

# City of Capitola Agenda

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



## CAPITOLA CITY COUNCIL REGULAR MEETING

THURSDAY, MAY 14, 2020

7 PM

CITY COUNCIL CHAMBERS  
420 CAPITOLA AVENUE, CAPITOLA, CA 95010

### **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 maximize public safety while still maintaining transparency and public access, members of the public can observe the meeting online at <http://capitolaca.igm2.com/Citizens/Default.aspx> or it can be seen live on Spectrum Cable Television channel 8. Remote participation is possible in the form of emailed public comment.

If you have any disability for which you require accommodation or modification of the viewing and commenting procedures described herein, please contact the City at least forty-eight hours in advance of the meeting so that we may make arrangements for your access.

#### **How to comment via email:**

1. As always, send additional materials to the City Council via [citycouncil@ci.capitola.ca.us](mailto:citycouncil@ci.capitola.ca.us) by 5 p.m. the Wednesday before the meeting and they will be distributed to agenda recipients.
2. During the meeting, send comments via email to [publiccomment@ci.capitola.ca.us](mailto:publiccomment@ci.capitola.ca.us)

- Identify the item you wish to comment on in your email's subject line. Emailed comments will be accepted during the Public Comments meeting item and for General Government / Public Hearing items.
- 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](mailto: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; and (6) Captains

### **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**

*Oral Communications allows time for members of the Public to address the City Council on any item not on the Agenda.*  
**\*\*please see Page 1 for information on how to submit public comment via email\*\***

**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 the April 23, 2020, City Council Regular Meeting Minutes  
RECOMMENDED ACTION: Approve minutes.
- B. Receive the Planning Commission Action Minutes from the Regular Meetings of April 2 and May 7, 2020  
RECOMMENDED ACTION: Receive minutes.
- C. LEAP HCD Grant Resolution  
RECOMMENDED ACTION: Consider a Resolution authorizing the City Manager to apply for a Local Early Action Planning (LEAP) Grant to update the City's Inclusionary Housing Ordinance and execute the grant if awarded.
- D. Update on the Emergency Repairs to the Wharf  
RECOMMENDED ACTION: Accept this report on the Emergency Repairs to the Wharf as detailed in Resolution 4169 and declare the work required to abate all hazards have been completed and no further actions are required.

**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:
  - 1. By super majority vote, 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.
  - 2. Approve a resolution ratifying the emergency order to temporarily suspend certain

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Conditional Use Permit requirements regarding on-street parking and pick-up/delivery business operations.

B. Council Compensation Decision to Decline Adjustment

RECOMMENDED ACTION: Affirm that the adjustment in Council' s monthly salary, previously approved to be increased to \$600 following the November 2020 election, will not be accepted by each individual member of Capitola City Council due to the economic impacts of COVID-19.

C. Recreation Summer Programs Update

RECOMMENDED ACTION: Receive report on modifications to the Recreation Division's summer programs due to the COVID-19 epidemic, and consider allocating \$5,200 from the TOT Early Childhood and Youth Fund.

D. CDBG-CV Grant Resolution

RECOMMENDED ACTION:

1. Adopt the attached Resolution authorizing the City Manager to submit a Community Development Block Grant Coronavirus Response (CDBG-CV) application requesting up to \$114,367.65 of CDBG-CV grant funds and reutilizing \$80,632.35 of CDBG program income funds (total \$195,000) for three Covid-19 related relief programs and to execute the grant agreement upon award.
2. Identify two Council Members to participate in a CDBG-CV ad hoc subcommittee.

E. Zoning Code Update Chapter 17.44 Coastal Overlay Zone

RECOMMENDED ACTION: Accept staff presentation, provide direction on zoning code revisions, and continue the public hearing to the May 28, 2020, City Council meeting.

## 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](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.

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**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.