

City of Capitola Council Meeting Agenda



Mayor: Yvette Brooks
Vice Mayor: Sam Storey
Council Members: Jacques Bertrand
Margaux Keiser
Kristen Petersen

THURSDAY, OCTOBER 14, 2021

REGULAR MEETING - 7 PM

CLOSED SESSION – 6 PM

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 REAL PROPERTY NEGOTIATORS [Govt. Code § 54956.8]

Property: 4400 Jade Street, Capitola, CA 034-551-02 & 034-551-03

City Negotiator: Jamie Goldstein, City Manager

Negotiating Parties: Soquel Union Elementary School District

Under Negotiation: Price and terms of agreement

LIABILITY CLAIMS [Govt. Code § 54956.95]

Claimant: Sheri Milazzo

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 Kristen Petersen, Jacques Bertrand, Margaux Keiser, Sam Storey, and Mayor Yvette Brooks

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. ORAL COMMUNICATIONS

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

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 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 September 23, 2021, City Council Meeting Minutes
RECOMMENDED ACTION: Approve minutes.
- B. Authorize Police Records Technician Position Full-Time
RECOMMENDED ACTION: Authorize the City Manager to fill Police Records Technician as a full time position.
- C. Liability Claim of Sheri Milazzo
RECOMMENDED ACTION: Deny liability claim.
- D. Continue the hearing to consider Adoption of an Uncodified Library Lease Ordinance
RECOMMENDED ACTION: Continue the hearing to consider the second reading of a proposed Ordinance allowing the City to enter a lease with a term in excess of 55 years and authorizing a 99-year lease with Santa Cruz County for the Capitola Library to October 28, 2021.
- E. Approve Plans, Specifications, and Construction Budget for the 2021 Road Repair Project and Authorize Advertising for Bids
RECOMMENDED ACTION: Approve the plans, specifications, and construction budget for the 2021 Road Repair Project and authorize the Public Works Department to advertise for construction bids.
- F. Proclamation Policy Update
RECOMMENDED ACTION: Approve the proposed changes to Policy I-35: Proclamations.

- G. Receive Update on Pandemic Response and Consider Adoption of Resolution Authorizing Continuance of Online/Virtual Meetings
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 that there is a need to continue action, and 2) Adopt the proposed resolution authorizing the Capitola City Council (along with the Planning Commission and all advisory bodies) to conduct teleconferencing meetings.

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. Redistricting Presentation
RECOMMENDED ACTION: Accept presentation.
- B. Consider an Agreement with Caltrans to Include Highway 1 Ramp Signals in the Adaptive Signals Project
RECOMMENDED ACTION: Take the following actions:
1. Approve an agreement between the City and California Department of Transportation (Caltrans) for Installation, Operation and Maintenance of Adaptive Traffic Management System and authorize the Public Works Director to sign the agreement: and
 2. Authorize the City Manager to issue a Contract Change Order to Bear Electric Solutions, the contractor for the 41st Avenue Traffic Signal Adaptive Coordination project, in an amount not to exceed \$400,000 to add two Caltrans intersections to the project.
- C. Consideration of first readings of an ordinance amending Chapter 18.02 Affordable (Inclusionary) Housing and an ordinance adding Chapter 18.05 for Affordable Housing Impact Fees.
RECOMMENDED ACTION: Staff recommends the City Council:
1. Introduce for first reading, by title only, waiving further reading of the text, an ordinance amending chapter 18.02 of the Capitola Municipal Code, Affordable (Inclusionary) Housing.
 2. Introduce for first reading, by title only, waiving further reading of the text, an ordinance adding Chapter 18.05 of the Capitola Municipal Code, Affordable Housing Impact Fees.
- D. GreenWaste Franchise Agreement
RECOMMENDED ACTION: Authorize the City Manager to enter into the amended and restated Franchise Agreement with GreenWaste Recovery, Inc. for collection and disposal of garbage, recycling, organics, food waste, yard waste, and construction and demolition debris.
- E. Recreation Registration System Update
RECOMMENDED ACTION: Authorize the City Manager to enter into an ongoing contract with CivicPlus to provide the City Recreation Division with a new registration management system.

9. 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:

- Online <http://capitolaca.igam2.com/Citizens/Default.aspx>
- Spectrum Cable Television channel 8

To join Zoom:

- Join the Zoom Meeting by clicking the following link:
<https://us02web.zoom.us/j/84559688807?pwd=TIFVTDIPSTR0ZINjeXA1WldldVlvQT09>

If prompted for a passcode, enter **358116**

- **-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: **845 5968 8807**
- 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.

- Zoom Meeting (Via Computer or Phone) Link:
 - 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
 - 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
- Send Email:
 - During the meeting, send comments via email to 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.
 - § 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.

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

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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.