

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, JULY 23, 2020

7 PM

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

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 LABOR NEGOTIATORS

(Gov't Code § 54957.6)

Negotiators: Larry Laurent

Employee Organizations: (1) Association of Capitola Employees

LIABILITY CLAIM

(Gov't Code § 54956.95)

Claimant: Suzanne Teixeira

Agency claimed against: City of Capitola

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

(Gov't Code § 54956.9(d)(4).)

one potential case

CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

(Gov't Code § 54956.9(d)(2).)

one potential case

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. ADDITIONAL MATERIALS

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

3. ADDITIONS AND DELETIONS TO AGENDA

4. PUBLIC COMMENTS

Please review the Notice of Remote Access for how to submit public comment

5. 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.

6. 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 25, 2020, Regular Meeting Minutes
RECOMMENDED ACTION: Approve minutes.

B. 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.

- C. Capitola Beach Lifeguards
RECOMMENDED ACTION: Accept report.
- D. Liability Claim of Esther Phillips
RECOMMENDED ACTION: Reject liability claim.
- E. Liability Claim of Suzanne Teixeira
RECOMMENDED ACTION: Reject liability claim.
- F. Consider Approval of Side Letter Agreement with the Association of Capitola Employees
RECOMMENDED ACTION:
 - 1. Authorize the City Manager to execute the side letter agreement to existing Memorandum of Understanding (MOU) with negotiated changes from July 26, 2020, through December 28, 2020, for the following:
 - A. Association of Capitola Employees (ACE)
 - 2. Rescind layoff notice for Maintenance 1 position
 - 3. Adopt a Resolution approving the new salary schedule

7. 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. 207 Oakland Appeal
RECOMMENDED ACTION: Uphold the appeal and reverse the action of the Planning Commission with revisions to the front yard landscape and decrease in wall height.
- B. Consider Update on the Community Development Block Grant - Coronavirus Response Application
RECOMMENDED ACTION:
 - 1. Adopt the proposed resolution regarding the Community Development Block Grant Coronavirus Response (CDBG-CV) application amending resolution 4175 to revise the funding allocations between eligible activities
 - 2. Authorize the City Manager to enter into a subrecipient agreements with the Community Bridges, Grey Bears, Second Harvest Food Bank, and the Community Action Board.
- C. Consider a Proposal for an Out-of-School Time Recreation Program for the Blended Learning 2020/21 School Year
RECOMMENDED ACTION:
 - 1. Consider and approve the temporary suspension of Adult Classes and allocate the use of Jade St Community Center for Out-of-School Time (OST) Recreation programs.
 - 2. Consider and approve the three Out-of-School Time recreation program models to be offered for the blended learning 20/21 school year.

3. Authorize the City Manager to enter into agreements not to exceed \$4,000 in total with partnering organizations to lease additional space for the elementary Out-of-School Time program.
 4. Authorize the City Manager to enter into 12-month agreement with Enterprise Fleet Management not to exceed \$125,000, for long-term vehicle rentals for the elementary Out-of-School Time program.
 5. Adopt the proposed resolution amending the Hourly/Seasonal Pay Schedule and creating three Out-of-School Time positions, OST Coordinator, OST Senior Leader and OST Leader.
- D. Consider an Amended Fee Schedule for Fiscal Year 2020-21
RECOMMENDED ACTION: Adopt the proposed Resolution amending the fee schedule for fiscal year 2020/2021.
- E. Consider Approval of Contract Change Order No. 8 for the Capitola Branch Library Project
RECOMMENDED ACTION: Receive this report and approve Contract Change Order No. 8 with Otto Construction for the Capitola Branch Library Project in the amount of \$120,688 for additional costs related to the conflict with the PG&E power lines.

8. 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.igq2.com/Citizens/Default.aspx>
2. Spectrum Cable Television channel 8
3. Join the Zoom Meeting
 - A. With internet and a computer:
 - § <https://us02web.zoom.us/j/87287577149?pwd=WHpnaHY0THZMcnpHZmhINlG9MT3VLdz09>
 - § If prompted for a password, enter **432002**
 - B. 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: **872 8757 7149**
 - § 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
 - B. IF CALLED IN OVER THE PHONE:

CAPITOLA CITY COUNCIL REGULAR MEETING AGENDA
July 23, 2020

- § 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 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 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.