

# City of Capitola Agenda



Mayor: Kristen Petersen  
Vice Mayor: Yvette Brooks  
Council Members: Jacques Bertrand  
Ed Bottorff  
Sam Storey

## CAPITOLA CITY COUNCIL SPECIAL MEETING

THURSDAY, OCTOBER 29, 2020

3:30 PM

**PLEASE REVIEW THE NOTICE OF REMOTE ACCESS AT THE END OF  
THE AGENDA FOR HOW TO PARTICIPATE IN THIS MEETING &  
SUBMIT PUBLIC COMMENT**

*All correspondences received prior to 5:00 p.m. on the day preceding a City Council Special Meeting will be distributed to the City Council to review prior to the meeting. Information submitted after 5 p.m. on that day may not have time to reach the City Council, nor be read by them prior to consideration of an item.*

*All matters listed on the Special Meeting of the City Council Agenda shall be considered as Public Hearings.*

**1. ROLL CALL AND PLEDGE OF ALLEGIANCE**

Council Members Jacques Bertrand, Ed Bottorff, Yvette Brooks, Sam Storey, and Mayor Kristen Petersen

**2. ADDITIONAL MATERIALS**

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

**3. ADDITIONS AND DELETIONS TO THE AGENDA**

**4. PUBLIC COMMENTS**

*Please review the Notice of Remote Access*

**5. GENERAL GOVERNMENT / PUBLIC HEARINGS**

*All items listed in "General Government" 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. Consider a Resolution Designating Agents for Disaster Assistance with the State Office of Emergency Services and Repealing Resolution No. 4080  
**RECOMMENDED ACTION:** Adopt resolution.

**6. ADJOURNMENT**

**NOTICE OF REMOTE ACCESS**

In accordance with the current Santa Cruz County Health Order outlining social distancing requirements and Executive Order N-29-20 from the Executive Department of the State of California, the City Council meeting is not physically open to the public and in person attendance cannot be accommodated.

**To watch:**

1. Online <http://capitolaca.igam2.com/Citizens/Default.aspx>
2. Spectrum Cable Television channel 8
3. Join the Zoom Meeting (details below)

**To Join Zoom:**

1. <https://us02web.zoom.us/j/81957040282?pwd=cDhzT2lOMjlGeTh3L3ZrOXduUlpIZz09>
  - If prompted for a password, enter **PASSWORD**
2. -OR- with a landline or mobile phone, call one of the following numbers:
  - **1 669 900 6833**
  - **1 408 638 0968**
  - **1 346 248 7799**
  - Enter the meeting ID number: **819 5704 0282**
  - When prompted for a Participant ID, press #

**To submit public comment:**

When submitting public comment, one comment (via phone **or** email, not both), per person, per item is allowed. If you send more than one email about the same item, the last received will be read.

1. Zoom Meeting (Via Computer or Phone) Link:
  - A. IF USING COMPUTER:
    - § Use participant option to "raise hand" during the public comment period for the item you wish to speak on. Once unmuted, you will have up to 3 minutes to speak
  - A. IF CALLED IN OVER THE PHONE:
    - § Press **\*9** on your phone to "raise your hand" when the mayor calls for public comment. Once unmuted, you will have up to 3 minutes to speak
1. Send Email:
  - A. During the meeting, send comments via email to [publiccomment@ci.capitola.ca.us](mailto:publiccomment@ci.capitola.ca.us)
    - § Emailed comments on items will be accepted after the start of the meeting until the Mayor announces that public comment for that item is closed.

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- § Emailed comments should be a maximum of 450 words, which corresponds to approximately 3 minutes of speaking time.
- § Each emailed comment will be read aloud for up to three minutes and/or displayed on a screen.
- § Emails received by [publiccomment@ci.capitola.ca.us](mailto:publiccomment@ci.capitola.ca.us) outside of the comment period outlined above will not be included in the record.

**Note:** Any person seeking to challenge a City Council decision made as a result of a proceeding in which, by law, a hearing is required to be given, evidence is required to be taken, and the discretion in the determination of facts is vested in the City Council, shall be required to commence that court action within ninety (90) days following the date on which the decision becomes final as provided in Code of Civil Procedure §1094.6. Please refer to code of Civil Procedure §1094.6 to determine how to calculate when a decision becomes “final.” Please be advised that in most instances the decision become “final” upon the City Council’s announcement of its decision at the completion of the public hearing. Failure to comply with this 90-day rule will preclude any person from challenging the City Council decision in court.

**Notice regarding City Council:** The City Council meets on the 2nd and 4th Thursday of each month at 7:00 p.m. (or in no event earlier than 6:00 p.m.), in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

**Agenda and Agenda Packet Materials:** The City Council Agenda and the complete Agenda Packet are available for review on the City’s website at [www.cityofcapitola.org](http://www.cityofcapitola.org) and at Capitola City Hall and at the Capitola Branch Library, 2005 Wharf Road, Capitola, 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](http://www.cityofcapitola.org) by clicking on the Home Page link “**Meeting Video.**” Archived meetings can be viewed from the website at any time.



## CAPITOLA CITY COUNCIL SPECIAL MEETING AGENDA REPORT

**MEETING OF OCTOBER 29, 2020**

**FROM:** City Manager Department

**SUBJECT:** Consider a Resolution Designating Agents for Disaster Assistance with the State Office of Emergency Services and Repealing Resolution No. 4080

**RECOMMENDED ACTION:** Adopt resolution.

**BACKGROUND:** To apply for state or federal aid following a declared emergency, the City must have designated agents, generally high-level staff, that work with the California State Office of Emergency Services. On June 8, 2017 City Council voted to approve Resolution No. 4080 (Attachment 1), which maintained the City Manager, Public Works Director, and Finance Director as the designated agents for the next three years. This resolution expired on June 8, 2020.

**DISCUSSION:** The City declared an emergency due to the CZU August Lightning Complex Fires in August 2020 and is in the process of applying for reimbursement for mutual aid costs incurred by the Capitola Police Department. A new resolution designating agents is required as part of the aid application. The attached resolution maintains the same designated agents as the prior resolution and repeals Resolution No. 4080. The deadline to file with the State for FEMA reimbursement is Friday, October 30, 2020.

**FISCAL IMPACT:** None, although having the resolution in place will make the City eligible for reimbursement by state and federal agencies.

**ATTACHMENTS:**

1. 4080 FEMA Agent\_2017 Designation (PDF)

Report Prepared By: Chloe Woodmansee  
Interim City Clerk

OES agent repeal and replace  
October 29, 2020

**Reviewed and Forwarded by:**



\_\_\_\_\_  
Jamie Goldstein, City Manager      10/27/2020

OES agent repeal and replace  
October 29, 2020

**DRAFT RESOLUTION NO. \_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA  
REPEALING RESOLUTION NO. 4080 AND  
DESIGNATING AGENTS FOR DISASTER ASSISTANCE  
WITH THE STATE OFFICE OF EMERGENCY SERVICES**

**WHEREAS**, the City of Capitola has incurred costs for disaster-related responses to the CZU August Lightning Complex Fire;

**WHEREAS**, the California State Office of Emergency Services requires the City to appoint designated agents to represent the City; and

**WHEREAS**, the California State Office of Emergency Services limits such universal resolutions to a three-year period, thereby rendering the City of Capitola's Resolution No. 4080, adopted in 2017, now expired.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Capitola that the **City Manager, or Public Works Director, or Finance Director** is hereby authorized to execute for and on behalf of the City of Capitola, a public entity established under the laws of the State of California, this application and to file it in the Office of Emergency Services for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

**BE IT FURTHER RESOLVED** that the City of Capitola, a public entity established under the laws of the State of California, hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreement required.

**BE IT FURTHER RESOLVED** that this is a universal resolution and is effective for all open and future disasters up to three (3) years following the date of approval below.

**BE IT FURTHER RESOLVED** that Resolution No. 4080 is hereby repealed.

**I HEREBY CERTIFY** that the above and foregoing resolution was passed and adopted by the City Council of the City of Capitola at its regular meeting held on the \_\_ day of October, 2020, by the following vote:

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

ATTEST:

\_\_\_\_\_  
Kristen Petersen, Mayor

OES agent repeal and replace  
October 29, 2020

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Chloé Woodmansee, City Clerk

RESOLUTION NO. 4080

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA  
REPEALING RESOLUTION NO. 3865 AND  
DESIGNATING AGENTS FOR DISASTER ASSISTANCE  
WITH THE STATE OFFICE OF EMERGENCY SERVICES

WHEREAS, the City of Capitola has incurred costs for disaster-related responses and damage repair to city infrastructure and city owned property; and

WHEREAS, the California State Office of Emergency Services requires the City to appoint designated agents to represent the City; and

WHEREAS, the California State Office of Emergency Services now limits such universal resolutions to a three-year period, thereby rendering the City of Capitola's Resolution No. 3865, adopted in 2011, void.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Capitola that the City Manager, or Public Works Director, or Finance Director is hereby authorized to execute for and on behalf of the City of Capitola, a public entity established under the laws of the State of California, this application and to file it in the Office of Emergency Services for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

BE IT FURTHER RESOLVED that the City of Capitola, a public entity established under the laws of the State of California, hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreement required.

BE IT FURTHER RESOLVED that this is a universal resolution and is effective for all open and future disasters up to three (3) years following the date of approval below.

BE IT FURTHER RESOLVED that Resolution No. 3865 is hereby repealed.

I HEREBY CERTIFY that the above and foregoing resolution was passed and adopted by the City Council of the City of Capitola at its regular meeting held on the 8<sup>th</sup> day of June, 2017, by the following vote:

- AYES: Council Members Bertrand, Bottorff, Termini, and Petersen and Mayor Harlan
- NOES: None
- ABSENT: None
- ABSTAIN: None

*Stephanie Harlan*  
Stephanie Harlan, Mayor

ATTEST:

*Linda Fridy*  
Linda Fridy, City Clerk

Attachment: 4080 FEMA Agent\_2017 Designation (OES agent repeal and replace)