

City of Capitola Agenda

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



REVISED

CAPITOLA CITY COUNCIL SPECIAL MEETING

THURSDAY, JULY 31, 2014

5:30 PM

**CITY HALL COUNCIL CHAMBERS
420 CAPITOLA AVENUE, CAPITOLA, CA 95010**

All matters listed on the Special Meeting of the Capitola City Council Agenda shall be considered as Public Hearings.

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council Members Stephanie Harlan, Dennis Norton, Ed Bottorff, Michael Termini and Mayor Sam Storey

2. ADDITIONAL MATERIALS

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

A. 5.A.

DETAILS:

Emails from the Public.

B. 5.B.

DETAILS:

City of Capitola TOT Ordinances and California Cities and Counties TOT Rates.

3. PUBLIC COMMENT

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.

4. 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.

5. GENERAL GOVERNMENT / PUBLIC HEARINGS

General Government items are intended to provide an opportunity for public discussion of each item listed. The following procedure is followed for each General Government item: 1) Staff explanation; 2) Council questions; 3) Public comment; 4) Council deliberation; 5) Decision.

- A. Consider awarding a contract to Earthworks Paving of Capitola for the McGregor Park Project.

RECOMMENDED ACTION:

- Award the contract with a bid in the amount of \$207,002, including Optional Bid Item A; and
- Direct the Public Works Director to issue a contract change order to remove Bid Items 6, 8, 16, 20, and 23 from the contract, reducing the contract price to \$166,563; and
- Direct the Public Works Director to review the remaining contract elements and determine if further cost reductions can be made; and
- Approve a budget amendment in the amount of \$20,000 to cover the maximum anticipated contract costs.

- B. Consider a Resolution pertaining to the November 4, 2014, General Municipal Election by selecting one of the following recommended actions:

RECOMMENDED ACTION:

1. Adopt a Resolution calling for a General Municipal Election, and requesting the Santa Cruz County Elections Department to consolidate a General Municipal Election on Tuesday, November 4, 2014.

OR

2. Adopt a Resolution calling for a General Municipal Election for the submission to the voters of a local ballot measure regarding an amendment to the City's Municipal Code pertaining to Visitor Services Fee (Transient Occupancy Tax), and requesting the Santa Cruz County Elections Department to consolidate a General Municipal Election on November 4, 2014.

6. ADJOURNMENT

Adjourn to the next Regular Meeting of the City Council on Thursday, August 14, 2014, at 7:00 PM, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

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 Capitola 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, on the Monday prior to the Thursday meeting. Agendas are also available at the Capitola Post Office located at 826 Bay Avenue, Capitola. Need more information? Contact the City Clerk's office at 831-475-7300.

Agenda Materials Distributed after Distribution of the Agenda Packet: Pursuant to Government Code §54957.5, materials related to an agenda item submitted after distribution of the agenda packet are available for public inspection at the Reception Office at City Hall, 420 Capitola Avenue, Capitola, California, during normal business hours.

Americans with Disabilities Act: Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the City Clerk's office at least 24-hours in advance of the meeting at 831-475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

Televised Meetings: City Council meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be rebroadcasted at 8:00 a.m. on the Wednesday following the meetings and at 1:00 p.m. on Saturday following the first rebroadcast on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25). Meetings are streamed "Live" on the City's website at www.cityofcapitola.org by clicking on the Home Page link "**Meeting Video**". Archived meetings can be viewed from the website at anytime.

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Sneddon, Su

From: Cheryl Ban [cherylban@sbcglobal.net]
Sent: Monday, July 28, 2014 4:11 PM
To: City Council
Subject: [?? Probable Spam] McGregor Park- Skate Park

July 26, 2014

Dear Council Members,

This is in regards to McGregor Park.

To build a park in our city is embracing a visionary perspective for our community.

For this I applaud our council. Providing a place for our children to gather and enrich their skills is essential to foster a sense of place in our community.

I am in complete support of building the skate ramp park as part of the multi use of McGregor Park.

In the Santa Cruz Sentinel newspaper on Friday July 25th 2014, there was an article about the skate park portion of the McGregor Park. Reading this information about McGregor park led to some confusion. Having recently read in two local publications, Life – Capitola and Soquel and City of Capitola- Capitola Currents, both have articles stating a dog park, a bike pump track, a skate park has the design finalized for the multi use McGregor Park, building starting in August.

In the Santa Cruz Sentinel, Sam Storey was quoted as saying, "there is no interest from the skate park community".

I was surprised to read his statement.

Confusion arising from the fact I thought the plan for the McGregor Park already included the skate park.

Especially having previously read about The Monte Foundation donating \$25,000 to the skate park portion of park, through October fundraising fireworks.

Leaving me to believe that this project was proceeding along quite well.

If I was under this impression, I am wondering if others in our community may believe that the park and the skate park was already decided upon.

Skate boarding is a way of life, even transportation for many. Lets support the skate park.

I agree with Dennis Norton when he said in regards to the skate park " build it, they will come. We have go to give it a chance".

The children skateboard in our town, lets give them a place to go that will work for them.

There seems to be generous interest in the skate park if the Monte foundation has committed funds through the October 2014 fundraiser specifically for the skate park.

It looks like the low bid comes in at \$35,640 and the donation of \$25,000 would make the skate park something that may be achieved.

The Monte Foundation sees the need in our community for skate boarders to be included into a broad plan.

Investing in our children is always rewarding, a way of contributing to our community's ability to flourish.

Please note that our multi generational family is in support of a skate park in Capitola.

Thank-you,

Cheryl Ban

Mark Ban

Sneddon, Su

From: The Martorella's [jmarto@pacbell.net]
Sent: Thursday, July 31, 2014 12:43 PM
To: City Council
Cc: Tricia Proctor; Tory
Subject: Capitola City Council Meeting Re McGregor (July 31, 2014)

Dear Council:

We look forward to the meeting tonight regarding the McGregor lot use and while the topic tonight is to vote to move forward with selecting a contracting company for the project we would like to ask that you suspend a vote on the skate park pad portion.

As you know we have been working very hard on the skate park and our community deserves a park that we can be proud of and that will be the best representation of what we can build if given the opportunity. McGregor lacks support from the skate community due to the several issues that have been discussed over the past few months (safety to and from; parking, safety once there due to being so out of the way it lacks any visibility, etc).

We have secured private funding to produce a permanent, top-notch skate park at an alternative site. This funding will provide a park that is first and foremost SAFE in both its access to and from as well as visibility once there; this park will be of a size and scale that will be an enhancement to our community and be a park that Capitola can be proud of. The funding secured will only be considered for this alternative site and not for McGregor for the safety issues outlined above.

We would like to ask you to please remove Option A from the vote tonight when choosing to move forward with McGregor; please take the time to consider reviewing the proposal for the alternative site with respect only to the Skatepark portion; Allow us to present these plans and the backing for the alternative spot before deciding to move forward. Given that we are looking for a permanent skate park (McGregor is temporary) it seems only reasonable to explore all options before placing yet another 'temporary' item in our town - the skate park is out of the way - and has garnered little to none in community support. We only ask that you review the proposal before making your final decision.

Respectfully,

Marie Martorella & Tricia Proctor

Ord	Date	Measure No.	Type	
843	2002		10% TOT	
880	2004	P	One quarter of one percent sales & use tax	Sunset 2010
932	2008		Local transaction and use tax ;Extending the termination date of an exisint transaction & use tax (Ord 880); one-quarter of one percent local transaction and use tax	Extending termination date of existing transactions & Use tax
935	2008	D	Local transaction and use tax	Ord 880- 2004 sales tax increase of one quarter of one percent to sunset in 2010, extended until 12/31/17
976	2012	O	Rate of <u>one quarter of one percent</u> (0.25%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance. This tax is in addition to, and not in lieu of, the one quarter of one percent (0.25%) temporary retail transactions and use tax imposed pursuant to Chapter 3.10 of the Capitola Municipal Code	Permanent sales tax increase of one-quarter of one percent

Transient Occupancy Tax Rates California Cities and Counties		
County rates applied in unincorporated areas		
Computations by CaliforniaCityFinance.com from State Controller data.		
		March 1, 2014
Count		435
Mean		9.75%
Standard Deviation		1.83%
Median		10.00%
Minimum		2.00%
Maximum		15.00%
City	County	Rate
Anaheim	Orange	15.0%
Garden Grove	Orange	14.5%
Beverly Hills	Los Angeles	14.0%
Culver City	Los Angeles	14.0%
Inglewood	Los Angeles	14.0%
Los Angeles	Los Angeles	14.0%
Oakland	Alameda	14.0%
San Francisco	San Francisco	14.0%
Santa Monica	Los Angeles	14.0%
Palm Springs	Riverside	13.5%
Blythe	Riverside	13.0%
Del Mar	San Diego	13.0%
Mammoth Lakes	Mono	13.0%
Riverside	Riverside	13.0%
Solana Beach	San Diego	13.0%
Artesia	Los Angeles	12.5%
Barstow	San Bernardino	12.5%
Pasadena	Los Angeles	12.1%
Agoura Hills	Los Angeles	12.0%
Alhambra	Los Angeles	12.0%
American Canyon	Napa	12.0%
Avalon	Los Angeles	12.0%
Bakersfield	Kern	12.0%
Banning	Riverside	12.0%
Berkeley	Alameda	12.0%
Brisbane	San Mateo	12.0%
Buellton	Santa Barbara	12.0%
Buena Park	Orange	12.0%
Burlingame	San Mateo	12.0%
Calabasas	Los Angeles	12.0%
Calistoga	Napa	12.0%
Campbell	Santa Clara	12.0%
Carpinteria	Santa Barbara	12.0%
Citrus Heights	Sacramento	12.0%
Commerce	Los Angeles	12.0%
Cupertino	Santa Clara	12.0%
Desert Hot Springs	Riverside	12.0%
East Palo Alto	San Mateo	12.0%
Elk Grove	Sacramento	12.0%
Emeryville	Alameda	12.0%
Fresno	Fresno	12.0%

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County rates applied in unincorporated areas		
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Count		435
Mean		9.75%
Standard Deviation		1.83%
Median		10.00%
Minimum		2.00%
Maximum		15.00%
City	County	Rate
Goleta	Santa Barbara	12.0%
Half Moon Bay	San Mateo	12.0%
Hawthorne	Los Angeles	12.0%
Healdsburg	Sonoma	12.0%
Kingsburg	Fresno	12.0%
Long Beach	Los Angeles	12.0%
Malibu	Los Angeles	12.0%
Marina	Monterey	12.0%
Menlo Park	San Mateo	12.0%
Millbrae	San Mateo	12.0%
Monterey Park	Los Angeles	12.0%
Napa	Napa	12.0%
Pacifica	San Mateo	12.0%
Palo Alto	Santa Clara	12.0%
Pittsburg	Contra Costa	12.0%
Rancho Cordova	Sacramento	12.0%
Redwood City	San Mateo	12.0%
Rohnert Park	Sonoma	12.0%
Sacramento	Sacramento	12.0%
Saint Helena	Napa	12.0%
San Bruno	San Mateo	12.0%
San Dimas	Los Angeles	12.0%
San Gabriel	Los Angeles	12.0%
San Juan Bautista	San Benito	12.0%
San Mateo	San Mateo	12.0%
San Pablo	Contra Costa	12.0%
Santa Barbara	Santa Barbara	12.0%
Sausalito	Marin	12.0%
Seaside	Monterey	12.0%
Selma	Fresno	12.0%
Solvang	Santa Barbara	12.0%
West Sacramento	Yolo	12.0%
Willows	Glenn	12.0%
Windsor	Sonoma	12.0%
Yountville	Napa	12.0%
Ontario	San Bernardino	11.8%
West Hollywood	Los Angeles	11.5%
Indian Wells	Riverside	11.25%
Cathedral City	Riverside	11.0%
Gardena	Los Angeles	11.0%
La Quinta	Riverside	11.0%

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Minimum		2.00%
Maximum		15.00%
City	County	Rate
Norco	Riverside	11.0%
Santa Ana	Orange	11.0%
Santa Cruz	Santa Cruz	11.0%
Torrance	Los Angeles	11.0%
Vallejo	Solano	11.0%
San Diego	San Diego	10.5%
Sunnyvale	Santa Clara	10.5%
Adelanto	San Bernardino	10.0%
Alameda	Alameda	10.0%
Albany	Alameda	10.0%
Alturas	Modoc	10.0%
Anderson	Shasta	10.0%
Angels	Calaveras	10.0%
Antioch	Contra Costa	10.0%
Arcadia	Los Angeles	10.0%
Arcata	Humboldt	10.0%
Arroyo Grande	San Luis Obispo	10.0%
Arvin	Kern	10.0%
Atascadero	San Luis Obispo	10.0%
Baldwin Park	Los Angeles	10.0%
Beaumont	Riverside	10.0%
Belmont	San Mateo	10.0%
Brea	Orange	10.0%
Brentwood	Contra Costa	10.0%
Burbank	Los Angeles	10.0%
Calexico	Imperial	10.0%
Calimesa	Riverside	10.0%
Canyon Lake	Riverside	10.0%
Capitola	Santa Cruz	10.0%
Carlsbad	San Diego	10.0%
Carmel	Monterey	10.0%
Chico	Butte	10.0%
Chino Hills	San Bernardino	10.0%
Chowchilla	Madera	10.0%
Chula Vista	San Diego	10.0%
Claremont	Los Angeles	10.0%
Cloverdale	Sonoma	10.0%
Clovis	Fresno	10.0%
Colton	San Bernardino	10.0%
Concord	Contra Costa	10.0%
Corning	Tehama	10.0%

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Minimum	2.00%	
Maximum	15.00%	
City	County	Rate
Corona	Riverside	10.0%
Coronado	San Diego	10.0%
Corte Madera	Marin	10.0%
Cotati	Sonoma	10.0%
Covina	Los Angeles	10.0%
Crescent City	Del Norte	10.0%
Cypress	Orange	10.0%
Daly City	San Mateo	10.0%
Dana Point	Orange	10.0%
Davis	Yolo	10.0%
Del Rey Oaks	Monterey	10.0%
Delano	Kern	10.0%
Diamond Bar	Los Angeles	10.0%
Dinuba	Tulare	10.0%
Duarte	Los Angeles	10.0%
Dunsmuir	Siskiyou	10.0%
El Cajon	San Diego	10.0%
El Centro	Imperial	10.0%
El Cerrito	Contra Costa	10.0%
El Monte	Los Angeles	10.0%
El Paso De Robles	San Luis Obispo	10.0%
Encinitas	San Diego	10.0%
Escalon	San Joaquin	10.0%
Escondido	San Diego	10.0%
Eureka	Humboldt	10.0%
Fairfax	Marin	10.0%
Fairfield	Solano	10.0%
Fillmore	Ventura	10.0%
Fort Bragg	Mendocino	10.0%
Fortuna	Humboldt	10.0%
Fremont	Alameda	10.0%
Fullerton	Orange	10.0%
Galt	Sacramento	10.0%
Glendale	Los Angeles	10.0%
Grass Valley	Nevada	10.0%
Grover City	San Luis Obispo	10.0%
Hemet	Riverside	10.0%
Hercules	Contra Costa	10.0%
Hermosa Beach	Los Angeles	10.0%
Hesperia	San Bernardino	10.0%
Huntington Beach	Orange	10.0%

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City	County	Rate
Imperial Beach	San Diego	10.0%
Indio	Riverside	10.0%
Irwindale	Los Angeles	10.0%
Isleton	Sacramento	10.0%
Jackson	Amador	10.0%
King City	Monterey	10.0%
La Mesa	San Diego	10.0%
La Puente	Los Angeles	10.0%
La Verne	Los Angeles	10.0%
Laguna Beach	Orange	10.0%
Laguna Hills	Orange	10.0%
Laguna Woods	Orange	10.0%
Lake Elsinore	Riverside	10.0%
Lake Forest	Orange	10.0%
Lakeport	Lake	10.0%
Larkspur	Marin	10.0%
Lincoln	Placer	10.0%
Loma Linda	San Bernardino	10.0%
Lomita	Los Angeles	10.0%
Lompoc	Santa Barbara	10.0%
Los Altos	Santa Clara	10.0%
Los Banos	Merced	10.0%
Los Gatos	Santa Clara	10.0%
Manhattan Beach	Los Angeles	10.0%
Maricopa	Kern	10.0%
Martinez	Contra Costa	10.0%
Marysville	Yuba	10.0%
Menifee	Riverside	10.0%
Merced	Merced	10.0%
Mill Valley	Marin	10.0%
Milpitas	Santa Clara	10.0%
Monrovia	Los Angeles	10.0%
Montclair	San Bernardino	10.0%
Montebello	Los Angeles	10.0%
Monterey	Monterey	10.0%
Moorpark	Ventura	10.0%
Morgan Hill	Santa Clara	10.0%
Morro Bay	San Luis Obispo	10.0%
Mount Shasta	Siskiyou	10.0%
Mountain View	Santa Clara	10.0%
Murrieta	Riverside	10.0%

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City	County	Rate
Needles	San Bernardino	10.0%
Nevada City	Nevada	10.0%
Newark	Alameda	10.0%
Newport Beach	Orange	10.0%
Norwalk	Los Angeles	10.0%
Novato	Marin	10.0%
Oakley	Contra Costa	10.0%
Oceanside	San Diego	10.0%
Ojai	Ventura	10.0%
Orange	Orange	10.0%
Orinda	Contra Costa	10.0%
Orland	Glenn	10.0%
Oxnard	Ventura	10.0%
Pacific Grove	Monterey	10.0%
Palmdale	Los Angeles	10.0%
Paradise	Butte	10.0%
Paramount	Los Angeles	10.0%
Perris	Riverside	10.0%
Petaluma	Sonoma	10.0%
Pico Rivera	Los Angeles	10.0%
Pinole	Contra Costa	10.0%
Pismo Beach	San Luis Obispo	10.0%
Placentia	Orange	10.0%
Placerville	El Dorado	10.0%
Pleasant Hill	Contra Costa	10.0%
Plymouth	Amador	10.0%
Point Arena	Mendocino	10.0%
Pomona	Los Angeles	10.0%
Port Hueneme	Ventura	10.0%
Poway	San Diego	10.0%
Rancho Cucamonga	San Bernardino	10.0%
Rancho Mirage	Riverside	10.0%
Rancho Palos Verdes	Los Angeles	10.0%
Red Bluff	Tehama	10.0%
Redding	Shasta	10.0%
Redlands	San Bernardino	10.0%
Redondo Beach	Los Angeles	10.0%
Richmond	Contra Costa	10.0%
Ridgecrest	Kern	10.0%
Rio Vista	Solano	10.0%
Ripon	San Joaquin	10.0%

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City	County	Rate
Rolling Hills Estates	Los Angeles	10.0%
Rosemead	Los Angeles	10.0%
Salinas	Monterey	10.0%
San Anselmo	Marin	10.0%
San Bernardino	San Bernardino	10.0%
San Buenaventura	Ventura	10.0%
San Carlos	San Mateo	10.0%
San Clemente	Orange	10.0%
San Jose	Santa Clara	10.0%
San Juan Capistrano	Orange	10.0%
San Leandro	Alameda	10.0%
San Luis Obispo	San Luis Obispo	10.0%
San Marcos	San Diego	10.0%
San Rafael	Marin	10.0%
Santa Clarita	Los Angeles	10.0%
Santa Fe Springs	Los Angeles	10.0%
Santa Maria	Santa Barbara	10.0%
Santa Paula	Ventura	10.0%
Santee	San Diego	10.0%
Saratoga	Santa Clara	10.0%
Scotts Valley	Santa Cruz	10.0%
Sebastopol	Sonoma	10.0%
Shasta Lake	Shasta	10.0%
Simi Valley	Ventura	10.0%
Sonoma	Sonoma	10.0%
Sonora	Tuolumne	10.0%
South Lake Tahoe	El Dorado	10.0%
South San Francisco	San Mateo	10.0%
Susanville	Lassen	10.0%
Taft	Kern	10.0%
Temple City	Los Angeles	10.0%
Thousand Oaks	Ventura	10.0%
Tiburon	Marin	10.0%
Tracy	San Joaquin	10.0%
Truckee	Nevada	10.0%
Tulare	Tulare	10.0%
Ukiah	Mendocino	10.0%
Union City	Alameda	10.0%
Upland	San Bernardino	10.0%
Visalia	Tulare	10.0%
Vista	San Diego	10.0%

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Minimum	2.00%	
Maximum	15.00%	
City	County	Rate
Watsonville	Santa Cruz	10.0%
Weed	Siskiyou	10.0%
West Covina	Los Angeles	10.0%
Westlake Village	Los Angeles	10.0%
Westmorland	Imperial	10.0%
Wheatland	Yuba	10.0%
Whittier	Los Angeles	10.0%
Wildomar	Riverside	10.0%
Williams	Colusa	10.0%
Winters	Yolo	10.0%
Woodland	Yolo	10.0%
Yorba Linda	Orange	10.0%
Yreka	Siskiyou	10.0%
Yuba City	Sutter	10.0%
Foster City	San Mateo	9.5%
Lafayette	Contra Costa	9.5%
Santa Clara	Santa Clara	9.5%
Bellflower	Los Angeles	9.0%
Benicia	Solano	9.0%
Bishop	Inyo	9.0%
Camarillo	Ventura	9.0%
Carson	Los Angeles	9.0%
Clearlake	Lake	9.0%
Coachella	Riverside	9.0%
Dixon	Solano	9.0%
Downey	Los Angeles	9.0%
Fountain Valley	Orange	9.0%
Gilroy	Santa Clara	9.0%
Hawaiian Gardens	Los Angeles	9.0%
La Mirada	Los Angeles	9.0%
Lathrop	San Joaquin	9.0%
Lawndale	Los Angeles	9.0%
Livingston	Merced	9.0%
Madera	Madera	9.0%
Manteca	San Joaquin	9.0%
Modesto	Stanislaus	9.0%
Oroville	Butte	9.0%
Palm Desert	Riverside	9.0%
Portola	Plumas	9.0%
Rialto	San Bernardino	9.0%
Santa Rosa	Sonoma	9.0%

Transient Occupancy Tax Rates California Cities and Counties		
County rates applied in unincorporated areas		
Computations by CaliforniaCityFinance.com from State Controller data.		
	March 1, 2014	
Count	435	
Mean	9.75%	
Standard Deviation	1.83%	
Median	10.00%	
Minimum	2.00%	
Maximum	15.00%	
City	County	Rate
Seal Beach	Orange	9.0%
Signal Hill	Los Angeles	9.0%
Turlock	Stanislaus	9.0%
Twentynine Palms	San Bernardino	9.0%
Willits	Mendocino	9.0%
Hayward	Alameda	8.5%
Walnut	Los Angeles	8.5%
Walnut Creek	Contra Costa	8.5%
Atwater	Merced	8.0%
Auburn	Placer	8.0%
Bell Gardens	Los Angeles	8.0%
Big Bear Lake	San Bernardino	8.0%
Brawley	Imperial	8.0%
California City	Kern	8.0%
Calipatria	Imperial	8.0%
Chino	San Bernardino	8.0%
Colfax	Placer	8.0%
Colusa	Colusa	8.0%
Corcoran	Kings	8.0%
Costa Mesa	Orange	8.0%
Cudahy	Los Angeles	8.0%
Dublin	Alameda	8.0%
El Segundo	Los Angeles	8.0%
Exeter	Tulare	8.0%
Ferndale	Humboldt	8.0%
Folsom	Sacramento	8.0%
Fontana	San Bernardino	8.0%
Gonzales	Monterey	8.0%
Greenfield	Monterey	8.0%
Hanford	Kings	8.0%
Hollister	San Benito	8.0%
Imperial	Imperial	8.0%
Industry	Los Angeles	8.0%
Irvine	Orange	8.0%
La Palma	Orange	8.0%
Laguna Niguel	Orange	8.0%
Lakewood	Los Angeles	8.0%
Lemoore	Kings	8.0%
Lindsay	Tulare	8.0%
Livermore	Alameda	8.0%
Loomis	Placer	8.0%

Transient Occupancy Tax Rates California Cities and Counties		
County rates applied in unincorporated areas		
Computations by CaliforniaCityFinance.com from State Controller data.		
	March 1, 2014	
Count	435	
Mean	9.75%	
Standard Deviation	1.83%	
Median	10.00%	
Minimum	2.00%	
Maximum	15.00%	
City	County	Rate
Los Alamitos	Orange	8.0%
Mission Viejo	Orange	8.0%
Moreno Valley	Riverside	8.0%
Patterson	Stanislaus	8.0%
Pleasanton	Alameda	8.0%
Porterville	Tulare	8.0%
Reedley	Fresno	8.0%
Rio Dell	Humboldt	8.0%
Rocklin	Placer	8.0%
San Jacinto	Riverside	8.0%
South El Monte	Los Angeles	8.0%
South Gate	Los Angeles	8.0%
Stanton	Orange	8.0%
Stockton	San Joaquin	8.0%
Tehachapi	Kern	8.0%
Temecula	Riverside	8.0%
Trinidad	Humboldt	8.0%
Vacaville	Solano	8.0%
Waterford	Stanislaus	8.0%
Westminster	Orange	8.0%
Azusa	Los Angeles	7.5%
Compton	Los Angeles	7.5%
San Ramon	Contra Costa	7.25%
Sutter Creek	Amador	7.25%
Amador	Amador	7.0%
Gustine	Merced	7.0%
Highland	San Bernardino	7.0%
Huron	Fresno	7.0%
Lancaster	Los Angeles	7.0%
Oakdale	Stanislaus	7.0%
Victorville	San Bernardino	7.0%
Yucaipa	San Bernardino	7.0%
Yucca Valley	San Bernardino	7.0%
Danville	Contra Costa	6.5%
Apple Valley	San Bernardino	6.0%
Avenal	Kings	6.0%
Cerritos	Los Angeles	6.0%
Coalinga	Fresno	6.0%
Etna	Siskiyou	6.0%
Glendora	Los Angeles	6.0%
Gridley	Butte	6.0%

Transient Occupancy Tax Rates California Cities and Counties		
County rates applied in unincorporated areas		
Computations by CaliforniaCityFinance.com from State Controller data.		
	March 1, 2014	
Count	435	
Mean	9.75%	
Standard Deviation	1.83%	
Median	10.00%	
Minimum	2.00%	
Maximum	15.00%	
City	County	Rate
Ione	Amador	6.0%
Lemon Grove	San Diego	6.0%
Lodi	San Joaquin	6.0%
Mcfarland	Kern	6.0%
Roseville	Placer	6.0%
Soledad	Monterey	6.0%
Tustin	Orange	6.0%
Wasco	Kern	6.0%
Ceres	Stanislaus	5.0%
Dorris	Siskiyou	5.0%
Huntington Park	Los Angeles	5.0%
Maywood	Los Angeles	5.0%
Clayton	Contra Costa	4.0%
Firebaugh	Fresno	4.0%
Holtville	Imperial	4.0%
Riverbank	Stanislaus	4.0%
Sanger	Fresno	4.0%
Bell	Los Angeles	3.5%
Aliso Viejo	Orange	none
Atherton	San Mateo	none
Belvedere	Marin	none
Biggs	Butte	none
Blue Lake	Humboldt	none
Bradbury	Los Angeles	none
Colma	San Mateo	none
Dos Palos	Merced	none
Farmersville	Tulare	none
Fort Jones	Siskiyou	none
Fowler	Fresno	none
Grand Terrace	San Bernardino	none
Guadalupe	Santa Barbara	none
Hidden Hills	Los Angeles	none
Hillsborough	San Mateo	none
Hughson	Stanislaus	none
Kerman	Fresno	none
La Canada Flintridge	Los Angeles	none
La Habra	Orange	none
La Habra Heights	Los Angeles	none
Live Oak	Sutter	none
Los Altos Hills	Santa Clara	none
Loyalton	Sierra	none

Transient Occupancy Tax Rates California Cities and Counties		
County rates applied in unincorporated areas		
Computations by CaliforniaCityFinance.com from State Controller data.		
	March 1, 2014	
Count	435	
Mean	9.75%	
Standard Deviation	1.83%	
Median	10.00%	
Minimum	2.00%	
Maximum	15.00%	
City	County	Rate
Lynwood	Los Angeles	none
Mendota	Fresno	none
Montague	Siskiyou	none
Monte Sereno	Santa Clara	none
Moraga	Contra Costa	none
Newman	Stanislaus	none
Orange Cove	Fresno	none
Palos Verdes Estates	Los Angeles	none
Parlier	Fresno	none
Piedmont	Alameda	none
Portola Valley	San Mateo	none
Rancho Santa Margarita	Orange	none
Rolling Hills	Los Angeles	none
Ross	Marin	none
San Fernando	Los Angeles	none
San Joaquin	Fresno	none
San Marino	Los Angeles	none
Sand City	Monterey	none
Shafter	Kern	none
Sierra Madre	Los Angeles	none
South Pasadena	Los Angeles	none
Suisun City	Solano	none
Tehama	Tehama	none
Tulelake	Siskiyou	none
Vernon	Los Angeles	none
Villa Park	Orange	none
Woodlake	Tulare	none
Woodside	San Mateo	none
Santa Barbara County	Santa Barbara	10.0%
Tuolumne County	Tuolumne	10.0%
Santa Cruz County	Santa Cruz	11.0%
Amador County	Amador	10.0%
Placer County	Placer	2.0%
Los Angeles County	Los Angeles	12.0%

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CITY COUNCIL AGENDA REPORT

MEETING OF JULY 31, 2014

FROM: DEPARTMENT OF PUBLIC WORKS
SUBJECT: MCGREGOR PARK PROJECT
AWARD OF CONTRACT

RECOMMENDED ACTION: Take the following actions:

- Award contract to Earthworks Paving of Capitola with a bid in the amount of \$207,002, including Optional Bid Item A; and
- Direct the Public Works Director to issue a contract change order to remove Bid Items 6, 8, 16, 20, and 23 from the contract, reducing the contract price to \$166,563; and
- Direct the Public Works Director to review the remaining contract elements and determine if further cost reductions can be made; and
- Approve a budget amendment in the amount of \$20,000 to cover the maximum anticipated contract costs.

BACKGROUND: On July 16, 2014, the City received seven bids for the construction of the McGregor Park Project. This project will complete the grading, fencing, landscaping, parking lot improvements, and related features of the park on the McGregor property. This project does not include construction of any of the feature elements which are skate park ramps, dog park, and bike park. These bid results are summarized below; the construction estimate was \$135,000.

Contactor	Base Bid	Skate Park Pad Option	Total Project
Earthworks Paving	\$171,362.00	\$35,640.00	\$207,002.00
Monterey Peninsula Engineering	\$243,205.00	\$54,672.00	\$297,877.00
CRW Industries	\$297,420.01	\$38,170.32	\$355,590.33
Guerra Construction Group	\$335,182.50	\$36,200.00	\$371,382.50
Caleb Paving Inc.	\$336,612.00	\$44,528.00	\$381,140.00
QLM Inc.	\$339,671.20	\$47,898.40	\$387,569.60
Don Chapin Company	\$378,175.00	\$66,440.00	\$444,615.00

A detailed tabulation of the bids received is included as Attachment 1.

DISCUSSION: The project bids are significantly over the construction estimate and budget. To reduce the project costs, staff is recommending removal of the aggregate base parking lot, concrete wheel stops, dog clean-up station, drinking fountains, and parking stall designations (Bid Items 6, 8, 16, 20, and 23 respectively). These changes will not negatively affect the final project and can be added to the site by the City if they become necessary. With the removal of the above bid items, Earthworks Paving remains the low bidder with a contract cost of \$166,563. A revised bid tabulation is included as Attachment 2.

Item #: 5.A. Staff Report.pdf

AGENDA STAFF REPORT JULY 31, 2014

MCGREGOR PARK PROJECT

AWARD OF CONTRACT

Beyond the removal of the bid items, staff recommends the Council direct Public Works to seek other cost savings measures that may be possible to further reduce costs. Finally, the City recently was contacted by a resident, who has expressed an interest in fund raising for the skate park. It is quite possible that this effort could raise enough funding offset further reductions in the project scope of the project. Staff will advise the Council on this effort as the project moves into construction.

FISCAL IMPACT: \$165,000 has been allocated to this project. Of this amount, \$18,500 has been expended for a property survey, plan development and permitting. The remaining balance is \$146,500. While staff is confident that we can effectively reduce the project costs, a budget amendment has been prepared in the amount of \$20,000 to cover the maximum contract cost. The transfer will move \$20,000 within the Capital Improvement Program from the Utility Underground Project to the McGregor Park Project. The utility undergrounding project is not schedule until fiscal year 2016, which provides ample time to replace this funding.

ATTACHMENTS:

1. Original Bid Results
2. Bid Results with removed items
3. Budget Amendment

Report Prepared By: Steven Jesberg
Public Works Director

Reviewed and Forwarded
By City Manager: 

Bid Results

Project: McGregor Park

Bid Opening Date:

16-Jul-14

Item	Description	Unit	Quantity	Opinion of Probable Cost		Earthworks	
				Unit Price	Total	Unit Price	Total
Base Bid Items							
1	Mobilization	Lump Sum	1	\$ 2,000	\$ 2,000	\$ 1,000.00	\$ 1,000.00
2	Clearing and Grubbing	Lump Sum	1	\$ 2,000	\$ 2,000	\$ 1,400.00	\$ 1,400.00
3	Tree Removal	Lump Sum	1	\$ 5,000	\$ 5,000	\$ 2,500.00	\$ 2,500.00
4	Grading	Lump Sum	1	\$ 2,500	\$ 2,500	\$ 4,200.00	\$ 4,200.00
5	Hot Mix Asphalt (Type A) ADA spaces & AC Dyke only	Tons	8	\$ 160	\$ 1,280	\$ 765.00	\$ 6,120.00
6	Aggregate Base	Tons	650	\$ 50	\$ 32,500	\$ 33.50	\$ 21,775.00
7	Decomposed Granite	Tons	40	\$ 40	\$ 1,600	\$ 380.00	\$ 15,200.00
8	Concrete Wheel Stops	Each	30	\$ 100	\$ 3,000	\$ 45.00	\$ 1,350.00
9	Percolation Basins						
9	Drinking Fountains	C.Y.	6	\$ 50	\$ 300	\$ 300.00	\$ 1,800.00
10	Split Rail Fence	L.F.	840	\$ 15	\$ 12,600	\$ 23.50	\$ 19,740.00
11	Wood and Wire Fence	L.F.	645	\$ 12	\$ 7,740	\$ 37.00	\$ 23,865.00
12	Relocation of Parking Lot Gate	Lump Sum	1	\$ 1,000	\$ 1,000	\$ 2,800.00	\$ 2,800.00
13	Removable Bollards	Each	2	\$ 1,000	\$ 2,000	\$ 770.00	\$ 1,540.00
14	LED Solar light	Each	5	\$ 1,200	\$ 6,000	\$ 4,015.00	\$ 20,075.00
15	Benches	Each	2	\$ 900	\$ 1,800	\$ 1,175.00	\$ 2,350.00
16	Dog Clean-up Station	Each	2	\$ 325	\$ 650	\$ 325.00	\$ 650.00
17	Trash Receptacle	Each	3	\$ 800	\$ 2,400	\$ 268.00	\$ 804.00
18	Recycling Receptable	Each	3	\$ 800	\$ 2,400	\$ 268.00	\$ 804.00
19	Bike Rack	Each	3	\$ 400	\$ 1,200	\$ 825.00	\$ 2,475.00
20	Drinking Fountain	Each	2	\$ 3,000	\$ 6,000	\$ 7,900.00	\$ 15,800.00
21	Game Table	Each	1	\$ 1,500	\$ 1,500	\$ 2,100.00	\$ 2,100.00
22	Landscapeing and Irrigation	Lump Sum	1	\$ 12,770	\$ 12,770	\$ 22,150.00	\$ 22,150.00
23	Parking Stall Designations	Lump Sum	1	\$ 5,000	\$ 5,000	\$ 864.00	\$ 864.00
				Total Base Bid	\$ 113,240	Total Base Bid	\$ 171,362.00
Bid Items Optiona A (Skatepark)							
24	Hot Mix Asphalt	Tons	72	\$ 160	\$ 11,520	\$ 195.00	\$ 14,040.00
25	Chain Link Fence	L.F.	440	\$ 16	\$ 7,040	\$ 28.00	\$ 12,320.00
26	Percolation Basin	C.Y.	64	\$ 50	\$ 3,200	\$ 145.00	\$ 9,280.00
				Total Option A	\$ 21,760	Total Option A	\$ 35,640.00
				All Items	\$ 135,000	All Items	\$ 207,002.00

Item #: 5.A. Attach 1.pdf

Monterey Peninsula Engineering		CRW Industries, Inc		Guerra Construction Group	
Unit Price	Total	Unit Price	Total	Unit Price	Total
\$ 12,000.00	\$ 12,000.00	\$ 44,400.00	\$ 44,400.00	\$ 15,000.00	\$ 15,000.00
\$ 4,600.00	\$ 4,600.00	\$ 30,800.00	\$ 30,800.00	\$ 57,000.00	\$ 57,000.00
\$ 3,800.00	\$ 3,800.00	\$ 7,000.00	\$ 7,000.00	\$ 6,000.00	\$ 6,000.00
\$ 21,000.00	\$ 21,000.00	\$ 47,480.00	\$ 47,480.00	\$ 60,000.00	\$ 60,000.00
\$ 490.00	\$ 3,920.00	\$ 709.50	\$ 5,676.00	\$ 600.00	\$ 4,800.00
\$ 34.00	\$ 22,100.00	\$ 13.20	\$ 8,580.00	\$ 45.00	\$ 29,250.00
\$ 575.00	\$ 23,000.00	\$ 578.00	\$ 23,120.00	\$ 250.00	\$ 10,000.00
\$ 44.00	\$ 1,320.00	\$ 9.00	\$ 270.00	\$ 50.00	\$ 1,500.00
\$ 400.00	\$ 2,400.00	\$ 217.00	\$ 1,302.00	\$ 400.00	\$ 2,400.00
\$ 25.00	\$ 21,000.00	\$ 35.00	\$ 29,400.00	\$ 26.00	\$ 21,840.00
\$ 47.00	\$ 30,315.00	\$ 36.00	\$ 23,220.00	\$ 46.50	\$ 29,992.50
\$ 1,800.00	\$ 1,800.00	\$ 1,200.00	\$ 1,200.00	\$ 2,000.00	\$ 2,000.00
\$ 2,000.00	\$ 4,000.00	\$ 1,650.00	\$ 3,300.00	\$ 1,000.00	\$ 2,000.00
\$ 4,400.00	\$ 22,000.00	\$ 2,415.20	\$ 12,076.00	\$ 3,600.00	\$ 18,000.00
\$ 2,400.00	\$ 4,800.00	\$ 1,386.50	\$ 2,773.00	\$ 2,100.00	\$ 4,200.00
\$ 1,000.00	\$ 2,000.00	\$ 600.00	\$ 1,200.00	\$ 800.00	\$ 1,600.00
\$ 500.00	\$ 1,500.00	\$ 255.00	\$ 765.00	\$ 850.00	\$ 2,550.00
\$ 500.00	\$ 1,500.00	\$ 255.00	\$ 765.00	\$ 850.00	\$ 2,550.00
\$ 900.00	\$ 2,700.00	\$ 613.67	\$ 1,841.01	\$ 1,300.00	\$ 3,900.00
\$ 9,000.00	\$ 18,000.00	\$ 6,773.50	\$ 13,547.00	\$ 8,000.00	\$ 16,000.00
\$ 1,900.00	\$ 1,900.00	\$ 1,505.00	\$ 1,505.00	\$ 2,200.00	\$ 2,200.00
\$ 37,000.00	\$ 37,000.00	\$ 34,000.00	\$ 34,000.00	\$ 40,000.00	\$ 40,000.00
\$ 550.00	\$ 550.00	\$ 3,200.00	\$ 3,200.00	\$ 2,400.00	\$ 2,400.00
Total Base Bid	\$ 243,205.00	Total Base Bid	\$ 297,420.01	Total Base Bid	\$ 335,182.50
\$ 390.00	\$ 28,080.00	\$ 206.25	\$ 14,850.00	\$ 200.00	\$ 14,400.00
\$ 44.00	\$ 19,360.00	\$ 30.00	\$ 13,200.00	\$ 35.00	\$ 15,400.00
\$ 113.00	\$ 7,232.00	\$ 158.13	\$ 10,120.32	\$ 100.00	\$ 6,400.00
Total Option A	\$ 54,672.00	Total Option A	\$ 38,170.32	Total Option A	\$ 36,200.00
All Items	\$ 297,877.00	All Items	\$ 335,590.33	All Items	\$ 371,382.50

Galeb Paving, Inc.		QLM, Inc.		Don Chaping Company	
Unit Price	Total	Unit Price	Total	Unit Price	Total
\$ 73,299.00	\$ 73,299.00	\$ 33,996.90	\$ 33,996.90	\$ 8,000.00	\$ 8,000.00
\$ 3,818.00	\$ 3,818.00	\$ 9,600.90	\$ 9,600.90	\$ 15,000.00	\$ 15,000.00
\$ 8,188.00	\$ 8,188.00	\$ 8,971.90	\$ 8,971.90	\$ 4,000.00	\$ 4,000.00
\$ 44,833.00	\$ 44,833.00	\$ 17,737.50	\$ 17,737.50	\$ 35,000.00	\$ 35,000.00
\$ 868.00	\$ 6,944.00	\$ 911.70	\$ 7,293.60	\$ 900.00	\$ 7,200.00
\$ 38.00	\$ 24,700.00	\$ 49.40	\$ 32,110.00	\$ 100.00	\$ 65,000.00
\$ 302.00	\$ 12,080.00	\$ 332.60	\$ 13,304.00	\$ 600.00	\$ 24,000.00
\$ 50.00	\$ 1,500.00	\$ 60.10	\$ 1,803.00	\$ 100.00	\$ 3,000.00
\$ 345.50	\$ 2,073.00	\$ 1,239.90	\$ 7,439.40	\$ 200.00	\$ 1,200.00
\$ 23.00	\$ 19,320.00	\$ 27.20	\$ 22,848.00	\$ 70.00	\$ 58,800.00
\$ 42.80	\$ 27,606.00	\$ 53.80	\$ 34,701.00	\$ 55.00	\$ 35,475.00
\$ 1,921.00	\$ 1,921.00	\$ 504.70	\$ 504.70	\$ 6,000.00	\$ 6,000.00
\$ 2,725.00	\$ 5,450.00	\$ 1,148.10	\$ 2,296.20	\$ 1,500.00	\$ 3,000.00
\$ 4,015.00	\$ 20,075.00	\$ 3,224.70	\$ 16,123.50	\$ 5,000.00	\$ 25,000.00
\$ 1,984.50	\$ 3,969.00	\$ 1,873.20	\$ 3,746.40	\$ 2,500.00	\$ 5,000.00
\$ 1,003.00	\$ 2,006.00	\$ 836.70	\$ 1,673.40	\$ 1,000.00	\$ 2,000.00
\$ 614.00	\$ 1,842.00	\$ 534.00	\$ 1,602.00	\$ 1,000.00	\$ 3,000.00
\$ 614.00	\$ 1,842.00	\$ 368.30	\$ 1,104.90	\$ 1,000.00	\$ 3,000.00
\$ 994.00	\$ 2,982.00	\$ 1,083.60	\$ 3,250.80	\$ 1,500.00	\$ 4,500.00
\$ 9,694.50	\$ 19,389.00	\$ 8,170.20	\$ 16,340.40	\$ 10,000.00	\$ 20,000.00
\$ 2,624.00	\$ 2,624.00	\$ 2,199.40	\$ 2,199.40	\$ 4,000.00	\$ 4,000.00
\$ 48,601.00	\$ 48,601.00	\$ 100,367.50	\$ 100,367.50	\$ 42,000.00	\$ 42,000.00
\$ 1,550.00	\$ 1,550.00	\$ 655.80	\$ 655.80	\$ 4,000.00	\$ 4,000.00
Total Base Bid	\$ 336,612.00	Total Base Bid	\$ 339,671.20	Total Base Bid	\$ 378,175.00
\$ 238.00	\$ 17,136.00	\$ 247.20	\$ 17,798.40	\$ 500.00	\$ 36,000.00
\$ 40.00	\$ 17,600.00	\$ 47.10	\$ 20,724.00	\$ 43.00	\$ 18,920.00
\$ 153.00	\$ 9,792.00	\$ 146.50	\$ 9,376.00	\$ 180.00	\$ 11,520.00
Total Option A	\$ 44,528.00	Total Option A	\$ 47,898.40	Total Option A	\$ 66,440.00
All Items	\$ 381,140.00	All Items	\$ 387,569.60	All Items	\$ 444,615.00

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Bid Results

Project: McGregor Park

Bid Opening Date:

16-Jul-14

(with items 6, 8, 16, 20, 23 deleted)

Item	Description	Unit	Quantity	Opinion of Probable Cost		Earthworks	
				Unit Price	Total	Unit Price	Total
Base Bid Items							
1	Mobilization	Lump Sum	1	\$ 2,000	\$ 2,000	\$ 1,000.00	\$ 1,000.00
2	Clearing and Grubbing	Lump Sum	1	\$ 2,000	\$ 2,000	\$ 1,400.00	\$ 1,400.00
3	Tree Removal	Lump Sum	1	\$ 5,000	\$ 5,000	\$ 2,500.00	\$ 2,500.00
4	Grading	Lump Sum	1	\$ 2,500	\$ 2,500	\$ 4,200.00	\$ 4,200.00
5	Hot Mix Asphalt (Type A) ADA spaces & AC Dyke only	Tons	8	\$ 160	\$ 1,280	\$ 765.00	\$ 6,120.00
7	Decomposed Granite	Tons	40	\$ 40	\$ 1,600	\$ 380.00	\$ 15,200.00
9	Percolation Basins Drinking Fountains	C.Y.	6	\$ 50	\$ 300	\$ 300.00	\$ 1,800.00
10	Split Rail Fence	L.F.	840	\$ 15	\$ 12,600	\$ 23.50	\$ 19,740.00
11	Wood and Wire Fence	L.F.	645	\$ 12	\$ 7,740	\$ 37.00	\$ 23,865.00
12	Relocation of Parking Lot Gate	Lump Sum	1	\$ 1,000	\$ 1,000	\$ 2,800.00	\$ 2,800.00
13	Removable Bollards	Each	2	\$ 1,000	\$ 2,000	\$ 770.00	\$ 1,540.00
14	LED Solar light	Each	5	\$ 1,200	\$ 6,000	\$ 4,015.00	\$ 20,075.00
15	Benches	Each	2	\$ 900	\$ 1,800	\$ 1,175.00	\$ 2,350.00
17	Trash Receptacle	Each	3	\$ 800	\$ 2,400	\$ 268.00	\$ 804.00
18	Recycling Receptable	Each	3	\$ 800	\$ 2,400	\$ 268.00	\$ 804.00
19	Bike Rack	Each	3	\$ 400	\$ 1,200	\$ 825.00	\$ 2,475.00
21	Game Table	Each	1	\$ 1,500	\$ 1,500	\$ 2,100.00	\$ 2,100.00
22	Landscaping and Irrigation	Lump Sum	1	\$ 12,770	\$ 12,770	\$ 22,150.00	\$ 22,150.00
				Total Base Bid	\$ 66,090	Total Base Bid	\$ 130,923.00
Bid Items Optiona A (Skatepark)							
24	Hot Mix Asphalt	Tons	72	\$ 160	\$ 11,520	\$ 195.00	\$ 14,040.00
25	Chain Link Fence	L.F.	440	\$ 16	\$ 7,040	\$ 28.00	\$ 12,320.00
26	Percolation Basin	C.Y.	64	\$ 50	\$ 3,200	\$ 145.00	\$ 9,280.00
				Total Option A	\$ 21,760	Total Option A	\$ 35,640.00
				All Items	\$ 87,850	All Items	\$ 166,563.00

Item #: 5.A. Attach 2.pdf

Monterey Peninsula Engineering		CRW Industries, Inc		Guerra Construction Group	
Unit Price	Total	Unit Price	Total	Unit Price	Total
\$ 12,000.00	\$ 12,000.00	\$ 44,400.00	\$ 44,400.00	\$ 15,000.00	\$ 15,000.00
\$ 4,600.00	\$ 4,600.00	\$ 30,800.00	\$ 30,800.00	\$ 57,000.00	\$ 57,000.00
\$ 3,800.00	\$ 3,800.00	\$ 7,000.00	\$ 7,000.00	\$ 6,000.00	\$ 6,000.00
\$ 21,000.00	\$ 21,000.00	\$ 47,480.00	\$ 47,480.00	\$ 60,000.00	\$ 60,000.00
\$ 490.00	\$ 3,920.00	\$ 709.50	\$ 5,676.00	\$ 600.00	\$ 4,800.00
\$ 575.00	\$ 23,000.00	\$ 578.00	\$ 23,120.00	\$ 250.00	\$ 10,000.00
\$ 400.00	\$ 2,400.00	\$ 217.00	\$ 1,302.00	\$ 400.00	\$ 2,400.00
\$ 25.00	\$ 21,000.00	\$ 35.00	\$ 29,400.00	\$ 26.00	\$ 21,840.00
\$ 47.00	\$ 30,315.00	\$ 36.00	\$ 23,220.00	\$ 46.50	\$ 29,992.50
\$ 1,800.00	\$ 1,800.00	\$ 1,200.00	\$ 1,200.00	\$ 2,000.00	\$ 2,000.00
\$ 2,000.00	\$ 4,000.00	\$ 1,650.00	\$ 3,300.00	\$ 1,000.00	\$ 2,000.00
\$ 4,400.00	\$ 22,000.00	\$ 2,415.20	\$ 12,076.00	\$ 3,600.00	\$ 18,000.00
\$ 2,400.00	\$ 4,800.00	\$ 1,386.50	\$ 2,773.00	\$ 2,100.00	\$ 4,200.00
\$ 500.00	\$ 1,500.00	\$ 255.00	\$ 765.00	\$ 850.00	\$ 2,550.00
\$ 500.00	\$ 1,500.00	\$ 255.00	\$ 765.00	\$ 850.00	\$ 2,550.00
\$ 900.00	\$ 2,700.00	\$ 613.67	\$ 1,841.01	\$ 1,300.00	\$ 3,900.00
\$ 1,900.00	\$ 1,900.00	\$ 1,505.00	\$ 1,505.00	\$ 2,200.00	\$ 2,200.00
\$ 37,000.00	\$ 37,000.00	\$ 34,000.00	\$ 34,000.00	\$ 40,000.00	\$ 40,000.00
Total Base Bid	\$ 199,235.00	Total Base Bid	\$ 270,623.01	Total Base Bid	\$ 284,432.50
\$ 390.00	\$ 28,080.00	\$ 206.25	\$ 14,850.00	\$ 200.00	\$ 14,400.00
\$ 44.00	\$ 19,360.00	\$ 30.00	\$ 13,200.00	\$ 35.00	\$ 15,400.00
\$ 113.00	\$ 7,232.00	\$ 158.13	\$ 10,120.32	\$ 100.00	\$ 6,400.00
Total Option A	\$ 54,672.00	Total Option A	\$ 38,170.32	Total Option A	\$ 36,200.00
All Items	\$ 253,907.00	All Items	\$ 308,793.33	All Items	\$ 320,632.50

Galeb Paving, Inc.		QLM, Inc.		Don Chaping Company	
Unit Price	Total	Unit Price	Total	Unit Price	Total
\$ 73,299.00	\$ 73,299.00	\$ 33,996.90	\$ 33,996.90	\$ 8,000.00	\$ 8,000.00
\$ 3,818.00	\$ 3,818.00	\$ 9,600.90	\$ 9,600.90	\$ 15,000.00	\$ 15,000.00
\$ 8,188.00	\$ 8,188.00	\$ 8,971.90	\$ 8,971.90	\$ 4,000.00	\$ 4,000.00
\$ 44,833.00	\$ 44,833.00	\$ 17,737.50	\$ 17,737.50	\$ 35,000.00	\$ 35,000.00
\$ 868.00	\$ 6,944.00	\$ 911.70	\$ 7,293.60	\$ 900.00	\$ 7,200.00
\$ 302.00	\$ 12,080.00	\$ 332.60	\$ 13,304.00	\$ 600.00	\$ 24,000.00
\$ 345.50	\$ 2,073.00	\$ 1,239.90	\$ 7,439.40	\$ 200.00	\$ 1,200.00
\$ 23.00	\$ 19,320.00	\$ 27.20	\$ 22,848.00	\$ 70.00	\$ 58,800.00
\$ 42.80	\$ 27,606.00	\$ 53.80	\$ 34,701.00	\$ 55.00	\$ 35,475.00
\$ 1,921.00	\$ 1,921.00	\$ 504.70	\$ 504.70	\$ 6,000.00	\$ 6,000.00
\$ 2,725.00	\$ 5,450.00	\$ 1,148.10	\$ 2,296.20	\$ 1,500.00	\$ 3,000.00
\$ 4,015.00	\$ 20,075.00	\$ 3,224.70	\$ 16,123.50	\$ 5,000.00	\$ 25,000.00
\$ 1,984.50	\$ 3,969.00	\$ 1,873.20	\$ 3,746.40	\$ 2,500.00	\$ 5,000.00
\$ 614.00	\$ 1,842.00	\$ 534.00	\$ 1,602.00	\$ 1,000.00	\$ 3,000.00
\$ 614.00	\$ 1,842.00	\$ 368.30	\$ 1,104.90	\$ 1,000.00	\$ 3,000.00
\$ 994.00	\$ 2,982.00	\$ 1,083.60	\$ 3,250.80	\$ 1,500.00	\$ 4,500.00
\$ 2,624.00	\$ 2,624.00	\$ 2,199.40	\$ 2,199.40	\$ 4,000.00	\$ 4,000.00
\$ 48,601.00	\$ 48,601.00	\$ 100,367.50	\$ 100,367.50	\$ 42,000.00	\$ 42,000.00
Total Base Bid	\$ 287,467.00	Total Base Bid	\$ 287,088.60	Total Base Bid	\$ 284,175.00
\$ 238.00	\$ 17,136.00	\$ 247.20	\$ 17,798.40	\$ 500.00	\$ 36,000.00
\$ 40.00	\$ 17,600.00	\$ 47.10	\$ 20,724.00	\$ 43.00	\$ 18,920.00
\$ 153.00	\$ 9,792.00	\$ 146.50	\$ 9,376.00	\$ 180.00	\$ 11,520.00
Total Option A	\$ 44,528.00	Total Option A	\$ 47,898.40	Total Option A	\$ 66,440.00
All Items	\$ 331,995.00	All Items	\$ 334,987.00	All Items	\$ 350,615.00

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Date 7/31/2014

Requesting Department Public Works

Administrative Council

Item # 5.A.
 Council Date 7/31/2014
 Council Approval _____

Revenues		
Account #	Account Description	Increase/Decrease
Total		-

Expenditures		
Account #	Account Description	Increase/Decrease
CP0005	McGregor Park Project	20,000
CS0003	Utility Undergrounding	(20,000)
Total		-

Net Impact -

Purpose: To cover the higher than budget construction costs for the
McGregor Park Project.

Department Head Approval _____

Finance Department Approval _____

City Manager Approval _____

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CITY COUNCIL AGENDA REPORT

MEETING OF JULY 31, 2014

FROM: CITY MANAGER'S DEPARTMENT
SUBJECT: CONSIDER A RESOLUTION PERTAINING TO THE NOVEMBER 4, 2014,
GENERAL MUNICIPAL ELECTION

RECOMMENDED ACTION:

1. Adopt a Resolution (Attachment 1) calling for a General Municipal Election, and requesting the Santa Cruz County Elections Department to consolidate a General Municipal Election.

OR

2. Adopt a Resolution calling for a General Municipal Election for the submission to the voters of a local ballot measure regarding an amendment to the City's Municipal Code pertaining to Visitor Services Fee (Transient Occupancy Tax), and requesting the Santa Cruz County Elections Department to consolidate a General Municipal Election on November 4, 2014.

BACKGROUND: At the July 24, 2014, City Council meeting staff was directed to prepare a Resolution calling for a General Municipal Election and to include a local ballot measure regarding a TOT increase.

Currently the Transient Occupancy Tax (TOT) in Capitola is 10%, while the TOT is 11% in Santa Cruz and the County. If the second Resolution above is approved, a ballot measure would be added to the consolidated November ballot which, if passed by the voters, will increase the tax rate to 11%.

The City conducted a public opinion survey of 240 residents with the results presented to City Council on July 10, 2014. The survey asked respondents if they would support increasing the TOT to match the Santa Cruz City/County level. Overall 74% of those surveyed said they would definitely or probably support such a measure. Each 1% of TOT generates about \$126,000 a year.

DISCUSSION: The final deadline for the City Council to request consolidation of a local election for candidates and/or measures to the County Elections Department is August 8th.

There are two draft Resolutions before City Council, only one of which may be adopted. The first Resolution calls a General Municipal Election and requests consolidation with the General Election (Attachment 1). The second Resolution (Attachment 2) takes the same actions as the first, but also calls for a local ballot measure regarding an amendment to the City's Municipal Code pertaining to TOT.

If the second Resolution is adopted, which includes a local ballot measure regarding an amendment to the City's Municipal Code pertaining to TOT, the City Clerk will prepare a timeline for submitting the impartial analysis, arguments for and against, and rebuttals to the arguments. This information, as well as a Resolution authorizing certain Council Members to file written arguments for or against the City ballot measure will be brought back to the Council at a regular City Council meeting in timely fashion.

Item #: 5.B. Staff Report.pdf

JULY 31, 2014 AGENDA REPORT
NOVEMBER 4, 2014, GENERAL MUNICIPAL ELECTION

FISCAL IMPACT: If the Transient Occupancy Tax (TOT) measure is successful, the implementation of the new rate will become effective January 1, 2015. This measure is anticipated to generate \$126,000 annually in General Fund revenues. The City will be responsible for the printing and distribution costs of the measure's text in the voter information pamphlet, which would include the City Attorney's impartial analysis; and any arguments and rebuttal arguments pertaining to the ballot measure. The estimated cost to add this ballot measure to the consolidated election is \$4,800.

ATTACHMENTS

1. Draft Resolution calling for a General Municipal Election and requesting consolidation;
2. Draft Resolution calling for a General Municipal Election and requesting consolidation, and submission of a local ballot measure regarding an amendment to the City's Municipal Code pertaining to Visitor Services Fee (Transient Occupancy Tax).

Report Prepared By: Susan Sneddon
City Clerk

Reviewed and Forwarded
By City Manager: 

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA ORDERING AN ELECTION, REQUESTING COUNTY ELECTIONS TO CONDUCT THE ELECTION, AND REQUESTING CONSOLIDATION OF THE GENERAL MUNICIPAL ELECTION IN THE CITY OF CAPITOLA ON TUESDAY, NOVEMBER 4, 2014

WHEREAS, pursuant to Elections Code Section 10002, the governing body of any city may by resolution request the Board of Supervisors of the county to permit the county elections official to render specified services to the city relating to the conduct of an election; and

WHEREAS, the resolution of the governing body of the city or district shall specify the services requested; and

WHEREAS, pursuant to Elections Code Section 10002, the city or district shall reimburse the county in full for the services performed upon presentation of a bill to the city or district; and

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, pursuant to Elections Code Section 10400, such election for cities may be either completely or partially consolidated; and

WHEREAS, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot acknowledging that the consolidation election will be held and conducted in the manner prescribed in Section 10418. Upon such request, the Board of Supervisors may order the consolidation; and

WHEREAS, pursuant to Elections Code Section 10418, if consolidated, the consolidated election shall be held and conducted, election boards appointed, voting precincts designated, candidates nominated, ballots printed, polls opened and closed, voter challenges determined, ballots counted and returned, returns canvassed, results declared, certificates of election issued, recounts conducted, election contests presented, and all other proceedings incidental to and connected with the election shall be regulated and done in accordance with the provisions of law regulating the statewide or special election, or the election held pursuant to Section 1302 or 1303, as applicable.

WHEREAS, the resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election; and

WHEREAS, various district, county, state and other political subdivision elections may be or have been called to be held on November 4, 2014.

Item #: 5.B. Attach 1.pdf

NOW, THEREFORE, BE IT HEREBY RESOLVED that the governing body of the City of Capitola hereby orders an election be called and consolidated with any and all elections also called to be held on November 4, 2014 insofar as said elections are to be held in the same territory or in a territory that is in part the same as the territory of the City of Capitola, and request the Board of Supervisors of the County of Santa Cruz to order such consolidation under Elections Code Sections 10401, 10403, and 10418.

BE IT FURTHER RESOLVED AND ORDERED that said governing body hereby requests the Board of Supervisors to permit the Santa Cruz County Elections Department to provide any and all services necessary for conducting the election and agrees to pay for said services, and

BE IT FURTHER RESOLVED AND ORDERED that the Santa Cruz County Elections Department conduct the election for the following offices at the November 4, 2014, election:

<u>SEATS OPEN</u>	<u>OFFICE</u>	<u>TERM</u>
Stephanie Harlan	Council Member	4 Years
Sam Storey (termed out)	Council Member	4 Years
Michael Termini	Council Member	4 Years

BE IT FURTHER RESOLVED AND ORDERED that the City Clerk of the City of Capitola is hereby ordered and directed to cause said proposed ordinance and notice of election to be published in accordance with the provisions of the California State Elections Code.

I HEREBY CERTIFY that the above and foregoing resolution was passed and adopted by the City Council of the City of Capitola at its regular meeting held on the 31st day of July, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sam Storey, Mayor

ATTEST:

_____, CMC
Susan Sneddon, City Clerk

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA ORDERING AN ELECTION, REQUESTING COUNTY ELECTIONS TO CONDUCT THE ELECTION, AND REQUESTING CONSOLIDATION OF THE GENERAL MUNICIPAL ELECTION IN THE CITY OF CAPITOLA ON TUESDAY, NOVEMBER 4, 2014; AND REQUESTING SUBMISSION TO THE VOTERS OF A LOCAL BALLOT MEASURE REGARDING AN INCREASE IN THE CITY'S VISITOR SERVICES FEE (TRANSIENT OCCUPANCY TAX) FOR INCLUSION ON THE NOVEMBER 4, 2014 CONSOLIDATED GENERAL ELECTION BALLOT

WHEREAS, pursuant to Elections Code Section 10002, the governing body of any city may by resolution request the Board of Supervisors of the county to permit the county elections official to render specified services to the city relating to the conduct of an election; and

WHEREAS, the resolution of the governing body of the city or district shall specify the services requested; and

WHEREAS, pursuant to Elections Code Section 10002, the city or district shall reimburse the county in full for the services performed upon presentation of a bill to the city or district; and

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, pursuant to Elections Code Section 10400, such election for cities may be either completely or partially consolidated; and

WHEREAS, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot acknowledging that the consolidation election will be held and conducted in the manner prescribed in Section 10418. Upon such request, the Board of Supervisors may order the consolidation; and

WHEREAS, pursuant to Elections Code Section 10418, if consolidated, the consolidated election shall be held and conducted, election boards appointed, voting precincts designated, candidates nominated, ballots printed, polls opened and closed, voter challenges determined, ballots counted and returned, returns canvassed, results declared, certificates of election issued, recounts conducted, election contests presented, and all other proceedings incidental to and connected with the election shall be regulated and done in accordance with the provisions of law regulating the statewide or special election, or the election held pursuant to Section 1302 or 1303, as applicable.

WHEREAS, the resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election; and

WHEREAS, various district, county, state and other political subdivision elections may be or have been called to be held on November 4, 2014.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the governing body of the City of Capitola hereby orders an election be called and consolidated with any and all elections also called to be held on November 4, 2014 insofar as said elections are to be held in the same territory or in a territory that is in part the same as the territory of the City of Capitola, and

Item #: 5.B. Attach 2.pdf

request the Board of Supervisors of the County of Santa Cruz to order such consolidation under Elections Code Sections 10401, 10403, and 10418.

BE IT FURTHER RESOLVED AND ORDERED that said governing body hereby requests the Board of Supervisors to permit the Santa Cruz County Elections Department to provide any and all services necessary for conducting the election and agrees to pay for said services, and

BE IT FURTHER RESOLVED AND ORDERED that the Santa Cruz County Elections Department conduct the election for the following offices at the November 4, 2014, election:

<u>SEATS OPEN</u>	<u>OFFICE</u>	<u>TERM</u>
Stephanie Harlan	Council Member	4 Years
Sam Storey (termed out)	Council Member	4 Years
Michael Termini	Council Member	4 Years

BE IT FURTHER RESOLVED AND ORDERED that the Santa Cruz County Elections Department shall conduct the election for the following measure to be voted on at the November 4, 2014, election:

Shall the City of Capitola adopt an ordinance amending Section 3.32.030 of the Municipal Code raising the transient occupancy tax rate from 10% to 11%.	Yes	
	No	

Santa Cruz County Elections Department is requested to: [Check one of the following]

- Print the attached measure text exactly as filed or indicated on the filed document in the Voter's Information Pamphlet section of the Sample Ballot for the November 4, 2014 election. Cost of printing and distribution of the measure text will be paid for by the city/district, attached hereto as Exhibit "A".
- Not to print the measure text in the Voter's Information Pamphlet of the Sample Ballot but send a copy to voters upon request at the cost of said city/district.

BE IT FURTHER RESOLVED AND ORDERED that the City Clerk of the City of Capitola is hereby ordered and directed to cause said proposed ordinance and notice of election to be published in accordance with the provisions of the California State Elections Code.

I HEREBY CERTIFY that the above and foregoing resolution was passed and adopted by the City Council of the City of Capitola at its special meeting held on the 31st day of July, 2014, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Sam Storey, Mayor

ATTEST:

_____, CMC
Susan Sneddon, City Clerk

EXHIBIT A

Measure to be voted on: November 4, 2014

ORDINANCE NO. __

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAPITOLA AMENDING SECTION 3.32.030 OF THE CAPITOLA MUNICIPAL CODE PERTAINING TO THE CITY OF CAPITOLA VISITOR SERVICES FEE (TRANSIENT OCCUPANCY TAX)

THE PEOPLE OF THE CITY OF CAPITOLA, CALIFORNIA, DO ORDAIN AS FOLLOWS:

WHEREAS, it is the purpose of this Ordinance to amend the City of Capitola Municipal Code Section 3.32.030 entitled Fee/Tax Imposed, to increase the Visitor Services Fee (Transient Occupancy Tax) from 10% to 11%; and

WHEREAS, this Ordinance shall be known as the City of Capitola Visitor Services Fee (Transient Occupancy Tax) Increase. The City of Capitola hereinafter shall be called "City". This Ordinance shall be applicable in the incorporated territory of the City.

WHEREAS, this Ordinance is adopted to achieve the following, among other purposes, and directs the provisions hereof be interpreted in order to accomplish those purposes:

NOW, THEREFORE BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAPITOLA AS FOLLOWS:

SECTION 1. Section 3.32.030 is hereby amended to read as follows:

"Section 3.32.030" FEE/TAX IMPOSED

Section 3.32.030 Fee/tax imposed.

A. For the privilege of occupancy in any hotel, each transient is subject to and shall pay a general tax in an amount of ten eleven percent of the rent charged by the operator. The tax constitutes a debt owed by the transient to the city which is extinguished only by payment by the operator to the city. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel. If for any reason the tax is not paid to the operator of the hotel, the fee administrator may require that such tax shall be paid directly to the fee administrator. The general tax revenues shall be placed in the city's general fund.

SECTION 2. It is the purpose of this Ordinance to amend the City of Capitola Municipal Code Section 3.32.030 of the Chapter entitled Fee/Tax Imposed, to increase the Visitor Services Fee (Transient Occupancy Tax) from 10% to 11%; and

SECTION 3. This Ordinance shall be considered as adopted upon the date that the vote is declared by the City Council, and shall go into effect on January 15, 2014.

This Ordinance was introduced on the ___ day of __, 2014, and was passed and adopted by the City Council of the City of Capitola on the ___ day of __, 2014, by the following vote:

- AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

Sam Storey, Mayor

ATTEST:

Susan Sneddon, City Clerk

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