems in our community. The grant funds will give the Department additional resources needed to conduct presentations to Capitola bar and restaurant employees regarding ABC-related laws, including the effects and consequences of over-serving.

Fiscal Impact: No additional general funding is required. Staff requests accepting the grant and thus increase revenues and expenditures by \$19,304.88. All funds received from this grant must be used for grant-related overtime, travel, equipment, and supplies.

Attachments:

1. 2022 ABC Approval Letter
2. Resolution with Budget Amendment and exhibits
3. Grant Agreement

Report Prepared By: Andrew Dally, Chief of Police

Reviewed By: Chloé Woodmansee, City Clerk; Jim Malberg, Finance Director; Tamar Burke, Assistant City Attorney

Approved By: Jamie Goldstein, City Manager

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

3927 Lennane Drive, Suite 100
Sacramento, CA 95834
(916) 419-2500



May 27, 2022

Chief Andrew Dally
Capitola Police Department
422 Capitola Avenue
Capitola, CA 95010

Dear Chief Andrew Dally:

Congratulations! Your agency has been selected by the Department of Alcoholic Beverage Control (ABC) to receive funding for your 2022/2023 Alcohol Policing Partnership (APP) grant proposal.

We will be hosting a two day training conference beginning at 8:30 am on July 12, 2022 and ending at approximately 5:00 pm on July 13, 2022. This conference offers valuable training in alcohol enforcement and serves as an excellent opportunity for the representatives from your agency to meet and share information with other law enforcement agencies from across the State.

This year the conference will be held at the UC Davis Conference Center located at 550 Alumni Lane, Davis, CA 95616. The conference will accommodate up to two attendees from each agency. It is recommended that your sworn Project Director and an officer/deputy assigned to the grant program attend. There is a \$325.00 registration fee per person to attend the conference. This fee is reimbursable through the grant.

**An email will be sent out in June to notify your Project Director once the registration site is open.*

A grant agreement will be forthcoming in the next couple of weeks which requires a resolution, order, motion, ordinance or other similar document from your local governing body authorizing execution of the agreement. Due to the fact that these resolutions typically have to be put on your governing body's calendar, we ask that you do this as soon as possible.

If you have any questions, please call Kristine Okino, Grant Coordinator at (916) 419-2572 or email at Kristine.okino@abc.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "EH", written over a light blue horizontal line.

Eric Hirata
Director

Cc: Police Captain Sarah Ryan, Project Director

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA ACCEPTING A GRANT IN THE AMOUNT OF \$19,304.88 FROM THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL ALCOHOL POLICING PARTNERSHIP PROGRAM, AUTHORIZING THE POLICE CHIEF TO EXECUTE THE GRANT AGREEMENT, AND AUTHORIZING THE FINANCE DIRECTOR TO AMEND THE 2022-23 FISCAL YEAR CITY BUDGET BY \$19,304.88

WHEREAS, it is necessary to adopt the 2022-23 Fiscal Year Budget for all City funds and Capital Improvement Program; and

WHEREAS, the City Council conducted budget study sessions, heard and considered public comments, had modified and proposed a budget accordingly, and on June 23, 2022 adopted such budget for the Fiscal Year July 1, 2022, through June 30, 2023; and

WHEREAS, since the adoption of the Fiscal Year 2022-2023 budget, the Police Department received an Alcohol Policing Partnership Program Grant from the California Department of Alcoholic Beverage Control (ABC) to fund operations of joint education and enforcement efforts conducted by the Capitola Police Department through the Alcohol Policing Partnership Program administered by the ABC; ; and

WHEREAS, the City Council desires to accept the Alcohol Policing Partnership Program Grant funds; and

WHEREAS, acceptance of the ABC grant by the City Council necessitates an amendment to the FY 2022-23 budget in order to receive and spend the grant funding; and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Capitola that the City hereby accepts the Alcohol Policing Partnership Program Grant funds in the amount of \$19,304.88 from the State of California Department of Alcoholic Beverage Control and authorizes the Chief of Police to execute a contract with the Department of Alcoholic Beverage Control (ABC) on behalf of the City of Capitola, including any related extension or amendment; and

BE IT FURTHER RESOLVED that the City Council of the City of Capitola does hereby authorize and accept the ABC Grant, attached hereto as Exhibit A, and further authorizes the Finance Director, or his/her designee, to increase appropriations in the amount of \$19,304.88 and make any other accounting adjustments necessary to execute the ABC Grant in accordance with applicable laws; and

BE IT FURTHER RESOLVED that the 2022-2023 Fiscal Year Budget is hereby amended, including Exhibit A (Budget Amendment) to this Resolution; and

BE IT FURTHER RESOLVED that the Finance Director is directed to enter the budget into the City's accounting records in accordance with appropriate accounting practices, and the City Manager, with the Finance Director's assistance, shall assure compliance therewith.

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the City Council of the City of Capitola on the 25th day of August 2022, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Sam Storey, Mayor

ATTEST:

Chloe Woodmansee, City Clerk

City of Capitola Budget Adjustment Form

Item 8 B.



Date 8/17/2022

Requesting Department Police

Administrative Council

Item # TBD

Council Date 8/25/2022

Council Approval _____

Revenues		
Account #	Account Description	Increase/Decrease
1000-20-20-000-3320.100	State Grants	19,305
Total		19,305

Expenditures		
Account #	Account Description	Increase/Decrease
1000-20-20-000-4130.200	Overtime-Grant Funded	18,145
1000-20-20-000-4400.100	Training Registration/Material	1,160
Total		19,305

Net Impact -

Purpose: Alcohol Policing Partnership Program Grant

Department Head Approval _____

Finance Department Approval _____

City Manager Approval _____

EXHIBIT A SCOPE OF WORK

I. SCOPE OF WORK

- Contractor agrees to implement the Department of Alcoholic Beverage Control (ABC), Alcohol Policing Partnership program. This program is intended to work with law enforcement agencies to develop an effective, comprehensive and strategic approach to eliminate the crime and public nuisance problems associated with problem alcoholic beverage outlets.
- Contractor agrees to implement ABC's Minor Decoy, Shoulder Tap Programs and conduct Informed Merchants Preventing Alcohol-Related Crime Tendencies (IMPACT) Inspections. These Programs target both ABC licensed premises and individuals who furnish alcoholic beverages to the underage operators. The project is targeted to reduce underage drinking and the resultant DUI driving injuries and fatalities, and/or property damages, reduce youth access to alcoholic beverages through the education of licensee(s), enforcement intervention and the impressions of omnipresence of law enforcement. In addition, Contractor agrees to the following goals:
 1. The operation period of the grant is July 1, 2022 through June 30, 2023.
 2. Contractor agrees to raise public awareness that selling, serving and/or furnishing alcoholic beverages to individuals under twenty-one years old is a criminal violation that will be prosecuted by local city and district attorneys.
 3. Minor Decoy operations are designed to educate and deter licensed locations from selling/furnishing alcohol to minors. Contractor agrees to conduct Minor Decoy Operations at both "On-Sale" and "Off-Sale" licensed establishments within the operation period of the grant.
 4. Shoulder Tap operations are used to detect and deter adult furnishers outside of a licensed business. Contractor agrees to conduct Shoulder Tap Operations at "Off-Sale" licensed locations to apprehend adults that are unaffiliated with the licensed businesses and who are purchasing alcohol for minors outside of the stores within the operation period of the grant.
 5. Informed Merchants Preventing Alcohol-Related Crime Tendencies (IMPACT) primary goal is to educate licensee's on alcohol related laws to help reduce alcohol-related crime in and around licensed premises. Contractor agrees to conduct visits and inspections of licensed premises identifying areas of non-compliance at "On-Sale" and "Off-Sale" licensed locations within the operation period of the grant.

II. GOALS AND OBJECTIVES

1. Conduct at least six (6) Minor Decoy operations.
2. Conduct at least two (2) IMPACT operations.
3. Conduct at least four (4) Shoulder Tap operations.
4. Conduct at least two (2) General enforcement operations.

5. Conduct at least one (1) LEAD training.
6. Conduct at least four (4) Roll Call trainings.
7. Conduct at least one (1) Town Hall meeting with on-sale licensees.
8. Provide at least two (2) press releases on grant enforcement activities.
 - A. To announce the start of the program;
 - B. At the conclusion of each Minor Decoy Operation has been held (to announce the number of licensed premises who sold to the minor decoy)
 - C. At the conclusion of each Shoulder Tap Operation has been held (to announce the number of adults arrested for purchasing alcoholic beverages for the decoy).
9. Contractor will fax (916) 419-2599 or email each press release to the Department's Public Information Officer (pio@abc.ca.gov) as soon as it is released.
10. Contractor agrees in all press releases, in addition to any credits the agency wishes to give, will include the following statement: "This project is part of the Department of Alcoholic Beverage Control's Alcohol Policing Partnership."

Contractor agrees to complete and submit monthly reports, on a format designed and provided by the Department of Alcoholic Beverage Control due no later than 15th of the following month.

III. PROJECT REPRESENTATIVES

The project representatives during the term of this agreement will be:

Capitola Police Department
Sarah Ryan, Police Captain
422 Capitola Avenue
Capitola, CA 95010
(831) 475-4242 ext. 239
sryan@ci.capitola.ca.us

Department of Alcoholic Beverage Control
Brandon Shotwell, Supervising Agent in Charge
3927 Lennane Drive, Suite 100
Sacramento, CA 95834
(916) 419-2329
Brandon.shotwell@abc.ca.gov

Direct all fiscal inquiries to:

Capitola Police Department
Esmeralda Gonzalez, Analyst
422 Capitola Avenue
Capitola, CA 95010
(831) 472-4242 ext 223
egonzalez@ci.capitola.ca.us

Department of Alcoholic Beverage Control
Kristine Okino, Grant Coordinator
3927 Lennane Drive, Suite 100
Sacramento, CA 95834
(916) 419-2572
Kristine.okino@abc.ca.gov

EXHIBIT B BUDGET DETAIL AND PAYMENT PROVISIONS

I. INVOICING AND PAYMENT

- For services satisfactorily rendered and upon receipt and approval of the invoice, the Department of Alcoholic Beverage Control agrees to pay a monthly payment of approved reimbursable costs per the Budget Detail of personnel overtime and benefits (actual cost) and/or allowable costs.
- Invoices shall clearly reference this contract number (22-APP04) and must not exceed the contract total authorized amount of \$19,305.00. Invoices are to be submitted by the 15th of every month, on the prescribed form designed by the Department of Alcoholic Beverage Control.

Submit to: Department of Alcoholic Beverage Control
Attn: Kristine Okino, Grant Coordinator
3927 Lennane Drive, Suite 100
Sacramento, California 95834

- Payment shall be made in arrears within 30 days from the receipt of an undisputed invoice. Nothing contained herein shall prohibit advance payments as authorized by Item 2100-101-3036, Budget Act, Statutes of 2022.
- Contractor understands in order to be eligible for reimbursement; cost must be incurred on or after the effective date of the project, July 1, 2022 and on or before the project termination date, June 30, 2023.
- Revisions to the “Scope of Work” and the “Budget Detail” may be requested by a change request letter submitted by the Contractor. If approved, the revised Grant Scope of Work and/or Budget Detail supersedes and replaces the previous grant and will initiate an amendment. No revisions can exceed allotted amount as shown on the Budget Detail. The total amount of the grant must remain unchanged.
- Contractor agrees to refund to the State any amounts claimed for reimbursement and paid to Contractor which are later disallowed by the State after audit or inspection of records maintained by the Contractor.
- Only the costs displayed in the Budget Detail are authorized for reimbursement by the State to Contractor under this agreement. Any other costs incurred by Contractor in the performance of this agreement are the sole responsibility of Contractor.
- Title shall be reserved to the State for any State-furnished or State-financed property authorized by the State which is not fully consumed in the performance of this agreement. Contractor is responsible for the care, maintenance, repair, and protection of any such property. Inventory records shall be maintained by Contractor and submitted to the State upon request. All such property shall be returned to the State upon the expiration of this grant unless the State otherwise directs.
- Prior approval by the State in writing is required for the location, costs, dates, agenda, instructors, instructional materials, and attendees at any reimbursable training seminar, workshop or conference, and over any reimbursable publicity or educational materials to be made available for distribution. Contractor is required to acknowledge the support of the State whenever publicizing the work under this grant in any media.

II. BUDGET DETAIL

COST CATEGORY	TOTAL COST
<p>A. Personnel Services</p> <p><u>Overtime</u></p> <p>Sergeants (\$96.64/hour) \$6,958.00</p> <p>Police Officers (\$78.90/hour) \$7,575.00</p> <p>Benefits (estimated @ 30%) \$4,772.00</p> <p>TOTAL Personnel \$19,305.00</p>	
<p>B. Operating Expenses (receipts required)</p> <p>n/a \$0.00</p> <p>TOTAL Operating \$0.00</p>	
<p>C. Equipment (receipts required, must be purchased by 12/31)</p> <p>n/a \$0.00</p> <p>TOTAL Equipment \$0.00</p>	
<p>D. Travel Costs</p> <p>n/a \$0.00</p> <p>TOTAL Travel \$0.00</p>	
<p>GRANT TOTAL</p>	<p>\$19,305.00</p>

III. BUDGET CONTINGENCY CLAUSE

- It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, the State shall have no liability to pay any funds whatsoever to Contractor or to furnish any other considerations under this Agreement and Contractor shall not be obligated to perform any provisions of this Agreement.
- If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either cancel this Agreement with no liability occurring to the State, or offer an agreement amendment to Contractor to reflect the reduced amount.

IV. PROMPT PAYMENT CLAUSE

- Payment will be made in accordance with, and within the time specified in, Government Code Chapter 4.5, commencing with Section 927.

EXHIBIT C GENERAL TERMS AND CONDITIONS

1. **APPROVAL:** This Agreement is of no force or effect until signed by both parties and approved by the Department of General Services, if required. Contractor may not commence performance until such approval has been obtained.
2. **AMENDMENT:** No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties.
3. **ASSIGNMENT:** This Agreement is not assignable by the Contractor, either in whole or in part, without the consent of the State in the form of a formal written amendment.
4. **AUDIT:** Contractor agrees that the awarding department, the Department of General Services, the Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. Contractor agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated. Contractor agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, Contractor agrees to include a similar right of the State to audit records and interview staff in any subcontract related to performance of this Agreement. (Gov. Code §8546.7, Pub. Contract Code §10115 et seq., CCR Title 2, Section 1896).
5. **INDEMNIFICATION:** Contractor agrees to indemnify, defend and save harmless the State, its officers, agents and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by Contractor in the performance of this Agreement.
6. **DISPUTES:** Contractor shall continue with the responsibilities under this Agreement during any dispute.
7. **TERMINATION FOR CAUSE:** The State may terminate this Agreement and be relieved of any payments should the Contractor fail to perform the requirements of this Agreement at the time and in the manner herein provided. In the event of such termination the State may proceed with the work in any manner deemed proper by the State. All costs to the State shall be deducted from any sum due the Contractor under this Agreement and the balance, if any, shall be paid to the Contractor upon demand.
8. **INDEPENDENT CONTRACTOR:** Contractor, and the agents and employees of Contractor, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of the State.

9. RECYCLING CERTIFICATION: The Contractor shall certify in writing under penalty of perjury, the minimum, if not exact, percentage of post-consumer material as defined in the Public Contract Code Section 12200, in products, materials, goods, or supplies offered or sold to the State regardless of whether the product meets the requirements of Public Contract Code Section 12209. With respect to printer or duplication cartridges that comply with the requirements of Section 12156(e), the certification required by this subdivision shall specify that the cartridges so comply (Pub. Contract Code §12205).
10. NON-DISCRIMINATION CLAUSE: During the performance of this Agreement, Contractor and its subcontractors shall not deny the contract's benefits to any person on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status, nor shall they discriminate unlawfully against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. Contractor shall insure that the evaluation and treatment of employees and applicants for employment are free of such discrimination. Contractor and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code §12900 et seq.), the regulations promulgated thereunder (Cal. Code Regs., tit. 2, §11000 et seq.), the provisions of Article 9.5, Chapter 1, Part 1, Division 3, Title 2 of the Government Code (Gov. Code §§11135-11139.5), and the regulations or standards adopted by the awarding state agency to implement such article. Contractor shall permit access by representatives of the Department of Fair Employment and Housing and the awarding state agency upon reasonable notice at any time during the normal business hours, but in no case less than 24 hours' notice, to such of its books, records, accounts, and all other sources of information and its facilities as said Department or Agency shall require to ascertain compliance with this clause. Contractor and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement. (See Cal. Code Regs., tit. 2, §11105.)

Contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the Agreement.

11. CERTIFICATION CLAUSES: The CONTRACTOR CERTIFICATION CLAUSES contained in the document CCC 04/2017 are hereby incorporated by reference and made a part of this Agreement by this reference as if attached hereto.
12. TIMELINESS: Time is of the essence in this Agreement.
13. COMPENSATION: The consideration to be paid Contractor, as provided herein, shall be in compensation for all of Contractor's expenses incurred in the performance hereof, including travel, per diem, and taxes, unless otherwise expressly so provided.
14. GOVERNING LAW: This contract is governed by and shall be interpreted in accordance with the laws of the State of California.
15. ANTITRUST CLAIMS: The Contractor by signing this agreement hereby certifies that if these services or goods are obtained by means of a competitive bid, the Contractor shall comply with the requirements of the Government Codes Sections set out below.

- a. The Government Code Chapter on Antitrust claims contains the following definitions:
- 1) "Public purchase" means a purchase by means of competitive bids of goods, services, or materials by the State or any of its political subdivisions or public agencies on whose behalf the Attorney General may bring an action pursuant to subdivision (c) of Section 16750 of the Business and Professions Code.
 - 2) "Public purchasing body" means the State or the subdivision or agency making a public purchase. Government Code Section 4550.
- b. In submitting a bid to a public purchasing body, the bidder offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the bidder for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the bidder. Government Code Section 4552.
- c. If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the bid price, less the expenses incurred in obtaining that portion of the recovery. Government Code Section 4553.
- d. Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action. See Government Code Section 4554.
16. CHILD SUPPORT COMPLIANCE ACT: For any Agreement in excess of \$100,000, the contractor acknowledges in accordance with Public Contract Code 7110, that:
- a. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and
 - b. The contractor, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the California Employment Development Department.

17. UNENFORCEABLE PROVISION: In the event that any provision of this Agreement is unenforceable or held to be unenforceable, then the parties agree that all other provisions of this Agreement have force and effect and shall not be affected thereby.
18. PRIORITY HIRING CONSIDERATIONS: If this Contract includes services in excess of \$200,000, the Contractor shall give priority consideration in filling vacancies in positions funded by the Contract to qualified recipients of aid under Welfare and Institutions Code Section 11200 in accordance with Pub. Contract Code §10353.
19. SMALL BUSINESS PARTICIPATION AND DVBE PARTICIPATION REPORTING REQUIREMENTS:
- a. If for this Contract Contractor made a commitment to achieve small business participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) report to the awarding department the actual percentage of small business participation that was achieved. (Govt. Code § 14841.)
 - b. If for this Contract Contractor made a commitment to achieve disabled veteran business enterprise (DVBE) participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) certify in a report to the awarding department: (1) the total amount the prime Contractor received under the Contract; (2) the name and address of the DVBE(s) that participated in the performance of the Contract; (3) the amount each DVBE received from the prime Contractor; (4) that all payments under the Contract have been made to the DVBE; and (5) the actual percentage of DVBE participation that was achieved. A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation. (Mil. & Vets. Code § 999.5(d); Govt. Code § 14841.)
20. LOSS LEADER: If this contract involves the furnishing of equipment, materials, or supplies then the following statement is incorporated: It is unlawful for any person engaged in business within this state to sell or use any article or product as a "loss leader" as defined in Section 17030 of the Business and Professions Code. (PCC 10344(e).)

EXHIBIT D SPECIAL TERMS AND CONDITIONS

1. **Disputes:** Any disputes concerning a question of fact arising under this contract which is not disposed of by agreement shall be decided by the Director, Department of Alcoholic Beverage Control, or designee, who shall reduce his decision in writing and mail or otherwise furnish a copy thereof to the Contractor. The decision of the Department shall be final and conclusive unless, within 30 days from the date of receipt of such copy, the Contractor mails or otherwise furnishes to the State a written appeal addressed to the Director of the Department of Alcoholic Beverage Control. The decision of the Director of Alcoholic Beverage Control or his duly authorized representative for the determination of such appeals shall be final and conclusive unless determined by a court of competent jurisdiction to have been fraudulent, capricious, arbitrary, or so grossly erroneous as necessarily to imply bad faith, or not supported by substantial evidence. In connection with any appeal proceeding under this clause, the contractor shall be afforded an opportunity to be heard and to offer evidence in support of its appeal. Pending final decision of a dispute hereunder, Contractor shall proceed diligently with the performance of the contract and in accordance with the decision of the State.
2. **Cancellation/Termination:** This agreement may be cancelled or terminated without cause by either party by giving thirty (30) calendar days advance written notice to the other party. Such notification shall state the effective date of termination or cancellation and include any final performance and/or payment/invoicing instructions/requirements. No penalty shall accrue to either party because of contract termination.
3. **Contract Validity:** This contract is valid and enforceable only if adequate funds are appropriated in Item 2100-101-3036, Budget Act of 2022, for the purposes of this program.
4. **Contractor Certifications:** By signing this agreement, Contractor certifies compliance with the provisions of CCC 04/2017, Standard Contractor Certification Clauses. This document may be viewed at: <https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language>
5. If the State determines that the grant project is not achieving its goals and objectives on schedule, funding may be reduced by the State to reflect this lower level of project activity and/or cancel the agreement.



STATE OF CALIFORNIA

Department of Alcoholic Beverage Control

Alcohol Policing Partnership Program

PROPOSAL COVER SHEET

(TO BE COMPLETED BY APPLICANT AGENCY)

1. Name of Applicant Agency: Capitola Police Department	
2. Description of Applicant Agency: <i>Provide your city or county jurisdiction, and include population data, relevant demographic, and socio-economic characteristics of the community.</i> The City of Capitola is an incorporated seaside community located in the county of Santa Cruz. The residential population is approximately 10,100 with an average household income of \$71,000.00. During the summer Capitola's daily transient population will triple and during special events it can quadruple. This increase is due to our location being a tourism area where numerous bars and restaurants exist. Capitola is a general law city governed by a city council and a city manager to administer requisite day to day functions. The city maintains its own police department consisting of 22 sworn officers.	
3. Number of licenses in Project Area: 78	4. Tax ID: 946002834
5. Funds Requested: \$19,304.88	6. Project Period: July 1, 2022 – June 30, 2023
7. Acceptance of Conditions: <i>By submitting this proposal, the applicant signifies acceptance of the responsibility to comply with all requirements stated in the Request for Proposals. The applicant understands that ABC is not obligated to fund the project until the applicant submits correctly completed documents required for the contract.</i>	
A. Project Director <i>Person Having Day-To-Day Responsibility for the Project</i>	B. Chief of Police or Sheriff <i>Authorizing Official</i>
Name: Sarah Ryan Address: 422 Capitola Avenue , Capitola, CA 95010 Phone: 831-475-4242 ext. 239 Email Address: sryan@ci.capitola.ca.us Title: Police Captain	Name: Andrew Dally Address: 422 Capitola Avenue, Capitola, CA 95010 Phone: 831-475-4242 ext 238 Email Address: adally@ci.capitola.ca.us Title: Chief of Police
Signature:	Signature:
C. Fiscal or Accounting Official	D. ABC USE ONLY
Name: Esmeralda Gonzalez Address: 422 Capitola Avenue, Capitola, CA 95010 Phone: 831-472-4242 ext. 223 Email Address: egonzalez@ci.capitola.ca.us Title: Analyst	
Signature:	

SCOPE OF WORK

Summary

The Capitola Police Department has 22 sworn positions, which include one Police Chief, one Police Captain, five Sergeants, thirteen Patrol Officers and two Detectives. One sergeant will supervise this grant project. The Capitola Police Department has worked with ABC numerous times in the past in various programs including GAP, Avoid the Nine, DUI Enforcement and L.E.A.D. training. All cases involving alcohol sales to minors are forwarded to the ABC Salinas District Office. The Capitola Police Department works with the District Attorney's Office, Juvenile Probation and ABC, and all agencies will be included in the enforcement of this grant. There are 78 ABC licensees in the City of Capitola with more applications in progress.

The budget proposed by the Capitola Police Department contains an allocation for salary at the prevailing overtime rate (1.5 times regular hourly rate at the time of operation). Overtime hourly rates have been provided to staff one sergeant, to provide operational supervision, and one or two police officers, depending on the nature of the operation. Employee benefits will be paid by the City of Capitola as in-kind funding. The total for salary cost of this program will not exceed \$19,304.88. This amount will pay for twelve different operations for the duration of the grant. We are not requesting travel expenses or equipment.

Project Personnel

The Capitola Police Department will deploy Patrol Division staff to conduct ABC operations. The supervising sergeant will manage the program and assign officers to conduct enforcement for the twelve proposed operations. The assigned sergeant will also be our liaison for alcohol related compliance throughout the city. For the twelve operations, two police officers will assist with enforcement to ensure officer safety and alleviate any possible burden to patrol, they will also take part in conducting arrests, case investigation and authoring reports. There will be approximately four volunteer Capitola Police Explorers who will act as minor decoys and who will take part in Shoulder Tap Operations. A sergeant is required to ensure operation orders are deployed for each operation, act as a liaison to ABC and will be required to facilitate the grant goals and objectives.

SCOPE OF WORK

Problem Statement

The City of Capitola has approximately 10,100 residents. The "Village" of Capitola has a strip of restaurants and bars, which cater to the tourist population. In the area of 41st Avenue, the city has the only enclosed shopping mall in the county and 41st Avenue is the most traveled roadway in the County of Santa Cruz with over 43,000 average daily trips recorded.

The City of Capitola incurs an influx of 30,000 to 50,000 tourists and shoppers a day, especially during the summer months. This increase puts a burden on the quality of life for the 10,100 residents and on the limited Capitola patrol staff. Many of these visitors are under the age of 21, looking to have a good time on the beach, often involving the consumption of alcoholic beverages.

There are 78 establishments within in the city limits that sell alcohol. These include on-sale bars in the "Village" of Capitola and off sale establishments. Alcohol is usually at least a contributing factor in most juvenile crimes and is almost always a factor in crimes arising in the "Village."

The busiest times for most licensed premises in the city are also the times of the day for increased calls for service for patrol officers. Officers receive an average of 17,000 calls for service per year. As we are moving out of the pandemic, we have noticed an increase in alcohol related crimes. Patrol officers spend the majority of their time responding to priority calls for service which decreases their available time to be spent on proactive alcohol enforcement. By implementing this program and having officers available on an overtime basis, increased enforcement of business and professions code violations can be achieved.

Project Description *section 1 of 3*

The Capitola Police Department proposes an enforcement and education program for the purposes of this grant application to include additional L.E.A.D. training, Minor Decoy Operations, IMPACT Inspection Operations and Shoulder Tap Operations. The Capitola Police Department proposes to have six, four-hour Minor Decoy Operations (three "on-sale" and three "off-sale" operations), two IMPACT Inspection Operations and six Shoulder Tap Operations within a twelve-month period. In addition, Capitola Police Department proposes to conduct L.E.A.D. training for alcohol vendors, in-service training to new Capitola Police Officers and training to new Capitola Explorers in ABC related matters.

The purposed Alcohol Violation Enforcement Program grant will give the department the resources needed to effectively combat minors driving under the influence of alcohol, reduce the ability of minors to obtain alcohol in Capitola, reduce the ability of minors to frequent licensed premises, reduce juvenile and adult crime associated with alcohol, and to ensure compliance of licensed premises in the City of Capitola with the regulations of ABC. The training received by the Capitola Police Officers and Explorers will have a lasting effect on the community for years to come.

The initial phase of the twelve-month program will include necessary training, press releases and identifying problem locations through statistical data. Shoulder Tap Operations will commence in the busy months of July, August, and September. During the winter months, Minor Decoy Operations, IMPACT Inspection Operations and continued training will take place. During the spring and early summer months, L.E.A.D. training and Shoulder Tap Operations will be conducted. Throughout the entirety of the program, Capitola Police will work with ABC staff for enforcement and tracking.

SCOPE OF WORK

Project Description *section 2 of 3*

ABC roll call training will be conducted with Capitola Police Officers as well. All data from these operations will be tracked, compiled, and compared to ensure grant objectives are completed. At the conclusion of the grant program, a press release will be sent to local media and a final report will be submitted to ABC.

Any ABC licensee premises that are found to be in violation of ABC laws and regulations will be evaluated to ensure on-going regulatory compliance. This method will allow the Capitola Police Department to identify and target non-compliant establishments.

SCOPE OF WORK

Project Description *section 3 of 3*

Empty project description area.

ALCOHOL POLICING PARTNERSHIP GRANT PROPOSAL BUDGET DETAIL

Item 8 B.

A. Personnel Services

Salaries

	Classification/Positions	Computation	Total Cost
1	N/A		
2			
3			

SUBTOTAL \$ 0.00

Overtime

	Classification/Positions	Computation	Total Cost
1	Police Officer	78.90 per hour	\$ 3,787.20
2	Police Officer	78.90 per hour	\$ 3,787.20
3	Sergeant	96.64 per hour	\$ 6,958.08
4			
5			
6			

SUBTOTAL \$ 14,532.48

Benefits

	Classification/Positions	Computation	Total Cost
1	Police Officer	30.10 per hour	\$ 1,444.80
2	Police Officer	30.10 per hour	\$ 1,444.80
3	Sergeant	26.15 per hour	\$ 1,882.80
4			
5			

SUBTOTAL \$ 4,772.40

B. Operating Expenses and Equipment

Operating Expenses *

	Description	Computation	Total Cost
1	N/A		
2			

* maximum of \$2,500.00

SUBTOTAL \$ 0.00

Equipment *

	Description	Computation	Total Cost
1	N/A		
2			
3			

* maximum of \$2,500.00

SUBTOTAL \$ 0.00

C. Travel Expenses *

	Description	Computation	Total Cost
1	N/A		
2			
3			
4			

* APP Conference only. All travel cannot exceed current state rates

SUBTOTAL \$ 0.00

GRANT TOTAL \$ 19,304.88

OTHER FUNDING SOURCES

Complete the following to report the total funds available to support the activities related to accomplishing the goals and objectives of the contract. In the "Grant Funds" column, report the ABC funds requested by category. In the "Other Funds" column, report all other funds available to support the project by category (if none, leave blank). Then calculate the totals by category in the "Program Total" column. Total each column down to arrive at the total program funds available.

Note: Round all budget amounts to the nearest dollar—no cents.

Budget Category	Grant Funds	Other Funds	Program Total
A. Personnel Services	19,304.88		19,304.88
B. Operating Expense			0.00
C. Travel/Registration Fees			0.00
D. Equipment			0.00
TOTALS	\$ 19,304.88	\$ 0.00	\$ 19,304.88

*This form does not become part of the contract but is **required** in the Request for Proposal package.*

STATE OF CALIFORNIA - DEPARTMENT OF GENERAL SERVICES

STANDARD AGREEMENT

STD 213 (Rev. 04/2020)

AGREEMENT NUMBER

22-APP04

PURCHASING AUTHORITY

ABC

Item 8 B.

(ble)

1. This Agreement is entered into between the Contracting Agency and the Contractor named below:

CONTRACTING AGENCY NAME

Department of Alcoholic Beverage Control

CONTRACTOR NAME

City of Capitola through the Capitola Police Department

2. The term of this Agreement is:

START DATE

July 1, 2022

THROUGH END DATE

June 30, 2023

3. The maximum amount of this Agreement is:

\$19,305.00 Nineteen thousand three hundred five dollars and no cents

4. The parties agree to comply with the terms and conditions of the following exhibits, which are by this reference made a part of the Agreement.

Exhibits	Title	Pages	
Exhibit A	Scope of Work	2	
Exhibit B	Budget Detail and Payment Provisions	3	
Exhibit C *	General Terms and Conditions (GTC 04/2017)	4	
+ -	Exhibit D	Special Terms and Conditions	1
+ -	Attachment RFP	RFP Scope of Work	7

Items shown with an asterisk (*), are hereby incorporated by reference and made part of this agreement as if attached hereto.

These documents can be viewed at <https://www.dgs.ca.gov/OLS/Resources>

IN WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES HERETO.

CONTRACTOR

CONTRACTOR NAME (if other than an individual, state whether a corporation, partnership, etc.)

City of Capitola through the Capitola Police Department

CONTRACTOR BUSINESS ADDRESS

422 Capitola Avenue

CITY

Capitola

STATE

CA

ZIP

95010

PRINTED NAME OF PERSON SIGNING

Andrew Dally

TITLE

Chief of Police

CONTRACTOR AUTHORIZED SIGNATURE

DATE SIGNED

Reset Form

Print Form

SCO ID: 2100-22APP04

STATE OF CALIFORNIA - DEPARTMENT OF GENERAL SERVICES

STANDARD AGREEMENT

STD 213 (Rev. 04/2020)

AGREEMENT NUMBER

22-APP04

PURCHASING AUTHORITY

ABC

Item 8 B.

(b)le)

STATE OF CALIFORNIA

CONTRACTING AGENCY NAME

Department of Alcoholic Beverage Control

CONTRACTING AGENCY ADDRESS

3927 Lennane Drive, Suite 100

CITY

Sacramento

STATE

CA

ZIP

95834

PRINTED NAME OF PERSON SIGNING

Patty Baker

TITLE

Chief, Business Management Branch

CONTRACTING AGENCY AUTHORIZED SIGNATURE



DATE SIGNED



CALIFORNIA DEPARTMENT OF GENERAL SERVICES APPROVAL



EXEMPTION (if Applicable)



Capitola City Council

Agenda Report



Meeting: August 25, 2022
From: City Manager Department
Subject: Community Grant Subcommittee

Recommended Action: Appoint two Council Members to a subcommittee to review applications for the 2022 – 2023 Community Grant Program.

Background: As part of the Fiscal Year 2022-23 Budget, the City Council Allocated \$125,000 from the General Fund for the Capitola Community Grant Program (CGP). There in an additional \$60,000 available from dedicated Youth and Early Childhood program funding (\$11,000 more than in 2021-22). The Youth and Early Childhood Program funding comes from a percentage of the City's transient occupancy tax.

Since 2020, City Council and staff have worked with Optimal Solutions Consulting to review the City's Community Grant program. A subcommittee was formed in early 2022 and on May 26, the subcommittee presented recommended program modifications which were approved by Council and implemented this grant cycle. These modifications included a significantly streamlined application to improve program access and transparency. Grant applications for Year 2022-2023 were due on Monday, August 15, 2022.

Typically, Council appoints members to an ad hoc subcommittee to review all grant applications and recommend how to distribute funding. In 2021, Council Members Bertrand and Keiser were appointed to the subcommittee.

Discussion: The City received 23 Community Grant applications from a variety of City and County nonprofit organizations. Staff recommends City Council appoint two Councilmembers to a temporary subcommittee to review applications and prepare a recommendation for Council on how to allocate the grant funding, consistent with the adopted budget and the recently approved grant program guidelines.

Fiscal Impact: The adopted FY 22/23 budget includes \$125,000 from the General Fund and \$60,000 from the Youth and Early Childhood Program Fund for community grants.

Report Prepared By: Chloé Woodmansee
Reviewed By: Tamar Burke, Assistant City Attorney
Approved By: Jamie Goldstein, City Manager

Capitola City Council

Agenda Report



Meeting: August 25, 2022
From: City Manager Department
Subject: Consider Hybrid Meeting Administrative Policy

Recommended Action: Review draft policy and provide feedback.

Background: In September 2021, Assembly Bill 361 was approved by the Governor. The Bill amends the Brown Act to allow cities to hold virtual meetings if the state is under a proclaimed state of emergency (as Capitola City Council meetings currently function), and the city has made certain findings. The Bill sunsets in 2024 and is not tied to COVID-19, but instead allows for virtual meetings in the instance of any Governor-declared state of emergency. 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. As of July 22, 2022, the Governor's emergency declaration remains in place. On the Consent agenda this evening, Council adopted a resolution in compliance with Assembly Bill 361, allowing for City Council (and Planning Commission and all advisory bodies) to conduct teleconferencing meetings for the next 30 days.

On March 24, 2022, City Council directed staff to prepare for hybrid meetings (allowing the public to attend via in-person and Zoom) beginning sometime in Summer 2022. At the time, Mayor Storey recommended that staff review potential administrative policies in preparation.

On June 9, 2022, Council asked that the first hybrid meeting (allowing for Council and the public to attend via in-person and Zoom) be the regular City Council meeting held on August 25.

On July 28, 2022, Council provided direction for staff to draft an Administrative Policy to serve as guidelines for hybrid meetings.

Discussion: Council requested that at least one but no more than three Council Members attend meetings in person as Hybrid Meetings are conducted. Council asked that those attending in-person self-determine, and not be required to meet certain requirements to attend remotely. Council also suggested a standing agenda item at the end of each meeting so that Council can determine who is attending the next meeting in-person or remotely.

Council agreed that COVID-19 precautions should be taken in how preparing the room Meetings, so that the public feels safe and welcome to attend in-person.

A draft Hybrid Meeting policy is attached for review. Council can provide any further feedback or direction to staff on August 25. Staff will bring a draft policy for adoption as a Consent Item on the September 8, 2022, regularly scheduled Council meeting agenda.

Fiscal Impact: None.

Attachments:

1. Draft Hybrid Meeting policy

Report Prepared By: Chloé Woodmansee, City Clerk

Approved By: Jamie Goldstein, City Manager

ADMINISTRATIVE POLICY #: HYBRID CITY COUNCIL MEETINGS

Number: TBD
 Issued: September 2022
 Jurisdiction: City Council

PURPOSE

The purpose of this policy is to outline the process and expectations for Council Members, and members of the public to participate in hybrid (remote attendance and in-person attendance allowed) City Council meetings.

COUNCIL ATTENDANCE AT CITY COUNCIL MEETINGS

- A. In-Person Attendance: At least one and no more than three City Council Members should attend in-person.
- B. Remote Attendance: The Council Members attending meetings via Zoom should generally keep their camera on (as technology permits) for the duration of the meeting.
- C. Determining Attendance: Council will self-determine which members will attend future meetings in-person or remotely. The last General Government Item of each Hybrid Council Meeting will be an item title “In-Person Council Attendance” to determine which Members will attend the next regularly scheduled meeting in-person and remotely.

PUBLIC COMMENTS

Members of the public can make verbal public comment in-person at the Council Chambers or remotely via Zoom by “raising their hand”. At each public comment period, the Mayor will ask for public comments from both those in attendance in the room and anyone attending the meeting via Zoom. Written public comments will not be accepted as public comments while the meeting is taking place. Written materials regarding agenda items and sent to Council prior to a Council Meeting will be announced and distributed as additional materials.

COVID-19 PRECAUTIONS

- A. Council Chambers Set Up: Social distancing will be encouraged by blocking off every-other row of audience seating.
- B. Overflow Seating: The Community Room will be open for overflow seating. The room television will be set up to play the meeting Community TV broadcast.
- C. Masks: Facial coverings will be encouraged for all in attendance, regardless of vaccination status.
- D. Airflow: Doors will be open and air filters also used to enhance air flow during meetings.

This policy is approved and authorized by

Jamie Goldstein
 City Manager

Capitola City Council

Agenda Report



Meeting: August 25, 2022

From: City Manager Department

Subject: Designation of the Voting Delegate and Alternate for the 2022 League of California Cities Annual Conference

Recommended Action: Designate voting delegate and alternate(s), if desired.

Background: The 2022 League of California Cities (League) Annual Conference and Expo is scheduled for September 8 - 10. The priority of the League remains the health and safety of participants; the conference will be held at the Long Beach Convention Center and the League will ensure safety protocols are followed. At this meeting, the League holds its annual business meeting to consider and act on resolutions that establish League policy.

Discussion: To vote on League items at the Conference, the City must designate a voting delegate. These representatives must be appointed by City Council action. The League needs to be notified of appointments by September 2, 2022. Each city should appoint one delegate and up to two alternate voting delegates, one of whom may vote if the designated voting delegate is unable to serve in that capacity. The delegate and alternate(s) must be registered to attend the conference, but they need not register for the entire conference; they may register for Friday only. At least one voting delegate or alternate must be present at the Business Meeting on Friday and in possession of the voting card to cast a vote.

Fiscal Impact: The full conference cost for the appointed voting delegate is \$650, with lodging costing at a minimum an estimated \$650 for three nights. The adopted FY 2022-23 Budget currently includes \$2,000 for training/travel for each Council Member (\$10,000 total) and does not allow for sharing of training/travel budget between Council Members.

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