

City of Capitola Agenda

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



REVISED CAPITOLA CITY COUNCIL REGULAR MEETING

THURSDAY, JUNE 25, 2020

7 PM

NOTICE OF REMOTE ACCESS ONLY:

In accordance with the current Shelter in Place Order from Santa Cruz County Health Services and Executive Order N-29-20 from the Executive Department of the State of California, the City Council meeting will not be 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. Zoom Meeting (link below)

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. <https://us02web.zoom.us/j/89240979503?pwd=RFNrN3lwRTNsTE96S3FnN1QyaKFTQT09>
§ If prompted for a password, enter 432002

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- § 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
- B. Dial in with phone:
 - § Before the start of the item you wish to comment on, call any of the numbers below. If one is busy, try the next one
 - § **1 669 900 6833**
 - § **1 408 638 0968**
 - § **1 346 248 7799**
 - § Enter the meeting ID number: **892 4097 9503**
 - § When prompted for a Participant ID, press #
 - § 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
- 2. Send email:
 - A. During the meeting, send comments via email to publiccomment@ci.capitola.ca.us
 - § Emailed comments will be accepted for General Government / Public Hearing item.
 - § Emailed comments on each General Government/ Public Hearing item will be accepted after the start of the meeting until the Mayor announces that public comment for that item is closed.
 - § Emailed comments should be a maximum of 450 words, which corresponds to approximately 3 minutes of speaking time.
 - § Each emailed comment will be read aloud for up to three minutes and/or displayed on a screen.
 - § Emails received by publiccomment@ci.capitola.ca.us outside of the comment period outlined above will not be included in the record.

**CLOSED SESSION – 6 PM
CITY MANAGER’S OFFICE**

An announcement regarding the items to be discussed in Closed Session will be made in the City Hall Council Chambers prior to the Closed Session. Members of the public may, at this time, address the City Council on closed session items only. There will be a report of any final decisions in City Council Chambers during the Open Session Meeting.

**CONFERENCE WITH LABOR NEGOTIATORS
(Gov’t Code § 54957.6)**

Negotiators: Jamie Goldstein, Larry Laurent
Employee Organizations: (1) Association of Capitola Employees; (2) Confidential Employees; (3) Mid-Management Group; (4) Department Heads; (5) Capitola Police Officers Association

**LIABILITY CLAIM
(Gov’t Code § 54956.95)**

Claimant: Esther Phillips
Agency claimed against: City of Capitola

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.

All matters listed on the Regular Meeting of the Capitola 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. REPORT ON CLOSED SESSION

3. ADDITIONAL MATERIALS

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

4. ADDITIONS AND DELETIONS TO AGENDA

5. PUBLIC COMMENTS

See page 1 of this agenda for directions on submitting public comments

6. CITY COUNCIL / STAFF COMMENTS

City Council Members/Staff may comment on matters of a general nature or identify issues for staff response or future council consideration. No individual shall speak for more than two minutes.

7. CONSENT CALENDAR

All items listed in the "Consent Calendar" 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 public or 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 Capitola City Council's June 3, 2020, Special Meeting Minutes and the June 11, 2020, Regular Meeting Minutes
RECOMMENDED ACTION: Approve minutes.

B. Approval of City Check Registers Dated May 1, May 8, May 15, May 22 and May 29, 2020.
RECOMMENDED ACTION: Approve check registers.

C. Consider a Resolution Calling the Election for November 3, 2020
RECOMMENDED ACTION: Adopt a Resolution ordering an election, requesting Santa Cruz County Elections to conduct the election, and requesting consolidation of

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the Presidential General Election in the City of Capitola on Tuesday, November 3, 2020.

- D. Consider a Resolution Amending the Hourly and Seasonal Pay Schedule
RECOMMENDED ACTION: Adopt the proposed resolution amending the Hourly/Seasonal Pay Schedule and creating a Camp Capitola Assistant Coordinator position.
- E. Wharf House June Rent Waiver Request
RECOMMENDED ACTION: Approve the proposed resolution waiving June 2020, rent for the Wharf House Restaurant due to economic difficulties brought on by the COVID-19 pandemic.
- F. Consider a Resolution to Apply for a U.S. Economic Development Administration Grant
RECOMMENDED ACTION: Adopt the proposed resolution authorizing the City Manager to apply for a grant from the U.S. Department of Commerce, Economic Development Administration, for a revolving loan fund for participating jurisdictions in Santa Cruz County.

8. 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. Receive Update on the City's Pandemic Response
RECOMMENDED ACTION: 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 that there is a need to continue action.
- B. Real Property Negotiations Easement Grant to Pacific Gas and Electric Company 420 Capitola Avenue, Capitola CA 951010 APN: 035-141-35 City Hall Property
RECOMMENDED ACTION: Authorize the City Manager to negotiate the terms and execute an Easement Deed granting Pacific Gas and Electric Company a non-exclusive utility easement for installation of a new underground box and above ground cabinet and antenna on City owned property located at 420 Capitola Avenue, Capitola CA 95010, APN: 035-141-35, City Hall property.
- C. Consider a Resolution for the Levy of Capitola Village and Wharf Business Improvement Area Assessments for Fiscal Year 2020/2021
RECOMMENDED ACTION: Conduct the public hearing and adopt the proposed Resolution levying the Fiscal Year 2020/2021 Capitola Village and Wharf Business Improvement Area (CVWBIA) Assessments and accepting the CVWBIA Annual Plan and budget.
- D. Consider a Resolution Allocating the 2020/21 Road Maintenance and Rehabilitation Account Funds
RECOMMENDED ACTION: Adopt the proposed resolution allocating the 2020/21 Road Maintenance and Rehabilitation Account (RMRA) funds to engineering and

construction of a pavement management program project.

E. Approve the Plans, Specifications and Construction Estimate for the Flume and Jetty Rehabilitation Project

RECOMMENDED ACTION: Approve the plans, specifications, and construction estimate for the Flume and Jetty Rehabilitation Project; authorize the Public Works Department to advertise for construction bids and set the bid opening date for July 29, 2020, at 11:00 a.m.

F. Senate Bill 743 Implementation

RECOMMENDED ACTION: Adopt a resolution establishing City of Capitola CEQA Guidelines and a transportation threshold of significance of fifteen percent below the regional average Vehicle Miles Traveled (VMT) for purposes of complying with Senate Bill 743.

G. Consider Approval of Memoranda of Understanding with Labor Groups and Adopt Salary Schedule for June 28, 2020 - December 26, 2020

RECOMMENDED ACTION:

1. Authorize the City Manager to execute the side letter agreements to existing Memoranda of Understanding (MOU) with negotiated changes from June 26, 2020, through December 28, 2020, for the following:
 - a. Capitola Police Officers Association (CPOA).
 - b. Mid-Management Employees' Bargaining Unit;
 - c. Confidential Employees' Bargaining Unit;
 - d. Police Captains
2. Approve changes to the Management Compensation Plan
3. Approve changes to City Manager Employee Contract
4. Adopt a Resolution approving the new salary schedule
5. Individually attest to receive the same salary reduction as employees

9. ADJOURNMENT

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

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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.