

# City of Capitola

## Council Meeting Agenda



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

**REVISED**

**THURSDAY, MAY 27, 2021**

**REGULAR MEETING - 7 PM**

**CLOSED SESSION – 6:30 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 LABOR NEGOTIATORS  
(Gov' t Code § 54957.6)**

Negotiators: Algeria Ford, Larry Laurent  
Employee Organizations: (1) Association of Capitola Employees; (2) Police Captains; (3) Mid-Management Group; (4) Department Heads; (5) Confidential Employees; (6) Capitola Police Officers Association

**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. Presentation from Guy Preston, Executive Director of the Santa Cruz County Regional Transportation Commission

**3. REPORT ON CLOSED SESSION**

**4. ADDITIONAL MATERIALS**

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

**5. ADDITIONS AND DELETIONS TO AGENDA**

**6. PUBLIC COMMENTS**

*Please review the Notice of Remote Access for instructions.*

**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**

*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 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 May 13, 2021, City Council Regular Meeting Minutes  
RECOMMENDED ACTION: Approve minutes.

B. Consider Extending the Santa Cruz County Criminal Justice Council Joint Powers Agreement  
RECOMMENDED ACTION: Approve the second amendment to the Joint Exercise of Powers Agreement re-establishing the Criminal Justice Council (CJC) of Santa Cruz to provide for a three-year extension through June 30, 2024, and authorize the Mayor to sign the amendment.

C. Central Coast Public Banking Resolution of Support  
RECOMMENDED ACTION: Adopt the proposed resolution expressing interest in participating in a viability study for a Central Coast public bank.

D. Agreement with California Department of Transportation for Sharing Cost of Electrical Facilities  
RECOMMENDED ACTION: Approve an agreement with California Department of Transportation (CalTrans) for sharing the cost of State Highway Electrical Facilities

(traffic signals and lighting).

- E. Receive Update on 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.
- F. Acceptance of the Capitola Beach Flume and Jetty Project and Approval of the Notice of Completion  
RECOMMENDED ACTION: Approve the Notice of Completion for the Capitola Beach Flume and Jetty Rehabilitation Project constructed by Graniterock Company at a final cost of \$463,877 and direct the Public Works Department to record the Notice of Completion.
- G. Renewal of the Santa Cruz County Tourism Marketing District  
RECOMMENDED ACTION: Adopt the proposed resolution, consenting to the County of Santa Cruz renewing the Tourism Marketing District, which includes the City of Capitola.

**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. Consider the Previously Approved Depot Hill Stairs Public Art Project  
RECOMMENDED ACTION: Provide direction on the approved Depot Hill Stairs Mural Project.
- B. Consider a Request from the Owners of 403 Loma Avenue to Amend the Existing Accessory Dwelling Unit Size Limit Deed Restriction and Associated Policy  
RECOMMENDED ACTION: 1) Approve request from the owner of 403 Loma Avenue to amend the existing ADU size limit deed restriction; and 2) Approve an Administrative Policy to allow administrative amendments to all existing ADU deed restrictions that limit maximum size below that which is permitted by the Capitola zoning code and State law.
- C. Consider Additions to the Memorial Program  
RECOMMENDED ACTION: Approve modification to Administrative Policy I-7: Memorial Program to allow additional memorial location along the Cliff Avenue Railing, and City Administrative Policy II-12: 30-Year Employee Recognition Program.
- D. Administrative Policy Regarding Proper Flag Procedures at the City Hall Complex  
RECOMMENDED ACTION: Approve proposed Administrative Policy V-18: Outdoor Display of Governmental and Non-Governmental Flags on City Property and direct staff to fly the Pride Flag for the month of June in accordance with Policy Section V: Approved Non-Governmental Flag List.

**10. ADJOURNMENT**

## NOTICE OF REMOTE ACCESS

In accordance with 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 with the following link:  
<https://us02web.zoom.us/j/82453449090?pwd=aIZaMXV1WnRqOVFmL2ZwUWJ2SmVLUT09>
- If prompted for a passcode, enter **707147**
- **-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: **824 5344 9090**
- 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](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” upon the City Council’s announcement of its decision at the completion of the public hearing. Failure to

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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.