

# City of Capitola

## Council Meeting Agenda



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

**REVISED**

**THURSDAY, AUGUST 26, 2021**

**REGULAR MEETING - 7 PM**

**CLOSED SESSION – 5:45 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 LEGAL COUNSEL - ANTICIPATED LITIGATION**

**(Gov' t Code § 54956.9(d)(4).**

Initiation of litigation, one potential case

**CONFERENCE WITH LABOR NEGOTIATORS**

**(Gov' t Code § 54957.6)**

Negotiators: Algeria Ford, Larry Laurent

Employee Organizations: (1) Police Captains; (2) Capitola Police Officers Association;  
(3) Association of Capitola Employees

**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**

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

**2. PRESENTATIONS**

*Presentations are limited to eight minutes.*

- A. Introduce New Museum Curator
- B. Present Certificates of Appreciation for Frank Phanton and Carolyn Swift

**3. REPORT ON CLOSED SESSION**

**4. ADDITIONAL MATERIALS**

- A. Item 8.G – two staff provided attachments
- B. Item 9.A – two public comment emails

**5. ADDITIONS AND DELETIONS TO AGENDA**

**6. PUBLIC COMMENTS**

*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.*

**7. 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.*

**8. CONSENT CALENDAR**

- A. Consider the July 22 City Council Meeting Minutes  
RECOMMENDED ACTION: Approve minutes.
- B. Planning Commission Action Minutes  
RECOMMENDED ACTION: Receive minutes.
- C. Approval of City Check Registers Dated July 16, July 23, July 30, August 6, and August 13  
RECOMMENDED ACTION: Approve check registers.
- D. Donation to Service Corps of Retired Executives: Central Coast  
RECOMMENDED ACTION: Authorize the City Manager to donate \$500 to the Service Core of Retired Executives: Central Coast in recognition of their assistance on Capitola's Business Recovery Task Force.

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- E. Purchase Used Police Motorcycle and Surplus Police Motorcycle  
RECOMMENDED ACTION: Authorize the Police Department to purchase a 2016 BMW R1200-RTP motorcycle from Max BMW Motorcycle for \$16,000 and authorize the sale/auction of a 2014 Zero motorcycle.
- F. Update Hourly and Seasonal Salary Schedule  
RECOMMENDED ACTION: Adopt the proposed resolution amending the hourly and seasonal Pay Schedule.
- G. Employee Group Agreements  
RECOMMENDED ACTION:
  - 1. Authorize the City Manager to execute the successor agreements to existing Memoranda of Understanding (MOU) with negotiated changes for the following groups:
    - a. Capitola Police Officers Association (CPOA).
    - b. Capitola Police Captains Association
  - 2. Adopt a Resolution approving the new salary schedule.
- H. Capitola Recreation Afterschool Program Update  
RECOMMENDED ACTION: Receive report on the Capitola Recreation Afterschool program at New Brighton Middle School.

**9. 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 Pandemic Response  
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. Extend the COVID-19 temporary use permits allowing for outdoor dining to January 3, 2022 and implement rules for permit holders, as outlined in the staff report.
- B. Award a Contract for 41st Avenue Traffic Signal Adaptive Signal Project  
RECOMMENDED ACTION:
  - 1. Award a contract to Bear Electric Solutions from Alviso for construction of the 41<sup>st</sup> Avenue Adaptive Traffic Signal System in the amount of \$460,526; and
  - 2. Authorize the City Manager to reallocate up to \$100,000 in the Capital Improvement Project fund from the Bay Avenue/Capitola Avenue Roundabout project to the 41<sup>st</sup> Avenue Adaptive Traffic Signal project.
- C. Community Grant Subcommittee  
RECOMMENDED ACTION: Appoint two Councilmembers to a subcommittee to review applications for the 2021 - 2022 Community Grant Program.
- D. Consider Request for Sponsorship of the Capitola Beach Festival  
RECOMMENDED ACTION: Authorize the City Manager to provide \$5,000 in sponsorship to the Capitola Beach Festival.

10. 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.iqm2.com/Citizens/Default.aspx>
1. Spectrum Cable Television channel 8

**To join Zoom:**

1. Join the Zoom Meeting with the following link:  
<https://us02web.zoom.us/j/83661140310?pwd=V0F5TmRFQVpnN3JxNkdxd3NkTlptUT09>
1. If prompted for a passcode, enter **432002**
1. **-OR-** With a landline or mobile phone, call one of the following numbers:
  - a. **1 669 900 6833**
  - 1 408 638 0968**
  - 1 346 248 7799**
1. Enter the meeting ID number: **836 6114 0310**
1. 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.
    - 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”

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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](http://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](http://www.cityofcapitola.org) by clicking on the Home Page link "**Meeting Agendas/Videos.**" Archived meetings can be viewed from the website at any time.