

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, FEBRUARY 13, 2020

7:00 PM

CITY COUNCIL CHAMBERS
420 CAPITOLA AVENUE, CAPITOLA, CA 95010

CLOSED SESSION – 6 P.M. 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 NEGOTIATOR [Govt. Code § 54957.6]

Negotiators: Larry Laurent, Sally Nguyen

Employee Organizations: (1) Association of Capitola Employees; (2) Capitola Police Captains, (3) Confidential Employees; (4) Mid-Management Group; and (5) Department Heads

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Gov't Code § 54956.9(2)(d)

Existing facts and circumstances pursuant to Gov't Code § 54956.9(2)(e)

A storm drain failed near Chittenden Lane on or before December 1, 2019, resulting in the release of storm water into Brookvale Terrace during subsequent rain events.

(One potential case)

Initiation of litigation pursuant to Gov't Code § 54956.9(d)(4).

(One potential case)

LIABILITY CLAIMS [Gov't Code § 54956.95]

Claimant: Bryn Caisse

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 Jacques Bertrand, Ed Bottorff, Yvette Brooks, Sam Storey, and Mayor Kristen Petersen

2. PRESENTATIONS

Presentations are limited to eight minutes.

A. Update from Santa Cruz METRO

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

Oral Communications allows time for members of the Public to address the City Council on any item not on the Agenda. Presentations will be limited to three minutes per speaker. 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. All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the minutes. A MAXIMUM of 30 MINUTES is set aside for Oral Communications at this time.

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. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS

A. Appointment to the Finance Advisory Committee
RECOMMENDED ACTION: Council Member Bertrand appoint his representative.

9. 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 January 23, 2020, City Council Regular Meeting Minutes
RECOMMENDED ACTION: Approve minutes.
- B. Receive the Planning Commission Action Minutes for the Regular Meeting of January 16, 2020
RECOMMENDED ACTION: Receive minutes.
- C. Liability Claim of Bryn Caisse
RECOMMENDED ACTION: Reject liability claim.

10. 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. Community Grants Strategic Plan
RECOMMENDED ACTION: Receive report and provide direction.
- B. Consider Proposed Recreation Strategic Plan
RECOMMENDED ACTION: Adopt proposed five-year Recreation Strategic Plan.
- C. Consider Approval of an Emergency Contract for Repairs to the Damaged Wharf Hoist Area
RECOMMENDED ACTION: Adopt a resolution declaring an emergency and authorizing procurement and services without giving notice for bids pursuant to Public Contract Code Section 22050, and authorizing staff to enter into an emergency contract to Power Engineering Construction Company to repair damaged piles on the wharf (requires 4/5 vote).
- D. Introduce an Ordinance Amending Portions of Municipal Code Title 2: Administration to Update and Clarify Various Sections
RECOMMENDED ACTION: Approve the first reading of an Ordinance amending and adding sections of Title 2: Administration of the Capitola Municipal Code, and waive reading of the text.
- E. Award a Contract for Emergency Repairs to a Storm Drain off of Chittenden Lane
RECOMMENDED ACTIONS:
 - 1. Adopt a resolution declaring an emergency and authorizing procurement and services without giving notice for bids pursuant to Public Contract Code Section 22050 and authorizing staff to enter a contract for such services to Anderson Pacific for repairs to a storm drain between Chittenden Lane and Brookvale

CAPITOLA CITY COUNCIL REGULAR MEETING AGENDA

February 13, 2020

- Terrace at an estimated cost of \$65,000 (requires 4/5 vote);
2. Approve a budget amendment in the amount of \$32,500 to accept Zone 5 funding; and
 3. Authorize staff to sign an agreement with Santa Cruz County Flood Control District, Zone 5, to equally split payment of these repairs.

11. 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 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.