

City of Capitola Agenda

Mayor: Ed Bottorff
Vice Mayor: Stephanie Harlan
Council Members: Jacques Bertrand
Dennis Norton
Michael Termini
Treasurer: Christine McBroom



CAPITOLA CITY COUNCIL REGULAR MEETING

THURSDAY, AUGUST 25, 2016

7:00 PM

CITY COUNCIL CHAMBERS
420 CAPITOLA AVENUE, CAPITOLA, CA 95010

CLOSED SESSION - 6:30 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 LEGAL COUNSEL - EXISTING LITIGATION

[Govt. Code §54956.9]

(One case)

Water Rock Construction, Inc. v. City of Capitola
[Arbitration Claim]

LIABILITY CLAIM [Govt. Code §54956.95]

Claimant: Roderick O'Neil Whitley
Agency claimed against: City of Capitola

REGULAR MEETING OF THE CAPITOLA CITY COUNCIL - 7:00 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 Dennis Norton, Stephanie Harlan, Jacques Bertrand, Michael Termini and Mayor Ed Bottorff

2. PRESENTATIONS

- A. Introduction of Chris Macias, Maintenance Worker I
- B. Childhood Cancer Awareness Month Proclamation
- C. Presentation by Maggie Ivy, Chief Executive Officer of Visit Santa Cruz County

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 / CITY TREASURER / STAFF COMMENTS

City Council Members/City Treasurer/Staff may comment on matters of a general nature or identify issues for staff response or future council consideration.

8. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS

- A. Consider an Appointment to the City's Traffic and Parking Commission
RECOMMENDED ACTION: Consider an appointment to fill a vacancy for Mayor Bottorff's appointee.

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 July 28, 2016, Regular City Council Minutes
RECOMMENDED ACTION: Approve Minutes.
- B. Receive Planning Commission Action Minutes for the Regular Meeting of August 4, 2016
RECOMMENDED ACTION: Receive Minutes.
- C. Approval of City Check Registers dated July 1, July 8, July 15, July 22 and July 29, 2016
RECOMMENDED ACTION: Approve Check Register Reports.
- D. Deny Liability Claim of Roderick O'Neil Whitley in the Amount of \$10,000
RECOMMENDED ACTION: Deny liability claim.
- E. Consider a Resolution Authorizing the City to Enter into a Joint Powers Agreement with California Municipal Finance Authority Joint Power
RECOMMENDED ACTION: Execute the Joint Powers Agreement of the California Municipal Finance Authority (CMFA) and adopt a Resolution in favor of the issuance of the Bonds by the CMFA for the benefit of Goodwill Central Coast.

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. Consider authorizing a City Council Response to the 2015-2016 Santa Cruz County Grand Jury Report titled, "Capitola Police Department's Citizen Complaint Procedures: Nothing to Complain About"
RECOMMENDED ACTION: Accept the recommendations by the Santa Cruz County Civil Grand Jury and direct the City Clerk to send the completed response packet per California Penal Code §933.05.
- B. Consider Applications for the Community Grants and Recommendations of the Community Grants Ad-Hoc Subcommittee
RECOMMENDED ACTION: Consider the recommendations of the Community Grants Ad-Hoc Subcommittee and determine grant award amounts for Fiscal Years 2016/17 and 2017/18.

CAPITOLA CITY COUNCIL REGULAR MEETING AGENDA
August 25, 2016

- C. Introduction of an Ordinance Amending Title 8 of the Capitola Municipal Code by adding Chapter 8.40 Pertaining to Extended Producer Responsibility for the Responsible and Safe Collection of Unwanted Pharmaceuticals and Spent Hypodermic Needles (Sharps)
RECOMMENDED ACTION: Introduce an Ordinance.

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 and at the Capitola Branch Library, 2005 Wharf Road, Capitola, 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 rebroadcast 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 Video.**” Archived meetings can be viewed from the website at anytime.



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF AUGUST 25, 2016

FROM: City Manager Department

SUBJECT: Introduction of Chris Macias, Maintenance Worker I

DISCUSSION: The City has a new Maintenance Worker I, Chris Macias. He will be introduced at the August 25, 2016, City Council Meeting.

Report Prepared By: Susan Sneddon
City Clerk

Reviewed and Forwarded by:

A handwritten signature in blue ink, appearing to be "JG", is written over a horizontal line.

Jamie Goldstein, City Manager

8/17/2016



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF AUGUST 25, 2016

FROM: City Manager Department

SUBJECT: Childhood Cancer Awareness Month Proclamation

DISCUSSION: While a cancer diagnosis in a child is one of the most devastating a family faces, our community is fortunate to be home to a nationally recognized support organization, Jacob's Heart Children's Cancer Support Services. In honor of its work, the City of Capitola declares the month of September 2016 as Childhood Cancer Awareness month. We honor the memory of the children lost to this disease and celebrate the continued improvement in five-year survival rates, which today are more than 80 percent compared to just 58 percent in the 1970s.

ATTACHMENTS:

1. Childhood Cancer Awareness Month Proclamation

Report Prepared By: Susan Sneddon
City Clerk

Reviewed and Forwarded by:

A handwritten signature in blue ink, appearing to be "JG", is written over a horizontal line.

Jamie Goldstein, City Manager

8/17/2016

City of Capitola Mayor's Proclamation

Honoring Jacob's Heart Children's Cancer Support Services and Proclaiming September 2016 as Childhood Cancer Awareness Month

WHEREAS, the City of Capitola strives to help our children enjoy long, happy, and healthy lives; and

WHEREAS, each day 42 children in the United States are diagnosed with cancer and more than 40,000 children undergo treatment for cancer each year; and

WHEREAS, in spite of continued improvement in five-year survival rates for childhood cancer, it remains the leading cause of death by disease among children, more than asthma, diabetes, cystic fibrosis, congenital anomalies, and AIDS combined; and

WHEREAS, families of children with cancer in the City of Capitola receive essential services from Jacob's Heart Children's Cancer Support Services, a local organization that has been honored with national awards and recognition for improving the quality of life for more than 620 local children with cancer and their families; and

WHEREAS, Jacob's Heart helps preserve the memories and honor the legacies of 140 children from our local community who have been lost to cancer; and

WHEREAS, the oncology department at Lucile Packard Children's Hospital at Stanford has worked closely with Jacob's Heart for the past 18 years as a trusted community partner in providing family-centered care that addresses the emotional, practical and financial struggles of families of children with cancer in Capitola; and

WHEREAS, it is important for all Capitola residents to recognize the impact of pediatric cancer on families within our community and honor the lives of children in our community whose lives have been cut short by cancer; and

NOW, THEREFORE, I, Ed Bottorff, Mayor of Capitola, do hereby declare September as Childhood Cancer Awareness Month in the City of Capitola and do hereby honor Jacob's Heart Children's Cancer Support Services for 18 years of outstanding support to local children fighting cancer and their families.



Ed Bottorff, Mayor
Signed and sealed this 25th day of August 2016



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF AUGUST 25, 2016

FROM: City Manager Department

SUBJECT: Presentation by Maggie Ivy, Chief Executive Officer of Visit Santa Cruz County

DISCUSSION: Maggie Ivy, Chief Executive Officer of Visit Santa Cruz County (formerly known as the Santa Cruz County Conference and Visitors Council (CVC)), will provide a brief update on topics such as the health of the tourism industry, hotel occupancy, and the latest promotional efforts.

Report Prepared By: Susan Sneddon
City Clerk

Reviewed and Forwarded by:

A handwritten signature in blue ink, appearing to be "JG", is written over a horizontal line.

Jamie Goldstein, City Manager

8/18/2016



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF AUGUST 25, 2016

FROM: City Manager Department

SUBJECT: Consider an Appointment to the City's Traffic and Parking Commission

RECOMMENDED ACTION: Consider an appointment to fill a vacancy for Mayor Bottorff's appointee.

BACKGROUND/DISCUSSION: Currently there is a vacancy for Mayor Bottorff's appointee on the Traffic and Parking Commission. The term for this appointment ends in December 2016. Staff conducted recruitment for this vacancy beginning July 18, 2016 with the closing date of Friday, August 12, 2016 (Attachment 1). To date, two applications were received from Ron Skelton and Thom Douglas (Attachment 2).

ATTACHMENTS:

1. Recruitment Notice
2. Applications
3. Traffic & Parking Commission Current Roster

Report Prepared By: Susan Sneddon
City Clerk

Reviewed and Forwarded by:

A handwritten signature in blue ink, appearing to be "JG", is written over a horizontal line.

Jamie Goldstein, City Manager

8/17/2016



CITY OF CAPITOLA
 420 Capitola Avenue
 Capitola, CA 95010
 (831) 475-7300
 FAX (831) 479-8879

**APPLICATIONS FOR APPOINTMENT TO:
 Capitola Traffic & Parking Commission**

NOTICE IS HEREBY GIVEN that there remains a vacancy for one (1) seat on the Capitola Traffic & Parking Commission for a term that will expire in December 2016.

(1) At-Large Council Member Appointees

The City Council is seeking applications from persons who are interested in participating in the development of short, medium, and long-term plans that address traffic and parking demands in Capitola Village by considering citywide traffic and parking improvements for consideration by the City Council. Regular meetings of the commission are held on the second Wednesday of every other month at 6:30 p.m., in the Community Room at Capitola City Hall. Specific questions regarding the commission may be directed to the City's staff representative, Steven Jesberg, Public Works Director, at 475-7300, Ext. 217, or by email at sjesberg@ci.capitola.ca.us.

Upon review of applications received, it is anticipated that the Mayor and the City Council will make appointments at a Regular Meeting of the City Council.

Application Deadline: Friday, August 12, 2016

Applications may be obtained at Capitola City Hall, 420 Capitola Avenue, or by calling (831) 475-7300 and requesting an application be sent to you. In addition, a notice with an application form is available on the City's website (for printing) at www.cityofcapitola.org by selecting City Government / Boards & Commissions/ Commissions / Traffic and Parking Commission and click on "Recruitment Notice and Application."

I, Susan Sneddon, City Clerk of the City of Capitola, California, hereby certify that the above Notice was posted on July 18, 2016.

Dated: July 18, 2016

Susan Sneddon
 City Clerk

RECEIVED

AUG 02 2016

CITY OF CAPITOLA

CITY of CAPITOLA

BOARDS AND COMMISSIONS APPLICATION



Application for:

- Art & Cultural Commission
[Artist; Arts Professional; At Large Member]
Please underline category above.
- Architecture & Site Committee
[Architect; Landscape Architect; Historian]
Please underline category above.
- Finance Advisory Committee
[Business Representative; At Large Member]
Please underline category above.
- Traffic & Parking Commission
[Village Resident; Village Business Owner; At Large Member]
Please underline category above.
- Historical Museum Board
- Planning Commission
- Library Advisory Committee
- Other Committee _____

Name: SKELTON RON
Last First

Residential Neighborhood: CLARES / 41ST AVE / WHARF / JEWEL BOX

Occupation: _____

Describe your qualifications and interest in serving on this Board/Commission/Committee: _____

See attached

(Use additional paper, if necessary)

Please Note: Appointment to this position may require you to file a conflict of interest disclosure statement with the City Clerk. This information is a public record and these statements are available to the public on request.

7/29/16
Date

R. L Skelton
Signature of Applicant

Mail or Deliver Application to:
Capitola City Hall
Attn: City Clerk
420 Capitola Avenue, Capitola, CA 95010

All information contained in this page of the application is public data and will be made available for public review and copying for anyone requesting it, and may be posted on the website of the City of Capitola. All information in this page will be provided to the Capitola City Council in a public forum and will be reviewed in public. It will therefore be part of the public record.

Attachment: Applications (1569 : Traffic & Parking Appointment)

Application for Appointment to the City Traffic and Parking Commission Ron Skelton :Qualifications

I have studied the subject of traffic and parking extensively since June 1997. my focus has been on pedestrian and ADA issues

I authored Section 5 Issues for the Neighborhood Traffic Advisory Committee. Report published in September 2002

I supported John D Crowder in his 2001 publication of Traffic Issues Specific to Disabled People throughout the City

Other studies and workshops included

Examining walkability and social capital as indicators of quality of life at municipal levels and community levels. S.Rogers et al University of New Hampshire and the International Society for the Quality of Life in 2010

Community Pedestrian Access and Safety Training evaluation. Santa Cruz County Regional Transportation Commission

Improving the Safety and Accessibility of Sidewalks in Santa Cruz County and a Study of Jurisdiction and Property Owner Responsibilities and Practices June 2010

How to Develop a Pedestrian Safety Action Plan. Federal Highway Administration February 2006

Community Pedestrian Safety Empowerment Workshop Watsonville 2011

Provided input to the General Plan development on Quality of Life matters.

Participated in demonstrating traffic calming measures in a Santa Cruz City neighborhood

As a member I would principally contribute in evaluating of how any revision of traffic flow could impact neighborhood streets.

Ron Skelton July 29 2016



AUG 2 2016
CITY OF CAPITOLA
CITY CLERK

CITY of CAPITOLA

BOARDS AND COMMISSIONS APPLICATION

Application for:

- Art & Cultural Commission
[Artist; Arts Professional; At Large Member]
Please underline category above.
- Finance Advisory Committee
[Business Representative; At Large Member]
Please underline category above.
- Historical Museum Board
- Library Advisory Committee
- Architectural & Site Committee
[Architect; Landscape Architect; Historian]
Please underline category above.
- Traffic & Parking Commission
[Village Resident; Village Business Owner; At Large Member]
Please underline category above.
- Planning Commission
- Other Committee _____

Name: THOM DOUGLAS
Last First

Residential Neighborhood: DEPOT HILL

Occupation: ENGINEERING MANAGER

Describe your qualifications and interest in serving on this Board/Commission/Committee: _____

SEE ATTACHMENT

(Use additional paper, if necessary)

Please Note: Appointment to this position may require you to file a conflict of interest disclosure statement with the City Clerk. This information is a public record and these statements are available to the public on request.

8/2/16
Date

[Signature]
Signature of Applicant

Mail or Deliver Application to:
Capitola City Hall
Attn: City Clerk
420 Capitola Avenue, Capitola, CA 95010

All information contained in this page of the application is public data and will be made available for public review and copying for anyone requesting it, and may be posted on the website of the City of Capitola. All information in this page will be provided to the Capitola City Council in a public forum and will be reviewed in public. It will therefore be part of the public record.

Attachment: Applications (1569 : Traffic & Parking Appointment)

Attachment – City of Capitola Application: Douglas Thom

Describe your qualifications and interest in serving on the Commission:

My wife and I have lived in Capitola since 1996. I feel the City faces significant challenges with respect to Traffic and Parking and I'd like to participate in the process of addressing these issues.

My background and experience are generally well suited for this particular commission. Here is a brief list of relevant experience and qualifications.

- Intersection design for bicycle traffic at U.C. Davis
- BS in Mechanical Engineering and BS in Electrical Engineering – UC Davis
- Previously a licensed General Contractor in California
- 40 years of Project/Program management in the Engineering field
- 25 years of experience as Board Member for a Family Corporation
- 20 years of experience of managing a small private utility, including road/bridge
- 40 years of experience with construction trades
- Working with large and small teams to produce results on time and on budget
- Managed P/L and budget for \$150M business, Hewlett-Packard



Doug Thom

Please note I will be traveling during most of August, but will be available by e-mail with some limited cell phone availability.



City of Capitola
 420 Capitola Avenue
 Capitola, CA 95010
 Phone (831) 475-7300
 FAX (831) 479-8879

**CAPITOLA TRAFFIC & PARKING COMMISSION
 CURRENT MEMBERS (2 YEAR TERMS)**

NAME	APPOINTEE	ADDRESS & PHONE NUMBER & EMAIL	DATE APPOINTED	TERM EXPIRES
Margaret Kinstler	Village Resident	mmkinstler@aol.com	5/14/09 12/9/10 1/10/13 1/8/15	12/31/16
James Steven Ross	Village Resident	eagledog41@yahoo.com	2/14/13 1/8/15	12/31/16
Carin Hanna	Village Business Owner	carinhanna@aol.com	5/14/09 12/9/10 1/10/13 1/8/15	12/31/16
Willie Case	Village Business Owner	williecase@aol.com	10/22/15	12/31/16
Ron Graves	Harlan Appointee	fishsweetheart@netzero.com	5/14/15	12/31/16

TRAFFIC & PARKING COMMISSION – CURRENT MEMBERS

NAME	APPOINTEE	ADDRESS & PHONE NUMBER & EMAIL	DATE APPOINTED	TERM EXPIRES
Molly Ording	Bertrand Appointee	mollyording@yahoo.com	5/14/09 12/09/10 1/10/13 1/8/15	12/31/16
Ron Burke	Norton Appointee	rburke477@gmail.com	1/8/15	12/31/16
Vacancy	Bottorff Appointee			
Nels Westman	Termini Appointee	nels@bestwestman.com	5/14/09 12/9/10 1/10/13 1/8/15	12/31/16
TJ Welch	Planning Commission Representative	noworries4TJ@mac.com	5/7/15	12/31/16

Staff Representative:

Steve Jesberg, Public Works Director
 831-475-7300 ext. 217
sjesberg@ci.capitola.ca.us

Revised: 07/18/16 ss



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF AUGUST 25, 2016

FROM: City Manager Department

SUBJECT: Consider the July 28, 2016, Regular City Council Minutes

RECOMMENDED ACTION: Approve Minutes.

DISCUSSION: Attached for City Council review and approval are the minutes of the subject meeting.

ATTACHMENTS:

1. July 28, 2016, Regular City Council Draft Minutes

Report Prepared By: Susan Sneddon
City Clerk

Reviewed and Forwarded by:

A handwritten signature in blue ink, appearing to be "JG", is written over a horizontal line.

Jamie Goldstein, City Manager

8/17/2016

**CAPITOLA CITY COUNCIL
REGULAR MEETING ACTION MINUTES
THURSDAY, JULY 28, 2016**

**CLOSED SESSION – 6:00 PM
CITY MANAGER’S OFFICE**

Mayor Bottorff called the meeting to order at 6:00 PM. He announced the item to be discussed in Closed Session, as follows:

CONFERENCE WITH LABOR NEGOTIATOR [Govt. Code §54957.6]

Negotiator: Jamie Goldstein, City Manager
Employee Organizations:

1. Association of Capitola Employees
2. Capitola Police Captains
3. Capitola Police Officers Association
4. Confidential Employees
5. Mid-Management Group
6. Department Heads

CONFERENCE WITH REAL PROPERTY NEGOTIATOR [Govt. Code §54956.8]

Property: 2091 Wharf Road, APN 034-241-05, Capitola, CA
City Negotiator: Jamie Goldstein, City Manager
Negotiating Parties: Joseph K. and Debbie A. Genge
Under Negotiation: Terms for potential purchase of property by City

LIABILITY CLAIM [Govt. Code §54956.95]

Claimant: Chad Geraci
Agency claimed against: City of Capitola

Mayor Bottorff noted that there was no one in the audience; therefore, the City Council recessed at 6:00 p.m. to the Closed Session

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES

July 28, 2016

REGULAR MEETING OF THE CAPITOLA CITY COUNCIL COUNCIL – 7:00 PM

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Councilmember Dennis Norton: Present, Mayor Ed Bottorff: Present, Council Member Jacques Bertrand: Present, Vice Mayor Stephanie Harlan: Present, Council Member Michael Termini: Present.

City Treasurer McBroom was absent.

2. PRESENTATIONS

- A. Introduction of Susan Nemitz, Santa Cruz Public Library Director [230-10]

Ms. Nemitz was introduced.

- B. Presentation Regarding the Human Care Alliance [330-30]

Shauna Mora, HCA Member (Conflict Resolution Center) and Gary Edwards, HCA Member (Advocacy, Inc.) provided the presentation.

3. REPORT ON CLOSED SESSION

City Attorney Condotti stated that the Council discussed conference with the City's labor negotiator (City Manager Goldstein) regarding the following employee organizations: (1) Association of Capitola Employees; (2) Capitola Police Captains; (3) Capitola Police Officers Association; (4) Confidential Employees; (5) Mid-Management Group; and (6) Department Heads; there was no reportable action. Mr. Condotti stated that the Council discussed with the City's real property negotiator (City Manager Goldstein) regarding property located at 2091 Wharf Road, Capitola (APN 034-241-05); there was no reportable action. In addition, the Council discussed the Chad Geraci tort claim which is listed on the Council's regular meeting Consent Calendar this evening.

4. ADDITIONAL MATERIALS

Deputy City Clerk Nichols stated that one additional material was received from Public Works Director Jesberg regarding Item 9.G.

5. ADDITIONS AND DELETIONS TO AGENDA

6. PUBLIC COMMENTS

Marylin Garrett, local resident, stated concerns regarding the telecommunications industry.

Deanna Zachary, Arts Council of Santa Cruz County representative, requested that the Council consider the Arts Council's application for the City's Community Grants.

Barri Boone, In-Home Supportive Services Public Agency (IHSS) representative, spoke regarding the living wage for IHSS home care workers. She also stated concerns regarding health risks related to wireless telecommunications antennas.

Gordon Cumming, Grey Bears Board Member, thanked the City Council for supporting Grey Bears.

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES

July 28, 2016

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

Council Member Termini stated that the Capitola Begonia Festival's annual fundraiser will be held on Sunday, July 31st from 1:30 – 4:00 p.m. at Michael's on Main in Soquel.

Council Member Harlan stated that the Children of the World sculpture that was created by Luis Villarreal which was donated to the City in 1980 is being presented to the City of Rosarito, Baja California, Mexico.

Mayor Bottorff stated that the July 23rd Wharf to Wharf race was a success.

7. CONSENT CALENDAR

Council Member Harlan requested that Item 8.I. be pulled for discussion.

RESULT:	ADOPTED <u>ITEMS 6.A, 6.B., 6.C., 6.D., 6.E., 6.F., 6.G., 6.H., and 6.J.</u> [UNANIMOUS]
MOVER:	Dennis Norton, Council Member
SECONDER:	Stephanie Harlan, Vice Mayor
AYES:	Norton, Bottorff, Bertrand, Harlan, Termini

- A. Consider the May 18, 2016, and June 16, 2016, City Council/Successor Agency Budget Study Session Minutes; and the June 23, 2016, Regular City Council Minutes
RECOMMENDED ACTION: Approve Minutes.
- B. Receive Planning Commission Action Minutes for the Regular Meeting of July 21, 2016
RECOMMENDED ACTION: Receive Minutes.
- C. Approval of City Check Registers dated June 3, June 10, June 17 and June 24, 2016[300-10]
RECOMMENDED ACTION: Approve Check Register Reports.
- D. Deny Liability Claim of Chad Geraci for an Undetermined Amount [Claims Binder]
RECOMMENDED ACTION: Deny liability claim.
- E. Authorize the City to Surplus Two City Vehicles and One Motorcycle [370-10]
RECOMMENDED ACTION: Approve the following:
1. Authorize the Public Works Department to surplus the following vehicles:
 - Marked police vehicle, fleet number 082 (2008 Ford Crown Victoria VIN# 2FAFP71V48X139317), that is scheduled to come off line this fiscal year; and
 - GEM Electric Vehicle (VIN# 5ASAK27412F023950 License # B35240) which is no longer operational.
 2. Authorize sale of the 2002 Suzuki 400 motorcycle (VIN# J515K43A300101985) to the University of California Santa Cruz, Police Department in the amount of \$2,000.00.

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES

July 28, 2016

- F. Approval of the Rosedale Paving Project Notice of Completion [940-40/500-10 A/C: Monterey Peninsula Engineering]
RECOMMENDED ACTION: Approve and accept the Rosedale Area Paving Project as constructed by the Monterey Peninsula Engineering as complete at a final cost of \$267,412; and authorize the Public Works Department to release the contract retention of \$13,370.60 in 35 days following the recordation of the Notice of Completion.
- G. Rescind Previously Awarded Contract for Repairs to the Jade Street Tennis Courts and Approve Plans, Specifications, and Estimate for Advertising for Bids [1040-20]
RECOMMENDED ACTION: Take the following actions:
1. Rescind a contract awarded to Vintage Contractors on June 23, 2016, for repairs to the Jade Street Tennis Courts; and
 2. Approve plans, specifications, and estimate for advertising for bids for the selected repair alternative of the Plexipave Slipsheet overlay.
- H. Consider a Contract with Carolyn Flynn for Professional Services Related to Affordable Housing, Community Development Block Grant (CDBG) Administration, and Grant Writing [500-10 A/C: Flynn, Carolyn]
RECOMMENDED ACTION: Authorize the City Manager to execute a contract with Carolyn Flynn in an amount not to exceed \$52,000.
- I. Approve Agreement with Bogard Construction as the Project Manager for the Construction of Capitola Branch Library for an Initial Amount of \$21,600 [230-10/500-10 A/C: Bogard Construction]
RECOMMENDED ACTION: Award contract.
- J. Fiscal Year 2015/16 Budget Adjustments [330-10]
RECOMMENDED ACTION: Approve the Budget Adjustments.

Item 8.I. was pulled from the Consent Calendar for discussion:

- I. Approve Agreement with Bogard Construction as the Project Manager for the Construction of Capitola Branch Library for an Initial Amount of \$21,600 [230-10/500-10 A/C: Bogard Construction]
RECOMMENDED ACTION: Award contract.

RESULT:	<u>ITEM 6.I.</u>: APPROVED AN AGREEMENT WITH BOGARD CONSTRUCTION AS THE PROJECT MANAGER FOR THE CONSTRUCTION OF CAPITOLA BRANCH LIBRARY FOR AN INITIAL AMOUNT OF \$21,600
MOVER:	Stephanie Harlan, Vice Mayor
SECONDER:	Ed Bottorff, Mayor
AYES:	Norton, Bottorff, Bertrand, Harlan
ABSTAIN:	Michael Termini

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES

July 28, 2016

9. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Recruitment Process for Chief of Police, and Designation of City Council Members to Serve on the Interview Panel [650-05/500-100 A/C: Bob Murray & Associates]
RECOMMENDED ACTION: Approve recruitment process for Chief of Police, and designate two City Council Members to serve on the interview panel.

RESULT:	APPOINTED COUNCIL MEMBER TERMINI TO SERVE ON THE POLICE CHIEF INTERVIEW PANEL WITH THE FOLLOWING ROLL CALL VOTE:
MOVER:	Dennis Norton, Council Member
SECONDER:	Ed Bottorff, Mayor
AYES:	Dennis Norton, Ed Bottorff, Michael Termini
NAYS:	Jacques Bertrand, Stephanie Harlan

Marylin Garrett suggested that the public be involved in the selection of the City's Police Chief.

Council Member Termini made a motion with a second from Mayor Bottorff to appoint Council Member Harlan to be on the interview panel. Council Member Termini withdrew his motion because Council Member Harlan stated that she will defer the appointment to Council Member Bertrand. Mayor Bottorff withdraw his second motion.

RESULT:	APPOINTED COUNCIL MEMBER BERTRAND TO SERVE ON THE POLICE CHIEF INTERVIEW PANEL WITH THE FOLLOWING ROLL CALL VOTE [UNANIMOUS]:
MOVER:	Michael Termini, Council Member
SECONDER:	Ed Bottorff, Mayor
AYES:	Norton, Bottorff, Bertrand, Harlan, Termini

- B. Consider a Resolution Establishing November 8, 2016, as the Date for a Municipal Election on a Proposed Ballot Measure Seeking Voter Authorization to Extend the Sunset Date on an Existing One-Quarter Cent (0.25%) Transactions and Use ("Sales") Tax; and the Introduction of an Ordinance Amending Section 16 of Ordinance 880, as Amended by Ordinance No. 935 Pertaining to the City's Transactions and Use Tax Administered by the State Board of Equalization[560-10]
RECOMMENDED ACTION: Staff recommends the City Council take the following actions:

1. Adopt the draft Resolution to (a) identify the City Council intentions for the proposed measure; (b) approve the proposed measure language; (c) request consolidation and County Elections to conduct the election; and
2. Introduce an Ordinance amending Section 16 of Ordinance No. 880, as amended by Ordinance No. 935, pertaining to the City's Transactions and Use Tax administered by the State Board of Equalization; and
3. Appoint a City Council subcommittee to prepare an argument and rebuttal in support of the ballot measure and return to the full City Council with a draft argument at a Special Meeting on August 11.

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES July 28, 2016

Nathan Cross, Finance Advisory Committee (FAC) representative, provided the FAC's recommendation for the proposed ballot measure.

Carin Hanna, Capitola Village & Wharf Business Improvement Area Advisory Committee representative, provided support to the proposed ballot measure.

RESULT:	(I) APPROVED <u>RESOLUTION NO. 4057</u> [A] IDENTIFYING THE CITY COUNCIL INTENTIONS FOR THE PROPOSED MEASURE; [B] APPROVE THE PROPOSED MEASURE LANGUAGE; AND [C] REQUEST CONSOLIDATION AND COUNTY ELECTIONS TO CONDUCT THE ELECTION; (II) THE INTRODUCTION OF AN ORDINANCE AMENDING SECTION 16 OF ORDINANCE NO. 880, AS AMENDED BY ORDINANCE NO. 935, PERTAINING TO THE CITY'S TRANSACTIONS AND USE TAX ADMINISTERED BY THE STATE BOARD OF EQUALIZATION; AND (III) APPOINTED COUNCIL MEMBERS NORTON AND HARLAN TO A CITY COUNCIL SUBCOMMITTEE TO PREPARE ARGUMENTS AND REBUTTALS IN SUPPORT OF THE BALLOT MEASURE AND RETURN TO THE FULL CITY COUNCIL WITH A DRAFT ARGUMENT AT A SPECIAL MEETING ON AUGUST 11, 2016; [UNANIMOUS]:
MOVER:	Michael Termini, Council Member
SECONDER:	Ed Bottorff, Mayor
AYES:	Norton, Bottorff, Bertrand, Harlan, Termini

Mayor Bottorff stated that Item 10.D. was discussed prior to Item 10.C.

- D. Santa Cruz County Mosquito Abatement / Vector Control Presentation [460-10]
RECOMMENDED ACTION: Receive presentation regarding the Local Invasive Aedes Mosquito and Arbovirus Surveillance and Response Plan.

Paul Binding, Santa Cruz County Mosquito Abatement / Vector Control Manager and Amanda Paulsen, Santa Cruz County Vector Ecologist, provided the presentation.

- C. OpenGov Financial Transparency Presentation [330-70/380-20]
RECOMMENDED ACTION: Receive presentation and provide direction.

Rebecca Rosengarten and Sebastian Cabrera, OpenGov representatives provided the presentation.

The City Council took a five-minute break.

- E. Zoning Code Update Progress Report [730-85]
RECOMMENDED ACTION: Accept staff presentation and set special hearing schedule.

The following dates for the Special City Council Meetings regarding the Zoning Code Update were approved by the City Council:

- Thursday, August 11, 2016, at 6:00 p.m.
- Thursday, August 18, 2016, at 7:00 p.m.

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES July 28, 2016

- Thursday, September 15, 2016 at 6:00 p.m.
- Thursday, September 29, 2016 at 6:00 p.m, (if needed)

- F. Designation of Voting Delegate and Alternate for the 2016 League of California Cities Annual Conference to be held in Long Beach October 5 through October 7, 2016[150-50]

RECOMMENDED ACTION: Designate Capitola's Voting Delegates.

RESULT:	APPOINTED COUNCIL MEMBER HARLAN TO BE THE VOTING DELEGATE FOR THE 2016 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE AND COUNCIL MEMBER BERTRAND TO SERVE AS THE ALTERNATE VOTING DELEGATE [UNANIMOUS]:
MOVER:	Michael Termini, Council Member
SECONDER:	Jacques Bertrand, Council Member
AYES:	Norton, Botorff, Bertrand, Harlan, Termini

- G. Consider Awarding a Contract for the 2016 Road Rehabilitation Project [940-40]
RECOMMENDED ACTION: Receive report on the bids for the 2016 Road Rehabilitation Project and award a contract to the lowest responsible bidder; and take any related actions necessary to proceed with the project as recommended by the Public Works Department.

RESULT:	APPROVE A CONTRACT TO GRANITE ROCK COMPANY FOR THE 2016 ROAD REHABILITATION PROJECT WITH A BID IN THE AMOUNT OF \$1,343,067.60 [UNANIMOUS]:
MOVER:	Michael Termini, Council Member
SECONDER:	Jacques Bertrand, Council Member
AYES:	Norton, Botorff, Bertrand, Harlan, Termini

10. ADJOURNMENT

The meeting was closed at 10:00 p.m.

ATTEST:

Ed Botorff, Mayor

Liz Nichols, Deputy City Clerk



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF AUGUST 25, 2016

FROM: Community Development

SUBJECT: Receive Planning Commission Action Minutes for the Regular Meeting of August 4, 2016

RECOMMENDED ACTION: Receive Minutes

ATTACHMENTS:

1. Planning Commission Action Minutes August 4, 2016

Report Prepared By: Linda Fridy
Planning Commission Minutes Clerk

Reviewed and Forwarded by:



**ACTION MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, AUGUST 4, 2016
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioner Linda Smith: Present, Commissioner Gayle Ortiz: Present, Commissioner Edward Newman: Present, Chairperson TJ Welch: Present, Commissioner Susan Westman: Present.

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

B. Public Comments

C. Commission Comments

D. Staff Comments

3. CONSENT CALENDAR

A. 211 Esplanade #16-122 035-211-03

Design Permit application to re-face the top of building fascia and a Sign Permit application for a wall sign at 211 Esplanade (The Sand Bar), located in the CV (Central Village) Zoning District.

This project is in the Coastal Zone but is exempt from a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Chuck Hammers

Representative: Shawn Adams – Monterey Signs, filed: 6/14/16

Motion: Approve a Design Permit and Sign Permit

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Linda Smith, Commissioner
SECONDER:	Gayle Ortiz, Commissioner
AYES:	Smith, Ortiz, Newman, Welch, Westman

4. PUBLIC HEARINGS

A. 190 El Camino Medio #16-107 035-262-01

Conditional Use Permit application to conduct an owner-occupied Bed and Breakfast at the existing residence and variance request to parking standards, located in the AR/R-1 (Automatic Review / Single-Family Residential) Zoning District.

This project is in the Coastal Zone and requires a Coastal Development Permit, which is appealable to the California Coastal Commission after all possible appeals are exhausted through the city.

Environmental Determination: Statutory Exemption

Property Owner: Gordon Hunt

Representative: Kathleen Notch, filed: 5/24/16

Motion: Deny the Conditional Use Permit and Variance

RESULT:	DENIED [UNANIMOUS]
MOVER:	Linda Smith, Commissioner
SECONDER:	Susan Westman, Commissioner
AYES:	Smith, Ortiz, Newman, Welch, Westman

B. Verizon Wireless Communication Facility at 4400 Capitola Road #15-156 034-111-53

Design Permit and Conditional Use Permit for the installation of a new Verizon wireless antenna and ancillary equipment on the roof of an existing commercial building in the PO (Professional Office) Zoning District.

This project is in the Coastal Zone and requires a Coastal Development Permit, which is not appealable to the California Coastal Commission.

Environmental Determination: Categorical Exemption

Property Owner: Lomak Property Group

Representative: Verizon Wireless – Nexius, filed 9/29/15

Motion: Approve a Design Permit and Conditional Use Permit

RESULT:	APPROVED AS AMENDED [4 TO 0]
MOVER:	Linda Smith, Commissioner
SECONDER:	Susan Westman, Commissioner
AYES:	Smith, Ortiz, Welch, Westman
RECUSED:	Newman

C. 419 Capitola Avenue #16-101 APN: 035-131-26

Design Permit and Variance for front and side yard setbacks for a three story duplex located in the CN (Neighborhood Commercial) Zoning District.

This project is in the Coastal Zone and requires a Coastal Development Permit that is appealable to the California Coastal Commission after all possible appeals are exhausted through the city.

Environmental Determination: Categorical Exemption

Property Owners: Daniel Gomez and Daniel Townsend, filed 5/16/2016

Representative: Daniel Gomez and Daniel Townsend

Motion: Approve a Design Permit and Variance

RESULT:	APPROVED AS AMENDED [3 TO 0]
MOVER:	Linda Smith, Commissioner
SECONDER:	Gayle Ortiz, Commissioner
AYES:	Smith, Ortiz, Newman
RECUSED:	Welch, Westman

D. 2205 Wharf Road #16-041 APN: 034-141-34

Minor land division to create two lots of record, design permit for a new Single-Family Residence, and a tree removal permit for the property located at 2205 Wharf Road in the RM-LM (Residential Multi-Family – Low-Medium Density) Zoning District.

This project is not in the Coastal Zone and does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Christopher Wright
Representative: Dennis Norton, filed: 3/14/16

Motion: Continue the hearing to the next regular meeting

RESULT:	CONTINUED [UNANIMOUS]	Next: 9/1/2016 7:00 PM
MOVER:	Gayle Ortiz, Commissioner	
SECONDER:	Linda Smith, Commissioner	
AYES:	Smith, Ortiz, Newman, Welch, Westman	

- 5. DIRECTOR'S REPORT
- 6. COMMISSION COMMUNICATIONS
- 7. ADJOURNMENT

Attachment: Planning Commission Action Minutes August 4, 2016 (1518 : Planning Commission Action Minutes 8/4/16)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF AUGUST 25, 2016

FROM: Finance Department

SUBJECT: Approval of City Check Registers dated July 1, July 8, July 15, July 22 and July 29, 2016

RECOMMENDED ACTION: Approve Check Register Reports.

BACKGROUND: Check registers are attached for:

Account: City Main				
Date	Starting Check #	Ending Check #	Check/EFT Count	Amount
7/01/2016	83949	84042	102	\$894,320.42
7/08/2016	84043	84101	59	\$165,131.90
7/15/2016	84102	84179	86	\$1,791,778.16
7/22/2016	84180	84232	53	\$81,048.23
7/29/2016	84233	84300	75	\$360,055.36

The check register of June 24, 2016, ended with check #83948.

Account: Payroll				
Date	Starting Check #	Ending Check #	Check/EFT Count	Amount
7/08/2016	4884	4904	132	\$181,506.66
7/22/2016	4905	4927	133	\$183,196.77

Following is a list of checks issued for more than \$10,000.00 and a brief description of each expenditure:

Check	Issued to	Dept.	Description	Amount
83995	Wells Fargo Bank	FN	POB principal and interest	\$647,712.75
eft287	CalPERS Member Services	FN	PERS contributions PPE 6-18-16	\$46,630.14
eft289	IRS	FN	Federal taxes & Medicare 6-18-16	\$28,775.77
eft291	CalPERS Health	FN	July health insurance	\$57,255.26
eft292	Wells Fargo Bank	FN	May credit card charges	\$17,184.26
84071	Santa Cruz County Planning Dept.	CM	Homeless action partnership	\$25,549.00
84076	US Bank	PW	Facility lease - Pac Cove	\$75,590.61
84107	Atchison Barisone Condotti &	CM	June legal services	\$19,898.97

Approval of City Check Registers
August 25, 2016

	Kovacevich			
84143	MBASIA	CM	Insurance premiums FY16/17	\$294,200.20
84145	Monterey Peninsula Engineering	PW	Rosedale area paving project	\$254,041.40
84153	SCC Auditor Controller	PD	June citation processing	\$14,416.50
84154	SCC Conference and Visitors Council	FN	Quarterly tourism marketing assessment	\$53,288.24
84159	Santa Cruz Regional 911	PD	Quarterly 911 dispatch services	\$142,846.55
84162	Soquel Creek Water District	PW	June water usage and irrigation fees	\$11,537.85
eft294	CalPERS Member Services	FN	PERS contributions PPE 7-02-16	\$48,173.04
eft296	Internal Revenue Services	FN	Federal taxes & Medicare 7-02-16	\$29,005.91
eft299	CalPERS Fiscal Services	FN	PERS UAL FY16/17 prepayment	\$806,907.00
84195	Folsom Ford	PD	2016 Ford Explorer	\$32,634.71
84206	PG&E	PW	July utilities	\$14,807.62
84241	Bear Electrical Solutions	PW	June signal maintenance, repairs, install speed sign and crosswalk lights	\$49,665.50
84261	Kimley-Horn and Associates	PW	Bike lanes, Clares St. traffic calming, June engineering consultant services	\$14,020.49
84270	Mid Bay Ford Lincoln	PW	2016 Ford F250 4x4 truck	\$28,471.53
84289	The Don Chapin Co.	PW	38 th Ave. reconstruction retention	\$14,905.58
84295	Weber Hayes & Associates	PW	McGregor Park soil testing/removal	\$10,469.25
eft303	CalPERS Member Services	FN	PERS contributions PPE 7-16-16	\$49,659.96
eft305	IRS	FN	Federal taxes & Medicare 7-16-16	\$32,018.28
eft307	CalPERS Health	FN	August health insurance	\$57,248.18

ATTACHMENTS:

1. 07-01-16 City Check Register
2. 07-08-16 City Check Register
3. 07-15-16 City Check Register
4. 07-22-16 City Check Register
5. 07-29-16 City Check Register

Report Prepared By: Maura Herlihy
Account Technician

Reviewed and Forwarded by:

Jamie Goldstein, City Manager

8/17/2016

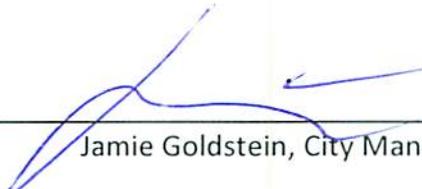
Accounts payable checks dated 07/01/2016, numbered 83949 to 84042, totaling \$736,275.31, plus 8 accounts payable EFTs totaling \$158,045.11, for a total disbursement of \$894,320.42, have been reviewed and authorized for distribution by the City Manager.

As of 07/01/2016 the unaudited cash balance is \$5,580,172.50.

CASH POSITION - CITY OF CAPITOLA 07/01/2016

	<u>Net Balance</u>
General Fund	\$512,665.36
Payroll Payables	\$18,535.52
Contingency Reserve Fund	\$1,893,345.66
PERS Contingency Fund	\$300,000.00
Facilities Reserve Fund	\$229,870.00
Capital Improvement Fund	\$1,887,652.81
Stores Fund	\$22,760.29
Information Technology Fund	\$132,374.49
Equipment Replacement	\$131,308.99
Self Insurance Liability Fund	\$266,119.00
Worker's Comp. Ins. Fund	\$217,851.79
Compensated Absences Fund	(\$32,311.41)
TOTAL UNASSIGNED GENERAL FUNDS	<u><u>\$5,580,172.50</u></u>

The Emergency Reserve Fund Balance is \$1,262,205.54 (not included above).



 Jamie Goldstein, City Manager

07/01/2016

 Date

Attachment: 07-01-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/01/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transactio Amou
83949	07/01/2016	Open			ADRIENNE HARRELL	\$666.00
	Invoice		Date	Description		Amount
	2016-00000946		06/24/2016	Summer 1 Instructor Payments 2016		\$666.90
83950	07/01/2016	Open			AIMEE FITZGERALD	\$245.05
	Invoice		Date	Description		Amount
	2016-00000945		06/24/2016	Summer 1 Instructor Payments 2016		\$245.05
83951	07/01/2016	Open			ANA LUCIA DAVIDSON	\$83.85
	Invoice		Date	Description		Amount
	2016-00000942		06/24/2016	Summer 1 Instructor Payments 2016		\$83.85
83952	07/01/2016	Open			BECKY ADAMS	\$407.55
	Invoice		Date	Description		Amount
	2016-00000937		06/24/2016	Summer 1 Instructor Payments 2016		\$407.55
83953	07/01/2016	Open			BRINKS AWARDS & SIGNS	\$239.25
	Invoice		Date	Description		Amount
	81138		06/23/2016	Softball Awards		\$239.25
83954	07/01/2016	Open			CALIFORNIA LAW ENFORCEMENT ASSOCIATION	\$539.00
	Invoice		Date	Description		Amount
	CLEA062016		06/20/2016	July POA long term disability 1001 - Payroll Payables		\$539.00
83955	07/01/2016	Open			CAPITOLA PEACE OFFICERS ASSOCIATION	\$1,707.25
	Invoice		Date	Description		Amount
	POA062416		06/24/2016	POA and gym dues PPE 6-18-16 1001 - Payroll Payables		\$1,707.25
83956	07/01/2016	Open			CAROL HILL MORGAN	\$343.20
	Invoice		Date	Description		Amount
	2016-00000955		06/24/2016	Summer 1 Instructor Payments 2016		\$343.20
83957	07/01/2016	Open			CHARMAINE MONIZ	\$23.40
	Invoice		Date	Description		Amount
	2016-00000954		06/24/2016	Summer 1 Instructor Payments 2016		\$23.40
83958	07/01/2016	Open			CHRISTINA CANAVAN	\$1,092.00
	Invoice		Date	Description		Amount
	2016-00000973		06/28/2016	Summer1 Instructor Payment 2016		\$1,092.00
83959	07/01/2016	Open			CVS PHARMACY INC.	\$25.25
	Invoice		Date	Description		Amount
	7783		06/20/2016	camp bandages		\$25.25
83960	07/01/2016	Open			DAVE JOHNSTON	\$80.60
	Invoice		Date	Description		Amount
	2016-00000947		06/24/2016	Summer 1 Instructor Payments 2016		\$80.60

Attachment: 07-01-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/01/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transactio Amou
83961	07/01/2016	Open			DAWN MAC LAUGHLIN	\$695.
	Invoice		Date	Description		Amount
	2016-00000949		06/24/2016	Summer 1 Instructor Payments 2016		\$695.50
83962	07/01/2016	Open			FERESHTEH FATEMI	\$351.
	Invoice		Date	Description		Amount
	2016-00000944		06/24/2016	Summer 1 Instructor Payments 2016		\$351.00
83963	07/01/2016	Open			FLYERS ENERGY LLC	\$1,480.
	Invoice		Date	Description		Amount
	16-277795		06/24/2016	110 gallons diesel		\$309.34
	16-277794		06/24/2016	366 gallons ethanol		\$1,170.70
83964	07/01/2016	Open			GAIL S PENNIMAN	\$156.
	Invoice		Date	Description		Amount
	2016-00000956		06/24/2016	Summer 1 Instructor Payments 2016		\$156.00
83965	07/01/2016	Open			H. MARCHESE - PETTY CASH CUSTODIAN	\$482.
	Invoice		Date	Description		Amount
	COC062816		06/28/2016	replenish petty cash		\$482.38
83966	07/01/2016	Open			HO KUK MU SUL CORPORATION	\$52.
	Invoice		Date	Description		Amount
	2016-00000941		06/24/2016	Summer 1 Instructor Payments 2016		\$52.00
83967	07/01/2016	Open			HOSE SHOP	\$107.
	Invoice		Date	Description		Amount
	388412		06/23/2016	hose assembly, fittings, o-ring		\$107.95
83968	07/01/2016	Open			ICMA RETIREMENT TRUST 457	\$5,122.
	Invoice		Date	Description		Amount
	41198876		06/24/2016	457 contributions PPE 06-18-16 1001 - Payroll Payables		\$5,122.34
83969	07/01/2016	Open			INTERWEST CONSULTING GROUP INC.	\$680.
	Invoice		Date	Description		Amount
	27809		06/18/2016	May plan review services		\$680.38
83970	07/01/2016	Open			JEANI MITCHELL	\$468.
	Invoice		Date	Description		Amount
	2016-00000953		06/24/2016	Summer 1 Instructor Payments 2016		\$468.00
83971	07/01/2016	Open			JOBS AVAILABLE	\$45.
	Invoice		Date	Description		Amount
	JA062816		06/28/2016	print subscription		\$45.00
83972	07/01/2016	Open			JODI CHRISTIANSEN DESIGNS	\$442.
	Invoice		Date	Description		Amount
	2016-00000940		06/24/2016	Summer 1 Instructor Payments 2016		\$442.00

Attachment: 07-01-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/01/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83973	07/01/2016	Open			LAFCO/LOCAL AGENCY FORMATION COMMISSION	\$7,219.
	Invoice		Date	Description		Amount
	FY16/17 fees		05/05/2016	LAFCO FY16/17 fees		\$7,219.07
83974	07/01/2016	Open			LAUREN JUNKER	\$1,062.
	Invoice		Date	Description		Amount
	2016-00000971		06/28/2016	Summer1 Instructor Payment 2016		\$1,062.75
83975	07/01/2016	Open			LIUNA PENSION FUND	\$686.
	Invoice		Date	Description		Amount
	CJ4035		06/28/2016	LIUNA pension dues PPE 06-18-16 1001 - Payroll Payables		\$686.40
83976	07/01/2016	Open			LLOYDS TIRE SERVICE	\$134.
	Invoice		Date	Description		Amount
	302599		06/28/2016	tire mounting, balance, disposal		\$134.14
83977	07/01/2016	Open			LORRAINE KINNAMON	\$98.
	Invoice		Date	Description		Amount
	2016-00000948		06/24/2016	Summer 1 Instructor Payments 2016		\$98.80
83978	07/01/2016	Open			MARK MATTERN	\$416.
	Invoice		Date	Description		Amount
	2016-00000951		06/24/2016	Summer 1 Instructor Payments 2016		\$416.00
83979	07/01/2016	Open			MITCHELL A. MILES JR.	\$280.
	Invoice		Date	Description		Amount
	2016-00000952		06/24/2016	Summer 1 Instructor Payments 2016		\$280.80
83980	07/01/2016	Open			O'REILLY AUTO PARTS	\$27.
	Invoice		Date	Description		Amount
	2763-210555		06/22/2016	auto fluid		\$27.19
83981	07/01/2016	Open			PACIFIC MONARCH	\$7,670.
	Invoice		Date	Description		Amount
	47073-2		07/01/2016	Buses to JG Regionals Comp		\$3,800.00
	47074-2		07/01/2016	Buses to Regionals Competition		\$3,870.00
83982	07/01/2016	Open			PAULA BLISS	\$291.
	Invoice		Date	Description		Amount
	2016-00000939		06/24/2016	Summer 1 Instructor Payments 2016		\$291.20
83983	07/01/2016	Open			Paula Yoshiko Suzuki	\$400.
	Invoice		Date	Description		Amount
	2016-00000957		06/24/2016	Summer 1 Instructor Payments 2016		\$400.40
83984	07/01/2016	Open			R.L. HASTINGS & ASSOC. LLC	\$960.
	Invoice		Date	Description		Amount
	061616-1		06/16/2016	Oversight of HOME for Bay Ave Senior Apts 1370 - HOME Reuse Fund		\$960.00

Attachment: 07-01-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/01/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83985	07/01/2016	Open			ROGERS ANDERSON MALODY & SCOTT LLP	\$6,000.
	Invoice		Date	Description		Amount
	51566		05/31/2016	progress billing for FY15/16 audit		\$6,000.00
83986	07/01/2016	Open			SANDY MARRUJO	\$312.
	Invoice		Date	Description		Amount
	2016-00000950		06/24/2016	Summer 1 Instructor Payments 2016		\$312.00
83987	07/01/2016	Open			SESE EGAN GEDDES	\$93.
	Invoice		Date	Description		Amount
	2016-00000943		06/24/2016	Summer 1 Instructor Payments 2016		\$93.60
83988	07/01/2016	Open			SHERRI BETZ	\$4,746
	Invoice		Date	Description		Amount
	2016-00000938		06/24/2016	Summer 1 Instructor Payments 2016		\$4,746.30
83989	07/01/2016	Open			TELECOM LAW FIRM PC	\$500
	Invoice		Date	Description		Amount
	542		05/19/2016	#15-198 231 Esplanade wireless planning memos		\$500.00
83990	07/01/2016	Open			UNITED STATES LIFESAVING ASSOCIATION	\$4,130.
	Invoice		Date	Description		Amount
	USLA062316		07/01/2016	2016 Regionals 413 JG memberships		\$4,130.00
83991	07/01/2016	Open			UNITED WAY OF SANTA CRUZ COUNTY	\$50.
	Invoice		Date	Description		Amount
	UW062416		06/24/2016	United Way contributions PPE 06-18-16 1001 - Payroll Payables		\$50.00
83992	07/01/2016	Open			UPEC LIUNA LOCAL 792	\$1,174.
	Invoice		Date	Description		Amount
	UPEC062416		06/24/2016	June UPEC dues 1001 - Payroll Payables		\$1,174.50
83993	07/01/2016	Open			US BANK PARS	\$1,941.
	Invoice		Date	Description		Amount
	PARS062416		06/24/2016	PARS contributions PPE 06-18-16 1001 - Payroll Payables		\$1,941.51
83994	07/01/2016	Open			WATSONVILLE BLUEPRINT	\$444.
	Invoice		Date	Description		Amount
	61960		06/21/2016	Rispin prints		\$18.36
	62089		06/28/2016	print sets for PMP-Kennedy, Monterey, Park 1000 - General Fund \$18.36 1200 - Capital Improvement \$425.88		\$425.88
83995	07/01/2016	Open			WELLS FARGO BANK	\$647,712.
	Invoice		Date	Description		Amount
	WF070116		07/01/2016	POB principal and interest 1410 - Pension Obligation Bond		\$647,712.75

Attachment: 07-01-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/01/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transactio Amou
83996	07/01/2016	Open			Alejandra Cardenas	\$22.
	Invoice		Date	Description		Amount
	2016-00000925		06/24/2016	Camp Jr Leader Honorarium S1		\$22.00
83997	07/01/2016	Open			Alyssa Picone	\$62.
	Invoice		Date	Description		Amount
	2016-00000931		06/24/2016	Camp Jr Leader Honorarium S1		\$62.00
83998	07/01/2016	Open			Amanda Joseph	\$62.
	Invoice		Date	Description		Amount
	2016-00000927		06/24/2016	Camp Jr Leader Honorarium S1		\$62.00
83999	07/01/2016	Open			Jasmine Larson	\$78.
	Invoice		Date	Description		Amount
	2016-00000928		06/24/2016	Camp Jr Leader Honorarium S1		\$78.00
84000	07/01/2016	Open			Julian Rispaud	\$86.
	Invoice		Date	Description		Amount
	2016-00000932		06/24/2016	Camp Jr Leader Honorarium S1		\$86.00
84001	07/01/2016	Open			Julian Wilson	\$86.
	Invoice		Date	Description		Amount
	2016-00000934		06/24/2016	Camp Jr Leader Honorarium S1		\$86.00
84002	07/01/2016	Open			Kate Motroni	\$86.
	Invoice		Date	Description		Amount
	2016-00000930		06/24/2016	Camp Jr Leader Honorarium S1		\$86.00
84003	07/01/2016	Open			Kyle Jack	\$86.
	Invoice		Date	Description		Amount
	2016-00000926		06/24/2016	Camp Jr Leader Honorarium S1		\$86.00
84004	07/01/2016	Open			Natalie Wilson	\$130.
	Invoice		Date	Description		Amount
	2016-00000935		06/24/2016	Camp Jr Leader Honorarium S1		\$130.00
84005	07/01/2016	Open			Noah Fox	\$2.
	Invoice		Date	Description		Amount
	16-056		06/24/2016	Deposit refund 145 Wesley #16-056		\$2.00
84006	07/01/2016	Open			Tessa Marks	\$86.
	Invoice		Date	Description		Amount
	2016-00000929		06/24/2016	Camp Jr Leader Honorarium S1		\$86.00
84007	07/01/2016	Open			Tristan Thomson	\$86.
	Invoice		Date	Description		Amount
	2016-00000933		06/24/2016	Camp Jr Leader Honorarium S1		\$86.00
84008	07/01/2016	Open			ADVOCACY INC.	\$2,573.
	Invoice		Date	Description		Amount
	Advo061416		06/14/2016	15/16 Elder abuse investigative services		\$2,573.00

Attachment: 07-01-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/01/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
84009	07/01/2016	Open			CALE AMERICA INC.	\$980.00
	Invoice		Date	Description		Amount
	140934		06/24/2016	Playstation parts		\$156.24
	140904		06/20/2016	Playstation solar cell replacement, labor, installation		\$824.01
84010	07/01/2016	Open			CALIFORNIA COAST UNIFORM COMPANY	\$40.00
	Invoice		Date	Description		Amount
	5255		06/15/2016	Uniform for Explorer Sherin		\$9.73
	5201		06/16/2016	Uniform for Officer Moreno		\$30.82
84011	07/01/2016	Open			CALIFORNIA POLICE CHIEFS ASSOCIATION	\$145.00
	Invoice		Date	Description		Amount
	1822 FY16/17		05/25/2016	Annual CPCA membership dues for Held		\$145.00
84012	07/01/2016	Open			COAST PAPER & SUPPLY INC.	\$74.16
	Invoice		Date	Description		Amount
	484925		06/23/2016	Paper bags for evidence		\$74.16
84013	07/01/2016	Open			COMMUNITY PRINTERS	\$1,424.65
	Invoice		Date	Description		Amount
	15659011		06/22/2016	newsletter summer 2016		\$1,424.65
84014	07/01/2016	Open			DAVID W SAYEN	\$1,000.00
	Invoice		Date	Description		Amount
	177		05/27/2016	twilight concert performers - Spill the Wine		\$1,000.00
84015	07/01/2016	Open			DONALD W ALLEY	\$2,562.80
	Invoice		Date	Description		Amount
	616-05		06/28/2016	June Soquel lagoon monitoring		\$2,562.80
84016	07/01/2016	Open			FIRST ALARM SECURITY & PATROL INC.	\$225.39
	Invoice		Date	Description		Amount
	932670		06/15/2016	July - Sept. First Alarm services		\$225.39
84017	07/01/2016	Open			FRANK PERRY	\$123.75
	Invoice		Date	Description		Amount
	Perry063016		06/30/2016	museum supplies		\$123.75
84018	07/01/2016	Open			GOLD COAST ARMORY	\$623.52
	Invoice		Date	Description		Amount
	ADI007576/2016		06/06/2016	Ammunition		\$623.52
84019	07/01/2016	Open			HOLLISTER HONDA	\$254.82
	Invoice		Date	Description		Amount
	20691		06/20/2016	2014 Honda service		\$254.82
84020	07/01/2016	Open			HUMBOLDT PETROLEUM LLC	\$52.00
	Invoice		Date	Description		Amount
	085611		06/15/2016	Vehicle cleaning		\$52.00

Attachment: 07-01-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/01/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transacti Amot
84021	07/01/2016	Open			KBA Docusys Inc.	\$110.
	Invoice		Date	Description		Amount
	inv445772		06/17/2016	staples for df-790 2210 - ISF - Stores Fund		\$110.83
84022	07/01/2016	Open			LIEBERT CASSIDY WHITMORE	\$72.
	Invoice		Date	Description		Amount
	1421760		05/31/2016	POA MOU audit		\$72.00
84023	07/01/2016	Open			MAMBO TROPICAL	\$1,400.
	Invoice		Date	Description		Amount
	004		04/24/2016	twilight concert performers - Mambo Tropical		\$1,400.00
84024	07/01/2016	Open			MAR-KEN K-9 TRAINING CENTER	\$260.
	Invoice		Date	Description		Amount
	0233B-16		06/22/2016	Boarding fees for Maverick		\$260.00
84025	07/01/2016	Open			MASTER CAR WASH	\$16.
	Invoice		Date	Description		Amount
	MCW060816		06/08/2016	May vehicle cleaning		\$16.00
84026	07/01/2016	Open			MBS BUSINESS SYSTEMS	\$798.
	Invoice		Date	Description		Amount
	276364		06/15/2016	konica minolta c452 contract and overage		\$798.49
84027	07/01/2016	Open			METRO MOBILE COMMUNICATIONS	\$1,871.
	Invoice		Date	Description		Amount
	38265		06/24/2016	Two portable radios		\$1,871.98
84028	07/01/2016	Open			MICHAEL ARNONE	\$2,289.
	Invoice		Date	Description		Amount
	201528-6		06/22/2016	Rispin park design services thru June 2016 1200 - Capital Improvement Fund		\$2,289.25
84029	07/01/2016	Open			PALACE OFFICE SUPPLIES	\$673.
	Invoice		Date	Description		Amount
	376640-0		06/27/2016	office supplies		\$235.12
	374745-0		06/10/2016	headset		\$258.38
	375481-0		06/16/2016	Surge protector		\$30.04
	375697-0		06/17/2016	Desk pad		\$32.93
	375284-0		06/15/2016	coin envelope, file jacket, coffee		\$117.26
84030	07/01/2016	Open			PHOENIX GROUP INFORMATION SYSTEMS	\$2,022.
	Invoice		Date	Description		Amount
	052016070		06/20/2016	May citation processing		\$2,022.81
84031	07/01/2016	Open			PITNEY BOWES	\$2,198.
	Invoice		Date	Description		Amount
	PB061916		06/19/2016	June postage 2210 - ISF - Stores Fund		\$2,198.69

Attachment: 07-01-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/01/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transacti Amot
84032	07/01/2016	Open			PLATINUM TINTING	\$150.
	Invoice		Date	Description		Amount
	349397		06/16/2016	Toyota Camry window tint		\$150.00
84033	07/01/2016	Open			Real to Reel Productions	\$1,000.
	Invoice		Date	Description		Amount
	10002		04/28/2016	twilight concert performers - Lyin' I's		\$1,000.00
84034	07/01/2016	Open			SANTA CRUZ SENTINEL	\$313.
	Invoice		Date	Description		Amount
	SCS061016		06/10/2016	Annual Newspaper subscription		\$313.95
84035	07/01/2016	Open			STAPLES ADVANTAGE	\$111.
	Invoice		Date	Description		Amount
	8039652722		06/11/2016	office supplies		\$111.80
84036	07/01/2016	Open			STEPFORD INC	\$5,000.
	Invoice		Date	Description		Amount
	1601587		06/20/2016	August monthly IT services 2211 - ISF - Information Technology		\$5,000.00
84037	07/01/2016	Open			SUMMIT UNIFORMS	\$3,805.
	Invoice		Date	Description		Amount
	31320		05/03/2016	Uniform for reserve officer Ferrara		\$2,096.70
	31333		05/03/2016	Uniform for Sandretti		\$149.64
	31435		05/07/2016	Uniform for Officer Yeung		\$188.14
	31502		05/11/2016	Uniform for Officer Evans		\$249.04
	31504		05/11/2016	Uniform for Officer Anderson		\$249.04
	31688		05/19/2016	Uniform for Officer Quolas		\$814.54
	31876		05/27/2016	Duty belt for Sandretti		\$58.73
84038	07/01/2016	Open			SUPERIOR PRINTING INC.	\$181.
	Invoice		Date	Description		Amount
	3366487		06/29/2016	Payroll check stock		\$181.94
84039	07/01/2016	Open			TODD C MORGAN	\$1,000.
	Invoice		Date	Description		Amount
	0502-2016		05/01/2016	twilight concert performers - TM & the Emblems		\$1,000.00
84040	07/01/2016	Open			UNITED PARCEL SERVICE	\$7.
	Invoice		Date	Description		Amount
	0000954791246		06/11/2016	shipping		\$7.00
84041	07/01/2016	Open			WE ALL RIDE SANTA CRUZ	\$79.
	Invoice		Date	Description		Amount
	4145698		06/16/2016	Service to motor		\$79.58
84042	07/01/2016	Open			PV Holding Corp	\$72.
	Invoice		Date	Description		Amount
	PV061716		06/17/2016	refund cite 166124975		\$72.00
Type Check Totals:						\$736,275.

Attachment: 07-01-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/01/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transactio Amou
EFT						
280	06/25/2016	Open			DISCOVERY BENEFITS	\$135.
	Invoice		Date	Description		Amount
	0000653146-IN		05/31/2016	May COBRA & FSA admin.		\$135.00
287	06/29/2016	Open			CalPERS Member Services Division	\$46,630.
	Invoice		Date	Description		Amount
	1000718726-9		06/29/2016	PERS contributions PPE 6-18-16		\$46,630.14
				1000 - General Fund	(\$0.21)	
				1001 - Payroll Payables	\$46,630.35	
288	06/28/2016	Open			EMPLOYMENT DEVELOPMENT DEPT	\$6,691.
	Invoice		Date	Description		Amount
	1-134-447-232		06/28/2016	State tax deposit PPE 06-18-16		\$6,691.41
				1001 - Payroll Payables		
289	06/28/2016	Open			INTERNAL REVENUE SERVICE	\$28,775.
	Invoice		Date	Description		Amount
	63521601		06/28/2016	Federal tax deposit PPE 06-18-16		\$28,775.77
				1001 - Payroll Payables		
290	06/25/2016	Open			STATE DISBURSEMENT UNIT	\$1,117.
	Invoice		Date	Description		Amount
	FF77TU486657		06/25/2016	Garnishments PPE 06-18-16		\$1,117.84
				1001 - Payroll Payables		
291	06/29/2016	Open			CalPERS Health Insurance	\$57,255.
	Invoice		Date	Description		Amount
	2053		06/14/2016	July health insurance		\$57,255.26
				1001 - Payroll Payables		
292	06/27/2016	Open			WELLS FARGO BANK	\$17,184.
	Invoice		Date	Description		Amount
	WF060216B		06/02/2016	May credit card purchases		\$17,184.26
				Purchase items over \$500 threshold:		
				camera system for City Hall	\$6,412.37	
				hearing protection for range	\$1,210.00	
				volunteer dinner	\$5,100.33	
				2016 building code manual	\$2,401.58	
				bricks	\$621.90	
				1000 - General Fund	\$10,187.08	
				1300 - SLESF - Supl Law Enfc	\$6,412.37	
				1313 - General Plan Update	\$26.00	
				1315 - Public Art Fee Fund	\$383.02	
				2210 - ISF - Stores Fund	\$24.95	
				2211 - ISF - Information	\$150.84	
293	07/01/2016	Open			ADP LLC	\$255.
	Invoice		Date	Description		Amount
	475818564		06/24/2016	ADP timesheet charges		\$255.43
				2211 - ISF - Information		
Type EFT Totals:						\$158,045.

Attachment: 07-01-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/01/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transactio Amou
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CITY - Main City Totals

	Counts:	Tota
Checks	94	\$736,275.
EFTs	8	\$158,045.
All	102	\$894,320.

Attachment: 07-01-16 City Check Register (1288 : Approval of City Check Registers)

Accounts payable checks dated 7/8/2016, numbered 84043 to 84101, totaling \$165,131.90, have been reviewed and authorized for distribution by the City Manager.

As of 7/8/2016 the unaudited cash balance is \$5,610,043.77.

CASH POSITION - CITY OF CAPITOLA 7/8/2016

	<u>Net Balance</u>
General Fund	\$546,575.91
Payroll Payables	\$17,463.71
Contingency Reserve Fund	\$1,893,345.66
PERS Contingency Fund	\$300,000.00
Facilities Reserve Fund	\$229,870.00
Capital Improvement Fund	\$1,887,652.81
Stores Fund	\$22,495.17
Information Technology Fund	\$129,672.14
Equipment Replacement	\$131,308.99
Self-Insurance Liability Fund	\$266,119.00
Worker's Comp. Ins. Fund	\$217,851.79
Compensated Absences Fund	(\$32,311.41)
TOTAL UNASSIGNED GENERAL FUNDS	<u>\$5,610,043.77</u>

The Emergency Reserve Fund Balance is \$1,262,205.54 (not included above).



Jamie Goldstein, City Manager

7/8/2016
Date

Attachment: 07-08-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/08/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
84043	07/05/2016	Open			Amber Becker	\$112.0
	Invoice		Date	Description		Amount
	2016-00000038		07/17/2015	Camp JL Payments S2 2015	reissue - original voided	\$112.00
84044	07/07/2016	Open			STUDIOHOLLADAY	\$6,000.0
	Invoice		Date	Description		Amount
	2		05/05/2016	BIA website redesign	reissue - original voided	\$6,000.00
				1321 - BIA - Capitola Village-Wharf BIA		
84045	07/08/2016	Open			ACCELA INC	\$1,080.0
	Invoice		Date	Description		Amount
	INV-ACC20304		06/15/2016	June legislative management software		\$1,080.00
				2211 - ISF - Information Technology		
84046	07/08/2016	Open			ACTIVE NETWORK LLC	\$998.2
	Invoice		Date	Description		Amount
	11079582		06/24/2016	Two credit/debit card pin pads for Recreation		\$998.20
84047	07/08/2016	Open			ALLSAFE LOCK COMPANY	\$83.6
	Invoice		Date	Description		Amount
	48460		06/21/2016	Museum lock repairs		\$83.68
84048	07/08/2016	Open			ANDREW PORTER	\$958.7
	Invoice		Date	Description		Amount
	2017-00000007		06/30/2016	Summer 1 Instructor Payments 2016		\$958.75
84049	07/08/2016	Open			ATS SPORTS	\$95.0
	Invoice		Date	Description		Amount
	42430		06/30/2016	Soccer post support metal		\$95.09
84050	07/08/2016	Open			BILL TASHNICK	\$132.0
	Invoice		Date	Description		Amount
	Tashnick070116		06/30/2016	Softball Officials		\$132.00
84051	07/08/2016	Open			CAROLYN FLYNN	\$5,208.0
	Invoice		Date	Description		Amount
	CBF063016		06/30/2016	March - June Rispin Park CDBG grant admin.		\$2,205.00
	CBF-6-2016		06/30/2016	June affordable housing contract amendment		\$3,003.00
84052	07/08/2016	Open			CVS PHARMACY INC.	\$13.5
	Invoice		Date	Description		Amount
	8559		06/27/2016	Supplies		\$13.57
84053	07/08/2016	Open			DAVID SCOTT COBABE	\$225.0
	Invoice		Date	Description		Amount
	2017-00000005		06/30/2016	Summer 1 Instructor Payments 2016		\$225.00
84054	07/08/2016	Open			DAWN MAC LAUGHLIN	\$69.5
	Invoice		Date	Description		Amount
	2017-00000006		06/30/2016	Summer 1 Instructor Payments 2016		\$69.55

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City Checks Issued 07/08/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
84055	07/08/2016	Open			ED MORRISON	\$3,500.00
	Invoice Morrison12		Date 07/05/2016	Description June public works inspections		Amount \$3,500.00
84056	07/08/2016	Open			FASTENAL COMPANY	\$449.40
	Invoice CASAT36977		Date 05/10/2016	Description storage compartments		Amount \$449.45
84057	07/08/2016	Open			FLYERS ENERGY LLC	\$1,447.60
	Invoice 16-281844		Date 06/30/2016	Description 82 gallons diesel		Amount \$232.51
	16-281843		Date 06/30/2016	Description 380 gallons ethanol		Amount \$1,215.18
84058	07/08/2016	Open			FRED C. BEYERS	\$264.00
	Invoice Beyers070116		Date 06/30/2016	Description Softball Officials		Amount \$264.00
84059	07/08/2016	Open			GEORGE McMENAMIN	\$1,375.00
	Invoice 50		Date 06/30/2016	Description June riparian restoration 15/16		Amount \$1,375.00
84060	07/08/2016	Open			HOME DEPOT CREDIT SERVICES	\$132.10
	Invoice 0023358		Date 06/07/2016	Description Supplies		Amount \$28.43
	5560136		Date 06/02/2016	Description pick set and extension cord		Amount \$29.78
	0023384		Date 06/07/2016	Description Knee pads		Amount \$37.86
	6051602		Date 06/11/2016	Description Spring links- volleyball courts		Amount \$36.10
84061	07/08/2016	Open			KATIE CATTAN	\$584.64
	Invoice Cattan063016		Date 06/30/2016	Description AICP membership & training materials		Amount \$584.64
84062	07/08/2016	Open			MARC KRAFT	\$114.40
	Invoice 2017-00000002		Date 06/30/2016	Description Summer 1 Instructor Payments 2016		Amount \$114.40

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City Checks Issued 07/08/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
84063	07/08/2016	Open			MID COUNTY AUTO SUPPLY	\$1,569.8
	Invoice		Date	Description		Amount
	466411		06/07/2016	trailer connectors, ball mount, barbell		\$96.83
	467046		06/13/2016	brake pads, shoes, drums, front wheel seal		\$277.62
	465742		06/01/2016	trailer connectors		\$66.07
	465717		06/01/2016	glass/trigger		\$12.08
	462589		05/04/2016	filter		\$8.15
	465878		06/02/2016	stop and tail light combo		\$18.76
	465690		06/01/2016	filters		\$41.98
	464675		06/23/2016	fuel filter		\$24.95
	465665		06/01/2016	relays		\$77.63
	466013		06/03/2016	diesel kleen, pliers, swivel filter		\$38.07
	466222		06/06/2016	soldering supplies		\$48.52
	466223		06/06/2016	wire		\$101.33
	466363		06/07/2016	circuit breaker		\$18.95
	466731		06/09/2016	holders		\$26.00
	466593		06/08/2016	speedometer		\$23.93
	467372		06/15/2016	Returned ceramic pad		(\$4.28)
	467411		06/15/2016	gas caps		\$18.08
	467654		06/17/2016	super clean		\$17.35
	467652		06/17/2016	Grease, diesel kleen		\$66.78
	468269		06/22/2016	acetylene torch kit		\$376.23
	468690		06/27/2016	auto lights		\$35.48
	468689		06/27/2016	starter		\$179.38
84064	07/08/2016	Open			MISSION LINEN SUPPLY	\$330.5
	Invoice		Date	Description		Amount
	502604083		06/01/2016	Linen service		\$74.52
	502604082		06/01/2016	linen service		\$31.80
	502649087		06/08/2016	linen service		\$31.80
	502649088		06/08/2016	Linen service		\$96.99
	502723066		06/20/2016	Mats & Mops		\$63.65
	502741519		06/22/2016	linen service		\$31.80
84065	07/08/2016	Open			MV TRANSPORTATION INC.	\$6,984.2
	Invoice		Date	Description		Amount
	69051		06/06/2016	May beach shuttle service		\$1,899.60
	69594		07/06/2016	June beach shuttle service		\$5,084.60

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City Checks Issued 07/08/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
84066	07/08/2016	Open			ORCHARD SUPPLY HARDWARE	\$728.5
	Invoice		Date	Description		Amount
	31664		06/02/2016	Graffiti supplies		\$6.20
	31875		06/02/2016	Flashlight & battery - Rob		\$35.63
	27437		06/03/2016	Brush		\$22.72
	27464		06/03/2016	Marking paint		\$6.19
	60837		06/03/2016	Lag screws		\$20.54
	061782		06/10/2016	Trash cans		\$117.72
	046774		06/06/2016	bungee cords, swivel, turnbuckle		\$62.43
	051594		06/03/2016	spraymaster x 3		\$24.76
	031720		06/02/2016	tool box		\$20.65
	61486		06/08/2016	Outlet covers - bandstand		\$41.27
	061804		06/10/2016	Rope and pulleys - volleyball courts		\$150.47
	62175		06/13/2016	Cleaning supplies		\$31.66
	62177		06/13/2016	Plants		\$23.70
	48548		06/13/2016	Marking paint		\$23.73
	29804		06/14/2016	Marking paint - skate park		\$72.20
	064257		06/28/2016	Supplies		\$42.84
	034125		05/05/2016	rubber boots		\$25.82
84067	07/08/2016	Open			PALACE OFFICE SUPPLIES	\$459.5
	Invoice		Date	Description		Amount
	376855-0		06/29/2016	Office supplies		\$122.27
	376856-0		06/29/2016	Office supplies		\$72.12
	377155-0		07/01/2016	paper, storage boxes		\$135.74
	376759-0		06/28/2016	stapler, paper, folders		\$129.38
				1000 - General Fund	\$194.39	
				2210 - ISF - Stores Fund	\$265.12	
84068	07/08/2016	Open			PEELLE TECHNOLOGIES INC.	\$2,973.6
	Invoice		Date	Description		Amount
	COCP2695		06/29/2016	Document scanning, indexing, preparation, DVD recording/labeling		\$2,973.68
				1317 - Technology Fee Fund		
84069	07/08/2016	Open			RYAN SAFTY	\$27.2
	Invoice		Date	Description		Amount
	Safty061916		06/19/2016	training materials reimbursement		\$27.23
84070	07/08/2016	Open			SAN LORENZO LUMBER	\$48.8
	Invoice		Date	Description		Amount
	55-0177484		06/01/2016	Bolts/washers for lifeguard tower		\$26.23
	55-0176415		05/26/2016	Nuts and bolts - Lifeguard tower		\$22.62
84071	07/08/2016	Open			SANTA CRUZ COUNTY PLANNING DEPT	\$25,549.0
	Invoice		Date	Description		Amount
	SCC070616		04/01/2016	Homeless action partnership FY15/16 costs		\$25,549.00

Attachment: 07-08-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/08/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
84072	07/08/2016	Open			SPECTRUM BUSINESS	\$3,064.62
	Invoice		Date	Description		Amount
	SB061916		06/19/2016	Monthly internet service		\$3,064.62
				1000 - General Fund	\$1,153.27	
				2211 - ISF - Information	\$1,911.35	
84073	07/08/2016	Open			STEPHANIE HARLAN	\$295.00
	Invoice		Date	Description		Amount
	Harlan070616		06/28/2016	Cake for museum party		\$295.00
84074	07/08/2016	Open			SUPERIOR PRINTING INC.	\$115.28
	Invoice		Date	Description		Amount
	3366183		06/30/2016	Check stock for new Library account		\$115.28
84075	07/08/2016	Open			T MOBILE	\$3,373.81
	Invoice		Date	Description		Amount
	TM061316		06/13/2016	Monthly cell phone usage		\$3,373.81
84076	07/08/2016	Open			U.S. BANK	\$75,590.61
	Invoice		Date	Description		Amount
	62173		07/07/2016	Facility lease #CIEDB-13-103		\$75,590.61
				1421 - Pac Cove Park		
84077	07/08/2016	Open			YOSHIE MORRISSEY	\$156.00
	Invoice		Date	Description		Amount
	2017-00000004		06/30/2016	Summer 1 Instructor Payments 2016		\$156.00
84078	07/08/2016	Open			Harry Burcher	\$133.00
	Invoice		Date	Description		Amount
	2002654.002		07/01/2016	Partial Junior Guards refund		\$133.00
84079	07/08/2016	Open			Jim Cummings	\$126.00
	Invoice		Date	Description		Amount
	16-130		06/30/2016	refund tree removal permit #16-130		\$126.00
				1000 - General Fund	\$120.00	
				1317 - Technology Fee Fund	\$6.00	
84080	07/08/2016	Open			Silvia Padron	\$185.00
	Invoice		Date	Description		Amount
	2002647.002		06/28/2016	Camp Refund		\$185.00
84081	07/08/2016	Open			Thomas Byington	\$742.00
	Invoice		Date	Description		Amount
	2002651.002		06/29/2016	JG Refund		\$742.00
84082	07/08/2016	Open			APTOS LANDSCAPE SUPPLY INC.	\$33.87
	Invoice		Date	Description		Amount
	422139		06/22/2016	Washed sand for village tree wells		\$33.87

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City Checks Issued 07/08/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
84083	07/08/2016	Open			B & B SMALL ENGINE REPAIR	\$107.8
	Invoice		Date	Description		Amount
	352357		06/16/2016	Prining saw and chain		\$56.23
	353436		06/30/2016	Chain saw sharpening		\$51.57
84084	07/08/2016	Open			BIG CREEK LUMBER	\$16.6
	Invoice		Date	Description		Amount
	589349		06/24/2016	Lumber for Hooper stairs		\$16.62
84085	07/08/2016	Open			D & G SANITATION	\$1,745.0
	Invoice		Date	Description		Amount
	232196		06/30/2016	Esplanade park fencing		\$54.25
	232197		06/30/2016	Wharf portable toilets		\$995.16
	232198		06/30/2016	Pac Cove parking lot portable toilets		\$275.18
	232199		06/30/2016	McGregor park portable toilets		\$420.49
				1000 - General Fund	\$749.92	
				1311 - Wharf Fund	\$995.16	
84086	07/08/2016	Open			EWING IRRIGATION	\$180.5
	Invoice		Date	Description		Amount
	1485262		05/21/2016	Returned polysweep sand		(\$273.17)
	1539659		06/01/2016	Irrigation supplies		\$41.67
	1556848		06/03/2016	Irrigation supplies		\$96.94
	1604197		06/30/2016	Irrigation supplies		\$50.96
	1681361		06/22/2016	Irrigation supplies		\$73.40
	1681362		06/22/2016	Tree stakes		\$31.18
	1727876		07/01/2016	Irrigation supplies		\$159.54
				1000 - General Fund	\$20.98	
				1311 - Wharf Fund	\$159.54	
84087	07/08/2016	Open			FASTENAL COMPANY	\$127.0
	Invoice		Date	Description		Amount
	31235		05/28/2016	SS 3/8x2" bolts		\$37.18
	CASAT37594		06/20/2016	Screws, thread locker, retaining compound		\$64.89
	37707		06/24/2016	Brackets		\$24.99
84088	07/08/2016	Open			HOME DEPOT CREDIT SERVICES	\$288.5
	Invoice		Date	Description		Amount
	5580614		05/23/2016	Plumbing supplies		\$11.25
	23347		06/07/2016	River pebble		\$23.11
	8023674		06/09/2016	3/8 lumber		\$32.39
	2594212		06/15/2016	Break room clock		\$21.64
	1012042		06/16/2016	Files & cutters - meter poles		\$65.93
	4053545		06/23/2016	Painting supplies		\$22.33
	3013087		06/24/2016	Safety vests		\$102.71
	6021558		07/01/2016	Zip ties		\$9.17
84089	07/08/2016	Open			JAUQA OF CALIFORNIA	\$1,984.6
	Invoice		Date	Description		Amount
	1493		06/25/2016	Memorial benches		\$1,984.69

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City Checks Issued 07/08/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
84090	07/08/2016	Open			KINGS PAINT AND PAPER INC.	\$779.1
	Invoice		Date	Description		Amount
	A0236977		06/23/2016	Bench paint - Noble Gulch		\$54.93
	A0237041		06/24/2016	Graffiti paint		\$225.46
	A0237390		06/30/2016	Paint supplies for ADA beach ramp		\$304.56
	A0237407		06/30/2016	Paint supplies for ADA beach ramp		\$131.36
	A0236457		06/13/2016	Paint		\$13.96
	A0236458		06/13/2016	Paint for Monterey Park		\$48.84
84091	07/08/2016	Open			LABORMAX STAFFING	\$5,930.4
	Invoice		Date	Description		Amount
	26-62753		06/17/2016	Seasonal labor 6/13 - 6/17		\$1,841.54
	26-63056		06/24/2016	Seasonal labor 6/18 - 6/24		\$2,102.03
	26-63341		07/01/2016	Seasonal labor 6/27 - 7/1		\$1,986.92
84092	07/08/2016	Open			MID COUNTY AUTO SUPPLY	\$8.2
	Invoice		Date	Description		Amount
	468175		06/22/2016	Socket		\$8.26
84093	07/08/2016	Open			MISSION LINEN SUPPLY	\$246.0
	Invoice		Date	Description		Amount
	502696966		06/15/2016	Linen service		\$74.52
	502741520		06/22/2016	Linen service		\$96.99
	502789960		06/29/2016	Linen service		\$74.52
84094	07/08/2016	Open			ORCHARD SUPPLY HARDWARE	\$570.0
	Invoice		Date	Description		Amount
	21148		04/28/2016	Paint		\$16.81
	53693		06/14/2016	Adhesive		\$32.49
	48830		06/15/2016	Epoxy and keys		\$25.74
	54227		06/16/2016	Rubber straps		\$29.94
	20749		06/18/2016	Graffiti supplies		\$33.96
	35921		06/20/2016	replacement tires - floating dock		\$35.09
	63033		06/21/2016	Paint		\$20.12
	36407		06/23/2016	Stencils		\$8.66
	22009		06/23/2016	Tape		\$20.65
	036631		06/25/2016	Plumbing supplies for Esplanade bathroom		\$6.18
	22955		06/27/2016	Plumbing supplies		\$37.73
	41647		06/27/2016	Plumbing supplies		\$53.70
	23093		06/28/2016	Waste basket and clamps		\$21.85
	41931		06/28/2016	Replacement tire		\$16.52
	37575		06/29/2016	Banner supplies		\$53.67
	42239		06/29/2016	Wedge anchor		\$22.72
	57410		07/01/2016	Trash cans and duct tape		\$134.23
				1000 - General Fund	\$518.45	
				1311 - Wharf Fund	\$51.61	
84095	07/08/2016	Open			PALACE OFFICE SUPPLIES	\$27.0
	Invoice		Date	Description		Amount
	9279456-0		06/17/2016	Pens and notebook		\$16.76
	9281199-0		06/23/2016	Stencils		\$10.27

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City Checks Issued 07/08/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
84096	07/08/2016	Open			SAN LORENZO LUMBER	\$2,787.7
	Invoice		Date	Description		Amount
	55-0182350		06/20/2016	Lumber for Hooper stairs		\$595.30
	55-0182372		06/20/2016	Brackets and hardware for Hoopers stairs		\$435.42
	55-0183046		06/22/2016	Angle drill, bits, socket		\$211.44
	55-0183277		06/22/2016	Hooper stairs hardware and wood		\$253.67
	55-0183464		06/23/2016	Lumber for Hooper stairs		\$63.25
	55-0183471		06/23/2016	Wood and supplies for Hooper stairs		\$127.49
	55-0183601		06/23/2016	Router parts		\$79.00
	55-0183618		06/23/2016	Router part		\$15.58
	55-0185169		06/29/2016	ADA ramp wood		\$515.08
	55-0185371		06/30/2016	ADA ramp wood		\$428.90
	55-0185382		06/30/2016	Tools for Cooper		\$62.63
84097	07/08/2016	Open			SANTA CRUZ PLUMBING INC.	\$310.2
	Invoice		Date	Description		Amount
	4073		06/30/2016	City Hall toilet repairs		\$310.24
84098	07/08/2016	Open			SUPPLYWORKS	\$3,310.5
	Invoice		Date	Description		Amount
	369710264		06/14/2016	Cleaning supplies		\$1,552.66
	370112526		06/17/2016	Cleaning supplies		\$224.33
	370980351		06/28/2016	Cleaning supplies		\$48.02
	370980369		06/28/2016	Cleaning supplies		\$1,485.56
84099	07/08/2016	Open			T&T PAVEMENT MARKINGS	\$356.2
	Invoice		Date	Description		Amount
	2016411		06/17/2016	"No parking" signs 1310 - Gas Tax Fund		\$356.20
84100	07/08/2016	Open			ZEE MEDICAL SERVICE CO.	\$84.7
	Invoice		Date	Description		Amount
	66431829		10/08/2015	Safety supplies		\$84.78
84101	07/08/2016	Open			ZUMAR INDUSTRIES INC.	\$941.2
	Invoice		Date	Description		Amount
	0165091		05/31/2016	McGregor Park signs		\$941.24
Type Check Totals:						\$165,131.9

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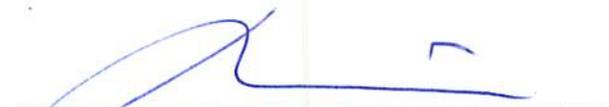
Accounts payable checks dated 7/15/2016, numbered 84102 to 84179, totaling \$899,153.61, plus 8 accounts payable efts totaling \$892,624.55, for a total disbursement of \$1,791,778.16 have been reviewed and authorized for distribution by the City Manager.

As of 7/15/2016 the unaudited cash balance is \$3,921,084.68.

CASH POSITION - CITY OF CAPITOLA 7/15/2016

	<u>Net Balance</u>
General Fund	(\$613,007.50)
Payroll Payables	\$52,316.99
Contingency Reserve Fund	\$1,893,345.66
PERS Contingency Fund	\$300,000.00
Facilities Reserve Fund	\$229,870.00
Capital Improvement Fund	\$1,625,304.41
Stores Fund	\$21,507.19
Information Technology Fund	\$126,298.41
Equipment Replacement	\$131,308.99
Self Insurance Liability Fund	\$68,600.15
Worker's Comp. Ins. Fund	\$117,851.79
Compensated Absences Fund	(\$32,311.41)
TOTAL UNASSIGNED GENERAL FUNDS	<u>\$3,921,084.68</u>

The Emergency Reserve Fund Balance is \$1,262,205.54 (not included above).



 Jamie Goldstein, City Manager

7/15/2016

 Date

Attachment: 07-15-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/15/2016

Check #	Invoice #	Status	Invoice Date	Descriptions	Payee Name	Transaction Amount
84102	07/15/2016	Open			A TOOL SHED	\$450.
	Invoice		Date	Description		Amount
	1106290-5		07/05/2016	towable light towers		\$450.93
84103	07/15/2016	Open			ADT SECURITY SERVICES INC.	\$128.
	Invoice		Date	Description		Amount
	6282016		06/28/2016	Corp. yard security services		\$128.23
84104	07/15/2016	Open			ALLSAFE LOCK COMPANY	\$120.
	Invoice		Date	Description		Amount
	48346		05/11/2016	Supplies		\$75.79
	48431		06/10/2016	keys for PD		\$45.03
84105	07/15/2016	Open			ANDREW DALLY	\$370.
	Invoice		Date	Description		Amount
	Dally070616		07/06/2016	Education reimbursement - Dally		\$370.00
84106	07/15/2016	Open			ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS	\$3,253.
	Invoice		Date	Description		Amount
	3572		07/01/2016	AMBAG dues FY16/17		\$3,253.00
84107	07/15/2016	Open			ATCHISON BARISONE CONDOTTI & KOVACEVICH	\$19,898.
	Invoice		Date	Description		Amount
	ABCK063016		06/30/2016	June legal services		\$19,898.97
84108	07/15/2016	Open			BATTERIES PLUS	\$332.
	Invoice		Date	Description		Amount
	314-301973		06/03/2016	12V batteries for parking meters		\$332.75
84109	07/15/2016	Open			BRANTLY SANDRETTI	\$118.
	Invoice		Date	Description		Amount
	Sandretti071316		06/24/2016	Meal reimbursement - Firearms Instructor School		\$118.12
84110	07/15/2016	Open			BRET SMITH	\$985.
	Invoice		Date	Description		Amount
	Smith062116		06/21/2016	Construction of 8'x10' shed platform		\$985.44
84111	07/15/2016	Open			CA DEPARTMENT OF CONSERVATION	\$410.
	Invoice		Date	Description		Amount
	CDC071216		06/30/2016	April-June strong motion and seismic hazard fees		\$410.03
84112	07/15/2016	Open			CA DEPARTMENT OF JUSTICE	\$684.
	Invoice		Date	Description		Amount
	175695		06/30/2016	June finger printing seasonal hires		\$288.00
	174058		06/30/2016	PD fingerprinting		\$396.00
84113	07/15/2016	Open			CALE AMERICA INC.	\$1,829.
	Invoice		Date	Description		Amount
	141007		06/30/2016	June paystation monthly fee		\$1,829.00

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City Checks Issued 07/15/2016

Check #	Invoice #	Status	Invoice Date	Descriptions	Payee Name	Transacti Amoi
84114	07/15/2016	Open			CALIFORNIA BUILDING STANDARDS COMMISSION	\$160
	Invoice		Date	Description		Amount
	CBSC2016Qtr2		07/12/2016	April-June buiding permit valuation fees		\$160.20
84115	07/15/2016	Open			CALIFORNIA COAST UNIFORM COMPANY	\$279.
	Invoice		Date	Description		Amount
	4857		07/07/2016	Uniform - Moreno		\$234.85
	4862		07/08/2016	Clip on tie for J. Peterson		\$9.73
	5252		06/08/2016	name plates for officers		\$34.69
84116	07/15/2016	Open			CAPITOLA PEACE OFFICERS ASSOCIATION	\$1,689.
	Invoice		Date	Description		Amount
	POA070816		07/08/2016	POA and gym dues PPE 07-02-16 1001 - Payroll Payables		\$1,689.75
84117	07/15/2016	Open			CLASSIC VAPOR CLEANERS	\$607.
	Invoice		Date	Description		Amount
	CVC070216		07/02/2016	June uniform cleaning		\$607.74
84118	07/15/2016	Open			CLASSIFIED SOUND	\$2,375.
	Invoice		Date	Description		Amount
	160706-0727A		07/07/2016	twilight concert sound engineer		\$2,375.00
84119	07/15/2016	Open			CLEAN BUILDING MAINTENANCE CO.	\$3,719.
	Invoice		Date	Description		Amount
	16304		06/30/2016	June facility cleaning fees		\$3,719.13
				1000 - General Fund	\$3,494.13	
				1311 - Wharf Fund	\$225.00	
84120	07/15/2016	Open			COMMUNITY PRINTERS	\$130.
	Invoice		Date	Description		Amount
	15675011		06/29/2016	Emergency protection forms (150)		\$130.51
84121	07/15/2016	Open			COMPLETE MAILING SERVICE INC	\$692.
	Invoice		Date	Description		Amount
	67286		06/27/2016	Newsletter, postage		\$692.47
84122	07/15/2016	Open			COVELLO & COVELLO PHOTOGRAPHY	\$548.
	Invoice		Date	Description		Amount
	6297		07/07/2016	JG Photos		\$548.10
84123	07/15/2016	Open			CRESO EQUIPMENT RENTALS	\$9,508.
	Invoice		Date	Description		Amount
	4123393-0001		06/08/2016	CAT D6T Tractor rental for 2016 lagoon		\$9,508.13
84124	07/15/2016	Open			CRYSTAL SPRINGS WATER CO.	\$410.
	Invoice		Date	Description		Amount
	CSW063016		06/30/2016	June drinking water		\$410.28

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City Checks Issued 07/15/2016

Check #	Invoice #	Status	Invoice Date	Descriptions	Payee Name	Transacti Amot
84125	07/15/2016	Open			Division of the State Architect	\$24.
	Invoice		Date	Description		Amount
	DSA063016		06/30/2016	April-June disability access & education fee		\$24.90
84126	07/15/2016	Open			eFolder Systems	\$125.
	Invoice		Date	Description		Amount
	INV00061921		06/30/2016	June app assure storage 2211 - ISF - Information Technology		\$125.00
84127	07/15/2016	Open			EMERGENCY VEHICLE SPECIALISTS INC	\$6,199.
	Invoice		Date	Description		Amount
	5705		07/01/2016	Customize new PD vehicle 1300 - SLESF - Supl Law Enfc		\$6,199.59
84128	07/15/2016	Open			FIRST ALARM SECURITY & PATROL INC.	\$174.
	Invoice		Date	Description		Amount
	512316		06/30/2016	June security services for skate park		\$174.40
84129	07/15/2016	Open			FLYERS ENERGY LLC	\$1,978.
	Invoice		Date	Description		Amount
	16-286459		07/08/2016	474 gallons ethanol		\$1,454.36
	16-286460		07/08/2016	176 gallons diesel		\$495.70
	cfs-1255780		06/30/2016	Fuel for Sandretti range training		\$28.21
84130	07/15/2016	Open			GARDAWORLD	\$173.
	Invoice		Date	Description		Amount
	10219413		07/01/2016	July armored car service		\$173.42
84131	07/15/2016	Open			HOPE REHABILITATION SERVICES	\$2,555.
	Invoice		Date	Description		Amount
	S159795		06/30/2016	Litter Abatement, Beach Clean Up & Sidewalk Maintenance 15/16		\$2,555.00
84132	07/15/2016	Open			HUMBOLDT PETROLEUM LLC	\$71.
	Invoice		Date	Description		Amount
	085647		06/30/2016	Vehicle cleaning		\$71.50
84133	07/15/2016	Open			ICMA RETIREMENT TRUST 457	\$5,122.
	Invoice		Date	Description		Amount
	41206737		07/11/2016	457 contributions PPE 07-2-16 1001 - Payroll Payables		\$5,122.34
84134	07/15/2016	Open			iWorQ Systems Inc.	\$3,875.
	Invoice		Date	Description		Amount
	7823		05/16/2016	Annual CDD software fees 1317 - Technology Fee Fund		\$3,875.00

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City Checks Issued 07/15/2016

Check #	Invoice #	Status	Invoice Date	Descriptions	Payee Name	Transacti Amount
84135	07/15/2016	Open			KBA Docusys Inc.	\$1,091
	Invoice		Date	Description		Amount
	INV449386		07/01/2016	June copier charges for City Hall		\$873.45
	INV449385		07/01/2016	June copier usage charges		\$181.14
	INV449387		07/01/2016	Recreation copier charges		\$36.45
				1000 - General Fund	\$54.59	
				2211 - ISF - Information	\$1,036.45	
84136	07/15/2016	Open			KIMLEY-HORN AND ASSOCIATES INC.	\$8,307
	Invoice		Date	Description		Amount
	097763120-0516		05/31/2016	On-call support, library DWY analysis		\$8,307.00
				1200 - Capital Improvement Fund		
84137	07/15/2016	Open			LABORMAX STAFFING	\$2,768
	Invoice		Date	Description		Amount
	26-63634		07/08/2016	Seasonal labor 7/2 - 7/8/16		\$2,768.36
84138	07/15/2016	Open			LESLIE FELLOWS	\$500
	Invoice		Date	Description		Amount
	Fellows070416		07/04/2016	Art & music at the beach program coordinator		\$250.00
	Fellows062716		06/27/2016	June 26 program coordinator		\$250.00
84139	07/15/2016	Open			LLOYDS TIRE SERVICE	\$1,302
	Invoice		Date	Description		Amount
	302627		06/30/2016	tires		\$1,268.50
	302691		07/06/2016	tire mount and balance		\$33.53
84140	07/15/2016	Open			MAR-KEN K-9 TRAINING CENTER	\$480
	Invoice		Date	Description		Amount
	0204-16		06/30/2016	June K-9 training		\$480.00
84141	07/15/2016	Open			MICROFLEX CORP	\$518
	Invoice		Date	Description		Amount
	in1676304		06/30/2016	gloves for PD		\$518.84
84142	07/15/2016	Open			MILLER'S TRANSFER & STORAGE CO.	\$178
	Invoice		Date	Description		Amount
	87992		07/02/2016	Monthly record storage and handling		\$178.20
84143	07/15/2016	Open			MONTEREY BAY AREA SELF INSURANCE AUTHORITY	\$294,200
	Invoice		Date	Description		Amount
	160701-1		07/10/2016	FY16/17 Insurance premiums		\$294,200.20
				2213 - ISF - Self-Insurance	\$194,200.20	
				2214 - ISF - Workers	\$100,000.00	
84144	07/15/2016	Open			Monterey Bay Economic Partnership	\$5,000
	Invoice		Date	Description		Amount
	1185		07/01/2016	MBEP annual membership		\$5,000.00

Attachment: 07-15-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/15/2016

Check #	Invoice #	Status	Invoice Date	Descriptions	Payee Name	Transacti Amount
84145	07/15/2016	Open			MONTEREY PENINSULA ENGINEERING	\$254,041
	Invoice		Date	Description		Amount
	06-04		06/17/2016	Rosedale area paving project 1200 - Capital Improvement Fund		\$254,041.40
84146	07/15/2016	Open			PALACE OFFICE SUPPLIES	\$267
	Invoice		Date	Description		Amount
	377228-0		07/05/2016	Office supplies		\$20.92
	377756-0		07/08/2016	Office supplies		\$183.96
	377515-0		07/07/2016	office supplies		\$5.43
	377257-0		07/05/2016	calculator for parking enforcement for coin collection		\$17.24
	9284908-0		07/08/2016	Museum supplies		\$39.76
				1000 - General Fund	\$83.35	
				2210 - ISF - Stores Fund	\$183.96	
84147	07/15/2016	Open			PEELLE TECHNOLOGIES INC.	\$2,034
	Invoice		Date	Description		Amount
	COCP2715		07/07/2016	Laserfiche software licensing, maintenance and support 1317 - Technology Fee Fund		\$2,034.00
84148	07/15/2016	Open			PITNEY BOWES	\$804
	Invoice		Date	Description		Amount
	443968		10/01/2015	April - September 2015 postage equipment maint. 2210 - ISF - Stores Fund		\$804.02
84149	07/15/2016	Open			PRAXAIR DISTRIBUTION INC.	\$93
	Invoice		Date	Description		Amount
	55335007		06/20/2016	high pressure acetylene		\$93.39
84150	07/15/2016	Open			PROSTAR	\$770
	Invoice		Date	Description		Amount
	ProStar070816		07/08/2016	Summer 2 Instructor Payments 2016		\$770.25
84151	07/15/2016	Open			PUBLIC ENGINES INC.	\$597
	Invoice		Date	Description		Amount
	23304		07/01/2016	Quarterly crime reports subscription		\$597.00
84152	07/15/2016	Open			RADAR SHOP	\$243
	Invoice		Date	Description		Amount
	RS-9273		06/22/2016	lidar service		\$243.00
84153	07/15/2016	Open			SANTA CRUZ COUNTY AUDITOR-CONTROLLER	\$14,416
	Invoice		Date	Description		Amount
	SCC063016		06/30/2016	June citation processing		\$14,416.50
84154	07/15/2016	Open			SANTA CRUZ COUNTY CONFERENCE & VISITORS COUNCIL	\$53,288
	Invoice		Date	Description		Amount
	SCCCVC063016		06/30/2016	FY15/16 4th Qtr TMD		\$53,288.24

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City Checks Issued 07/15/2016

Check #	Invoice #	Status	Invoice Date	Descriptions	Payee Name	Transactio Amou
84155	07/15/2016	Open			SANTA CRUZ COUNTY INFORMATION SERVICES	\$521.99
	Invoice		Date	Description		Amount
	SCC063016		06/30/2016	July open query scan charges		\$521.99
84156	07/15/2016	Open			SANTA CRUZ COUNTY OFFICE OF EDUCATION	\$180.00
	Invoice		Date	Description		Amount
	16486		06/27/2016	Finger printing seasonal employees		\$180.00
84157	07/15/2016	Open			SANTA CRUZ COUNTY SHERIFF	\$6,730.00
	Invoice		Date	Description		Amount
	SCC070116		07/01/2016	FY16/17 SART Program		\$6,730.00
84158	07/15/2016	Open			SANTA CRUZ MUNICIPAL UTILITIES	\$903.75
	Invoice		Date	Description		Amount
	SCMU062716		06/13/2016	Monthly water service for medians		\$903.75
84159	07/15/2016	Open			SANTA CRUZ REGIONAL 911	\$142,846.55
	Invoice		Date	Description		Amount
	SCC911061516		07/01/2016	SCRMS 1st Qtr FY16/17		\$142,846.55
84160	07/15/2016	Open			SANTA CRUZ SENTINEL	\$1,667.04
	Invoice		Date	Description		Amount
	975663		06/30/2016	June public hearing notices		\$1,667.04
84161	07/15/2016	Open			SOQUEL CREEK ANIMAL HOSPITAL	\$78.78
	Invoice		Date	Description		Amount
	stmnt062316		06/22/2016	K9 medical exam		\$78.78
84162	07/15/2016	Open			SOQUEL CREEK WATER DISTRICT	\$11,537.85
	Invoice		Date	Description		Amount
	SCWD063019		06/30/2016	June water usage and irrigation fees		\$11,537.85
				1000 - General Fund	\$10,913.04	
				1311 - Wharf Fund	\$624.81	
84163	07/15/2016	Open			SPORT ABOUT GRAPHICS	\$2,835.46
	Invoice		Date	Description		Amount
	7315		07/08/2016	Junior guard t-shirts (612)		\$2,835.46
84164	07/15/2016	Open			STAPLES ADVANTAGE	\$112.36
	Invoice		Date	Description		Amount
	8039943874		07/02/2016	Office supplies		\$24.36
	8039838474		06/25/2016	office supplies		\$87.64
84165	07/15/2016	Open			STATE STEEL COMPANY	\$999.57
	Invoice		Date	Description		Amount
	122897		06/29/2016	3.5" steel pipe, 2x2' tubing, steel plate		\$999.57
84166	07/15/2016	Open			SUMMIT UNIFORMS	\$208.80
	Invoice		Date	Description		Amount
	32374		06/24/2016	Uniform supplies for Vazquez		\$208.80

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City Checks Issued 07/15/2016

Check #	Invoice #	Status	Invoice Date	Descriptions	Payee Name	Transactio Amou
84167	07/15/2016	Open			UNITED PARCEL SERVICE	\$12.00
	Invoice		Date	Description		Amount
	0000954791286		07/09/2016	Shipping		\$7.04
	0000954791276		07/02/2016	shipping		\$5.90
84168	07/15/2016	Open			UNITED STATES POSTAL SERVICE	\$5,100.00
	Invoice		Date	Description		Amount
	67047		07/06/2016	Postage for early fall brochures		\$5,100.00
84169	07/15/2016	Open			US BANK PARS	\$2,652.38
	Invoice		Date	Description		Amount
	PARS070816		07/11/2016	PARS contributions PPE 07-02-16 1001 - Payroll Payables		\$2,652.38
84170	07/15/2016	Open			WELLS FARGO BANK	\$8,753.10
	Invoice		Date	Description		Amount
	WF070416-FY15-16		06/30/2016	June credit card purchases		\$8,753.10
				Purchases over \$500 threshold:		
				Camera system for PD/City	\$838.50	
				Camera system for PD/City	\$568.00	
				Event insurance	\$24,103.92	
				PW vinyl letters and decals	\$543.05	
				1000 - General Fund	\$3,384.28	
				1300 - SLESF - Supl Law Enfc	\$1,999.22	
				1313 - General Plan Update	\$26.00	
				2211 - ISF - Information	\$24.95	
				2213 - ISF - Self-Insurance	\$3,318.65	
84171	07/15/2016	Open			WELLS FARGO BANK	\$2,187.33
	Invoice		Date	Description		Amount
	WF070416-FY16-17		07/02/2016	PowerEdge R630 Server		\$2,187.33
				2211 - ISF - Information Technology		
84172	07/15/2016	Open			WESTERN EXTERMINATOR COMPANY	\$104.00
	Invoice		Date	Description		Amount
	4241824		06/30/2016	City Hall - rodent control		\$52.00
	4237276		06/30/2016	turnouts - rodent control		\$52.00
84173	07/15/2016	Open			YOSHIE MORRISSEY	\$26.00
	Invoice		Date	Description		Amount
	Morrissey070816		07/08/2016	Summer 2 Instructor Payments 2016		\$26.00
84174	07/15/2016	Open			Cora Rodler	\$94.00
	Invoice		Date	Description		Amount
	2002663.002		07/07/2016	Camp refund		\$94.00
84175	07/15/2016	Open			Jennifer Morrison	\$400.00
	Invoice		Date	Description		Amount
	Morrison082116		07/13/2016	Simple Creation 8/21/16		\$400.00

Attachment: 07-15-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/15/2016

Check #	Invoice #	Status	Invoice Date	Descriptions	Payee Name	Transacti Amot
84176	07/15/2016	Open			Joyce Bailey	\$500.
	Invoice		Date	Description		Amount
	Bailey071116		06/13/2016	refund tree removal permit 16-121		\$500.00
84177	07/15/2016	Open			Pablo Riviere	\$200.
	Invoice		Date	Description		Amount
	Riviere071716		07/15/2016	Samba Cruz		\$200.00
84178	07/15/2016	Open			Ron Kaplan	\$400.
	Invoice		Date	Description		Amount
	Kaplan080716		07/15/2016	Music at the beach performer		\$400.00
84179	07/15/2016	Open			Vivian Simon	\$200.
	Invoice		Date	Description		Amount
	Simon071716		07/15/2016	Samba Cruz		\$200.00
Type Check Totals:						\$899,153.

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City Checks Issued 07/15/2016

Check #	Invoice #	Status	Invoice Date	Descriptions	Payee Name	Transactio Amou
EFT						
294	07/12/2016	Open			CalPERS Member Services Division	\$48,173.0
	Invoice		Date	Description		Amount
	1000724559-62		07/11/2016	PERS contributions PPE 07-02-16		\$48,173.04
				1000 - General Fund (\$0.37)		
				1001 - Payroll Payables	\$48,173.41	
295	07/12/2016	Open			EMPLOYMENT DEVELOPMENT DEPT	\$6,604.0
	Invoice		Date	Description		Amount
	0-844-044-928		07/12/2016	State tax deposit PPE 07-02-2016		\$6,604.23
				1001 - Payroll Payables		
296	07/12/2016	Open			INTERNAL REVENUE SERVICE	\$29,005.9
	Invoice		Date	Description		Amount
	75092771		07/12/2016	Federal tax & Medicare PPE 7-2-16		\$29,005.91
				1001 - Payroll Payables		
297	07/09/2016	Open			STATE DISBURSEMENT UNIT	\$1,117.8
	Invoice		Date	Description		Amount
	LCU504H6657		07/09/2016	Garnishments PPE 07-02-16		\$1,117.84
				1001 - Payroll Payables		
298	07/11/2016	Open			WELLS FARGO BANK	\$758.6
	Invoice		Date	Description		Amount
	WF071116		07/11/2016	July client analysis charges		\$758.61
299	07/12/2016	Open			CalPERS Fiscal Services Division	\$806,907.0
	Invoice		Date	Description		Amount
	UAL FY16-17		07/12/2016	PERS UAL FY 16-17 prepayment		\$806,907.00
301	07/14/2016	Open			STATE BOARD OF EQUALIZATION	\$7.6
	Invoice		Date	Description		Amount
	1473952		06/30/2016	sales tax on soccer post support metal		\$7.61
302	07/14/2016	Open			STATE BOARD OF EQUALIZATION	\$50.3
	Invoice		Date	Description		Amount
	1455784		06/06/2016	Sales tax on ammo		\$50.31
Type EFT Totals:						\$892,624.0

Attachment: 07-15-16 City Check Register (1288 : Approval of City Check Registers)

CITY - Main City Totals	Count:	Total
Checks	78	\$899,153.0
EFTs	8	\$892,624.0
All	86	\$1,791,778.0

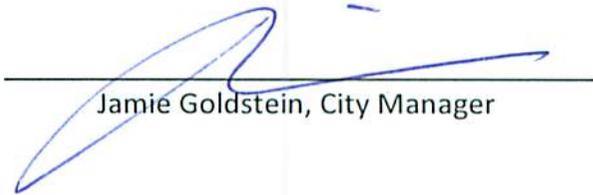
Accounts payable checks dated 7/22/2016, numbered 84180 to 84232, totaling \$81,048.23, plus 23 payroll checks and 110 payroll efts totaling \$183,196.77, for a total disbursement of \$264,245.00 have been reviewed and authorized for distribution by the City Manager.

As of 7/22/2016 the unaudited cash balance is \$4,363,251.98.

CASH POSITION - CITY OF CAPITOLA 7/22/2016

	<u>Net Balance</u>
General Fund	(\$263,277.53)
Payroll Payables	\$182,980.12
Contingency Reserve Fund	\$1,893,345.66
PERS Contingency Fund	\$300,000.00
Facilities Reserve Fund	\$229,870.00
Capital Improvement Fund	\$1,625,304.41
Stores Fund	\$21,099.10
Information Technology Fund	\$126,298.41
Equipment Replacement	\$98,674.28
Self Insurance Liability Fund	\$63,417.15
Worker's Comp. Ins. Fund	\$117,851.79
Compensated Absences Fund	(\$32,311.41)
TOTAL UNASSIGNED GENERAL FUNDS	<u><u>\$4,363,251.98</u></u>

The Emergency Reserve Fund Balance is \$1,262,205.54 (not included above).



 Jamie Goldstein, City Manager

 7/22/2016
 Date

Attachment: 07-22-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/22/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transactio Amou
84180	07/20/2016	Open			JAMES POLIZZI	\$1,400.00
	Invoice		Date	Description		Amount
	004		04/24/2016	twilight concert performers - Mambo Tropical		\$1,400.00
84181	07/22/2016	Open			A TOOL SHED	\$29.00
	Invoice		Date	Description		Amount
	1135803-6		07/13/2016	tractor auger rental		\$29.00
84182	07/22/2016	Open			ABACHERLI FENCE CO.	\$1,675.00
	Invoice		Date	Description		Amount
	5909		07/18/2016	new gate		\$1,675.00
84183	07/22/2016	Open			AFLAC	\$1,164.22
	Invoice		Date	Description		Amount
	839163		06/30/2016	June supplemental insurance 1001 - Payroll Payables		\$1,164.22
84184	07/22/2016	Open			ALLIANT INSURANCE SERVICES	\$5,183.00
	Invoice		Date	Description		Amount
	481920		06/28/2016	vehicle/equipment insurance FY16/17 2213 - ISF - Self-Insurance Liability		\$5,183.00
84185	07/22/2016	Open			ALLSAFE LOCK COMPANY	\$9.01
	Invoice		Date	Description		Amount
	48556		06/28/2016	keys		\$9.01
84186	07/22/2016	Open			APTOS LANDSCAPE SUPPLY INC.	\$446.22
	Invoice		Date	Description		Amount
	423989		07/19/2016	wood chips for Cliff turnouts, gloves		\$152.19
	423999		07/19/2016	wood chips		\$147.22
	424008		07/19/2016	wood chips		\$147.22
84187	07/22/2016	Open			ARMA International	\$175.00
	Invoice		Date	Description		Amount
	425355		06/06/2016	ARMA membership renewal - Deiter		\$175.00
84188	07/22/2016	Open			ASTRO EVENTS OF SAN JOSE	\$425.00
	Invoice		Date	Description		Amount
	M-816-2		07/01/2016	rental jump house camp		\$425.00
84189	07/22/2016	Open			B & B SMALL ENGINE REPAIR	\$16.13
	Invoice		Date	Description		Amount
	354199		07/14/2016	sleeves		\$16.13
84190	07/22/2016	Open			BILL TASHNICK	\$66.00
	Invoice		Date	Description		Amount
	Tashnick071516		07/15/2016	softball official 7/4-7/15/16		\$66.00
84191	07/22/2016	Open			BIOBAG AMERICAS INC.	\$1,271.59
	Invoice		Date	Description		Amount
	442487		07/15/2016	dog waste bags		\$1,271.59

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City Checks Issued 07/22/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transactio Amou
84192	07/22/2016	Open			BRINKS AWARDS & SIGNS	\$1,012.00
	Invoice		Date	Description		Amount
	80081		07/14/2016	JG awards		\$1,012.27
84193	07/22/2016	Open			FASTENAL COMPANY	\$429.00
	Invoice		Date	Description		Amount
	CASAT37753		06/28/2016	crimp tool		\$263.21
	CASAT37961		07/08/2016	pad and stud assembly		\$166.39
84194	07/22/2016	Open			FLYERS ENERGY LLC	\$2,179.00
	Invoice		Date	Description		Amount
	16-291127		07/15/2016	250 gallons diesel		\$700.97
	16-291084		07/15/2016	482 gallons ethanol		\$1,478.77
84195	07/22/2016	Open			Folsom Ford	\$32,634.00
	Invoice		Date	Description		Amount
	FL7487		07/06/2016	2016 Explorer for PD 2212 - ISF - Equipment Replacement		\$32,634.71
84196	07/22/2016	Open			FRED C. BEYERS	\$198.00
	Invoice		Date	Description		Amount
	Beyers71516		07/15/2016	softball official 7/4-7/15/16		\$198.00
84197	07/22/2016	Open			HOSE SHOP	\$549.53
	Invoice		Date	Description		Amount
	389164		07/19/2016	hose assemblies, hydraulic hose, fittings, nylon sleeve, clamps		\$549.53
84198	07/22/2016	Open			INTERSTATE BATTERY SYSTEMS OF SAN JOSE	\$121.75
	Invoice		Date	Description		Amount
	50258005		07/18/2016	auto battery		\$121.75
84199	07/22/2016	Open			LABORMAX STAFFING	\$3,047.02
	Invoice		Date	Description		Amount
	26-63909		07/15/2016	seasonal labor		\$3,047.02
84200	07/22/2016	Open			LLOYDS TIRE SERVICE	\$25.00
	Invoice		Date	Description		Amount
	302771		07/13/2016	flat repair		\$25.00
84201	07/22/2016	Open			MAR-KEN K-9 TRAINING CENTER	\$480.00
	Invoice		Date	Description		Amount
	0301-16		07/17/2016	July K9 training		\$480.00
84202	07/22/2016	Open			MASTER CAR WASH	\$32.00
	Invoice		Date	Description		Amount
	mcw071216		07/12/2016	June vehicle cleaning		\$32.00
84203	07/22/2016	Open			MIRACLE PLAYSYSTEMS INC	\$1,329.84
	Invoice		Date	Description		Amount
	12016-1441		07/06/2016	bike racks		\$1,329.84

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City Checks Issued 07/22/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transactio Amou
84204	07/22/2016	Open			NORTH BAY FORD	\$182.
	Invoice		Date	Description		Amount
	256293		07/13/2016	tubing, plunger		\$57.54
	256271		07/12/2016	sender and sensor assemblies		\$124.62
84205	07/22/2016	Open			OUTDOOR WORLD INC.	\$42.
	Invoice		Date	Description		Amount
	1214925		07/16/2016	camp supplies		\$42.39
84206	07/22/2016	Open			PACIFIC GAS & ELECTRIC	\$14,807.
	Invoice		Date	Description		Amount
	PGE041316acct5		04/13/2016	Pac Cove parking lot utilities (climate credit)		(\$850.82)
	PGE051316acct5		05/13/2016	May Pac Cove electricity		\$366.05
	PGE061416-5		06/15/2016	June Pac Cove parking lot utilities		\$335.99
	PGE071316acct9		07/12/2016	July monthly utilities		\$14,565.25
	PGE071316acct5		07/13/2016	July Pac Cove parking lot utilities		\$380.64
	PGE071316acct0		07/13/2016	July Wharf Road Rispin Mansion utilities		\$10.51
				1000 - General Fund	\$4,891.99	
				1300 - SLESF - Supl Law Enfc	\$175.21	
				1310 - Gas Tax Fund	\$7,298.07	
				1311 - Wharf Fund	\$2,442.35	
84207	07/22/2016	Open			PALACE OFFICE SUPPLIES	\$725.
	Invoice		Date	Description		Amount
	9287282-0		07/16/2016	supplies		\$32.56
	378575-0		07/15/2016	envelopes, cups, letter board		\$68.52
	378305-0		07/14/2016	thermal pouch		\$16.98
	378293-0		07/14/2016	tuff pockets, paper, scissors, legal pads		\$322.59
	378756-0		07/18/2016	office supplies		\$37.96
	378269-0		07/14/2016	monitor stand, paper		\$103.93
	C377389-0		07/11/2016	credit for paper		(\$5.43)
	378040-0		07/12/2016	USB flash drives		\$147.90
				1000 - General Fund	\$316.92	
				2210 - ISF - Stores Fund	\$408.09	
84208	07/22/2016	Open			PHOENIX GROUP INFORMATION SYSTEMS	\$2,359.
	Invoice		Date	Description		Amount
	062016070		07/12/2016	June citation processing		\$2,359.91
84209	07/22/2016	Open			PRAXAIR DISTRIBUTION INC.	\$204.
	Invoice		Date	Description		Amount
	55416154		07/07/2016	cut off wheel, faceshield, visor, heat tip		\$204.32
84210	07/22/2016	Open			SENTINEL PRINTERS INC.	\$342.
	Invoice		Date	Description		Amount
	298742		07/13/2016	no fireworks signs		\$342.56
84211	07/22/2016	Open			SIRCHIE	\$46.
	Invoice		Date	Description		Amount
	0260578-in		06/30/2016	evidence box		\$46.51

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City Checks Issued 07/22/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transactio Amou
84212	07/22/2016	Open			SOQUEL NURSERY GROWERS INC.	\$42.
	Invoice		Date	Description		Amount
	332707		07/06/2016	plants		\$42.44
84213	07/22/2016	Open			SUPPLYWORKS	\$2,788.
	Invoice		Date	Description		Amount
	371913302		07/08/2016	cleaning supplies		\$1,865.79
	372594861		07/15/2016	cleaning supplies		\$922.21
84214	07/22/2016	Open			T&T PAVEMENT MARKINGS	\$1,948.
	Invoice		Date	Description		Amount
	2016493		07/19/2016	posts and rivets 1310 - Gas Tax Fund		\$1,948.50
84215	07/22/2016	Open			THALER, SHMUEL	\$154.
	Invoice		Date	Description		Amount
	Thaler071816		07/18/2016	photography of council member Harlan and 8x10 print		\$154.97
84216	07/22/2016	Open			UNITED PARCEL SERVICE	\$39.
	Invoice		Date	Description		Amount
	0000954791296		07/16/2016	shipping		\$39.76
84217	07/22/2016	Open			UNITED WAY OF SANTA CRUZ COUNTY	\$479.
	Invoice		Date	Description		Amount
	UW072016		06/30/2016	FY15/16 community grants funding		\$479.00
84218	07/22/2016	Open			WELLS FARGO BANK	\$1,500.
	Invoice		Date	Description		Amount
	1336562		07/07/2016	POB trustee fee FY16/17 1410 - Pension Obligation Bond		\$1,500.00
84219	07/22/2016	Open			Alyssa Picone	\$116.
	Invoice		Date	Description		Amount
	Picone071516		07/15/2016	Camp - Jr Leader session 2		\$116.00
84220	07/22/2016	Open			Amanda Joseph	\$72.
	Invoice		Date	Description		Amount
	Joseph071516		07/15/2016	Camp - Jr Leader session 2		\$72.00
84221	07/22/2016	Open			Baylie Turner	\$104.
	Invoice		Date	Description		Amount
	Turner071516		07/15/2016	Camp - Jr Leader session 2		\$104.00
84222	07/22/2016	Open			Catherine Gross	\$101.
	Invoice		Date	Description		Amount
	Gross071816		07/18/2016	camp supplies reimbursement		\$101.04
84223	07/22/2016	Open			Crystal Birns	\$100.
	Invoice		Date	Description		Amount
	2016.10		07/13/2016	museum celebration photographer		\$100.00

Attachment: 07-22-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/22/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transactio Amou
84224	07/22/2016	Open			Danny Sanchez	\$128.
	Invoice		Date	Description		Amount
	Sanchez071516		07/15/2016	Camp - Jr Leader session 2		\$128.00
84225	07/22/2016	Open			Isaiah Rocha	\$128.
	Invoice		Date	Description		Amount
	Rocha071516		07/15/2016	Camp - Jr Leader session 2		\$128.00
84226	07/22/2016	Open			Kate Motroni	\$104.
	Invoice		Date	Description		Amount
	Motroni071516		07/15/2016	Camp - Jr Leader session 2		\$104.00
84227	07/22/2016	Open			Kerem Yazgan	\$112.
	Invoice		Date	Description		Amount
	Yazgan071516		07/15/2016	Camp - Jr Leader session 2		\$112.00
84228	07/22/2016	Open			Kyle Jack	\$96.
	Invoice		Date	Description		Amount
	Jack071516		07/15/2016	Camp - Jr Leader session 2		\$96.00
84229	07/22/2016	Open			Natalie Wilson	\$172.
	Invoice		Date	Description		Amount
	Wilson071516		07/15/2016	Camp - Jr Leader session 2		\$172.00
84230	07/22/2016	Open			Tessa Marks	\$104.
	Invoice		Date	Description		Amount
	Marks071516		07/15/2016	Camp - Jr Leader session 2		\$104.00
84231	07/22/2016	Open			Tim Johnson	\$36.
	Invoice		Date	Description		Amount
	Johnson071516		07/15/2016	refund cite 166126453		\$36.00
84232	07/22/2016	Open			Tristan Neeley	\$112.
	Invoice				Amount	
	Neeley071516				\$112.00	
Type Check Totals:						\$81,048.

Attachment: 07-22-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/22/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
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CITY - Main City Totals				Counts:	Total
Checks				53	\$81,048.00
EFTs				0	\$0.00
All				53	\$81,048.00
WELLS - Payroll Totals					
Checks				23	\$14,710.00
EFTs				110	\$168,486.00
All				133	\$183,196.00
Grand Totals:					
Checks				76	\$95,758.00
EFTs				110	\$168,486.00
All				186	\$264,244.00

Attachment: 07-22-16 City Check Register (1288 : Approval of City Check Registers)

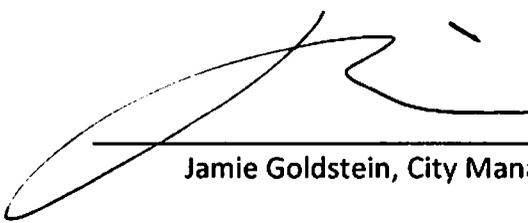
Accounts payable checks dated 7/29/2016, numbered 84233 to 84300, totaling \$211,976.49, plus 7 efts totaling \$148,078.87, for a total disbursement of \$360,055.36 have been reviewed and authorized for distribution by the City Manager.

As of 7/29/2016 the unaudited cash balance is \$4,080,773.87.

CASH POSITION - CITY OF CAPITOLA 7/29/2016

	<u>Net Balance</u>
General Fund	(\$288,463.69)
Payroll Payables	\$22,968.15
Contingency Reserve Fund	\$1,893,345.66
PERS Contingency Fund	\$300,000.00
Facilities Reserve Fund	\$229,870.00
Capital Improvement Fund	\$1,565,789.59
Stores Fund	\$20,504.53
Information Technology Fund	\$119,024.55
Equipment Replacement	\$70,202.75
Self Insurance Liability Fund	\$61,991.95
Worker's Comp. Ins. Fund	\$117,851.79
Compensated Absences Fund	(\$32,311.41)
TOTAL UNASSIGNED GENERAL FUNDS	<u><u>\$4,080,773.87</u></u>

The Emergency Reserve Fund Balance is \$1,262,205.54 (not included above).



Jamie Goldstein, City Manager

7/29/2016
Date

Attachment: 07-29-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/29/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transactio Amou
84233	07/29/2016	Open			AFLAC	\$1,164.00
	Invoice		Date	Description		Amount
	265025		07/26/2016	July supplemental insurance 1001 - Payroll Payables		\$1,164.22
84234	07/29/2016	Open			ALL STATE COMMERCIAL KITCHEN EQUIPMENT	\$398.99
	Invoice		Date	Description		Amount
	22347		07/22/2016	Community center refrigerator repair		\$398.99
84235	07/29/2016	Open			APTOS LANDSCAPE SUPPLY INC.	\$703.89
	Invoice		Date	Description		Amount
	424062		07/20/2016	wood chips - Cliff Dr.		\$147.22
	424064		07/20/2016	wood chips		\$147.22
	424073		07/20/2016	wood chips		\$147.22
	424106		07/20/2016	wood chips - wharf entrance		\$74.69
	424155		07/21/2016	wood chips		\$147.22
	424170		07/21/2016	1/2 yard grey fines		\$39.89
84236	07/29/2016	Open			AT&T	\$92.23
	Invoice		Date	Description		Amount
	ATT070116		07/01/2016	monthly telephone charges		\$9.23
				1000 - General Fund	\$4.53	
				2211 - ISF - Information Technology	\$4.70	
84237	07/29/2016	Open			AT&T/CALNET 2	\$1,748.60
	Invoice		Date	Description		Amount
	0008328592		07/13/2016	July telephone service & T-1 access		\$1,748.60
				1000 - General Fund	\$1,451.08	
				2211 - ISF - Information Technology	\$297.52	
84238	07/29/2016	Open			AUTOMATION TEST ASSOCIATES	\$40.00
	Invoice		Date	Description		Amount
	43878		07/22/2016	July wharf meter reading 1311 - Wharf Fund		\$40.00
84239	07/29/2016	Open			B & B SMALL ENGINE REPAIR	\$1,661.94
	Invoice		Date	Description		Amount
	354708		07/21/2016	cutoff saw and concrete mixer		\$1,661.94
84240	07/29/2016	Open			BARBARA GRAHAM-GARCIA	\$250.00
	Invoice		Date	Description		Amount
	189		07/22/2016	Ergonomic cunsultation for B. Garrett		\$250.00

Attachment: 07-29-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/29/2016

Invoice #	Date	Description	Amount
84241	07/29/2016	Open	BEAR ELECTRICAL SOLUTIONS INC. \$49,665.00
Invoice	Date	Description	Amount
3509	06/30/2016	Install speed sign at New Brighton Middle School	\$32,800.00
3574	06/30/2016	June traffic signal maintenance - response	\$1,527.50
3573	06/30/2016	June traffic signal maintenance - routine	\$616.00
3508	06/30/2016	Install crosswalk lights at Capitola Rd. & 42nd Ave.	\$13,500.00
3587	06/30/2016	Traffic signal repairs	\$1,222.00
		1200 - Capital Improvement Fund	\$32,800.00
		1310 - Gas Tax Fund	\$16,865.50
84242	07/29/2016	Open	BRINKS AWARDS & SIGNS \$161.59
Invoice	Date	Description	Amount
80104	07/20/2016	Sports awards	\$161.59
84243	07/29/2016	Open	CA DEPARTMENT OF TRANSPORTATION \$1,743.75
Invoice	Date	Description	Amount
SL161068	07/13/2016	April - June signals & lighting	\$1,743.75
		1310 - Gas Tax Fund	
84244	07/29/2016	Open	CALIFORNIA LAW ENFORCEMENT ASSOCIATION \$539.00
Invoice	Date	Description	Amount
CLEA072216	07/22/2016	August POA Long Term Disability	\$539.00
		1001 - Payroll Payables	
84245	07/29/2016	Open	CAPITOLA PEACE OFFICERS ASSOCIATION \$1,739.75
Invoice	Date	Description	Amount
POA072216	07/22/2016	POA and gym dues PPE 07-16-16	\$1,739.75
		1001 - Payroll Payables	
84246	07/29/2016	Open	CITY OF SANTA CRUZ \$900.00
Invoice	Date	Description	Amount
COSC071816	07/18/2016	Jet ski operator/deckhand fees	\$900.00
84247	07/29/2016	Open	COASTAL WATERSHED COUNCIL \$3,427.97
Invoice	Date	Description	Amount
1502	06/30/2016	June Urban Watch-Soquel Creek Watershed Water Quality Monitoring	\$3,427.97
84248	07/29/2016	Open	COMMUNITY TELEVISION OF SANTA CRUZ COUNTY \$1,050.00
Invoice	Date	Description	Amount
2307	07/18/2016	June public meetings televised	\$1,050.00
84249	07/29/2016	Open	CRESTOR INC. \$345.00
Invoice	Date	Description	Amount
R216035	06/01/2016	Bronze plaque: Saber	\$172.66
R216051	07/19/2016	Bronze plaque: Anderson	\$172.66
		1000 - General Fund	\$172.66
		1311 - Wharf Fund	\$172.66
84250	07/29/2016	Open	CRIMINAL JUSTICE COUNCIL OF SCC \$3,000.00
Invoice	Date	Description	Amount
2015-16-013	08/13/2015	FY15/16 member contributions	\$3,000.00

Attachment: 07-29-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/29/2016

Invoice	Date	Description	Amount	
84251	07/29/2016	Open	DELTA WIRES	\$1,000.00
Invoice 001	Date 04/22/2016	Description August-17th Delta Wires performance	Amount \$1,000.00	
84252	07/29/2016	Open	EWING IRRIGATION	\$94.00
Invoice 1800621	Date 07/12/2016	Description irrigation supplies	Amount \$30.12	
1847230	Date 07/19/2016	Description irrigation supplies	Amount \$64.50	
84253	07/29/2016	Open	EXTRA LARGE	\$1,000.00
Invoice 845	Date 05/16/2016	Description Twilight concert performer Aug 24	Amount \$1,000.00	
84254	07/29/2016	Open	FERGUSON ENTERPRISES INC.	\$92.75
Invoice 4867601	Date 07/19/2016	Description metering faucet 1311 - Wharf Fund	Amount \$92.75	
84255	07/29/2016	Open	FLYERS ENERGY LLC	\$1,928.55
Invoice 16-295122	Date 07/22/2016	Description 240 gallons diesel	Amount \$646.83	
16-295120	Date 07/22/2016	Description 435 gallons ethanol	Amount \$1,281.55	
84256	07/29/2016	Open	GEORGE H WILSON INC	\$285.00
Invoice 116779	Date 07/18/2016	Description CPD HVAC maintenance	Amount \$285.00	
84257	07/29/2016	Open	HOPE REHABILITATION SERVICES	\$1,825.00
Invoice S159963	Date 07/15/2016	Description Litter Abatement, Beach Clean Up & Sidewalk Maintenance	Amount \$1,825.00	
84258	07/29/2016	Open	HYDROSCIENCE ENGINEERS INC.	\$232.50
Invoice 331006006	Date 07/06/2016	Description Stormwater review for 2091 Wharf Rd #13-064	Amount \$232.50	
84259	07/29/2016	Open	ICMA RETIREMENT TRUST 457	\$5,127.39
Invoice 41214037	Date 07/22/2016	Description 457 contributions PPE 07-16-16 1001 - Payroll Payables	Amount \$5,127.39	
84260	07/29/2016	Open	JOHNSON ROBERTS & ASSOCIATES	\$17.00
Invoice 129385	Date 07/22/2016	Description Newton PHQ report	Amount \$17.00	
84261	07/29/2016	Open	KIMLEY-HORN AND ASSOCIATES INC.	\$14,020.70
Invoice 8002423	Date 06/30/2016	Description CalTrans Permit-Enhanced Bike Lanes@ 41st, Bay & Park	Amount \$5,847.14	
8002422	Date 06/30/2016	Description Clares Street Traffic Calming Conceptual Improvements	Amount \$2,902.65	
097763120-0616	Date 06/30/2016	Description June engineering consultant services 1200 - Capital Improvement Fund	Amount \$5,270.70	

Attachment: 07-29-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/29/2016

Invoice	Date	Description	Amount	
84262	07/29/2016	Open	LABORMAX STAFFING	\$2,980.00
Invoice	Date	Description	Amount	
26-64210	07/22/2016	seasonal labor	\$2,980.38	
84263	07/29/2016	Open	LESLIE FELLOWS	\$355.00
Invoice	Date	Description	Amount	
Fellows071816	07/18/2016	July 17 program coordinator	\$355.00	
84264	07/29/2016	Open	LIEBERT CASSIDY WHITMORE	\$4,300.00
Invoice	Date	Description	Amount	
1423320	06/30/2016	police MOU audit	\$4,300.00	
84265	07/29/2016	Open	LIFE INSURANCE CO OF NORTH AMERICA-CIGNA	\$2,303.80
Invoice	Date	Description	Amount	
CIGNA072016	07/22/2016	July supplemental insurance	\$2,303.80	
		1000 - General Fund	\$66.01	
		1001 - Payroll Payables	\$2,237.79	
84266	07/29/2016	Open	LIUNA PENSION FUND	\$791.20
Invoice	Date	Description	Amount	
CS3660	07/22/2016	July pension dues	\$791.20	
		1001 - Payroll Payables		
84267	07/29/2016	Open	MACADAM PROTECTION STRATEGIES	\$604.00
Invoice	Date	Description	Amount	
09300215-3A	06/27/2016	Monterey skate park consulting	\$604.00	
84268	07/29/2016	Open	MARK RUSSO	\$1,400.00
Invoice	Date	Description	Amount	
Russo072216	07/22/2016	Twilight concert performers Aug 10	\$1,400.00	
84269	07/29/2016	Open	MBS BUSINESS SYSTEMS	\$236.95
Invoice	Date	Description	Amount	
279408	07/25/2016	PD copier usage	\$236.95	
84270	07/29/2016	Open	MID BAY FORD LINCOLN	\$28,471.53
Invoice	Date	Description	Amount	
MBFL072716	07/27/2016	2016 F250 Reg Cab 4x4 Truck	\$28,471.53	
		2212 - ISF - Equipment Replacement		
84271	07/29/2016	Open	MOFFATT AND NICHOL	\$9,046.90
Invoice	Date	Description	Amount	
716921	03/18/2016	Capitola Wharf condition assessment	\$9,046.90	
		1311 - Wharf Fund		
84272	07/29/2016	Open	MONTEREY BAY AIR RESOURCES DISTRICT	\$3,552.50
Invoice	Date	Description	Amount	
735	07/11/2016	air pollution control fees	\$3,552.50	
84273	07/29/2016	Open	MONTEREY BAY AREA SELF INSURANCE AUTHORITY	\$1,425.20
Invoice	Date	Description	Amount	
MBASIA071516	07/15/2016	Gafari claim	\$1,425.20	
		2213 - ISF - Self-Insurance Liability		

Attachment: 07-29-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/29/2016

Invoice #	Date	Description	Amount	
84274	07/29/2016	Open	NELSON MEMBRENO	\$199
Invoice	Date	Description	Amount	
Membreno072516	07/25/2016	commercial plumbing inspector training materials	\$199.00	
84275	07/29/2016	Open	NORTH BAY FORD	\$2,513
Invoice	Date	Description	Amount	
310024	07/19/2016	1999 F250 truck parts and labor	\$2,513.26	
84276	07/29/2016	Open	OPENGOV INC	\$5,000
Invoice	Date	Description	Amount	
2243	07/22/2016	financial transparency software/installation	\$5,000.00	
84277	07/29/2016	Open	PALACE OFFICE SUPPLIES	\$113
Invoice	Date	Description	Amount	
C376855-0	07/06/2016	return key board wrist rest	(\$24.61)	
379772-0	07/26/2016	pens, batteries, tape, paper	\$137.92	
		1000 - General Fund	(\$24.61)	
		2210 - ISF - Stores Fund	\$137.92	
84278	07/29/2016	Open	PHIL ALLEGRI ELECTRIC INC.	\$408
Invoice	Date	Description	Amount	
21419	07/21/2016	install photo cells - Stockton	\$408.28	
84279	07/29/2016	Open	QUENVOLD'S SAFETY SHOEMOBILES	\$190
Invoice	Date	Description	Amount	
57954	07/20/2016	shoes - Macias	\$190.32	
84280	07/29/2016	Open	SCC ENVIRONMENTAL HEALTH SVC	\$4,319
Invoice	Date	Description	Amount	
IN0079653	07/14/2016	McGregor Site Mitigation Oversight	\$4,319.50	
		1200 - Capital Improvement Fund		
84281	07/29/2016	Open	SOFTWARE ONE INC	\$4,803
Invoice	Date	Description	Amount	
US-PSI-502681	07/14/2016	2012 Server and Windows Server Device CAL	\$1,547.66	
US-PSI-503857	07/20/2016	Creative Cloud f/ Teams All Apps	\$3,255.48	
		2211 - ISF - Information Technology		
84282	07/29/2016	Open	SOQUEL NURSERY GROWERS INC.	\$67
Invoice	Date	Description	Amount	
332987	07/20/2016	plants	\$67.91	
84283	07/29/2016	Open	SPECTRUM BUSINESS	\$3,064
Invoice	Date	Description	Amount	
SB071916	07/19/2016	July internet service	\$3,064.62	
		1000 - General Fund	\$1,153.27	
		2211 - ISF - Information Technology	\$1,911.35	
84284	07/29/2016	Open	STOP COMPANY	\$113
Invoice	Date	Description	Amount	
4309	07/19/2016	Road signs (19)	\$113.64	

Attachment: 07-29-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/29/2016

Invoice #	Date	Description	Amount
84285	07/29/2016	STRELOW CONSULTING	\$4,640
Invoice 071601	07/01/2016	Monterey skate park EIR consulting	\$4,640.00
84286	07/29/2016	THE BLACKOUTS	\$1,000
Invoice Blackouts080316	07/22/2016	Twilight concert performers Aug 3	\$1,000.00
84287	07/29/2016	THE CLEANING MACHINE INC.	\$1,710
Invoice 6072	07/12/2016	village sidewalk cleaning	\$1,710.00
84288	07/29/2016	THE DIGBEATS	\$1,000
Invoice DigBeats072216	07/22/2016	Twilight concert performers Aug 31	\$1,000.00
84289	07/29/2016	THE DON CHAPIN CO INC	\$14,905
Invoice 216051*03	05/20/2016	38th Avenue Road Reconstruction Project-Retention Release 1200 - Capital Improvement Fund	\$14,905.58
84290	07/29/2016	UNITED WAY OF SANTA CRUZ COUNTY	\$50
Invoice UW072216	07/22/2016	United Way Contribution PPE 07-16-16 1001 - Payroll Payables	\$50.00
84291	07/29/2016	UPEC LIUNA LOCAL 792	\$1,196
Invoice UPEC072216	07/22/2016	UPEC dues PPE 07-16-16 1001 - Payroll Payables	\$1,196.25
84292	07/29/2016	US BANCORP EQUIPMENT FINANCE INC.	\$839
Invoice 308269810	07/01/2016	Copier rentals 1000 - General Fund \$382.89 2210 - ISF - Stores Fund \$456.65	\$839.54
84293	07/29/2016	US BANK PARS	\$2,327
Invoice PARS072216	07/22/2016	PARS contributions PPE 07-16-16 1001 - Payroll Payables	\$2,327.90
84294	07/29/2016	WATSONVILLE BLUEPRINT	\$71
Invoice 62763	07/27/2016	prints	\$71.94
84295	07/29/2016	WEBER HAYES & ASSOCIATES INC.	\$10,469
Invoice 10857	07/18/2016	McGregor Park soil testing & removal 3/14-6/27/16 1200 - Capital Improvement Fund	\$10,469.25

Attachment: 07-29-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/29/2016

Invoice #	Date	Description	Amount
84296	07/29/2016	Open	
Invoice	Date	Description	Amount
0165760	07/20/2016	shuttle signs	\$1,546.14
ZUMAR INDUSTRIES INC. \$1,546.			
84297	07/29/2016	Open	
Invoice	Date	Description	Amount
15-132	07/26/2016	refund tree permit # 15-132	\$500.00
Kathy DeMoro \$500.			
84298	07/29/2016	Open	
Invoice	Date	Description	Amount
2002676.002	07/18/2016	JG Regionals refund	\$175.00
Lisa Salvino \$175.			
84299	07/29/2016	Open	
Invoice	Date	Description	Amount
14-145	07/26/2016	refund tree permit # 14-145	\$500.00
William Bragg \$500.			
84300	07/29/2016	Open	
Invoice	Date	Description	Amount
SCTCC060116	06/01/2016	Community Grants June 2016	\$612.00
SANTA CRUZ TODDLER CARE CENTER \$612.			
Type Check Totals:			\$211,976.
<u>EFT</u>			
300	07/25/2016	Open	
Invoice	Date	Description	Amount
661655-IN	06/30/2016	June COBRA and FSA administration	\$139.00
DISCOVERY BENEFITS \$139.			
303	07/26/2016	Open	
Invoice	Date	Description	Amount
1000730447-50	07/26/2016	PERS contributions PPE 07-16-16	\$49,659.96
		1000 - General Fund	(\$0.23)
		1001 - Payroll Payables	\$49,660.19
CalPERS Member Services Division \$49,659.			
304	07/25/2016	Open	
Invoice	Date	Description	Amount
2-100-083-328	07/25/2016	State tax deposit PPE 07-16-16	\$7,638.46
		1001 - Payroll Payables	
EMPLOYMENT DEVELOPMENT DEPT \$7,638.			
305	07/25/2016	Open	
Invoice	Date	Description	Amount
02405206	07/25/2016	Federal tax deposit PPE 07-16-16	\$32,018.28
		1001 - Payroll Payables	
INTERNAL REVENUE SERVICE \$32,018.			
306	07/23/2016	Open	
Invoice	Date	Description	Amount
R07CKWV6657	07/23/2016	garnishment PPE 07-16-16	\$1,117.84
		1001 - Payroll Payables	
STATE DISBURSEMENT UNIT \$1,117.			
307	07/26/2016	Open	
Invoice	Date	Description	Amount
1000730457	07/26/2016	August health insurance	\$57,248.18
		1000 - General Fund	\$2,844.48
		1001 - Payroll Payables	\$54,403.70
CalPERS Health Insurance \$57,248.			

Attachment: 07-29-16 City Check Register (1288 : Approval of City Check Registers)

City Checks Issued 07/29/2016

308	07/29/2016	Open		ADP LLC		\$257.
	Invoice	Date	Description		Amount	
	477259102	07/29/2016	July ADP fees		\$257.15	
			2211 - ISF - Information Technology			

Type EFT Totals: \$148,078.

Attachment: 07-29-16 City Check Register (1288 : Approval of City Check Registers)

CITY - Main City Totals	Counts:	Total
Checks	68	\$211,976.
EFTs	7	\$148,078.
All	75	\$360,055.



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF AUGUST 25, 2016

FROM: City Manager Department

SUBJECT: Deny Liability Claim of Roderick O'Neil Whitley in the Amount of \$10,000

RECOMMENDED ACTION: Deny liability claim.

DISCUSSION: The following claimant has filed a liability claim against the City of Capitola:

1. Roderick O'Neil Whitley: \$10,000

Report Prepared By: Liz Nichols
Executive Assistant to the City Manager

Reviewed and Forwarded by:

A handwritten signature in blue ink, appearing to be "JG", is written over a horizontal line.

Jamie Goldstein, City Manager

8/17/2016



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF AUGUST 25, 2016

FROM: Finance Department

SUBJECT: Consider a Resolution Authorizing the City to Enter into a Joint Powers Agreement with California Municipal Finance Authority Joint Power

RECOMMENDED ACTION: Execute the Joint Powers Agreement of the California Municipal Finance Authority (CMFA) and adopt a Resolution in favor of the issuance of the Bonds by the CMFA for the benefit of Goodwill Central Coast.

BACKGROUND: The City has been asked to join the California Municipal Finance Authority (CMFA) Joint Powers Authority to allow the Goodwill Central Coast to refinance their bonds issued in 2008. By joining this JPA the City provides a finance mechanism, under State law, allowing for the bonds to be refinanced at a lower interest rate, proving the Goodwill savings on their debt payments. The City does not take on any responsibility for the Bonds issues by CMFA and Goodwill. The Bonds issued by Goodwill will not be City debt and the City is in no way responsible for the debt in the event of a default.

Goodwill Central Coast, a California nonprofit public benefit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986 (the "Borrower"), has requested that the California Municipal Finance Authority (the "Authority") participate in the issuance of one series of revenue bonds in an aggregate principal amount not to exceed \$18,000,000 (the "Bonds") for the purposes of: (i) refinancing the California Statewide Communities Development Authority Revenue Bonds (Goodwill of Santa Cruz), Series 2008, which bonds financed acquisition, construction and equipping of a training facility for disabled and disadvantaged persons and a retail store owned by the Borrower and located at 1550 41st Avenue, Capitola, California, These bonds are outstanding in the approximate amount of \$3,905,000. (ii) financing costs of acquisition, renovation and equipping of an approximately 98,000 square foot building to be owned by the Borrower and located at 1566 Moffett Street in Salinas, California, within Monterey County, California, to house the Borrower's administrative headquarters as well as serve as its primary hub for material handling, bulk sales, processing and distribution and (iii) financing certain expenses incurred in connection with the issuance of the Bonds.

The Authority has requested that the City Council approve the issuance of the Bonds by the Authority in order to satisfy the requirements of Section 4 of the Joint Exercise of Powers Agreement (JPA) relating to the California Municipal Finance Authority, dated as of January 1, 2004 (the "Agreement"), among certain local agencies.

CMFA Approval for Goodwill
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The Bonds to be issued by the CMFA for the Project will be the sole responsibility of the Borrower, and the City will have no financial, legal, moral obligation, liability or responsibility for the Project or the repayment of the Bonds for the financing of the Project. All financing documents with respect to the issuance of the Bonds will contain clear disclaimers that the Bonds are not obligations of the City or the State of California, but are to be paid for solely from funds provided by the Borrower

CALIFORNIA MUNICIPAL FINANCE AUTHORITY:

The CMFA was created on January 1, 2004, pursuant to a JPA to promote economic, cultural and community development, through the financing of economic development and charitable activities throughout California. To date, over 240 municipalities have become members of CMFA.

The CMFA was formed to assist local governments, non-profit organizations and businesses with the issuance of taxable and tax-exempt bonds aimed at improving the standard of living in California. The CMFA's representatives and its Board of Directors have considerable experience in bond financings.

EXECUTION OF THE JOINT EXERCISE OF POWERS AGREEMENT:

In order for the CMFA to have the authority to serve as the issuer of the bonds for the Project, it is necessary for the City of Capitola to become a member of the CMFA.

The JPA provides that the CMFA is a public entity, separate and apart from each member executing such agreement. The debts, liabilities and obligations of the CMFA do not constitute debts, liabilities or obligations of the members executing such agreement.

There are no costs associated with membership in the CMFA and the City will in no way become exposed to any financial liability by reason of its membership in the CMFA. In addition, participation by the City in the CMFA will not impact the City's appropriations limits and will not constitute any type of indebtedness by the City. Outside of holding the TEFRA hearing, adopting the required resolution and executing the JPA of the CMFA, no other participation or activity of the City or the City Council with respect to the issuance of the Bonds will be required.

The JPA expressly provides that any member may withdraw from such agreement upon written notice to the Board of Directors of the CMFA. In the case of the proposed bond financing for the Borrower, the City following its execution of the JPA, could, at any time following the issuance of the Bonds, withdraw from the CMFA by providing written notice to the Board of Directors of the CMFA.

FISCAL IMPACT: The Bonds to be issued by the CMFA for the Project will be the sole responsibility of the Borrower, and the City will have no financial, legal, moral obligation, liability or responsibility for the Project or the repayment of the Bonds for the financing of the Project. All financing documents with respect to the issuance of the Bonds will contain clear disclaimers that the Bonds are not obligations of the City or the State of California, but are to be paid for solely from funds provided by the Borrower.

The Board of Directors of the California Foundation for Stronger Communities, a California non-profit public benefit corporation (the "Foundation"), acts as the Board of Directors for the CMFA. Through its conduit issuance activities, the CMFA shares a portion of the issuance fees it

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receives with its member communities and donates a portion of these issuance fees to the Foundation for the support of local charities. With respect to the City of Capitola, it is expected that that a portion of the issuance fee attributable to the City will be granted by the CMFA to the General Fund of the City. Such grant may be used for any lawful purpose of the City.

ATTACHMENTS:

1. CMFA JPA Agreement - City of Capitola (PDF)

Report Prepared By: Mark Welch
Finance Director

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

8/18/2016

CMFA Approval for Goodwill
August 25, 2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA APPROVING, AUTHORIZING AND DIRECTING EXECUTION OF A JOINT EXERCISE OF POWERS AGREEMENT RELATING TO THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY AND APPROVING THE ISSUANCE OF THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY REVENUE BOND (GOODWILL CENTRAL COAST), SERIES 2016 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$18,000,000 FOR THE BENEFIT OF GOODWILL CENTRAL COAST

WHEREAS, pursuant to Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California (the "Act"), certain public agencies (the "Members") have entered into a Joint Exercise of Powers Agreement Relating to the California Municipal Finance Authority, dated as of January 1, 2004 (the "Agreement") in order to form the California Municipal Finance Authority (the "Authority"), for the purpose of promoting economic, cultural and community development, and in order to exercise any powers common to the Members, including the issuance of bonds, notes or other evidences of indebtedness; and

WHEREAS, the City of Capitola, California (the "City"), has determined that it is in the public interest and for the public benefit that the City become a Member of the Authority in order to facilitate the promotion of economic, cultural and community development activities in the City, including the financing of projects therefor by the Authority; and

WHEREAS, there is now before this City Council (the "Council") the form of the Agreement; and

WHEREAS, the Agreement has been filed with the City, and the members of the Council, with the assistance of its staff, have reviewed said document; and

WHEREAS, Goodwill Central Coast, a California nonprofit public benefit corporation (the "Borrower"), has requested that the California Municipal Finance Authority (the "Authority") participate in the issuance of a series of revenue bonds in an aggregate principal amount not to exceed \$18,000,000 (the "Bonds") for the purpose of making a loan to the Borrower, to enable the Borrower to finance and refinance the costs of the acquisition, construction and improvement of the facilities described on Exhibit "A" hereto (the "Project"), a portion of which are located within the City; and

WHEREAS, the Authority has requested that the City Council (the "Council") of the City approve the issuance of the Bonds by the Authority in order to satisfy the requirements of Section 4 of the Joint Exercise of Powers Agreement Relating to the California Municipal Finance Authority, dated as of January 1, 2004 (the "Agreement"), among certain local agencies, including the City; and

WHEREAS, the Council desires to approve the issuance of the Bonds by the Authority;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Capitola as follows:

Section 1. The foregoing Resolutions are true and correct.

CMFA Approval for Goodwill
August 25, 2016

Section 2. The Agreement is hereby approved and the Mayor or the designee thereof is hereby authorized and directed to execute said document, and the City Clerk or such Clerk's designee is hereby authorized and directed to attest thereto.

Section 3. The Council hereby approves the issuance of the Bonds by the Authority. It is the purpose and intent of the Council that this Resolution constitute approval of the issuance of the Bonds by the Authority, for the purposes of Section 4 of the Agreement.

Section 4. The City shall have no responsibility or liability whatsoever with respect to the Bonds. The adoption of this Resolution shall not obligate the City or any department thereof to (i) provide any financing to acquire or construct the Project or any refinancing of the Project; (ii) approve any application or request for or take any other action in connection with any planning approval, permit or other action necessary for the acquisition, rehabilitation or operation of the Project; (iii) make any contribution or advance any funds whatsoever to the Authority; or (iv) take any further action with respect to the Authority or its membership therein.

Section 5. The Clerk shall forward a certified copy of this Resolution and an originally executed Agreement to the Authority in care of its counsel:

Ronald E. Lee, Esq.
Jones Hall, APLC
475 Sansome Street, Suite 1700
San Francisco, CA 94111

Section 6. The officers of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this Resolution and the financing transaction approved hereby.

Section 7. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Capitola this 25th day of August, 2016.

AYES:
NOES:
ABSTAIN:

Ed Bottorff, Mayor

ATTEST

By: _____, CMC
Susan Sneddon, City Clerk

**JOINT EXERCISE OF POWERS AGREEMENT
RELATING TO THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY**

THIS AGREEMENT, dated as of January 1, 2004, among the parties executing this Agreement (all such parties, except those which have withdrawn as provided herein, are referred to as the “Members” and those parties initially executing this Agreement are referred to as the “Initial Members”):

WITNESSETH

WHEREAS, pursuant to Title 1, Division 7, Chapter 5 of the California Government Code (in effect as of the date hereof and as the same may from time to time be amended or supplemented, the “Joint Exercise of Powers Act”), two or more public agencies may by agreement jointly exercise any power common to the contracting parties; and

WHEREAS, each of the Members is a “public agency” as that term is defined in Section 6500 of the Joint Exercise of Powers Act; and

WHEREAS, each of the Members is empowered by law to promote economic, cultural and community development, including, without limitation, the promotion of opportunities for the creation or retention of employment, the stimulation of economic activity, the increase of the tax base, and the promotion of opportunities for education, cultural improvement and public health, safety and general welfare; and

WHEREAS, each of the Members may accomplish the purposes and objectives described in the preceding preamble by various means, including through making grants, loans or providing other financial assistance to governmental and nonprofit organizations; and

WHEREAS, each Member is also empowered by law to acquire and dispose of real property for a public purpose; and

WHEREAS, the Joint Exercise of Powers Act authorizes the Members to create a joint exercise of powers entity with the authority to exercise any powers common to the Members, as specified in this Agreement and to exercise the additional powers granted to it in the Joint Exercise of Powers Act and any other applicable provisions of the laws of the State of California; and

WHEREAS, a public entity established pursuant to the Joint Exercise of Powers Act is empowered to issue or execute bonds, notes, commercial paper or any other evidences of indebtedness, including leases or installment sale agreements or certificates of participation therein (herein “Bonds”), and to otherwise undertake financing programs under the Joint Exercise of Powers Act or other applicable provisions of the laws of the State of California to accomplish its public purposes; and

WHEREAS, the Members have determined to specifically authorize a public entity authorized pursuant to the Joint Exercise of Powers Act to issue Bonds pursuant to the Joint Exercise of Powers Act or other applicable provisions of the laws of the State of California; and

WHEREAS, it is the desire of the Members to use a public entity established pursuant to the Joint Exercise of Powers Act to undertake the financing and/or refinancing of projects of any nature, including, but not limited to, capital or working capital projects, insurance, liability or retirement programs or facilitating Members use of existing or new financial instruments and mechanisms; and

WHEREAS, it is further the intention of the Members that the projects undertaken will result in significant public benefits to the inhabitants of the jurisdictions of the Members; and

WHEREAS, by this Agreement, each Member desires to create and establish the “California Municipal Finance Authority” for the purposes set forth herein and to exercise the powers provided herein;

NOW, THEREFORE, the Members, for and in consideration of the mutual promises and agreements herein contained, do agree as follows:

Section 1. Purpose.

This Agreement is made pursuant to the provisions of the Joint Exercise of Powers Act. The purpose of this Agreement is to establish a public entity for the joint exercise of powers common to the Members and for the exercise of additional powers given to a joint powers entity under the Joint Powers Act or any other applicable law, including, but not limited to, the issuance of Bonds for any purpose or activity permitted under the Joint Exercise of Powers Act or any other applicable law. Such purpose will be accomplished and said power exercised in the manner hereinafter set forth.

Section 2. Term.

This Agreement shall become effective in accordance with Section 17 as of the date hereof and shall continue in full force and effect until such time as it is terminated in writing by all the Members; provided, however, that this Agreement shall not terminate or be terminated until all Bonds issued or caused to be issued by the Authority (defined below) shall no longer be outstanding under the terms of the indenture, trust agreement or other instrument pursuant to which such Bonds are issued, or unless a successor to the Authority assumes all of the Authority’s debts, liabilities and obligations.

Section 3. Authority.

A. CREATION AND POWERS OF AUTHORITY.

Pursuant to the Joint Exercise of Powers Act, there is hereby created a public entity to be known as the “California Municipal Finance Authority” (the “Authority”), and said Authority shall be a public entity separate and apart from the Members. Its

debts, liabilities and obligations do not constitute debts, liabilities or obligations of any Members.

B. BOARD.

The Authority shall be administered by the Board of Directors (the “Board,” or the “Directors” and each a “Director”) of the California Foundation for Stronger Communities, a nonprofit public benefit corporation organized under the laws of the State of California (the “Foundation”), with each such Director serving in his or her individual capacity as a Director of the Board. The Board shall be the administering agency of this Agreement and, as such, shall be vested with the powers set forth herein, and shall administer this Agreement in accordance with the purposes and functions provided herein. The number of Directors, the appointment of Directors, alternates and successors, their respective terms of office, and all other provisions relating to the qualification and office of the Directors shall be as provided in the Articles and Bylaws of the Foundation, or by resolution of the Board adopted in accordance with the Bylaws of the Foundation.

All references in this Agreement to any Director shall be deemed to refer to and include the applicable alternate Director, if any, when so acting in place of a regularly appointed Director.

Directors may receive reasonable compensation for serving as such, and shall be entitled to reimbursement for any expenses actually incurred in connection with serving as a Director, if the Board shall determine that such expenses shall be reimbursed and there are unencumbered funds available for such purpose.

The Foundation may be removed as administering agent hereunder and replaced at any time by amendment of this Agreement approved as provided in Section 16; provided that a successor administering agent of this Agreement has been appointed and accepted its duties and responsibilities under this Agreement.

C. OFFICERS; DUTIES; OFFICIAL BONDS.

The officers of the Authority shall be the Chair, Vice-Chair, Secretary and Treasurer (defined below). The Board, in its capacity as administering agent of this Agreement, shall elect a Chair, a Vice-Chair, and a Secretary of the Authority from among Directors to serve until such officer is re-elected or a successor to such office is elected by the Board. The Board shall appoint one or more of its officers or employees to serve as treasurer, auditor, and controller of the Authority (the “Treasurer”) pursuant to Section 6505.6 of the Joint Exercise of Powers Act to serve until such officer is re-elected or a successor to such office is elected by the Board.

Subject to the applicable provisions of any resolution, indenture, trust agreement or other instrument or proceeding authorizing or securing Bonds (each such resolution, indenture, trust agreement, instrument and proceeding being herein referred to as an “Indenture”) providing for a trustee or other fiscal agent, and except as may otherwise be

specified by resolution of the Board, the Treasurer is designated as the depository of the Authority to have custody of all money of the Authority, from whatever source derived and shall have the powers, duties and responsibilities specified in Sections 6505, 6505.5 and 6509.5 of the Joint Exercise of Powers Act.

The Treasurer of the Authority is designated as the public officer or person who has charge of, handles, or has access to any property of the Authority, and such officer shall file an official bond with the Secretary of the Authority in the amount specified by resolution of the Board but in no event less than \$1,000.

The Board shall have the power to appoint such other officers and employees as it may deem necessary and to retain independent counsel, consultants and accountants.

The Board shall have the power, by resolution, to the extent permitted by the Joint Exercise of Power Act or any other applicable law, to delegate any of its functions to one or more of the Directors or officers, employees or agents of the Authority and to cause any of said Directors, officers, employees or agents to take any actions and execute any documents or instruments for and in the name and on behalf of the Board or the Authority.

D. MEETINGS OF THE BOARD.

(1) Ralph M. Brown Act.

All meetings of the Board, including, without limitation, regular, adjourned regular, special, and adjourned special meetings shall be called, noticed, held and conducted in accordance with the provisions of the Ralph M. Brown Act (commencing with Section 54950 of the Government Code of the State of California), or any successor legislation hereinafter enacted (the "Brown Act").

(2) Regular Meetings.

The Board shall provide for its regular meetings; provided, however, it shall hold at least one regular meeting each year. The date, hour and place of the holding of the regular meetings shall be fixed by resolution of the Board. To the extent permitted by the Brown Act, such meetings may be held by telephone conference.

(3) Special Meetings.

Special meetings of the Board may be called in accordance with the provisions of Section 54956 of the Government Code of the State of California. To the extent permitted by the Brown Act, such meetings may be held by telephone conference.

(4) Minutes.

The Secretary of the Authority shall cause to be kept minutes of the regular, adjourned regular, special, and adjourned special meetings of the Board and shall, as soon as possible after each meeting, cause a copy of the minutes to be forwarded to each Director.

(5) Quorum.

A majority of the Board shall constitute a quorum for the transaction of business. No action may be taken by the Board except upon the affirmative vote of a majority of the Directors constituting a quorum, except that less than a quorum may adjourn a meeting to another time and place.

E. RULES AND REGULATIONS.

The Authority may adopt, from time to time, by resolution of the Board such rules and regulations for the conduct of its meetings and affairs as may be required.

Section 4. Powers.

The Authority shall have the power, in its own name, to exercise the common powers of the Members and to exercise all additional powers given to a joint powers entity under any of the laws of the State of California, including, but not limited to, the Joint Exercise of Powers Act, for any purpose authorized under this Agreement. Such powers shall include the common powers specified in this Agreement and may be exercised in the manner and according to the method provided in this Agreement. The Authority is hereby authorized to do all acts necessary for the exercise of such power, including, but not limited to, any of all of the following: to make and enter into contracts; to employ agents and employees; to acquire, construct, provide for maintenance and operation of, or maintain and operate, any buildings, works or improvements; to acquire, hold or dispose of property wherever located; to incur debts, liabilities or obligations; to receive gifts, contributions and donations of property, funds, services, and other forms of assistance from person, firms, corporations and any governmental entity; to sue and be sued in its own name; to make grants, loans or provide other financial assistance to governmental and nonprofit organizations (e.g., the Members or the Foundation) to accomplish any of its purposes; and generally to do any and all things necessary or convenient to accomplish its purposes.

Without limiting the generality of the foregoing, the Authority may issue or cause to be issued Bonds, and pledge any property or revenues as security to the extent permitted under the Joint Exercise of Powers Act, or any other applicable provision of law; provided, however, the Authority shall not issue Bonds with respect to any project located in the jurisdiction of one or more Members unless the governing body of any such Member, or its duly authorized representative, shall approve, conditionally or unconditionally, the project, including the issuance of Bonds therefor. Such approval may be evidenced by resolution, certificate, order, report or such other means of written approval of such project as may be selected by the Member (or its authorized representative) whose approval is required. No such approval shall be required in

connection with Bonds that refund Bonds previously issued by the Authority and approved by the governing board of a Member.

The manner in which the Authority shall exercise its powers and perform its duties is and shall be subject to the restrictions upon the manner in which a California general law city could exercise such powers and perform such duties. The manner in which the Authority shall exercise its powers and perform its duties shall not be subject to any restrictions applicable to the manner in which any other public agency could exercise such powers or perform such duties, whether such agency is a party to this Agreement or not.

Section 5. Fiscal Year.

For the purposes of this Agreement, the term “Fiscal Year” shall mean the fiscal year as established from time to time by resolution of the Board, being, at the date of this Agreement, the period from July 1 to and including the following June 30, except for the first Fiscal Year which shall be the period from the date of this Agreement to June 30, 2004.

Section 6. Disposition of Assets.

At the end of the term hereof or upon the earlier termination of this Agreement as set forth in Section 2, after payment of all expenses and liabilities of the Authority, all property of the Authority both real and personal shall automatically vest in the Members in the manner and amount determined by the Board in its sole discretion and shall thereafter remain the sole property of the Members; provided, however, that any surplus money on hand shall be returned in proportion to the contributions made by the Members.

Section 7. Bonds.

From time to time the Authority shall issue Bonds, in one or more series, for the purpose of exercising its powers and raising the funds necessary to carry out its purposes under this Agreement.

The services of bond counsel, financing consultants and other consultants and advisors working on the projects and/or their financing shall be used by the Authority. The expenses of the Board shall be paid from the proceeds of the Bonds or any other unencumbered funds of the Authority available for such purpose.

Section 8. Bonds Only Limited and Special Obligations of Authority.

The Bonds, together with the interest and premium, if any, thereon, shall not be deemed to constitute a debt of any Member or pledge of the faith and credit of the Members or the Authority. The Bonds shall be only special obligations of the Authority, and the Authority shall under no circumstances be obligated to pay the Bonds except from revenues and other funds pledged therefor. Neither the Members nor the Authority shall be obligated to pay the principal of, premium, if any, or interest on the Bonds, or other costs incidental thereto, except from the revenues and funds pledged therefor, and neither the faith and credit nor the taxing power of the Members nor the faith and credit of the Authority shall be pledged to the payment of the

principal of, premium, if any, or interest on the Bonds nor shall the Members or the Authority in any manner be obligated to make any appropriation for such payment.

No covenant or agreement contained in any Bond or related document shall be deemed to be a covenant or agreement of any Director, or any officer, employee or agent of the Authority in his or her individual capacity and neither the Board of the Authority nor any Director or officer thereof executing the Bonds shall be liable personally on any Bond or be subject to any personal liability or accountability by reason of the issuance of any Bonds.

Section 9. Accounts and Reports.

All funds of the Authority shall be strictly accounted for. The Authority shall establish and maintain such funds and accounts as may be required by good accounting practice and by any provision of any Indenture (to the extent such duties are not assigned to a trustee of Bonds). The books and records of the Authority shall be open to inspection at all reasonable times by each Member.

The Treasurer of the Authority shall cause an independent audit to be made of the books of accounts and financial records of the Authority by a certified public accountant or public accountant in compliance with the provisions of Section 6505 of the Joint Exercise of Powers Act. In each case the minimum requirements of the audit shall be those prescribed by the State Controller for special districts under Section 26909 of the Government Code of the State of California and shall conform to generally accepted auditing standards. When such an audit of accounts and records is made by a certified public accountant or public accountant, a report thereof shall be filed as a public record with each Member and also with the county auditor of each county in which a Member is located; provided, however, that to the extent permitted by law, the Authority may, instead of filing such report with each Member and such county auditor, elect to post such report as a public record electronically on a website designated by the Authority. Such report if made shall be filed within 12 months of the end of the Fiscal Year or Years under examination.

The Treasurer is hereby directed to report in writing on the first day of July, October, January, and April of each year to the Board and the Members which report shall describe the amount of money held by the Treasurer for the Authority, the amount of receipts since the last such report, and the amount paid out since the last such report (which may exclude amounts held by a trustee or other fiduciary in connection with any Bonds to the extent that such trustee or other fiduciary provided regular reports covering such amounts.)

Any costs of the audit, including contracts with, or employment of, certified public accountants or public accountants in making an audit pursuant to this Section, shall be borne by the Authority and shall be a charge against any unencumbered funds of the Authority available for that purpose.

In any Fiscal Year the Board may, by resolution adopted by unanimous vote, replace the annual special audit with an audit covering a two-year period.

Section 10. Funds.

Subject to the applicable provisions of any Indenture, which may provide for a trustee or other fiduciary to receive, have custody of and disburse Authority funds, the Treasurer of the Authority shall receive, have the custody of and disburse Authority funds pursuant to the accounting procedures developed under Sections 3.C and 9, and shall make the disbursements required by this Agreement or otherwise necessary to carry out any of the provisions of purposes of this Agreement.

Section 11. Notices.

Notices and other communications hereunder to the Members shall be sufficient if delivered to the clerk of the governing body of each Member; provided, however, that to the extent permitted by law, the Authority may, provide notices and other communications and postings electronically (including, without limitation, through email or by posting to a website).

Section 12. Additional Members/Withdrawal of Members.

Qualifying public agencies may be added as parties to this Agreement and become Members upon: (1) the filing by such public agency with the Authority of an executed counterpart of this Agreement, together with a copy of the resolution of the governing body of such public agency approving this Agreement and the execution and delivery hereof; and (2) adoption of a resolution of the Board approving the addition of such public agency as a Member. Upon satisfaction of such conditions, the Board shall file such executed counterpart of this Agreement as an amendment hereto, effective upon such filing.

A Member may withdraw from this Agreement upon written notice to the Board; provided, however, that no such withdrawal shall result in the dissolution of the Authority so long as any Bonds remain outstanding. Any such withdrawal shall be effective only upon receipt of the notice of withdrawal by the Board which shall acknowledge receipt of such notice of withdrawal in writing and shall file such notice as an amendment to this Agreement effective upon such filing.

Section 13. Indemnification.

To the full extent permitted by law, the Board may authorize indemnification by the Authority of any person who is or was a Director or an officer, employee of other agent of the Authority, and who was or is a party or is threatened to be made a party to a proceeding by reason of the fact that such person is or was such a Director or an officer, employee or other agent of the Authority, against expenses, including attorneys fees, judgments, fines, settlements and other amounts actually and reasonably incurred in connection with such proceeding, if such person acted in good faith in a manner such person reasonably believed to be in the best interests of the Authority and, in the case of a criminal proceeding, had no reasonable cause to believe the conduct of such person was unlawful and, in the case of an action by or in the right of the Authority, acted with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances.

Section 14. Contributions and Advances.

Contributions or advances of public funds and of the use of personnel, equipment or property may be made to the Authority by the Members for any of the purposes of this Agreement. Payment of public funds may be made to defray the cost of any such contribution or advance. Any such advance may be made subject to repayment, and in such case shall be repaid, in the manner agreed upon by the Authority and the Member making such advance at the time of such advance. It is mutually understood and agreed to that no Member has any obligation to make advances or contributions to the Authority to provide for the costs and expenses of administration of the Authority, even though any Member may do so. The Members understand and agree that a portion of the funds of the Authority that otherwise may be allocated or distributed to the Members may instead be used to make grants, loans or provide other financial assistance to governmental units and nonprofit organizations (e.g., the Foundation) to accomplish any of the governmental unit's or nonprofit organization's purposes.

Section 15. Immunities.

All of the privileges and immunities from liabilities, exemptions from laws, ordinances and rules, and other benefits which apply to the activity of officers, agents or employees of Members when performing their respective functions within the territorial limits of their respective public agencies, shall apply to the same degree and extent to the Directors, officers, employees, agents or other representatives of the Authority while engaged in the performance of any of their functions or duties under the provisions of this Agreement.

Section 16. Amendments.

Except as provided in Section 12 above, this Agreement shall not be amended, modified, or altered, unless the negative consent of each of the Members is obtained. To obtain the negative consent of each of the Members, the following negative consent procedure shall be followed: (a) the Authority shall provide each Member with a notice at least sixty (60) days prior to the date such proposed amendment is to become effective explaining the nature of such proposed amendment and this negative consent procedure; (b) the Authority shall provide each Member who did not respond a reminder notice with a notice at least thirty (30) days prior to the date such proposed amendment is to become effective; and (c) if no Member objects to the proposed amendment in writing within sixty (60) days after the initial notice, the proposed amendment shall become effective with respect to all Members.

Section 17. Effectiveness.

This Agreement shall become effective and be in full force and effect and a legal, valid and binding obligation of each of the Members on the date that the Board shall have received from two of the Initial Members an executed counterpart of this Agreement, together with a certified copy of a resolution of the governing body of each such Initial Member approving this Agreement and the execution and delivery hereof.

Section 18. Partial Invalidity.

If any one or more of the terms, provisions, promises, covenants or conditions of this Agreement shall to any extent be adjudged invalid, unenforceable, void or voidable for any reason whatsoever by a court of competent jurisdiction, each and all of the remaining terms, provisions, promises, covenants and conditions of this Agreement shall not be affected thereby, and shall be valid and enforceable to the fullest extent permitted by law.

Section 19. Successors.

This Agreement shall be binding upon and shall inure to the benefit of the successors of the parties hereto. Except to the extent expressly provided herein, no Member may assign any right or obligation hereunder without the consent of the other Members.

Section 20. Miscellaneous.

This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

The section headings herein are for convenience only and are not to be construed as modifying or governing the language in the section referred to.

Wherever in this Agreement any consent or approval is required, the same shall not be unreasonably withheld.

This Agreement shall be governed under the laws of the State of California.

This Agreement is the complete and exclusive statement of the agreement among the Members, which supercedes and merges all prior proposals, understandings, and other agreements, whether oral, written, or implied in conduct, between and among the Members relating to the subject matter of this Agreement.

IN WITNESS WHEREOF, the City of Capitola has caused this Agreement to be executed and attested by its duly authorized representatives as of the ___ day of _____, 2016.

Member:

CITY OF CAPITOLA

By _____

Name:

Title:

ATTEST:

By _____

Name:

Title:

Attachment: CMFA JPA Agreement - City of Capitola (1575 : CMFA Approval for Goodwill)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF AUGUST 25, 2016

FROM: Capitola Police Department

SUBJECT: Consider authorizing a City Council Response to the 2015-2016 Santa Cruz County Grand Jury Report titled, "Capitola Police Department's Citizen Complaint Procedures: Nothing to Complain About"

RECOMMENDED ACTION: Accept the recommendations by the Santa Cruz County Civil Grand Jury and direct the City Clerk to send the completed response packet per California Penal Code §933.05.

BACKGROUND: Earlier this summer the Santa Cruz County Civil Grand Jury released a report investigating the Capitola Police Department's handling of citizen complaints and evaluating the Department's performance for fairness, timeliness, professionalism, and willingness to improve. The Police Department has a policy to provide guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members and employees. In the interest of protecting the rights of its citizens, each law enforcement agency in California is required to have a procedure to investigate citizen complaints and to make this procedure available to the public. The Grand Jury found our policy meets all of the requirements set forth in California Penal Code (PC) §832.5.

DISCUSSION: The Grand Jury completed its investigation and posted its eight findings in June of 2016. A copy of their report is attached (Attachment 2) and is available on the City's website. Two recommendations were made by the Grand Jury. The Police Department agrees with these findings and both have been implemented. The following recommendations (R) were listed:

R1 – While the Capitola Police Department does complete its investigations within the 12-month period allotted, we believe that this could be improved upon. We recommend working to reduce the time required to process complaints (F1) (Implemented).

R2 – The Capitola Police Department should consider placing statistics on closure of complaints online. This would give better visibility to the residents of Capitola on the performance of their Police Department (Implemented).

The Grand Jury commended the excellent work by the Police Department on the way we handled our complaint process as an effective program that deals fairly with both the complainant and the officer involved to ensure that the people of Capitola are well served.

2016 Santa Cruz County Grand Jury Final Report
August 25, 2016

PC §832.5 requires the respondent to a Grand Jury report to comment on each finding and recommendation within a report. Staff recommends that the response packet be completed on or before the due date of September 21, 2016, indicating we agree with their findings and have implemented their recommendations.

FISCAL IMPACT: None

ATTACHMENTS:

1. Capitola Response
2. Grand Jury Report on the Capitola Police Complaint
3. Capitola Data

Report Prepared By: Rudy Escalante
Police Chief

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

8/18/2016



**The 2015-2016 Santa Cruz County Civil Grand Jury
Requires that the
Capitola City Council
Respond to the Findings and Recommendations
Specified in the Report Titled
Capitola Police Department's
Citizen Complaint Procedures
Nothing to Complain About
by September 21, 2016**

When the response is complete, please

1. Email the completed Response Packet as a file attachment to grandjury@scgrandjury.org, and
2. Print and send a hard copy of the completed Response Packet to

The Honorable Judge John Gallagher
Santa Cruz Courthouse
701 Ocean St.
Santa Cruz, CA 95060

Instructions for Respondents

California law PC § 933.05 (included below) requires the respondent to a Grand Jury report to comment on each finding and recommendation within a report. Explanations for disagreements and timeframes for further implementation or analysis must be provided. Please follow the format below when preparing the responses.

Response Format

1. For the Findings included in this Response Packet, select one of the following responses and provide the required additional information:
 - a. **AGREE** with the Finding, or
 - b. **PARTIALLY DISAGREE** with the Finding and specify the portion of the Finding that is disputed and include an explanation of the reasons therefor, or
 - c. **DISAGREE** with the Finding and provide an explanation of the reasons therefor.

2. For the Recommendations included in this Response Packet, select one of the following actions and provide the required additional information:
 - a. **HAS BEEN IMPLEMENTED**, with a summary regarding the implemented action, or
 - b. **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**, with a timeframe or expected date for implementation, or
 - c. **REQUIRES FURTHER ANALYSIS**, with an explanation and the scope and parameters of an analysis or study, and a timeframe for that analysis or study; this timeframe shall not exceed six months from the date of publication of the grand jury report, or
 - d. **WILL NOT BE IMPLEMENTED** because it is not warranted or is not reasonable, with an explanation therefor.

Validation

Date of governing body response approval: _____

If you have questions about this response form, please contact the Grand Jury by calling 831-454-2099 or by sending an email to grandjury@scgrandjury.org.

Attachment: Capitola Response (1525 : 2016 Santa Cruz County Grand Jury Final Report)

Findings

F1. The Capitola Police Department could reduce the time needed to complete many complaint investigations.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

Complaints are divided into two categories and are defined as the following:

Internal Affairs Investigation (IA) • Any allegation of misconduct or improper job performance that, if true, would constitute a violation of Department policy or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public (Formal).

Inquiry • Inquiries about conduct or performance that, if true, would not violate Department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department (Informal).

In completing investigations, the Department must balance the needs of our community for protection and service, the importance of thoroughly investigating citizens' complaints, and the rights of Police Officers.

Over the last six years the City has conducted 35 total IAs and Inquiries. Every one of those investigations was completed within the statutory timelines. Nevertheless, the Department will always strive to improve and will seek opportunities to reduce its investigations.

F2. The Capitola Police Department and citizens would benefit by having statistics related to complaints and closure of complaints available online.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

See R2

Recommendations

R1. While the Capitola Police Department does complete its investigations within the 12-month period allotted, we believe that this could be improved upon. We recommend working to reduce the time required to process complaints. (F1)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

Department Management has reviewed the last six years of data regarding investigations, and while all were completed within the statutorily prescribed timelines, in some instances the timelines to complete the investigations may have been possible to reduce.

Understanding the need to balance the needs of our community for protection and service, to thoroughly investigate citizens' complaints, and the rights of Police Officers, Department Management has met to discuss the importance of completing investigations in a timely fashion and clearly communicated that priority to personnel involved in the investigation process.

R2. The Capitola Police Department should consider placing statistics on closure of complaints online. This would give better visibility to the residents of Capitola on the performance of their Police Department. (F2)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

The Department has placed six years of data summarizing the results of complaints online, including both IAs and Inquiries.

Penal Code § 933.05

1. For Purposes of subdivision (b) of § 933, as to each Grand Jury finding, the responding person or entity shall indicate one of the following:
 - a. the respondent agrees with the finding,
 - b. the respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
2. For purpose of subdivision (b) of § 933, as to each Grand Jury recommendation, the responding person shall report one of the following actions:
 - a. the recommendation has been implemented, with a summary regarding the implemented action,
 - b. the recommendation has not yet been implemented but will be implemented in the future, with a timeframe for implementation,
 - c. the recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of the publication of the Grand Jury report, or
 - d. the recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
3. However, if a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a County department headed by an elected officer, both the department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected department head shall address all aspects of the findings or recommendations affecting his or her department.
4. A Grand Jury may request a subject person or entity to come before the Grand Jury for the purpose of reading and discussing the findings of the Grand Jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
5. During an investigation, the Grand Jury shall meet with the subject of that investigation regarding that investigation unless the court, either on its own determination or upon request of the foreperson of the Grand Jury, determines that such a meeting would be detrimental.
6. A Grand Jury shall provide to the affected agency a copy of the portion of the Grand Jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. **No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.**

Capitola Police Department's Citizen Complaint Procedures

Nothing to Complain About

Summary

The Santa Cruz County Grand Jury investigated the Capitola Police Department's handling of citizen complaints and evaluated the department's performance for fairness, timeliness, professionalism, and willingness to improve.

Our investigation concluded the department is balancing the needs of its community for protection and service, consistently investigating citizens' complaints thoroughly, effectively, and expeditiously. We believe that with minor improvements in its complaint procedures the department could be a role model for other county law enforcement agencies.

Background

The impact of poor policing is felt widely throughout the community and among the rank and file. Many California police agencies are acknowledged as embracing high standards in delivering professional and effective law enforcement. One of the most powerful tools in protecting a department's integrity and ensuring the confidence and respect of its community is the citizen complaint process.

Complaints should be investigated quickly and fairly, and corrective action taken if necessary. The outcome must be communicated, demonstrating the importance of proper handling of the complaint while protecting the privacy of those involved.

How we view and interact with our police departments has been affected by media coverage of provocative and disturbing events nationwide. Often it is not the events, but the manner of handling the investigations that erodes public confidence in law enforcement. Poor communication of all of the facts relevant to these events often gives an incomplete picture to the press and the people.

The Capitola Police Department is a relatively small department: It consists of 21 sworn officers and two reserves. The sworn officers are a Chief, one Captain, four Sergeants, two Detectives, and 13 Patrol Officers. Other employees include a small number of community service officers, lifeguards, parking enforcement officers, and administrative staff. Despite its size, the department sees a significant number of calls for service.

Capitola Police Calls for Service and Arrests 2010 - 2014

Year	Calls for Service	Felony Arrests	Misdemeanor Arrests	Total Arrests
2010	19,693	156	768	924
2011	17,760	122	612	734
2012	16,142	143	477	620
2013	17,574	144	581	725
2014	19,740	172	703	875

In the interest of protecting the rights of its citizens, each law enforcement agency in California is required to have a procedure to investigate citizen complaints and to make this procedure available to the public (California Penal Code §832.5). ^[1]

The Grand Jury decided to investigate the policies and procedures of the Capitola Police Department and its adherence to these procedures, as the department sees a wide range of incidents that adequately reflect those in other parts of the county.

Scope

This investigation reviewed the Capitola Police Department’s complaint program. ^[2]

California Penal Code §832.5^[1] requires that each law enforcement agency have a complaint program and specifies the minimum program requirements. We verified the Capitola Police Department has a complaint program that meets these requirements and that the policy and complaint forms are available to the public.

The existence of a complaint process does not itself ensure a department is meeting its legal requirements under this statute: departments may have policies, practices, or conduct that would discourage the use of their complaint program. At each step of its investigation, the Grand Jury determined whether this was the case.

We reviewed all complaints for a five year period, both external and internal. We did not investigate complaints against traffic enforcement officers or other employees of the department. We reviewed all written documentation collected by the department during its investigations. In one case we contacted witnesses and investigated some details to see how our evaluation compared to the resolution of the Capitola Police Department.

Lastly, we reviewed complaints looking for patterns such as officers not receiving counseling for repeat offenses, officers committing the same offense with impunity, or specific types of offenses being ignored.

Investigation

The Grand Jury found the Capitola Police Department’s *Citizen Complaint Form*^[3] and

procedures^[2] available online with a quick internet search. They are also available at the front desk at the Capitola Police Department. The complaint form was easy to understand and fill out.

The policy document is also intelligible. There are some terms that require prior knowledge or a reference search to understand, but since this document is primarily directed at the people administering the system this is acceptable. The policy meets all of the requirements set forth in California Penal Code §832.5.

Because of the sensitive nature of the complaints we were required to review them on-site. We were greeted warmly and provided with space to work without interruption or oversight. There was someone available to provide supporting documentation when required.

We discovered early in the review that internal complaints and external complaints are treated in an almost identical fashion. Internal complaints are generated by officers based on the identification of an issue with officer conduct or some other infraction. While most typically are not as serious as external complaints, that they exist and are used demonstrates a commitment to correcting deficiencies.

We found that a number of complaints were dropped at the request of the complainant. In some cases this was due to the complainant seeing a video of the incident and admitting that it looked different in hindsight. Another complainant, when contacted to discuss the issue, stated that they thought nothing would happen anyway. Lastly, at least one complaining citizen was unreachable.

Upon review of the case files we found that in each incident where it was determined that the officer had committed an infraction of department policies or state or local laws, the officer was disciplined appropriately. We did not see any indication that officers were being unfairly protected or targeted by this process.

One complaint was investigated in greater detail. An officer had been accused of making a significant mistake and of conduct that was inappropriate. We conducted interviews to understand the exact nature of the grievance. We read the police reports from a number of officers and witness statements. We then reviewed the Capitola Police Department's investigation and found they demonstrated integrity in upholding the citizen's complaint. They completed their investigation and sent a letter to the complainant within the time required by the Capitola policy.

Lastly, we reviewed the statistics on the number of cases versus the number of calls for service to get a feel for how often complaints are occurring. We could find no comparable statistics but it is the Grand Jury's opinion that the complaint rate is low considering the workload of the department.

Capitola Police Complaints 2010 – 2014

Year	Calls for Service	Complaints	Investigations of Internal Complaints	Investigations of External Complaints	Complaints Per 10,000 Calls
2010	19,693	6	4	2	3.05
2011	17,760	1	0	1	0.56
2012	16,142	1	0	0	0.06
2013	17,574	9	1	2	5.12
2014	19,740	9	2	1	4.56
2015*	17,000	9	5	2	5.30

Facts

1. The Capitola Police Department’s *Citizen Complaint Form* and policy are available online and are easily accessible.
2. The Grand Jury reviewed complaints generated both internally and externally.
3. We did not investigate complaints against parking enforcement officers or other staff.
4. A majority of complaints received between 2010 and 2015 were generated internally.
5. All internal and external complaints are treated equally.
6. When appropriate, Capitola Police Department disciplines the subject of the complaint.
7. Many complaints were dropped due to a lack of follow up by the complainant.
8. Some complaints were dropped after review of the information with the complainant.
9. Some complaints were not sustained due to lack of supporting evidence.
10. Not all aspects of a complaint are actionable offenses, e.g., "I didn't like the officer's attitude."
11. Some complaints are generated due to a lack of understanding of the laws related to the perceived offense.
12. The Capitola Police Department sends the complainant a letter after the investigation, reporting whether the complaint is sustained or not.
13. Some complaints take a substantial amount of time to investigate and resolve.

Attachment: Grand Jury Report on the Capitola Police Complaint (1525 : 2016 Santa Cruz County Grand Jury Final Report)

Findings

- F1.** The Capitola Police Department could reduce the time needed to complete many complaint investigations.
- F2.** The Capitola Police Department and citizens would benefit by having statistics related to complaints and closure of complaints available online.
- F3.** The process for submitting a complaint to the Capitola Police Department is documented and is reasonable.
- F4.** The Capitola Police Department policy for citizen complaints is consistent with governing laws.
- F5.** The Capitola Police Department conducts its complaint program consistently with its policy.
- F6.** The Capitola Police Department investigates its own officers with integrity and fairness.
- F7.** The Capitola Police Department informs the submitter of their complaint resolution.
- F8.** We find that the Capitola Police Department is conducting its duties in a professional manner.

Recommendations

- R1.** While the Capitola Police Department does complete its investigations within the 12-month period allotted, we believe that this could be improved upon. We recommend working to reduce the time required to process complaints. (F1)
- R2.** The Capitola Police Department should consider placing statistics on closure of complaints online. This would give better visibility to the residents of Capitola on the performance of their Police Department. (F2)

Commendations

- C1.** The Grand Jury commends the excellent work by the Capitola Police Department on the way they handle their complaint process. It is an effective program that deals fairly with both the complainant and the officer involved to ensure that the people of Capitola are well served.

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond within/ Respond by</i>
Capitola City Council	F1, F2	R1, R2	90 days September 21, 2016

Definitions

- **External Complaint:** A complaint initiated by a private citizen to the Capitola Police Department concerning officer conduct.
- **Internal Complaint:** A complaint initiated by someone within the Capitola Police Department concerning officer conduct.
- **Inquiry:** A complaint that does not actually reach the investigation phase. Usually dropped by the complainant.

Sources

References

1. Legislative Council, State of California. "California Penal Code §832.5." Accessed May 23, 2016
<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=pen&group=00001-01000&file=830-832.18>
2. Capitola Police Department. February 2014. "Capitola Police Department Policy Manual - Policy 1020 Personnel Complaints." Accessed May 23, 2016
http://www.cityofcapitola.org/sites/default/files/fileattachments/police/page/2459/policy_1020_cpd_personnel_complaints.pdf
3. Capitola Police Department. February 2016. "Capitola Police Department Citizen Complaint Form". Accessed May 23, 2016
http://www.cityofcapitola.org/sites/default/files/fileattachments/police/page/2459/capitola_police_department_citizen_complaint_form_updated_030216.pdf

Site Visits

Capitola Police Department

	IA's				Inquiries			IA's & Inquiries	
	Internal	External	Total					Total	
2010	4	2	6		2010	0		6	
2011	0	1	1		2011	0		1	
2012	0	0	0		2012	1		1	
2013	1	2	3		2013	6		9	
2014	2	1	3		2014	6		9	
2015	5	2	7		2015	2		9	
Total	12	8	20		Total	15		35	
	60%	40%							
									IA's and Inquiries
IA's					Inquiries				
Sustained			18	90%	Sustained	2	13%	20	57%
Unfounded			0	0%	Unfounded	13	87%	13	37%
Exonerated			1	5%	Exonerated	0	0%	1	3%
Pending			1	5%	Pending	0	0%	1	3%
Total			20		Total	15		35	
Calls for Service									
2010		19,693			2010 thru 2015				
2011		17,760			1 in 5393 calls for service result in an IA				
2012		16,142			1 in 7191 calls for service result in an Inquiry				
2013		17,574			1 in 3082 calls for service result in an IA or Inquiry				
2014		19,740							
2015		16,955			* Body Cameras activated July 2015				
Total		107,864							



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF AUGUST 25, 2016

FROM: City Manager Department

SUBJECT: Consider Applications for the Community Grants and Recommendations of the Community Grants Ad-Hoc Subcommittee

RECOMMENDED ACTION: Consider the recommendations of the Community Grants Ad-Hoc Subcommittee and determine grant award amounts for Fiscal Years 2016/17 and 2017/18.

BACKGROUND: Each year during the Budget process the City Council allocates funding for the Community Based Health and Human Services Providers Program (Program) for the following fiscal year. In 2014 the Council moved to a two-year grant cycle, and no new applications were accepted for the Fiscal Year 2015/16 grant cycle.

At the January 28, 2016, City Council meeting, the City Council adopted recommendations from the Community Grant Ad-Hoc Subcommittee (Subcommittee) including:

- Continuing the two-year grant cycle;
- Separating the budgeting of the program from the allocation of requests;
- Budgeting of \$275,000 for the program in Fiscal Years 2016/17 and 2017/18.

The City Council opened up the Community Grant Program for applications from community organizations for Fiscal Years 2016/17 and 2017/18.

The adopted Fiscal Year 2016/17 Budget included \$275,000 in funding for the Program in both Fiscal Year 16/17 and 17/18 budgets. At the June 1, 2016, City Council appointed Mayor Bottorff and Vice-Mayor Harlan to review the agency applications for Community Grant funding for Fiscal Years 2016/17 and 2017/18.

DISCUSSION: The City of Capitola participates in the County of Santa Cruz Common Application for the Community Grants from the City of Capitola. For the Fiscal Years 2016/17 and 2017/18 grant cycles, the City received grant applications for 42 programs from 31 community agencies. The following table shows the total amounts requested for Fiscal Year 2016/17:

Base Grant Request	\$274,098.00
Cost of Living Adjustments (COLA)	\$3,652.83
Additional/One-Time Requests	\$3,157.00

Community Grants
August 25, 2016

Total Requested	\$280,907.83
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The Subcommittee held meetings in July and August to review the grant requests and make recommendation to the City Council. The following are the recommendations of the Subcommittee:

- Reduce the base amounts for the following organizations:

Agency	Fiscal Year 2016/17 Base Request	Fiscal Year 2016/17 Recommendations
Campus Kids Connection	\$17,331.00	\$15,331.00
Parents Center of Santa Cruz	\$7,373.00	\$6,373.00
Senior Citizens Legal Services	\$10,163.00	\$8,663.00

The recommended changes reduce the Base Grant amount by \$4,500.00 to \$269,598.00:

- Add a 2% adjustment for all grant requesters in Fiscal Year 2016/17 totaling \$5,392.00.
- The total recommended 2016/17 grant amount will be \$274,900.00.
- Maintain the same program of funding level for Fiscal Year 2017/18.

FISCAL IMPACT: The anticipated costs of the recommendations of the Subcommittee will be \$274,990 in Fiscal Year 2016/17 and \$274,990 in Fiscal Year 2017/18. The budgeted amount for the Community Grant Program is \$275,000 in Fiscal Year 2016/17 and \$275,000 in Fiscal Year 2017/18.

ATTACHMENTS:

1. Fiscal Year 2016-2018 Subcommittee Recommendations

Report Prepared By: Larry Laurent
Assistant to the City Manager

Reviewed and Forwarded by:

Jamie Goldstein, City Manager

8/17/2016

Continuing Programs	Primary	FY 15/16 Funding	FY 16/17 Request	FY 16/17 Ad Hoc Committee	FY 16/17 Ad Hoc Committee
Agency	Service		Base	Base Recommendation	2% COLA Recommendation
	Strategy				
Advocacy, Inc.	FS-srv	\$7,529.00	\$7,529.00	\$7,529.00	\$7,680.00
Big Brothers Big Sisters of Santa Cruz County, Inc	FS-soc	\$2,829.00	\$2,829.00	\$2,829.00	\$2,886.00
Cabrillo Stroke and Disability Learning Center	HC-hss	\$7,027.00	\$7,027.00	\$7,027.00	\$7,168.00
Campus Kids Connection, Inc.	ED-ece	\$17,331.00	\$17,331.00	\$15,331.00	\$15,638.00
Central Coast Center for Independent Living	FS-srv	\$9,897.00	\$9,897.00	\$9,897.00	\$10,095.00
Community Action Board of Santa Cruz County, Inc.		\$1,351.00	\$1,351.00	\$1,351.00	\$1,378.00
The Shelter Project	BN-hsg	\$1,351.00	\$1,351.00	\$1,351.00	\$1,378.00
Community Bridges		\$111,102.00	\$111,102.00	\$111,102.00	\$113,324.00
Meals on Wheels for Santa Cruz County	BN-food	\$58,164.00	\$58,164.00	\$58,164.00	\$59,327.00
Lift Line	BN-trn	\$46,994.00	\$46,994.00	\$46,994.00	\$47,934.00
Live Oak Community Resources	FS-srv	\$5,037.00	\$5,037.00	\$5,037.00	\$5,138.00
Child Development Division	ED-ece	\$907.00	\$907.00	\$907.00	\$925.00
Conflict Resolution Center of Santa Cruz	CD-eng	\$3,152.00	\$3,152.00	\$3,152.00	\$3,215.00
Court Appointed Special Advocates of Santa Cruz County	PS-prev	\$3,107.00	\$3,107.00	\$3,107.00	\$3,169.00
Cultural Council of Santa Cruz County	FS-soc	\$977.00	\$977.00	\$977.00	\$997.00
Dientes Community Dental Care	HC-den	\$1,375.00	\$1,375.00	\$1,375.00	\$1,403.00
Encompass Community Services		\$14,601.00	\$14,601.00	\$14,601.00	\$14,893.00
Youth Services Counseling	MH-out	\$7,162.00	\$7,162.00	\$7,162.00	\$7,305.00
Santa Cruz AIDS Project	FS-srv	\$7,439.00	\$7,439.00	\$7,439.00	\$7,588.00
Families In Transition	BN-hsg	\$2,472.00	\$2,472.00	\$2,472.00	\$2,521.00
Family Service Agency of the Central Coast		\$11,531.00	\$11,531.00	\$11,531.00	\$11,761.00
Counseling - North County	MH-out	\$4,807.00	\$4,807.00	\$4,807.00	\$4,903.00
I-You Venture	MH-mhs	\$1,372.00	\$1,372.00	\$1,372.00	\$1,399.00
Senior Outreach	MH-mhs	\$1,372.00	\$1,372.00	\$1,372.00	\$1,399.00
Suicide Prevention	MH-mhs	\$1,192.00	\$1,192.00	\$1,192.00	\$1,216.00
Survivors Healing Center	MH-out	\$482.00	\$482.00	\$482.00	\$492.00
WomenCARE	MH-mhs	\$2,306.00	\$2,306.00	\$2,306.00	\$2,352.00
Grey Bears	BN-food	\$14,573.00	\$14,573.00	\$14,573.00	\$14,864.00
Homeless Services Center		\$2,627.00	\$2,627.00	\$2,627.00	\$2,680.00
Paul Lee Loft Shelter	BN-hsg	\$2,627.00	\$2,627.00	\$2,627.00	\$2,680.00
Hospice of Santa Cruz County	HC-spec	\$1,576.00	\$1,576.00	\$1,576.00	\$1,608.00
Monarch Services Servicios Monarca	JS-cip	\$3,723.00	\$3,723.00	\$3,723.00	\$3,797.00
Native Animal Rescue	EQ-pro	\$1,176.00	\$1,176.00	\$1,176.00	\$1,200.00
O'Neill Sea Odyssey	EQ-edu	\$2,885.00	\$2,885.00	\$2,885.00	\$2,943.00
Parents Center Santa Cruz	MH-out	\$7,373.00	\$7,373.00	\$6,373.00	\$6,500.00
Santa Cruz Toddler Care Center	ED-ece	\$1,224.00	\$1,224.00	\$1,224.00	\$1,248.00
Second Harvest Food Bank Santa Cruz County	BN-food	\$10,250.00	\$10,250.00	\$10,250.00	\$10,455.00
Senior Citizens Legal Services	LS-rep	\$10,163.00	\$10,163.00	\$8,663.00	\$8,836.00
Senior Network Services, Inc.	FS-srv	\$2,513.00	\$2,513.00	\$2,513.00	\$2,563.00

Seniors Council of Santa Cruz and San Benito Counties		\$3,370.00	\$8,370.00	\$3,370.00	\$3,437.00
Project Scout	IN-inc	\$3,370.00	\$3,370.00	\$3,370.00	\$3,437.00
Companion for Life/Lifeline	BN-hsg	\$5,000.00	\$5,000.00	\$5,000.00	\$5,100.00
The Diversity Center	HC-hss	\$1,051.00	\$1,051.00	\$1,051.00	\$1,072.00
United Way		\$7,300.00	\$7,300.00	\$7,300.00	\$7,446.00
Child Abuse Prevention	PS-intv	\$6,343.00	\$6,343.00	\$6,343.00	\$6,470.00
2-1-1 Help Line	FS-srv	\$957.00	\$957.00	\$957.00	\$976.00
Vista Center for the Blind and Visually Impaired	HC-reh	\$1,861.00	\$1,861.00	\$1,861.00	\$1,898.00
Volunteer Center		\$3,152.00	\$3,152.00	\$3,152.00	\$3,215.00
Santa Cruz Center	BN-hsg	\$3,152.00	\$3,152.00	\$3,152.00	\$3,215.00
TOTALS		\$277,316.00	\$274,098.00	\$269,598.00	\$274,990.00



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF AUGUST 25, 2016

FROM: City Manager Department

SUBJECT: Introduction of an Ordinance Amending Title 8 of the Capitola Municipal Code by adding Chapter 8.40 Pertaining to Extended Producer Responsibility for the Responsible and Safe Collection of Unwanted Pharmaceuticals and Spent Hypodermic Needles (Sharps)

RECOMMENDED ACTION: Introduce an Ordinance.

BACKGROUND: Since 2008, the City of Capitola has participated in a voluntary publically funded collection program for unwanted pharmaceutical products. Under the existing program, there are four locations within the City of Capitola to dispose of unwanted pharmaceuticals and sharps. This program is currently managed by the County of Santa Cruz; the City of Capitola pays to County to administer the program within the City. Over the last several years the City has worked with the County and the other cities to establish a new convenient and permanent system to collect unwanted pharmaceuticals.

In 2012, Alameda County became the first local government in the United States to pass an ordinance requiring pharmaceutical companies to design, fund, and operate a program to safely collect and dispose of unwanted drugs. The Ninth Circuit Court of Appeal rejected a legal challenge to Alameda County's Ordinance brought by pharmaceutical trade associations and the U.S. Supreme Court subsequently declined to hear an appeal of this ruling.

On December 8, 2015, the Santa Cruz County Board of Supervisors passed an ordinance requiring the safe disposal of drugs and sharps and establishing a Product Stewardship Program to safely collect and dispose of unused/unwanted pharmaceutical and sharps waste from County residents. This program will no longer be managed by the County of Santa Cruz or funded from public sources; the new program will be run as a manufacturer and/or producer funded program.

The proposed Ordinance is intended to compliment and be consistent with Santa Cruz County's Safe Disposal of Drugs and Sharps Ordinance (Santa Cruz County Code Chapter 7.95).

DISCUSSION: Should the City Council adopt this Ordinance to enact Extended Producer Responsibility (EPR) for pharmaceuticals and hypodermic syringes in Capitola, the City will enter a partnership agreement with the California Product Stewardship Council (CPSC). This will shift the City's current system from a government-funded program for the diversion of

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unused pharmaceuticals and discarded syringes to one that relies on producer responsibility. The larger outcome of programs like this may help drive improvements in product design that promote environmental sustainability.

Staff believes there are currently five retailers within the City who would be affected by the proposed Ordinance. Staff will reach out to each retailer to make them aware of the new requirements the Ordinance. At this time, only one of these retailers does not already participate in the voluntary program.

The need to adopt an EPR Ordinance to manage the safe and responsible disposal of unwanted pharmaceuticals and sharps is predicated upon the following:

- The growing awareness that traditional environmental protection policies focused solely on pharmaceutical and sharps production practices may no longer be adequate to protect the environment and the public health;
- The recognition of the shared responsibility of the producer at the post-consumer stage of their products life cycle;
- The currently limited participation of commercial producers in the costs of responsible disposal of the products at the post-consumer stages of the product's life-cycle;
- The damaging environmental consequences of unwanted pharmaceuticals in ground water, wastewater and drinking water sources in Capitola;
- The public health consequences of sharps in public spaces.
- The consequences of unwanted pharmaceuticals and sharps ending up in the solid waste stream and the hazards to those working in public sanitation.

The Ordinance is lengthy, so staff has summarized the noteworthy components:

Pharmaceutical and Sharps Producers and Retailers Requirements

- All drug producers must participate in a Product Stewardship Program, which in summary, means they must design, fund and operate in their own or joint program to safely collect and dispose of unwanted drugs and sharps.
- They must develop stewardship plans to ensure they comply with the above requirements, and submit their plans to the City for review and approval.
- Producers must submit an annual report to the City and revise their stewardship plans every three years.
- Producers must promote their plan to pharmacists, retailers of their products, health care providers and doctors and other prescribers of their products as the safe and proper method to store and dispose of unwanted products.
- Product retailers must provide a safe and convenient collection system for consumers' unwanted or spent products, either an on-site sharps and drugs collection system or mail-collection system.
- Sharps disposal containers will be required with all local sales of hypodermic needles.
- Producers and retailers are responsible for all costs of their programs.

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City Role

- The City will be responsible for conducting a producer outreach and education program (an existing function that supports the current non-mandatory take-back program) and reviewing Product Stewardship Plans submitted by participating producers and retailers.
- Administrative fees will be assessed to all product manufacturers, and levied through the California Product Stewardship Council, in which the City would be a participant.
- Producers and local retailers of these products will have six months to become compliant and must provide an annual compliance report to the City annually.

Enforcement and Penalties

- The ordinance will be enforced under Federal Code Title 4, with support as needed by the City's Environmental Compliance program.
- Non-compliant manufacturers and retailers will have their businesses published in the Federal Government's Significant Non-Compliance (SNC) list.
- Producers and local retailers are prohibited from charging consumers at point of sale or collection to recoup the cost of the Product Stewardship Program.
- It is estimated that the City has five retailers of products that would be subject to the terms of this ordinance.

FISCAL IMPACT: Currently the City pays the County \$5,000 annually for participation in the County run plan. The City would no longer pay this amount, however it is expected that there will be more staff time involved in the new program. It is anticipated the staff time required will be reduced after the initial implementation.

Report Prepared By: Larry Laurent
Assistant to the City Manager

Reviewed and Forwarded by:



Mark Welch, Finance Director

8/19/2016

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DRAFT ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAPITOLA ADDING CHAPTER 8.40 TO TITLE 8 OF THE CAPITOLA MUNICIPAL CODE REQUIRING THE SAFE DISPOSAL OF DRUGS AND SHARPS

The City Council of the City of Capitola hereby finds and declares the following:

WHEREAS, drugs and sharps are necessary medical technologies which allow us to live longer, healthier and more productive lives and reduce suffering at the end of life; and

WHEREAS, the public, particularly children, the elderly and public employees, are at significant and unnecessary risk of poisoning and injury due to improper or careless disposal of drugs and sharps; and

WHEREAS, our groundwater and drinking water are being contaminated by unwanted, leftover or expired drugs passing through our wastewater treatment centers; and

WHEREAS, there is no mandatory statewide stewardship program for unwanted drugs or sharps in California, and manufacturers, retailers and producers have not offered any support for a permanent collection program to date; and

WHEREAS, although state law (California Health and Safety Code Section 118286) requires that home-generated sharps be transported to a collection center in sharps containers or other containers authorized by the local enforcement agency, and prohibits the loose disposal of home-generated sharps waste in trash or recycling containers, many people continue to dispose of contaminated sharps in a manner that increases the risk that others will come into contact with them; and

WHEREAS, the lack of sufficient safe, convenient disposal locations for leftover, expired, and/or unwanted drugs creates significant risks to human health and to the environment. As a result, leftover, expired, and/or unwanted drugs are often left in homes where they can be accidentally ingested or abused by children, adults, and the elderly, increasing the risk of poisoning, addiction, and death; and

WHEREAS, unwanted drugs are also often flushed down toilets or sinks. However, municipal wastewater treatment plants are not designed to remove the complex compounds in the drugs that end up in the sewer system. As a result, drugs can pass through wastewater treatment systems and contaminate receiving waters; and

WHEREAS, an Environmental Protection Agency report on drinking water released in December 2013 tested effluent samples from 50 large wastewater treatment plants nationwide for active pharmaceutical ingredients and metabolites. Out of the 63 total compounds tested for, 43 were detected in at least one of the samples and all samples were found to contain at least one pharmaceutical compound. The presence of pharmaceuticals in surface water is well documented to have ecological impacts, including negative effects on fish and other aquatic life; and

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WHEREAS, establishing a safe, convenient collection and disposal system for leftover, expired, and unwanted drugs will reduce unintentional poisonings and drug overdose deaths by making drugs less accessible to persons who might accidentally ingest or abuse them; and

WHEREAS, establishing a safe, convenient collection and disposal system for leftover, expired, and unwanted drugs will also reduce the quantity of pharmaceutical compounds that are discharged into the Monterey Bay National Marine Sanctuary and other environmentally sensitive waters throughout the City; and

WHEREAS, Extended Producer Responsibility (EPR) laws, sometimes referred to as Product Stewardship laws, place responsibility for end-of-life management of consumer products on the manufacturers and producers of the products, while encouraging product design that minimizes negative impacts on human health and the environment at every stage of the product's lifecycle; and

WHEREAS, many local and national governmental bodies support EPR, including CalRecycle (formerly the California Integrated Waste Management Board), the National Association of Counties, and the National League of Cities; and

WHEREAS, California has passed four significant products stewardship laws for mercury thermostats (AB 2347, enacted as Chapter 572 of the statutes of 2008), carpet (AB 2398, enacted as Chapter 681 of the statutes of 2010), paint (AB 1343, enacted as Chapter 420 of the statutes of 2010) and mattresses (SB 254, enacted as Chapter 388 of the statutes of 2013). All four laws require producers to establish and fund product stewardship programs for their waste streams; and

WHEREAS, in 2010, Congress passed the "Secure and Responsible Drug Disposal Act of 2010," Public Law No. 111-273, which authorized the Attorney General to expand the methods through which pharmaceuticals classified as controlled substances may be collected, including through collection at pharmacies. The goal of the bill was to increase opportunities for drug collection in order to reduce substance abuse, accidental poisoning, and the release of harmful substances into the environment. On October 9, 2014, the Drug Enforcement Agency promulgated regulations implementing that Act. These regulations, among other things, authorize retail pharmacies to maintain secure collection bins for controlled substances; and

WHEREAS, Mexico, a number of Canadian provinces, much of Europe and several other countries already have active, well-established EPR drug disposal programs in place. Many of the same drug companies that participate in these programs manufacture drugs sold in the United States; and

WHEREAS, in 2012, Alameda County became the first local government in the United States to pass legislation requiring pharmaceutical companies to design, fund, and operate a program to safely collect and dispose of unwanted drugs, similar to the take-back programs in Canada's pharmacies. On September 30, 2014, the Ninth Circuit Court of Appeal rejected a legal challenge to Alameda County's Ordinance brought by pharmaceutical trade associations. Pharm. Research & Ivlfers. Of Am. v. Cty. of Alameda, 13~16833, 768 F.3d1037 (9th Cir. 2014). The U.S. Supreme Court subsequently declined to hear an appeal of this ruling; and

WHEREAS, King County, Washington as well as the City and County of San Francisco and the Counties of Santa Cruz, San Mateo, Santa Clara, San Luis Obispo and Marin have

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enacted similar ordinances requiring drug manufacturers to design, fund, and operate programs to safely collect and dispose of local residents' unwanted drugs and/or sharps; and

WHEREAS, beginning in 2008, the County of Santa Cruz has operated a voluntary County-funded collection program, pursuant to which the County of Santa Cruz and the City have been working together with the cities of Watsonville, Santa Cruz and Scotts Valley to provide a convenient and permanent system to collect unwanted pharmaceuticals. As of October 2015, this program consists of 46 locations at pharmacies, police departments, and sheriff's stations, which collect both controlled and non-controlled substances, as well as city and county household hazardous waste disposal sites. Participation in collection and disposal of unwanted drugs is still voluntary, resulting in a patchwork of businesses participating in one or both programs, leading to confusion among consumers and sometimes improper disposal in the wrong containers; and

WHEREAS, on December 8, 2015, the Santa Cruz County Board of Supervisors passed an Ordinance (Ordinance No. 5214, effective the 31st day after the date of final passage) requiring the safe disposal of drugs and sharps and establishing a Product Stewardship Program to safely collect and dispose of unused/unwanted pharmaceutical and sharps waste from county residents. This City Ordinance is intended to compliment and be consistent with Santa Cruz County's Safe Disposal of Drugs and Sharps Ordinance (Santa Cruz County Code Chapter 7.95); and

WHEREAS, a manufacturer and/or producer-funded collection and disposal program in the City for unwanted drugs and sharps would significantly increase convenient disposal options for City residents' unwanted drugs and sharps, enabling collection of larger quantities of unwanted drugs and sharps and reducing risks to public safety, health, and the environment.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAPITOLA AS FOLLOWS:
SECTION I**

The Capitola Municipal Code is hereby amended by adding Chapter 8.40 to read as follows:

Chapter 8.40 CAPITOLA SAFE DRUG AND SHARPS DISPOSAL

Sections:

	8.40.010	Purpose and Intent
	8.40.020	Title
	8.40.030	Definitions
	8.40.040	Product Stewardship Program
	8.40.050	Product Stewardship Plan
	8.40.060	Disposal of Unwanted Products
	8.40.070	Product Stewardship Program Promotion and Outreach
	8.40.080	Retailer and Provider Participation
8.40.090		Lists of Producers and Manufacturers of Covered Drugs and Sharps
8.40.100		Reporting.
	8.40.110	Program Assessment and Collection of Data
	8.40.120	List of Producers
	8.40.130	Regulations and Fees
	8.40.140	Enforcement
8.40.150		Additional Provisions

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8.40.010 Purpose and Intent

The purpose of this chapter is to protect the health, safety and welfare of the public and of the environment by providing for the safe and orderly collection and disposal of drug and sharps waste and by placing responsibility for end-of-life management of drug and sharps products on the manufacturers and/or producers of the products, while encouraging product design that minimizes negative impacts on human health and the environment at every stage of the product's lifecycle. This chapter is intended to be consistent with the Santa Cruz County Safe Drug and Sharps Disposal Ordinance.

8.40.020 Title

This chapter may be cited as the "Capitola Safe Drug and Sharps Disposal Ordinance."

8.40.030 Definitions

For the purposes of this chapter, the following terms have the meanings given below.

- A. "City Council" refers to the City Council of the City of Capitola.
- B. "City" means the City of Capitola, California.
- C. "Consumer Generators" means residents of single and multiple family residences or other locations who possess, dispose of and/or abandon household Covered Drugs or Sharps. "Consumer Generators" does not include airport security, drug seizures by law enforcement, pharmacy waste, business waste, or any other source identified by the Department as a non-consumer source.
- D. "Controlled Substance" for purposes of this section shall mean any substance listed under California Health and Safety Code Sections 11053 through 11058 and/or Title 21 of the United States Code, Sections 812 and 813 or any successor legislation.
- E. "Cosmetics" means (i) articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to, the human body, or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, and (ii) articles intended for use as a component of any such articles.
- F. "Covered Drug" means all brand name and Generic Prescription Drugs. Notwithstanding the foregoing sentence, "Covered Drug" does not include: (i) vitamins or supplements; (ii) herbal-based remedies and homeopathic drugs, products, or remedies; (iii) Cosmetics, soap (with or without germicidal agents), laundry detergent, bleach, household cleaning products, shampoos, sunscreens, toothpaste, lip balm, antiperspirants, or other personal care products that are regulated as Cosmetics under the Federal Food, Drug, and Cosmetic Act ("FFDCA") (21 U.S.C. Section 301 et seq. (2002)); (iv) Drugs for which Producers provide a take-back program as part of a Federal Food and Drug Administration managed risk evaluation and mitigation strategy (21 U.S.C. Section 355-1); (v) Drugs that are biological products as defined by 21 C.F.R. 600.3(h) as it exists on the effective date of this chapter if the Producer already provides

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- a take-back program; and (vi) pet pesticide products contained in pet collars, powders, shampoos, topical applications, or other delivery systems.
- G. “County” means the County of Santa Cruz, California.
- H. “Department” means the City of Capitola City’s Manager’s Department.
- I. “City Manager” means the City of Capitola City Manager or his or her designee.
- J. “Drug Wholesaler” means a Person that sells or distributes Covered Drugs for resale to an Entity other than a consumer.
- K. “Drugs” means: (i) articles recognized in the official United States Pharmacopoeia, the official National Formulary, the official Homeopathic Pharmacopoeia of the United States, or any supplement to any of them; (ii) articles intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or other animals; (iii) articles, other than food, intended to affect the structure or any function of the body of humans or other animals; and (iv) articles intended for use as a component of any article specified in clause (i), (ii), or (iii) of this definition. Notwithstanding the foregoing sentence, “Drugs” does not include or mean medical devices, their component parts or accessories.
- L. “Entity” means a Person other than an individual.
- M. “Generic” means a Drug that is chemically identical or bioequivalent to a brand name Drug in dosage form, safety, strength, route of administration, quality, performance characteristics, and intended use, though inactive ingredients may vary.
- N. “Hazardous Waste” means a “hazardous waste” as defined in the Federal Resource Conservation and Recovery Act (RCRA) of 1976, as amended (42 USCA § 6901 et seq.) and the implementing regulations (40 C.F.R. §§239 through 282), as amended. This waste includes, but is not limited to, bulk chemotherapy drugs, P-listed waste, U-listed waste and characteristic hazardous waste.
- O. “Manufacture” means the production, preparation, propagation, compounding, or processing of Covered Drugs or Sharps but does not include the activities of a Repackager, Drug Wholesaler or medical practitioner who distributes or dispenses such substances or devices in the ordinary course of his or her professional practice or prepares, compounds, packages or labels such substances or devices.
- P. “Manufacturer” means a Person engaged in the Manufacture of Covered Drugs or Sharps.
- Q. “Mail-back Program” means a system whereby Consumer Generators of Unwanted Products obtain prepaid and preaddressed mailing envelopes in which to place Unwanted Products for shipment to an Entity that will dispose of them safely and legally.
- R. “Medical Waste” means “Medical waste” as defined in Section 117690 of the California Health and Safety Code, as amended.

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- S. "Person" means an individual, firm, sole proprietorship, corporation, limited liability company, general partnership, limited partnership, limited liability partnership, association, cooperative, or other entity of any kind or nature, however organized.
- T. "Pharmacy" means a place licensed by the State of California Board of Pharmacy where the practice of pharmacy is conducted.
- U. "Plan" or "Product Stewardship Plan" means a product stewardship plan required under this chapter that describes the manner in which a Product Stewardship Program will be provided.
- V. "Plan Operator" means the Person that develops, implements and operates a Product Stewardship Plan, including but not limited to a Producer or Stewardship Organization.
- W. "Prescription Drug" means any Drug, including, but not limited to, any Controlled Substance, that is required by federal or state law, rule or regulation to be dispensed by prescription only or is restricted to use by practitioners only.
- X. "Producer" shall be determined, with regard to Covered Drugs and Sharps that are sold, offered for sale, or distributed in the City as meaning one of the following:
1. The Person who Manufactures Covered Drugs or Sharps and who sells, offers for sale, or distributes Covered Drugs or Sharps in the City under that Person's own name or brand.
 2. If there is no Person who sells, offers for sale, or distributes Covered Drugs or Sharps in the City under the Person's own name or brand, the Producer of Covered Drugs or Sharps is the owner or licensee of a trademark or brand under which the Covered Drugs or Sharps are sold or distributed in the City, whether or not the trademark is registered.
 3. If there is no Person who is a Producer of Covered Drugs or Sharps for purposes of paragraphs (1) and (2), the Producer of Covered Drugs or Sharps is the Person who brings the Covered Drug into the City for sale or distribution.
- Notwithstanding the foregoing, "Producer" does not include: (i) a Retailer or Repackager that only puts its label on a Covered Drug or Sharps; (ii) a pharmacist who dispenses Prescription Drugs to, or repackages or compounds a prescribed individual Drug product for a consumer; or (iii) a Drug Wholesaler who is not also a Manufacturer.
- Y. "Product Stewardship Program" or "Program" means a program financed, developed, implemented, and operated by Producers to collect, transport, and dispose of Unwanted Products.
- Z. "Provider" means any Person that sells or otherwise furnishes Covered Drugs or Sharps to consumers at a medical or veterinary office, clinic, hospital or approved needle-exchange program located in the City.
- AA. "Public Hearing" means any hearing held by the Department or the City which is open to the public for the purposes of collecting public comment. It does not necessarily refer to meetings of the City Council.

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- BB. “Repackager” means a Person who owns or operates an establishment that repacks, repackages, and/or re-labels a product or package (including a Covered Drug and/or Sharps) for further sale or for distribution without a further transaction.
- CC. “Retailer” means any Person that sells Covered Drugs or Sharps directly to consumers at a business located in the City.
- DD. “Santa Cruz County Safe Drug and Sharps Disposal Ordinance” refers to Chapter 7.95 of the Santa Cruz County Municipal Code, entitled “, Santa Cruz County Safe Drug and Sharps Disposal”, as such may be amended.
- EE. “Sharps” means one or more hypodermic needles, pen needles, intravenous needles, lancets and other devices used to penetrate the skin for drawing blood, or for the delivery of medications or Drugs.
- FF. “Stewardship Organization” means an organization designated by a group of Producers to act as an agent on behalf of each Producers to operate a Product Stewardship Program.
- GG. “Unwanted Products” means Covered Drugs or Sharps no longer wanted by the owner or that have been abandoned, discarded, or are intended to be discarded by the owner.

8.40.040 Product Stewardship Program

- A. Requirement for Sale. This chapter shall apply only to Producers whose Covered Drugs and/or Sharps are sold and/or distributed in the City and to Retailers who sell Covered Drugs and/or Sharps in the City. This chapter shall apply only to areas within the City limits. This chapter shall be administered and implemented by the City of Capitola City Manager’s Department. Each Producer shall participate in a Stewardship Program. Each Producer must:
1. Operate, individually or jointly with other Producers, a Product Stewardship Program approved by the Department; or
 2. Enter into an agreement with a Stewardship Organization to operate, on the Producer’s behalf, a Product Stewardship Program approved by the Department.
- B. Product Stewardship Program Costs.
1. A Producer, group of Producers, or Stewardship Organization must pay all administrative and operational fees and costs associated with their Product Stewardship Program and related Product Stewardship Plan, including, but not limited to, the cost of collecting, transporting, and disposing of Unwanted Products collected from Consumer Generators and the recycling and/or disposal of packaging collected with the Unwanted Product.
 2. No Person or Producer may charge a specific point-of-sale fee to consumers to recoup the costs of their Product Stewardship Program, nor may they charge a specific point-of-collection fee at the time the Unwanted Products are collected from Consumer Generators or delivered for disposal.

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3. A Producer, group of Producers, or Stewardship Organization must pay all costs and expenses incurred by the City, including but not limited to the Department, in the administration and enforcement of their Product Stewardship Program. Exclusive of fines and penalties, the City shall only recover its actual costs of administration and enforcement under this chapter and shall not charge any amounts under this chapter in excess of its actual administrative and enforcement costs.
4. A Producer, group of Producers, or Stewardship Organization must pay all collection and disposal costs and expenses as of the date that the ordinance codified in this chapter becomes effective. If the City incurs any costs or expenses due to delays in establishment of an approved Stewardship Plan, the Producer, group of Producers, or Stewardship Organization must reimburse the City in full for such costs.

8.40.050 Product Stewardship Plan

- A. Plan Content. Each Product Stewardship Program shall have a Product Stewardship Plan (which must be submitted, reviewed and approved in accordance with Section 8.40.050(B) below) that contains each of the following:
1. Certification that the Product Stewardship Program will accept all Unwanted Products regardless of who produced them, unless excused from this requirement by the Department as part of the approval of the Plan;
 2. Contact information (including the name, physical and mailing address, telephone number, and email address) for the individual and the Entity submitting the Plan, the Plan Operator, and each of the Producers participating in the Product Stewardship Program;
 3. A description of the methods by which Unwanted Products from Consumer Generators will be collected and handled at all retail sale facilities of Sharps and Covered Drugs in the City, including without limitation a description of bins to be used and collection methods;
 4. A description of the methods by which Unwanted Products from Consumer Generators will be collected and handled at all public health facilities in the City, as well as at such other locations as designated by the Department, including without limitation a description of bins to be used and collection methods;
 5. The location of each collection site and locations where envelopes for a Mail-back Program are available (if applicable);
 6. A list containing the name, location, permit status, and record of any penalties, violations, and/or regulatory orders received in the previous five years by each Person that will be involved in collecting and/or transporting Unwanted Products and each Medical Waste or Hazardous Waste disposal facility proposed to participate in the Product Stewardship Program;

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7. A description of how the Unwanted Products will be safely and securely tracked and handled from collection through final disposal and the policies and procedures to be followed to ensure security;
 8. A description of the public education and outreach activities required under this chapter and how their effectiveness will be evaluated;
 9. A description of how the scope and extent of the Product Stewardship Program are reasonably related to the amount of Covered Drugs and Sharps that are sold in the City, by the Producer or group of Producers;
 10. A starting date when collection of Unwanted Products will begin;
 11. A description of how support will be provided to any law enforcement agencies within the City that have, or later agree to have, a collection program for Controlled Substances, including, without limitation: (i) the provision of a collection kiosk with appropriate accessories and signage, (ii) an ability to accept Controlled Substances and other Covered Drugs, and (iii) technical support up to and including an appropriate Person to provide on-site assistance with the sorting and separation of Controlled Substances at no cost to a participating law enforcement agency;
 12. If more than one Producer will be involved in a proposed Product Stewardship Program, then the Product Stewardship Plan for that Program must include a fair and reasonable manner for allocating the costs of the Program among the participants in that Program, such that the portion of costs paid by each Producer is reasonably related to the amount of Covered Drugs and Sharps that Producer sells in the City.
- B. Existing County-Approved Product Stewardship Plan. If a Producer, group of Producers, or Stewardship Organization is/are operating a Product Stewardship Program within the County under an existing Product Stewardship Plan that has been approved by the County of Santa Cruz in accordance with Chapter 7.95 of the Santa Cruz County Code ("County-Approved Plan"), such Producer, group of Producers, or Stewardship Organization may comply with Section 8.40.050(A) above, by supplementing such County-Approved Plan to cover the City and include all items listed in Section 8.40.050(A) above. The Product Stewardship Plan, as supplemented, must be submitted to the Department for review and approval of the provisions relating to and/or applicable to the City in accordance with Section 8.40.050(D) below.
- C. Department Review and Approval; Updates.
1. No Producer, group of Producers, or Stewardship Organization within the City may begin collecting Unwanted Products to comply with this chapter until it has received written approval of its Product Stewardship Plan from the Department. The City may (in its discretion) continue collection on an interim basis if there is any delay in establishing a Stewardship Program as required under this chapter. Once approved by the Department, each Product Stewardship Plan must receive prior written approval from the Department for any proposed changes to the Plan.

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2. All Product Stewardship Plans must be submitted to the Department for approval. Each Producer, group of Producers, or Stewardship Organization operating a Product Stewardship Program shall submit its initial Product Stewardship Plan (conforming to the above requirements) to the Department for review within sixty (60) days after the effective date of this chapter, or at a later date as approved in writing by the Department.
3. Within sixty (60) days after the Department's receipt and review of a Product Stewardship Plan, the Department will determine whether the Plan complies with the requirements of this chapter and of any regulations adopted pursuant to this chapter. The Department may at its sole discretion conduct a noticed Public Hearing as part of this process.
 - a. As part of its approval, the Department may set reasonable performance goals for the Program.
 - b. If the Department approves a Plan, it shall notify the applicant of its approval in writing.
 - c. If the Department rejects a Plan, it shall notify the applicant in writing of its reasons for rejecting the Plan. The Department may reject a Plan without conducting a Public Hearing.
 - d. An applicant whose Plan has been rejected by the Department must submit a revised Plan to the Department within thirty (30) days after receiving notice of the rejection. The Department may require the submission of a further revised Plan or, at its sole discretion, the Department may (without any obligation to do so) develop, approve and impose upon the applicant the Department's own Product Stewardship Plan or an approved Plan submitted by other Producer(s) pursuant to this chapter. The imposed Plan will be presented at a Public Hearing. The Department is not required, and nothing in this chapter shall be interpreted as requiring, the Department to create or impose a Product Stewardship Plan.
 - e. If the Department rejects a revised Product Stewardship Plan or any other subsequently revised Plan, the City Manager may deem the Producer(s) at issue to be out of compliance with this chapter and subject to the enforcement provisions contained in this chapter.
4. At least every three (3) years, a Producer, group of Producers or Stewardship Organization operating a Product Stewardship Program shall update its Product Stewardship Plan, explaining any substantive changes to components of the Plan, and submit the updated Plan to the Department for review and approval.
5. A Producer who begins to offer a Covered Drug or Sharps for sale in the City after the effective date of this chapter, must submit a Product Stewardship Plan to the Department or provide evidence of having joined an existing approved Product Stewardship Program within sixty (60) days following the Producer's initial offer for sale of a Covered Drug or Sharp in the City.

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6. Any proposed changes to a Product Stewardship Plan must be submitted in writing to the Department and approved by the Department in writing prior to implementation of any change. Notwithstanding the foregoing, for County-Approved Plans, only those changes relating to and/or applicable to the City must be submitted in writing to the Department for review and approval before implementation.
7. Required Plan Amendment. Within 60 days of the final promulgation of rules by the California Board of Pharmacy regarding collection of controlled substances by retail pharmacies in conformity with the U.S. Drug Enforcement Agency regulations implementing the Secure and Responsible Drug Disposal Act of 2010, each Producer, group of Producers or Stewardship Organization operating a Product Stewardship Program shall submit to the Department for review and approval an update to its Product Stewardship Plan that describes how the Plan will, within 120 days, comply with and conform to the requirements of such final rules of the California Board of Pharmacy.
8. The Department may audit the records of a Producer, group of Producers, or Stewardship Organization related to a Product Stewardship Plan and/or Product Stewardship Program, or request that the Producer, group of Producers, or Stewardship Organization arrange for the Department to inspect at reasonable times the facilities, vehicles, and equipment used in carrying out the Product Stewardship Plan.

8.40.060 Disposal of Unwanted Products

- A. Compliance with Applicable Law. Each Product Stewardship Program must comply with all local, state, and federal laws and regulations applicable to its operations, including, but not limited to, laws, rules, and regulations governing the treatment and disposal of Unwanted Products.
- B. Treatment and Disposal. Each Product Stewardship Program must treat Sharps waste by high heat sterilization and dispose of all unwanted Covered Drugs by incineration at a Medical Waste or Hazardous Waste facility authorized to accept such waste. Each treatment and/or disposal facility utilized must be in possession of all required regulatory permits and licenses.
- C. New Technologies. Producers with Product Stewardship Programs may petition the Department for approval to use treatment and final disposal technologies, where lawful, that provide superior environmental and human health protection than provided by current Medical Waste or Hazardous Waste disposal technologies for Sharps and Covered Drugs if and when those technologies are proven and available. The proposed technology, at a minimum, must provide equivalent protection in each, and superior protection in one or more, of the following areas:
 1. Monitoring of any emissions or waste;
 2. Worker health and safety;
 3. Reduction or elimination of air, water, or land emissions contributing to persistent, bioaccumulative, and toxic pollution; and
 4. Overall impact on the environment and human health.

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- D. Packaging Separation. Each Product Stewardship Program shall encourage Consumer Generators to separate Unwanted Products from their original containers and packaging, when appropriate, prior to collection or disposal.

8.40.070 Product Stewardship Program Promotion and Outreach

- A. A Product Stewardship Program must promote the Program to Consumer Generators, pharmacists, Retailers of Covered Drugs and/or Sharps, and health care practitioners (including, but not limited to, doctors and other prescribers, veterinarians and veterinary hospitals) as to the proper and safe method to storage and dispose of Unwanted Products.
- B. A Product Stewardship Program shall include, but is not limited to, developing, and updating as necessary, educational and other outreach materials for use by Retailers of Covered Drugs and/or Sharps. These materials may include, but are not limited to, two or more of the following:
1. Signage that is prominently displayed and easily visible to the consumer.
 2. Written materials and templates of materials for reproduction by Retailers to be provided to the consumer at the time of purchase or delivery, or both.
 3. Advertising and/or other promotional materials related to the Product Stewardship Program.
- C. A Product Stewardship Program must prepare education and outreach materials that publicize the location and operation of collection locations in the City and disseminate the materials to health care facilities, Pharmacies, and other interested parties. The Program also must establish a website publicizing collection locations and Program operations and a toll-free telephone number that Consumer Generators can call to find nearby collection locations and understand how the Program works.

8.40.080 Retailer and Provider participation

- A. Every Retailer and every Provider of Covered Drugs and Sharps in the City shall establish a system consistent with the requirements of this chapter for the collection of consumer-generated Covered Drugs and Sharps waste for proper disposal during the Retailer's or Provider's normal hours of operation, except that:
1. A Retailer or Provider who does not sell or provide Sharps to consumers is not required to establish a collection system for Sharps waste; and
 2. A Retailer or Provider who does not sell or provide Covered Drugs to consumers is not required to establish a collection system for Covered Drugs waste.
- B. Each system established by a Retailer or Provider for the collection and disposal of consumer generated Covered Drugs and Sharps waste shall include, at a minimum, the following elements:
1. Subject to the limitations contained in subsection (A) of this Section above and subsection (E) of this Section below, each Retailer or Provider shall provide one of the following:

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- a. On-site collection system. Receptacles for the collection of consumer-generated Covered Drugs and Sharps waste within the Retailer or Provider establishment. The receptacle shall meet applicable state and federal standards for safe disposal of Covered Drugs and/or Sharps. The Retailer or Provider shall provide for the management and disposal of all consumer-generated Covered Drugs and/or Sharps waste that is collected at the Retailer or Provider establishment in a safe manner consistent with all state and federal laws and regulations; or
 - b. Mail-back collection system. Prepaid and preaddressed mail-back envelopes in sufficient capacity for safe disposal of the Covered Drugs and/or Sharps sold or provided to a consumer and meeting applicable state and federal standards for safe disposal of Covered Drugs and/or Sharps.
2. Signage prominently displayed within five feet of every public entrance to the Retailer or Provider establishment and easily visible to the consumer, indicating that the Retailer or Provider establishment collects consumer-generated Covered Drugs and/or Sharps waste from consumers.
- C. A Retailer or Provider of Sharps must provide at no additional cost to the consumer an approved Sharps disposal container or containers sufficient to dispose of all Sharps purchased. A Retailer or Provider of Sharps may refuse to accept from a consumer Sharps waste that is not properly contained in an approved container. In the event of a refusal to accept Sharps waste, the Retailer or Provider shall provide the consumer with an appropriate container for proper disposal of said Sharps waste.
 - D. Sharps disposal containers shall be either a rigid puncture-resistant container with a sealable lid approved by the U.S. Food and Drug Administration for the purpose of transporting Sharps for disposal or a pre-paid mail-back container approved by the U.S. Food and Drug Administration for the purpose of transporting Sharps for disposal.
 - E. All costs of participation by Retailers and Providers shall be paid or reimbursed by the Producer, group of Producers, or Stewardship Organization as part of its Program as provided in this chapter. Retailers and Providers shall not be expected to incur any costs for participation in a Product Stewardship Program.

8.40.090 Lists of Producers and Manufacturers of Covered Drugs and Sharps

- A. Within sixty (60) days after the effective date of this chapter (or at a later date as approved in writing by the Department), each Drug Wholesaler that sells any Covered Drugs and/or Sharps in the City must provide a list of the Producers of those Covered Drugs and/or Sharps to the Department in a form prescribed by the Department. Drug Wholesalers must update and submit to the Department such list of Producers of Covered Drugs and/or Sharps by January 15th of each calendar year.
- B. Within six (6) months after the effective date of this chapter, or within six (6) months after a Retailer whose label appears on a Covered Drug or Sharps or on the Covered Drug's or Sharps' packaging starts selling the Covered Drug or Sharps in the City (or at a later date as approved in writing by the Department), and, thereafter, upon request from the

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Department, a Retailer whose label appears on a Covered Drug or Sharps or on the Covered Drug's or Sharps' packaging must provide the contact information of the Manufacturer from whom the Retailer obtains the Covered Drug or Sharps, including the mailing address, physical address, telephone number, and email address of the Retailer's point of contact at the Manufacturer.

- C. Within six (6) months after the effective date of this chapter, or within six (6) months after a Covered Drug or Sharps repackaged by a Repackager is first sold in the City (or at a later date as approved in writing by the Department), and, thereafter, upon request from the Department, a Repackager whose label appears on a Covered Drug or Sharps or on the Covered Drug's or Sharps' packaging must provide the contact information of the Manufacturer from whom the Repackager obtains the Covered Drug or Sharps, including the mailing address, physical address, telephone number, and email address of the Repackager's point of contact at the Manufacturer.

8.40.100 Reporting

- A. On or before July 1, 2017 (or at a later date as approved in writing by the Department) and in each subsequent year, every Producer, group of Producers, or Stewardship Organization operating a Product Stewardship Program in the City must prepare and submit to the Department an annual written report describing the Program activities during the previous reporting period. The report must include, at minimum, the following:
1. A list of Producers participating in the Product Stewardship Program;
 2. A list of Retailers and/or Providers participating in the collection of consumer-generated Covered Drugs and/or Sharps waste;
 3. The amount, by type and by weight, of Unwanted Products collected from Consumer Generators collected at each drop-off site and in the entire City and, if applicable, the total amount by type and by weight collected by a Mail-back Program;
 4. A description of the collection system, including, without limitation, the location of each collection site and if applicable, locations where envelopes for a Mail-back Program are provided;
 5. The name and location of disposal facilities at which Unwanted Products were disposed of and the weight by type of Unwanted Products collected from Consumer Generators disposed of at each facility;
 6. Whether policies and procedures for collecting, handling, transporting, and disposing of Unwanted Products, as established in the Plan, were followed during the reporting period and a description of any noncompliance;
 7. Whether any safety or security problems occurred during collection, handling, transportation, or disposal of Unwanted Products during the reporting period and, if so, what changes have or will be made to policies, procedures, or tracking mechanisms to alleviate the problem and to improve safety and security;

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8. A description of public education and outreach activities implemented during the reporting period and their effectiveness, including, without limitation, the methodology used to evaluate the outreach and Program activities;
 9. How the Product Stewardship Program complied with all other elements in the Product Stewardship Plan approved by the Department, including, without limitation, its degree of success in meeting any performance goals set by the Department as part of its approval of the Program; and
 10. Any other information that the Department may reasonably require.
- B. For the purposes of this section, "reporting period" means the period beginning January 1 and ending December 31 of the same calendar year.

8.40.110 Program Assessment and Collection of Data

- A. At least once per year, at a time to be determined by the Department, each Product Stewardship Program will conduct a detailed characterization study of Unwanted Products collected at specified locations to help assess effectiveness of the Product Stewardship Program
- B. Assessments shall be conducted in a secure location with proper supervision, in full compliance with federal and state laws, rules, and regulations, and in accordance with guidelines issued by the Department.
- C. Data collected from Program assessments shall be shared with the Department and other relevant agencies in a timely manner.
- D. The Department may require additional assessments as needed to address problems or to help determine Program needs.

8.40.120 List of Producers

The Department shall provide on its website a list of all Producers participating in Product Stewardship Programs approved by the Department and a list of all Producers the Department has identified as noncompliant with this chapter or any regulations adopted pursuant to this chapter.

8.40.130 Regulations and fees

- A. The City Manager may, after a noticed Public Hearing, adopt such rules and regulations as necessary to implement, administer, and enforce this chapter.
- B. The City Council authorizes the City Manager to charge Producers or a group of Producers participating in a Product Stewardship Program for any costs the City incurs in administering and enforcing this chapter. The amount charged shall not exceed actual costs to the City.

8.40.140 Enforcement

- A. The Department shall administer the penalty provisions of this chapter.

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- B. It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this chapter.
- C. Any Person, Producer, Plan Operator or Product Stewardship Organization that violates or continues to violate the provisions of this chapter shall be subject to the penalties, remedies, and criminal, civil and/or administrative enforcement actions set forth in Title 4 of the Capitola Municipal Code. Each and every day a violation of this chapter exists constitutes a separate and distinct offense for which enforcement action may be taken.
- D. In determining the appropriate penalties, the Department shall consider the extent of harm caused by the violation, the nature and persistence of the violation, the frequency of past violations, any action taken to mitigate the violation, and the financial burden to the violator.
- E. Whenever the City finds that a Person has violated a provision or failed to meet a requirement of this chapter, the City may order compliance by written notice of violation to the responsible Person pursuant to Chapter 4.10 of the Capitola Municipal Code.
- F. The Department may establish appropriate administrative rules for implementing this chapter, conducting hearings, and rendering decisions pursuant to this section.
- G. Upon the failure of any Person to comply with any requirement of this chapter and any rule or regulation adopted pursuant to this chapter, the City Attorney's office may petition any court having jurisdiction for injunctive relief, payment of civil penalties and any other appropriate remedy, including, without limitation, restraining such Person or Entity from continuing any prohibited activity and compelling compliance with lawful requirements. However, this subsection does not permit the City or any court of competent jurisdiction to restrain the sale of any Covered Drug or Sharps in the City.
- H. Any Person who knowingly and willfully violates the requirements of this chapter or any rule or regulation adopted pursuant to this chapter is guilty of a misdemeanor. A conviction for a misdemeanor violation under this chapter is punishable by a fine of not less than fifty dollars (\$50.00) and not more than five hundred (\$500.00) for each day per violation, or by imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment.
- I. The remedies provided by this chapter are cumulative and in addition to any other remedies available at law or in equity.

8.40.150 Additional provisions

- A. Disclaimer. In adopting and implementing this chapter, the City is assuming an undertaking only to promote the general welfare. The City is not assuming or imposing on its officers and/or employees an obligation by which they could be liable in money damages to any Person or Entity who claims that a breach proximately caused injury.
- B. Conflict with State or Federal Law. This chapter shall be construed so as not to conflict with applicable federal, State, and/or Santa Cruz County laws, rules or regulations. Nothing in this chapter shall authorize any City agency or Department to impose any duties or obligations in conflict with limitations on municipal authority established by state or federal law at the time such agency or Department action is taken. The City shall

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- suspend enforcement of this chapter to the extent that said enforcement would conflict with any preemptive State or federal legislation subsequently adopted.
- C. Severability. If any of the provisions of this chapter or the application thereof to any Person or circumstance is held invalid, the remainder of those provisions, including the application of such part or provisions to Persons or circumstances other than those to which it is held invalid shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this chapter are severable.
- D. Nothing in this chapter, or the Product Stewardship Program in which Producers of Sharps and Covered Drug products who sell Sharps and/or Covered Drugs in the are required to participate, is intended to protect anticompetitive or collusive conduct nor shall this chapter be construed to modify, impair, or supersede the operation of any of the antitrust laws or unfair competition laws of the State of California or of the United States.
- E. This chapter shall be construed in accordance with California state law, including but not limited to the Medical Waste Management Act set forth at California Health and Safety Code Section 117600, et seq., and shall not be construed in a way that would result in conflict with, or preemption by, any such state law.
- F. Environmental Findings. This chapter is entitled to a categorical exemption of the California Environmental Quality Act ("CEQA") pursuant to 14 California Code of Regulations sections 15307, which exempts "actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection."
- G. This chapter shall be in effect for a period of ten (10) years following enactment.

SECTION II

This Ordinance shall take effect on the 31st day after the date of final passage.

This ordinance was introduced on the 25th day of August, 2016, and was passed and adopted by the City Council of the City of Capitola on the _____ day of _____, 2016, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

Ed Bottorff, Mayor

Attest:

_____, CMC
Susan Sneddon, City Clerk