

City of Capitola Agenda

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



REVISED

CAPITOLA CITY COUNCIL REGULAR MEETING

THURSDAY, SEPTEMBER 12, 2013

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

**CLOSED SESSION – 6:00 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 City Council's Open Session Meeting.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Govt. Code § 54956.8)

Property: Adjacent to Grace Avenue and 49th Avenue, (City of Capitola, Owner)

City Negotiator: Public Works Director

Negotiating Parties: City of Capitola; Richard & Donna Matthews; and Fred & Nancy Dejarlais

Under Negotiation: Real Property Sale

CONFERENCE WITH LABOR NEGOTIATOR (Govt. Code §54957.6)

Negotiator: Lisa Murphy, Administrative Services Director

Employee Organizations: Capitola Police Captains

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Govt. Code §54956.9)

1. Rae Ellen Leonard vs. the City of Capitola et al. [United States District, Case #C13-3714]

LIABILITY CLAIMS (Govt. Code §54956.95)

Claimant: CSAA Insurance Group

Agency claimed against: City of Capitola

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

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, Sam Storey, Ed Bottorff, Michael Termini and Mayor Stephanie Harlan

2. PRESENTATIONS

A. Proclamation celebrating Santa Cruz Community Counseling Center's 40th anniversary.

3. REPORT ON CLOSED SESSION

4. ADDITIONAL MATERIALS

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

A. 10.A.
DETAILS:
Emails from the Public.

B. 10.D.
DETAILS:
Email from the Public.

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. Consideration of the Art and Cultural Commission's (Commission) recommendation to appoint David Kraemer to fill the At-Large Member vacancy on the Commission with a term ending December 31, 2013.
RECOMMENDED ACTION:
1) Appoint Kim Hogan as the Artist Representative to the Commission; and 2) Appoint David Kraemer as the At Large Member to the Commission.

CAPITOLA CITY COUNCIL REGULAR MEETING - Thursday, September 12, 2013

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 approving the City Council Minutes of the August 8, 2013, Regular City Council Meeting.
RECOMMENDED ACTION:
Approve Minutes.
- B. Receive Planning Commission Action Minutes for the Regular Meeting of September 5, 2013.
RECOMMENDED ACTION:
Receive Minutes.
- C. Consider denying liability claim of CSAA Insurance Group in the amount of \$22,068.94 and forward to the City's liability insurance carrier.
RECOMMENDED ACTION:
Deny liability claim.
- D. Consider a Resolution amending the City's Bail Schedule to add new fines.
RECOMMENDED ACTION:
Adopt Resolution.

10. 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 appointing a City Treasurer to fill a vacancy for the remaining term of the former Treasurer ending in December 2016.
RECOMMENDED ACTION:
Appoint a City Treasurer.
- B. Report regarding the 2013 Slurry Seal Program.
RECOMMENDED ACTION:
Receive report, accept project as complete, and approve Notice of Completion.
- C. Consider a Resolution adopting the proposed City Fee Schedule for Fiscal Year 2013/2014.
RECOMMENDED ACTION:
Adopt Resolution.
- D. Consider an Ordinance amending Section 10.36.055(b) of the Capitola Municipal Code pertaining to meter rates accepting the Coastal Commission's modifications [1st Reading].
RECOMMENDED ACTION:
Introduce Ordinance.

CAPITOLA CITY COUNCIL REGULAR MEETING - Thursday, September 12, 2013

11. ADJOURNMENT

Adjourn to the next Regular Meeting of the City Council on Thursday, September 26, 2013, 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 on the Internet at the City’s website: www.ci.capitola.ca.us. Agendas are also available at the Capitola Post Office located at 826 Bay Avenue, Capitola.

Agenda Document Review: The complete agenda packet is available at City Hall and at the Capitola Branch Library, 2005 Wharf Road, Capitola, on the Monday prior to the Thursday meeting. 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 replayed at 12:00 Noon on the Saturday following the meetings 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.ci.capitola.ca.us by clicking on the Home Page link “View Capitola Meeting Live On-Line.” Archived meetings can be viewed from the website at anytime.

City of Capitola Mayor's Proclamation

Declaring September 19, 2013, as Santa Cruz Community Counseling Center Day

WHEREAS, Santa Cruz Community Counseling Center (SCCCC) has cared for the people of Santa Cruz County through a spectrum of services that heal, connect and nurture the mental and social well-being of individuals, children and families for the last 40 years; and

WHEREAS, SCCC continues to touch the lives of one in four families in Santa Cruz County, serving over 150 City of Capitola residents annually, through life-transforming services delivered in a bilingual, culturally sensitive manner. These services span an array of youth, substance abuse, mental health, early childhood education, family support, HIV/AIDS, and housing programs; and

WHEREAS, SCCC programs are targeted towards underserved and vulnerable populations, advocating with and on behalf of these groups and always keeping the needs and voices of program participants in the forefront of systems and policy changes; and

WHEREAS, SCCC has been an innovative leader for social services and the City of Capitola has specifically supported counseling services for children, youth and their families in collaboration with schools and other agencies, and the Santa Cruz AIDS Project providing a comprehensive and compassionate response to HIV and AIDS through education, advocacy, and supportive services; and

WHEREAS, SCCC has led successful programs that have positively impacted the well-being of the City of Capitola and its residents in working to address youth recovery and school success; provide hope and healing for those dealing with challenges of mental illness, addiction, HIV/AIDS; reduce hospitalizations, recidivism, child abuse, violence, drug and alcohol dependency; and enhance community engagement; and

WHEREAS, SCCC's mission to build on the strength of people working together to create healthy change in their lives and in the community is reflected in the delivery of quality human services, guided by values of diversity, collaboration, innovation, compassion, trust, and hope.

NOW, THEREFORE, I, Stephanie Harlan, Mayor of the City of Capitola, in recognition of 40 years of service, do hereby recognize Santa Cruz Community Counseling Center as an innovative, dedicated community based agency, and urge all citizens to advocate for community-based services that support those most vulnerable and declare September 19, 2013, this as Santa Cruz Community Counseling Center Day!

Stephanie Harlan

Stephanie Harlan, Mayor

Signed and sealed this 12th day of September 2013

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Sneddon, Su

From: tkcapitola@aol.com
Sent: Thursday, September 12, 2013 10:50 AM
To: City Council
Subject: City Treasurer

To Mayor Harlan and City Council Members,

I have no objection to a short-term appointment for a City Treasurer. However, making that position permanently appointed concerns me.

Six elected persons - five City Council members and one City Treasurer - are empowered to review, challenge, and allocate some millions of dollars of our taxpayers' money, hopefully, for the greater good of the community. These six are our trusted "watchdogs." As a voter, these six individuals are answerable to me. They are the folks I can talk to, and whom I hold responsible for their actions. If I disagree with what they do, I can choose to remove them from office. The proposal to change the City Treasurer to a permanent appointed position denies my voting rights.

By removing the City Treasurer from my ability to judge that person's actions chips away at my fundamental democratic right to evaluate that "watchdog's" actions. Why would any voting citizen want to abandon that right to an appointing committee?

More important, why would an elected City Council, for whatever reason, suggest denying a citizen's voting rights?

Don't diminish representative democracy under the guise of convenience or financial cost.

Tony Gualtieri
502 Grand Avenue
Capitola

Sneddon, Su

From: Steve Westen [tsl@cruzio.com]
Sent: Thursday, September 12, 2013 9:05 AM
To: City Council
Subject: Position of City Treasurer

Christine McBroom is an excellent choice to fill the position of city treasurer. She has great community spirit. She will do a good job for the people of Capitola.

I think there is some confusion regarding the difference between appointing Christine to fill the balance of the term of the elected city treasurer and changing the position to an appointed treasurer permanently. The council can make an appointment to fill the position for this term. If we have an appointed treasurer, a staff member, such as Finance Director, would be assigned to be the city treasurer. The treasurer would no longer be an independent part of the checks and balances of city government. The council tried to make this change in 1984. The voters rejected the change. Not a good idea then, not a good idea now.

Steve Westen
Capitola, CA
479-9884

Sneddon, Su

From: Nels Westman [nels@bestwestman.com]
Sent: Tuesday, September 10, 2013 10:24 PM
To: City Council
Cc: Grunow, Rich; Jesberg, Steve
Subject: Agenda Item 10.D.

Dear Council Members,

I fear I have been away too much this summer and have fallen behind on the latest developments with my old friend, Village Parking. So unfortunately Friday's Agenda Packet release was the first time I saw the proposed Coastal Commission "suggestions" for requirements to be added to this ordinance. There are several items which I think might need clarification and I will outline them below. I hope you might postpone action on this ordinance for at least two weeks to allow for clarification and some additional conversation with staff now that these CCC requirements have been made public.

Sorry if this is a little lengthy but I wasn't sure cramming it into a 3-minute sound bite was going to work.

REQUIREMENTS TO MAINTAIN AT CURRENT LEVELS, EXPAND, AND/OR ENHANCE THE CITY'S FREE PARK AND RIDE SHUTTLE SERVICE.

The shuttle system was a requirement of the CCC in order for the City to create neighborhood permit parking programs. It is only required to operate during those times when the Neighborhood Permit system operates (basically during the daytime of summer weekends). The shuttle bus ride is free, but the City may (and did for a while) charge for parking.

The CCC's language above seems to imply BOTH parking AND the shuttle ride are to be free. If this were the case it would prohibit the City from collecting parking fees in PacCove when used as the base for the shuttle bus. This should be clarified to clearly state that the City can charge for parking in the shuttle bus lot.

Also this restatement of shuttle bus guidelines should be clearly limited to those days and hours of operation currently required by the CCC as a condition of continuing the City's Neighborhood Parking Program. Should, for example, the City eventually decide to voluntarily expand the shuttle bus program to operate daily during the summer, the City should retain the OPTION of also charging a modest fare to help defray operating costs and prevent abuses. The City of Santa Cruz charges 25 cents for their shuttle to defray costs and in part because otherwise homeless persons just ride it all day. Any expanded shuttle system should not be subject to CCC approval and restrictions unless, of course, the City attempts to expand its Neighborhood Permit System.

Item #: 4.B. 10.D.pdf

REQUIREMENTS TO MAINTAIN AT CURRENT LEVELS, EXPAND, AND/OR ENHANCE FREE AND LOW-COST PUBLIC PARKING ACCESS IN AREAS CONDUCIVE TO PROVIDING EASY ACCESS TO THE SHORELINE AND VILLAGE AREA, SUCH AS THROUGH EXPANSION OF THE PACIFIC COVE PARKING AREA.

Due to the high cost of developing additional parking spaces in PacCove and other places near the Village, the City cannot afford to create new parking spaces AND make them free. We need the revenue stream of parking fees to pay for construction. "Low-cost" is a relative term which needs to be quantified lest the CCC decide that low-cost must remain at 50 cents per hour. We need the CCC to give us a dollar amount for the upper range of "low cost" so that this threshold doesn't keep changing at the whim of various CCC staff persons.

There needs to be clarification if CCC considers the "current level" of low cost parking in Pacific Cove to be the 234 spaces in the upper level only or if they have already included the spaces in the temporary lower lot.

This also pretty much drives a stake through the heart of the future possibility of metering the 42 currently FREE parking space at the back of the Village along such streets as Cherry. While the revenue might not be needed today, someday metering these spaces could be a key component of the financing package for a future parking structure. Unhappy residents will clearly use this language to stop any such proposal since this is pretty much the ONLY free parking in Capitola Village. It doesn't seem reasonable or realistic for the CCC to require maintaining existing and adding more free parking in the Village. "Free" needs to be deleted from this requirement.

REQUIREMENTS TO REDUCE EXISTING NEGATIVE PUBLIC ACCESS IMPACTS ASSOCIATED WITH EXISTING PARKING ZONES, TIME LIMITS, HOURS OF OPERATION, FEES AND/OR STANDARDS (E.G., REDUCING OR ELIMINATING FEES IN CERTAIN AREAS TO OFFSET CHANGES ELSEWHERE).

Staff has maintained that time limits are not controlled by the CCC and that the City can change them without CCC approval (witness the current 2-Hour vs 3-Hour discussion). This requirement clearly shows the CCC will factor in time limits in deciding if the City is successfully increasing public access which is quite different from the needs of Village businesses and Village residents. Time limits should be deleted from this paragraph. In the meantime the City would be well advised to go slow in increasing the time limit to 3 hours or making other such changes until this language is clarified. You may never have the chance to undo a bad decision.

Every parking space in the vicinity of the Village is critical. It is hard to conceive how increasing fees in the Village, for example, could realistically be offset by reducing or eliminating fees in other spaces around the Village. Revenue streams are just too critical to financing any permanent parking solution.

It also appears to me that ANY in lieu fee program will have the inevitable effect of increasing the demand for public parking without actually providing any public spaces. Thus it fails to meet the requirement to REDUCE negative public impacts to access. Not looking good for in lieu programs.

OK. Those are the items which I think could use some clarification. Part of the problem is that not only will the CCC take us to task on these broad vague requirements, so will any member of the public who opposes any project, particularly a Village Hotel or parking structure. I hope you would consider postponing action on this ordinance for a couple of weeks to give additional time to answer these questions.

Thank you.

Nels

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CITY COUNCIL AGENDA REPORT

MEETING OF SEPTEMBER 12, 2013

FROM: CITY MANAGER'S DEPARTMENT

SUBJECT: APPOINTMENTS TO THE ART & CULTURAL COMMISSION

RECOMMENDED ACTION: 1) Appoint Kim Hogan as the Artist Representative to the Art & Cultural Commission (Commission), and 2) Appoint David Kraemer as the At Large Member to the Commission.

BACKGROUND: The Commission is comprised of nine members appointed by the City Council. The membership consists of one City Council Member, one Planning Commissioner, one Artist or Arts Organization Representative Member, one Art Professional, and five At Large Members. Commissioner Karen Nevis, the Artist Representative, resigned from the Commission on March 30, 2013, creating a vacancy.

DISCUSSION: A recruitment was conducted to fill the Artist vacancy; however no applications were received by the June 7, 2013, application deadline. Staff extended the deadline and conducted outreach efforts to fill the vacancy resulting in two At Large Member applications being received. The Commission met on August 13, 2013, and recommended the City Council appoint Commissioner Hogan to fill the Artist vacancy with a term expiring on December 31, 2013, and to appoint David Kraemer to the At Large seat with a term that also expires the end of the year. Mr. Kraemer has lived in Capitola for the past seven years; in addition, his family has vacationed in Capitola for over 30 years. His interest in the Commission is to promote the Commission's value proposition by enhancing the resident/visitor experience and integrating art in all its forms into the daily experience. Through the Commission, he hopes to bring new ideas of community participation, as well as volunteering at established events to improve their success.

FISCAL IMPACT: None

ATTACHMENT:

1. Application
2. Commission Roster

Report Prepared By: Lisa G. Murphy
Administrative Services Director

Reviewed and Forwarded
By City Manager:

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JUN 26 2013

CITY OF CAPITOLA

CITY of CAPITOLA BOARDS AND COMMISSIONS APPLICATION

Citizens are encouraged to serve on the various City Boards, Committees, and Commissions. Appointments are made at a public City Council meeting.

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
- Architect & 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: KRAEMER DAVID G
Last First M.I.

Telephone: 831 566 2723
Home Business Cell

E-mail Address: DAVID_KRAEMER2001@yahoo.com

Physical Address of Residence: 413 PINE ST 95010

Mailing Address: _____

Business Address: _____

Occupation: RETIRED

Are you a resident of the City of Capitola? Yes No

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

I have the time and interest to serve
Capitola in this capacity. I am a
consumer of art + cultural events and
want to make Capitola the great
community it is today and better!

AS A MARKETER AND SALES EXECUTIVE I HAVE PROMOTIONAL SKILLS AS WELL,

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.

6/26/13
Date

[Signature]
Signature of Applicant

Mail or Deliver Application to:

Capitola City Hall
Attn: City Clerk

420 Capitola Avenue, Capitola, CA 95010

For questions please call the City Clerk at (831) 475-7300

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

Capitola Art & Cultural Commission Current Members

Name	Appointee	Street Address	Contact	Date Appointed	Term Expires
Michael Termini City Council Representative		503 Oak Drive Capitola, CA 95010	(C) 831-476-6206 michael@triadelectric.com	1/10/13 12/9/10 12/11/08 1/18/07 12/9/04 7/27/03	12/31/14
Linda Smith Planning Commission Representative		1587 Prospect Avenue Capitola, CA 95010	(H) 831-475-6494 (C) 831-818-3049 capitola_linda2@gmail.com	1/17/13 1/20/11	12/31/14
Vacant	Artist	Capitola, CA 95010	(H) 831- email		12/31/13
Roy Johnson	Arts Professional	3600 Captiola Road Capitola, CA 95010	(H) 831-588-6619 (W) 831-763-2744 roy@johnsonartstudio.com	12/8/11 12/10/09 12/13/07 1/12/06 3/10/05	12/31/13
Nathan Cross	At Large Member	620 Gilroy Drive Capitola, CA 95010	(H) 831-462-4137 (C) 831-212-9388 4xcross@gmail.com	12/8/11 6/23/11	12/31/13
Kim Hogan	At Large Member	4160 Jade Street #103 Capitola, CA 95010	(C) 831-566-3655 (W) 831-476-4407 kim@scbuild.com	12/8/11	12/31/13
Joyce Murphy	At Large Member	504 Riverview Drive Capitola, CA 95010	(H) 831-475-2950 (W) 831-476-3855 pacificgallery@sbcglobal.net	1/10/13 12/9/10 12/11/08 1/8/07	12/31/14
Jenny Shelton	At Large Member	725 Captiola Avenue #F Soquel, CA 95073	(C) 831-247-9489 jenny@sheltondesign.com	1/10/13 12/9/10 4/22/10	12/31/14
James Wallace	At Large Member	608 Gilroy Drive Capitola, CA 95010	(H) 831-476-1396 (W) 831-419-3507 jocamo49@yahoo.com	12/8/11 12/10/09 12/13/07	12/31/13

Staff Representatives:

Kelly Barreto, Administrative Assistant
 831-475-7300 ext. 297
kbarreto@ci.capitola.ca.us

Lisa Murphy, Administrative Services Director
 831-475-7300 ext. 236
lmurphy@ci.capitola.ca.us

Revised: 04/13 md

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CITY COUNCIL AGENDA REPORT

MEETING OF SEPTEMBER 12, 2013

FROM: OFFICE OF THE CITY CLERK

SUBJECT: APPROVAL OF THE CITY COUNCIL MEETING MINUTES OF THE
AUGUST 8, 2013, REGULAR CITY COUNCIL MEETING

RECOMMENDED ACTION: Approve the subject minutes as submitted.

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

ATTACHMENTS:

1. August 8, 2013, Regular City Council Meeting minutes

Report Prepared By: Susan Sneddon, CMC
City Clerk

Reviewed and Forwarded
By City Manager: _____

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**CAPITOLA CITY COUNCIL
REGULAR MEETING MINUTES
THURSDAY, AUGUST 8, 2013 - 7:00 PM**

**CLOSED SESSION – 6:15 PM
CITY MANAGER’S OFFICE**

CALL TO ORDER

Mayor Harlan called the meeting to order at 6:15 p.m. and announced the items to be discussed in Closed Session, as follows:

CONFERENCE WITH LABOR NEGOTIATOR (Govt. Code §54957.6)

Negotiator: Lisa Murphy, Administrative Services Director
Employee Organizations: Capitola Police Officers Association, Capitola Police Captains, and Police Chief

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Govt. Code §54957)

1. City Council’s Performance Evaluation of the City Manager

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Govt. Code §54956.9)

1. Monterey Bay Confederation of Clubs, Steve Verhagen v. City of Santa Cruz, et al. [United States District Court, Northern District of California, Case No. 13-01231 PSG]

LIABILITY CLAIMS (Govt. Code §54956.95)

Claimant: Scott McCann
Agency claimed against: City of Capitola

Mayor Harlan noted that there was no one in the audience; therefore, the City Council recessed at 6:18 PM to the City Manager’s Office.

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

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

2. PRESENTATION

- A. Presentation of a Certificate of Appreciation to Sandra Williams for her service as the City of Capitola's representative on the Advisory Council to the Area Agency on Aging of the Santa Cruz and San Benito Counties from November 2007 through December 2012.

Item #: 9.A. Attach 1.pdf

3. REPORT ON CLOSED SESSION

Assistant City Attorney Condotti stated that the City Council discussed the Capitola Police Officers Association, Capitola Police Captains, and the Police Chief's labor negotiations; there was no reportable action. Council discussed the City Manager's performance evaluation; there was no reportable action. Mr. Condotti stated that Council discussed the Monterey Bay Confederation of Clubs, Steve Verhagen v. City of Santa Cruz, et al. existing litigation; there was no reportable action. He also stated that the Council discussed the tort claim from Scott McCann; there was no reportable action (this item is agendaized for the regular meeting this evening).

4. ADDITIONAL MATERIALS (none provided)

5. ADDITIONS AND DELETIONS TO AGENDA (none provided)

6. PUBLIC COMMENTS

Todd Guild, 1901A Courtyard Drive, stated concerns regarding a heritage redwood tree located adjacent to his property that might be affecting the structural integrity of his residence. He noted that the City had denied cutting down the tree on three occasions. He suggested that the City amend the municipal code to include a structural engineer to evaluate and report findings to the City regarding trees.

Peter Pethoe, Santa Cruz Hostel, suggested a hostel on the Rispin property.

Susan Wallace, Aptos resident, stated she opposes Wi-Fi due to radiation health effects.

Marilyn Garrett, Aptos resident, stated she opposes Wi-Fi.

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

Council Member Termini stated that the kiosk in the Esplanade was unveiled on August 7th; the August 6th National Night Out was a great event. He suggested that a larger US flag be installed at the Capitola pier.

Mayor Harlan announced that Ecology Action will be hosting free electric vehicle workshops. She stated that at a recent Santa Cruz County Sanitation District (SCSD) meeting she received information regarding a school program teaching children about living a earth-friendly life; the children are provided a book entitled "Journey for the Planet". She also stated that the SCSD reported on the purchase of signage for County sanitation trucks to encourage the public to not dispose grease down the drain.

City Manager Goldstein stated the Lower Pacific Cove Parking Lot Project needs to be rebid; therefore, the October 13th event to close the Esplanade to vehicle traffic is cancelled because the event was contingent upon completion of the Lower Pacific Cove Parking Lot.

8. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS (none provided)

9. CONSENT CALENDAR

Mayor Harlan requested that Item 9.E. regarding the Memorandum of Understanding with the Police Officers Association be pulled from the Consent.

A. Consider approving the City Council Minutes of the July 25, 2013, Regular City Council Meeting.

B. Receive Planning Commission Action Minutes for the Regular Meeting of August 1, 2013.

- C. Consider denying liability claim of Scott McCann in the amount of \$2,229.00 and forward to the City's liability insurance carrier.
- D. Consider approving a Contract Amendment for the Police Chief.
- E. Consider approving the Memorandum of Understanding (MOU) with the Police Officers Association.
- F. Consider authorizing the Finance Department to issue a request for proposals (RFP) for banking services.

ACTION **Motion made by Council Member Termini, seconded by Council Member Storey, to approve the following Consent Calendar items: 9.A.; 9.B.; 9.C.; 9.D.; and 9.F. The motion was passed unanimously.**

THE FOLLOWING CONSENT CALENDAR ITEM WAS PULLED FOR SEPARATE DISCUSSION:

- 9.E. Consider approving the Memorandum of Understanding (MOU) with the Police Officers Association.

ACTION **Motion made by Council Member Storey, seconded by Council Member Termini, to approve the Memorandum of Understanding with the Police Officers Association. The motion was passed unanimously.**

10. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Request for a Coastal Development Permit and a Vesting Tentative Map to allow the Surf and Sand Mobile Home Park to convert to an owner-occupied park.

Kim Tschantz, Cypress Environmental & Land Use Planning, stated that this item is regarding the conversion of the Surf and Sand Mobile Home Park (MHP) from space rentals to an owner-occupied park, and requires approval of a Subdivision Permit and a Coastal Development Permit.

Council Members shared concerns regarding infrastructure improvements being required prior to the conversion of the MHP.

Mark Alpert, Attorney (Hart, King & Coldren), provided a summary of the project. He stated that the proposed subdivision will not affect the current leases.

Robert Dewitt, Civil Engineer representing the applicant, provide an overview of the project regarding infrastructure.

Council Member Norton requested that all encroachments on the Union Pacific Railroad right-of-way corridor be removed as a condition of approval.

Sandy Williams, Surf and Sand Homeowners Association President, provided comments regarding the poor condition of the MHP's infrastructure.

Veronica Shepardson, local resident, stated her support in subdividing the property.

Item #: 9.A. Attach 1.pdf

Mark Alpert, Attorney, confirmed that all infrastructure improvements will be completed prior to sell of the lots. He stated that the DRE (Department of Real Estate) process requires that all information be disclosed to residents before they purchase the lots.

Michele Newbee, local resident, stated concerns regarding the poor appearance of the MHP.

ACTION

Motion made by Council Member Termini, seconded by Council Member Norton, to find the proposed project exempt from CEQA pursuant to CEQA Guidelines 15301; adopt Resolution No. 3962 for approval of the Vesting Tentative Map to subdivide APN 34-551-01 into 73 lots and 4 common owned lots; and approve the Coastal Development Permit for the conversion of Surf and Sand Mobile Home Park (MHP) from a rental MHP on a single parcel to an owner occupied MHP with each dwelling on a separate parcel; approval that the finding that the Mello Act does not apply to this project and is subject to the recommended conditions of approval with the addition of following conditions: (Condition No. 2) Nothing contained herein shall affect the validity of any existing lease between the applicant and any tenant who elects not to purchase their lot, nor shall this action be deemed to modify or otherwise affect the validity of any settlement agreement between City and applicant; (Condition No. 5) to include that prior to recordation of the Final Map staff will review the Convents, Conditions and Restrictions (CC&Rs) to ensure compliance with applicable laws and regulations; (Condition No. 8) Prior to listing any individual lot for sale with physical encroachments within the rail right-of-way, said encroachments shall be removed. The motion carried on the following vote: AYES: Council Member Norton, Council Member Storey, Council Member Termini, and Council Member Bottorff. NOES: Mayor Harlan. ABSENT: None. ABSTAIN: None.

11. COUNCIL COMMENTS

Council Member Termini asked the Assistant City Attorney Condotti to report back to Council regarding the State's smoking laws for rental unit (i.e. condominium and apartments).

11. ADJOURNMENT

Mayor Harlan adjourned the meeting at 9:15 PM to the next Regular Meeting of the City Council on Thursday, September 12, 2013, at 7:00 PM, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Stephanie Harlan, Mayor

ATTEST:

_____, CMC
Susan Sneddon, City Clerk



**ACTION SUMMARY MINUTES
CAPITOLA PLANNING COMMISSION**

**THURSDAY, SEPT. 5, 2013
7 P.M. CAPITOLA COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioners: Ron Graves, Gayle Ortiz, and TJ Welch and
Chairperson Mick Routh Absent: Commissioner Linda Smith

2. ORAL COMMUNICATIONS

- A. Additions and Deletions to Agenda
- B. Public Comments
- C. Commission Comments
- D. Staff Comments

3. APPROVAL OF MINUTES

- A. Aug. 1 , 2013, Regular Meeting Minutes

ACTION: Approved 4-0

4. CONSENT CALENDAR

No items.

5. PUBLIC HEARINGS

- A. **100 Central Avenue #11-136 APN:036-131-10**

Plan revisions to a previously approved design permit for a new two-story single-family dwelling in the R-1 (Single-Family Residence) Zoning District.
Property Owner: Jill Caskey & Bruce Yoxsimer, filed 12/15/11
Representative: Derek Van Alstine

ACTION: Continued 3-1

- B. **McGregor Drive #13-097 APN:036-341-02**

Design Permit for a 700-square-foot structure and a tree removal permit in the PF-VS (Public Facilities/Visitor Serving) Zoning District.
This project requires a Coastal Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.
Environmental Determination: Mitigated Negative Declaration
Property Owner: Soquel Creek Water District, filed 7/19/2013
Representative: Michael J. Wilson

ACTION: Approved 4-0

C. 410 Bay Avenue #13-102 APN: 036-062-35

Design Permit to construct a single-family dwelling in the RM-M (Multiple Family) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Gerry Jensen and Heather Haggerty, filed 7/29/2013

Representative: Gerry Jensen

ACTION: Approved 3-0, 1 abstention

D. 1855 41st Avenue, E-1 #13-105 APN: 034-261-37

Design Permit to remodel an existing storefront (Chili's restaurant) located in the CC (Community Commercial) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: The Macerich Company, filed: 08/02/2013

Representative: Roger Nelson

ACTION: Approved 4-0

6. DIRECTOR'S REPORT

7. COMMISSION COMMUNICATIONS

8. ADJOURNMENT

Adjourned at 8:21 p.m. to the next Planning Commission meeting Thursday, October 3, 2013, at 7 p.m. in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.



CITY COUNCIL AGENDA REPORT

MEETING OF SEPTEMBER 12, 2013

FROM: CITY MANAGER'S DEPARTMENT

SUBJECT: LIABILITY CLAIMS

RECOMMENDED ACTION: Deny liability claim and forward to the City's liability insurance carrier.

DISCUSSION:

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

1. CSAA Insurance Group; \$22,068.94

ATTACHMENTS: None

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

Reviewed and Forwarded
by City Manager: 

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CITY COUNCIL AGENDA REPORT

MEETING OF SEPTEMBER 12, 2013

FROM: CITY CLERK'S OFFICE

SUBJECT: RESOLUTION AMENDING THE CITY'S BAIL SCHEDULE TO ADD FINES
PURSUANT TO ADOPTED ORDINANCES

RECOMMENDED ACTION: Adopt the proposed Resolution repealing Resolution No. 3934 and amending the City of Capitola Bail Schedule (Schedule), and direct staff to forward the new Schedule to the Santa Cruz County Court.

BACKGROUND: Annual review and update of the Schedule is necessary to incorporate ordinances applicable in keeping the Schedule current and clearly defined for the Santa Cruz County Court database and for the City's Police Department in processing citations of Municipal Code offenders.

DISCUSSION: Below is a list of ordinances adopted regarding the City's Municipal Code sections that need to be included in the Schedule.¹ In addition to the incorporation of existing fees adopted by Resolution No. 3848 on December 9, 2010, regarding certain parking violations, the City Attorney and Chief of Police have recommended the proposed bails indicated in red, where the bail amounts were missing previously on the Schedule and/or just newly adopted.

1. Ordinance No. 182
13.04.050 Public sewage connection required for buildings intended for human habitation. \$ 500.00

2. Ordinance Nos. 728
5.32.030 Firearms license required. \$ 500.00

3. Ordinance No. 977
8.07.070 Reduction of single-use plastic and paper carryout bags:

1 st Offense (30 days or more after first warning.)	Not to exceed. \$ 100.00
2 nd Offense (60 days or more after first warning.)	Not to exceed. \$ 200.00
3 rd Offense (90 days or more after first warning.)	Not to exceed. \$ 500.00

4. Ordinance No. 979
9.20.015 Possession of firearms on city property or public property in the vicinity of a school prohibited. \$ 500.00

5. Ordinance No. 980
8.38.110 Businesses postings of signs that sell tobacco products required. \$ 50.00
8.38.112 Regulating the sale of tobacco products required. \$ 50.00

¹ These ordinances can be viewed online at <http://www.codepublishing.com/ca/capitola/> from the "Ordinance List and Disposition Table" located and listed last in the left column of the website.

6.	<u>Ordinance No. 985</u>	
	13.16.180 Failure to comply with storm water pollution prevention and protection:	
	1 st Offense	\$ 100.00
	2 nd Offense	\$ 200.00
	3 rd Offense	\$ 500.00
7.	<u>Ordinance No. 204</u>	
	10.36.020 Stopping or standing in parkways.	\$ 23.00
	10.36.040 No parking areas as posted.	\$ 41.00
	10.36.110 Parking adjacent to schools.	\$ 23.00
	10.36.120 Parking on narrow street: on or between white lines.	\$ 38.00
	10.36.130 Parking on grades: wheels not curbed.	\$ 38.00
	10.36.140 Peddler and vendor parking.	\$ 23.00
	10.36.150 Emergency parking signs.	\$ 30.00
	10.36.160 Disabled commercial vehicles: warning signals.	\$ 20.00
	10.36.210 Parallel parking 18 inches from curb: one-way streets.	\$ 38.00
	10.36.220 Diagonal parking.	\$ 31.00
	10.36.230 Parked out of space.	\$ 31.00
	10.36.240 No stopping zones.	\$ 23.00
	10.36.250 Taxicab stands.	\$ 23.00
	10.36.270 Heavy vehicles – use of streets.	\$ 30.00
	10.36.360 Stopping or standing or parking in alleys.	\$ 38.00
8.	<u>Ordinance No. 523</u>	
	12.48.050 Unauthorized vehicles prohibited on wharf.	\$ 108.00
9.	<u>Ordinance No. 551</u>	
	10.56.010 Maximum vehicle length.	\$ 73.00
10.	<u>Ordinance No. 587</u>	
	10.36.195 No parking weekends and holidays without permit.	\$ 48.00
11.	<u>Ordinance No. 588</u>	
	10.36.290 Parking restrictions authorized: two-hour parking	\$ 39.00
12.	<u>Ordinance No. 614</u>	
	10.10.36.170A Red zone.	\$ 43.00
	10.10.36.170C Passenger zone white curb.	\$ 41.00
	10.10.36.170D Green curb – 24 minutes.	\$ 41.00
13.	<u>Ordinance No. 664</u>	
	10.10.36.170B Yellow zone.	\$ 41.00
14.	<u>Ordinance No. 670</u>	
	10.36.280 Heavy vehicles – parking.	\$ 53.00
15.	<u>Ordinance No. 705</u>	
	10.36.010 Public parking permit required.	\$ 48.00
16.	<u>Ordinance No. 811</u>	
	10.36.380 Parking restrictions city – controlled off-street parking.	\$ 30.00

- 17. Ordinance No. 837
10.36.045 Expired meter zone. \$ 36.00

- 18. Ordinance No. 931
10.36.070 Storage of vehicle on street +72 hours:
 - 1st Offense \$ 73.00
 - 2nd Offense \$ 98.00
 - 3rd Offense \$ 128.00


It is important to note that the amounts listed on the Schedule are "Base Bail" amounts. In accordance with state law requirements the Santa Cruz Superior Court adds additional assessments to that amount. With the added assessments, the amount of the fine actually paid by the cited offender increases.

FISCAL IMPACT: The fiscal impact for the new violations is unknown at this time.

ATTACHMENTS:

- 1. Draft Resolution
- 2. Draft Bail Schedule - Exhibit A to Resolution
- 3. Resolution No. 3934 (Current Bail Schedule)
- 4. Resolution No. 3848

Report Prepared by: Michele Deiter, CMC
Records Coordinator

**Reviewed and Forwarded
By City Manager:** 

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RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
REPEALING RESOLUTION NO. 3934 AND ADOPTING
A NEW BAIL SCHEDULE FOR THE CITY OF CAPITOLA**

WHEREAS, the City Council of the City of Capitola adopted Resolution No. 3934 amending the City's Bail Schedule on September 13, 2012; and

WHEREAS, the City Council has adopted Ordinances which require inclusion of fines and changes to existing fines from its last adoption of the City's Bail Schedule in 2012; and

WHEREAS, the City of Capitola determines the fines for violating the Capitola Municipal Code; and

WHEREAS, staff has conducted a thorough review of the City's Bail Schedule and has determined and recommends City Council approval of the proposed additions and corrections presented to the City Council at its meeting of September 12, 2013.

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

1. Resolution No. 3934 is hereby repealed in its entirety.
2. The City of Capitola Bail Schedule, attached hereto as Exhibit A, is hereby approved.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Capitola on the 12th day of September, 2013, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Stephanie Harlan, Mayor

ATTEST:

_____, CMC
Susan Sneddon, City Clerk

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RESOLUTION NO.

DRAFT
EXHIBIT A
CITY OF CAPITOLA BAIL SCHEDULE

<u>Code Section</u>	<u>Violation Description</u>	<u>Base Bail</u>	
1.40.020	CAMPAIGN CONTRIBUTION LIMITATIONS VIOLATION	\$ 250.00	
3.34.040	FAILURE BY MOBILEHOME PARK OWNER TO SUBMIT RESIDENT LIST	\$ 50.00	
4.04.010	VIOLATION OR FAILURE TO COMPLY WITH CODE PROVISIONS:	\$ 1,000.00	Not to exceed.
	1ST OFFENSE	\$ 100.00	
	2ND OFFENSE	\$ 200.00	
	3RD OFFENSE	\$ 500.00	
5.06.030	PEDDLING OR SOLICITING WITHOUT A BUSINESS LICENSE IS PROHIBITED	\$ 75.00	
5.06.040	PEDDLING, SOLICITING, OR CANVASSING UPON PREMISES WHERE "NO SOLICITORS" ARE INDICATED IS PROHIBITED	\$ 75.00	
5.06.050	PEDDLING, SOLICITING, OR CANVASSING OUTSIDE OF DESIGNATED HOURS ARE PROHIBITED	\$ 75.00	
5.08.230A	VALID TAXICAB OWNER'S PERMIT REQUIRED	\$ 40.00	
5.08.230B	VALID TAXICAB OWNER'S DRIVER'S PERMIT REQUIRED	\$ 40.00	
5.14.040	FAILURE TO REGISTER SECURITY ALARM SYSTEM	\$ 100.00	
5.14.090	FALSE ALARM FINES:		
	THREE (3) OR FOUR (4) FALSE ALARMS IN ANY CALENDAR YEAR	\$ 100.00	
	FIVE (5) FALSE ALARMS IN ANY CALENDAR YEAR	\$ 150.00	
	SIX (6) OR MORE FALSE ALARMS IN ANY CALENDAR YEAR	\$ 200.00	
5.24.020	ENTERTAINMENT PERMIT REQUIRED	\$ 110.00	
5.24.090	ENTERTAINMENT PERMITS - VIOLATION OF PERMIT CONDITIONS	\$ 110.00	
5.32.030	FIREARMS LICENSE REQUIRED	\$ 500.00	ord. #728
5.40.020	VENDING MACHINE SALES OF TOBACCO PRODUCTS ARE PROHIBITED	\$ 75.00	
5.40.030	VENDING MACHINE SALES OF TOBACCO PRODUCTS ARE ALLOWED ONLY IF MACHINES ARE TOKEN OPERATED	\$ 250.00	
5.40.040	VENDOR-ASSISTED SALE OF TOBACCO PRODUCTS IS REQUIRED	\$ 250.00	
6.08.020	INTERFERENCE WITH POUNDMASTER	\$ 100.00	
6.08.120	FAILURE OR REFUSAL TO STATE TRUE NAME/EVIDENCE OF RABIES VACCINATION/LICENSE	\$ 50.00	
6.12.030	VICIOUS/DANGEROUS ANIMALS	\$ 50.00	
6.14.010	DOG LICENSE REQUIRED	\$ 30.00	
6.14.020	DISPLAY DOG LICENSE REQUIRED	\$ 25.00	
6.14.040	VACCINATION REQUIRED	\$ 40.00	
6.14.130	NUMBER OF FEMALE DOG KEPT IN ONE PLACE	\$ 20.00	
6.14.200	DOGS IN PUBLIC PLACES - PROHIBITED LOCATIONS	\$ 40.00	
6.14.215	FAILURE OF OWNER TO PICK UP AFTER DOG DEFECATING	\$ 25.00	
6.14.380	ANIMALS DOGS DEFECATING IN PUBLIC PROHIBITED	\$ 30.00	
6.14.310	DOGS AT LARGE PROHIBITED	\$ 35.00	
6.14.320	LEASH REQUIRED FOR DOGS OFF PREMISES	\$ 30.00	
6.14.330	SAFETY OF ANIMALS IN MOTOR VEHICLES REQUIRED	\$ 60.00	
6.14.340	SAFETY OF ANIMALS IN PARKED VEHICLES REQUIRED	\$ 60.00	
6.14.380	ANIMALS DEFECATING ON PUBLIC/PRIVATE PROPERTY PROHIBITED	\$ 30.00	
6.14.390	ANIMAL NOISE NUISANCE	\$ 30.00	
6.14.400	DOGS THREATENING OR INJURING PERSONS PROHIBITED	\$ 100.00	
6.14.410	DOMESTICATED ANIMAL KILLING OR INJURING OTHER DOMESTICATED ANIMALS	\$ 100.00	
6.14.420	PROHIBITION OF LIVESTOCK OR WILD ANIMALS TO BE AT LARGE	\$ 30.00	
6.14.430	PROHIBITION AGAINST DOGS THREATENING OR INJURING WILD GAME OR LIVESTOCK	\$ 100.00	
6.14.440	DOGS THREATENING OR INJURING PERSONS PROHIBITED	\$ 100.00	
6.14.445	POSSESSION OF WILD ANIMAL SPECIES PROHIBITED	\$ 110.00	
6.14.455	USE OF STEEL-JAWED LEG-HOLD TRAPS PROHIBITED	\$ 110.00	
6.14.590	DUTY TO REPORT ANIMAL BITES REQUIRED	\$ 50.00	

DRAFT
EXHIBIT A
CITY OF CAPITOLA BAIL SCHEDULE

<u>Code Section</u>	<u>Violation Description</u>	<u>Base Bail</u>	
6.16.030	MANDATORY SPAYING/NEUTERING	\$ 110.00	
6.16.040	CARE OF FERAL CATS PROHIBITED WITHOUT SIGNED STATEMENT	\$ 50.00	
6.18.060	PERMIT FOR WILD ANIMALS REQUIRED	\$ 110.00	
6.18.070	KEEPING DISEASED ANIMALS PROHIBITED	\$ 50.00	
6.18.100	PLACEMENT OF DEAD ANIMALS IN PUBLIC PLACES PROHIBITED	\$ 20.00	
6.18.120	WILLFUL INJURY TO WILDLIFE PROHIBITED	\$ 30.00	
6.20.020	FEEDING WATERFOWL/PIGEONS IN RESTRICTED AREA PROHIBITED	\$ 60.00	
6.20.030	SELLING WATERFOWL/PIGEONS PROHIBITED	\$ 60.00	
6.20.040	RELEASING WATERFOWL/PIGEONS IN RESTRICTED AREA PROHIBITED	\$ 30.00	
6.24.010	FEEDING WILD RODENTS AND VERMIN PROHIBITED	\$ 30.00	
8.04.020	ACCUMULATION OF REFUSE - PUBLIC/PRIVATE PROPERTY	\$ 30.00	
8.04.040	ACCUMULATION OF COMMERCIAL GARBAGE	\$ 100.00	
8.04.050	PLACE, DEPOSIT, KEEP, BURY ANY GARBAGE ON, IN, OR UNDER ANY PREMISES	\$ 100.00	
8.04.060	ACCUMULATION OF GARBAGE IN PUBLIC	\$ 50.00	
8.04.070	GARBAGE CONTAINERS OUT OF PUBLIC VIEW ON NON-COLLECTION DAYS	\$ 50.00	
8.04.068	MANDATORY GARBAGE SERVICE	\$ 50.00	
8.04.080		\$ 250.00	
	HAULING OF TRASH BY ANY PERSON, FIRM, OR CORPORATION BESIDES THOSE DESIGNATED BY THE CITY TO BE EXCEPTIONS IS PROHIBITED.		
8.04.120	UNAUTHORIZED USE OF DUMPSTER	\$ 100.00	
8.06.035	RECYCLING REQUIRED	\$ 50.00	
8.06.050	RECYCABLE WASTE MATERIAL - UNAUTHORIZED COLLECTION	\$ 50.00	
8.07.070	REDUCTION OF SINGLE-USE PLASTIC AND PAPER CARRYOUT BAGS		ord. #977
	1ST OFFENSE (30 days or more after first warning.)	\$ 100.00	Not to exceed.
	2ND OFFENSE (60 days or more after first warning.)	\$ 200.00	Not to exceed.
	3RD OFFENSE (90 days or more after first warning.)	\$ 500.00	Not to exceed.
8.20.010	POWER BOATS PROHIBITED ON SOQUEL CREEK	\$ 100.00	
8.24.290	WATER WELL VIOLATION	\$ 100.00	
8.36.030	PROHIBITED FOOD SERVICE WARE:		
	1ST OFFENSE	\$ 100.00	
	2ND OFFENSE	\$ 200.00	
	3RD/FUTURE OFFENSE	\$ 300.00	
8.36.035	PROHIBITED RETAIL SALES OF POLYSTYRENE FOAM PRODUCTS:		
	1ST OFFENSE	\$ 100.00	
	2ND OFFENSE	\$ 200.00	
	3RD/FUTURE OFFENSE	\$ 300.00	
8.36.040	REQUIRED BIODEGRADABLE AND COMPOSTABLE DISPOSABLE FOOD SERVICE WARE:		
	1ST OFFENSE	\$ 100.00	
	2ND OFFENSE	\$ 200.00	
	3RD/FUTURE OFFENSE	\$ 300.00	
8.38.050	PROHIBITION OF SMOKING IN INDOOR PUBLIC PLACES	\$ 30.00	
8.38.055	PROHIBITION OF SMOKING IN OUTDOOR PUBLIC PLACES	\$ 30.00	
8.38.110	BUSINESSES' POSTINGS OF SIGNS THAT SELL TOBACCO PRODUCTS REQUIRED	\$ 50.00	ord. #980
8.38.112	REGULATING THE SALE OF TOBACCO PRODUCTS REQUIRED	\$ 50.00	ord. #980
8.38.130A	OWNER/MANAGER FAILURE TO COMPLY WITH SMOKING PROVISIONS	\$ 50.00	
8.38.130B	SMOKING IN AREA WHERE SMOKING PROHIBITED	\$ 30.00	
8.46.030	BOAT MOORING	\$ 60.00	
8.60.020	GRAFFITI PROHIBITED	\$ 50.00	
8.60.050	DISPLAYING AEROSOL SPRAY PAINT CONTAINERS AND MARKER PENS IN ANY AREA ACCESSIBLE TO THE PUBLIC WITHOUT EMPLOYEE ASSISTANCE IS PROHIBITED.	\$ 250.00	

RESOLUTION NO.

DRAFT
EXHIBIT A
CITY OF CAPITOLA BAIL SCHEDULE

<u>Code Section</u>	<u>Violation Description</u>	<u>Base Bail</u>
8.64.060	ANY VIOLATION OF ORDERS OR DIRECTIVES FOR WATER SPORTS AND EQUIPMENT IS PROHIBITED.	\$ 100.00
8.68.010	ANY TRANSFERRING OF OWNERSHIP OF A FIREARM WITHOUT AN EFFECTIVE TRIGGER LOCK AND PRINTED MATERIAL ADVISING SAFE STORAGE PRACTICES IS PROHIBITED	\$ 250.00
9.04.030	PUBLIC NUDITY	\$ 75.00
9.10.010	REMAINING ON BUSINESS PROPERTY AFTER REQUESTED TO LEAVE:	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 250.00
9.12.010	NOISE PROHIBITED, 10PM TO 8AM	\$ 110.00
9.12.015A	MECHANICAL SWEEPERS, PARKING LOT VACUUM MACHINES, AND LEAF BLOWERS ON NON-RESIDENTIAL PRIVATE PROPERTY PROHIBITED BETWEEN 11 PM TO 7 AM	\$ 50.00
9.12.015B	MECHANICAL SWEEPERS, PARKING LOT VACUUM MACHINES, AND LEAF BLOWERS ON RESIDENTIAL PRIVATE PROPERTY PROHIBITED WEEKDAYS BETWEEN 5 PM AND 8 AM AND WEEKENDS BETWEEN 4 PM AND 10 AM	\$ 50.00
9.12.015C	LEAF BLOWERS IN EXCESS OF 65 dBA PROHIBITED	\$ 50.00
9.12.015D	UNLAWFUL TO CAUSE LEAVES OR DEBRIS FROM LEAF BLOWER OPERATIONS TO BE BLOWN OR DEPOSITED ON OTHER PROPERTY	\$ 50.00
9.12.040	AMPLIFIED SOUND WITHOUT A PERMIT	\$ 100.00
9.12.070	SOUND AMPLIFICATION PERMITS - VIOLATION OF PERMIT CONDITIONS	\$ 100.00
9.20.010	DISCHARGING FIREARMS	\$ 250.00
9.20.015	POSSESSION OF FIREARMS ON CITY PROPERTY OR PUBLIC PROPERTY IN THE VICINITY OF A SCHOOL PROHIBITED	\$ 500.00 ord. # 979
9.22.050	ANY DISPLAY OR TRANSFER OF OWNERSHIP OF A FIREARM ON THE SATURDAY NIGHT SPECIALS LIST IS PROHIBITED	\$ 250.00
9.24.010	UNLAWFUL SALE OF FIREWORKS	\$ 500.00
9.24.020	UNLAWFUL DISCHARGE OF FIREWORKS	\$ 500.00
9.28.010	NO VEHICLES ON BEACH	\$ 100.00
9.28.020	ILLEGAL CAMPING ON BEACH	\$ 50.00
9.28.030	NO OPEN FIRES ON BEACHES	\$ 50.00
9.30.030	VIOLATION OF SURF SCHOOL REGULATIONS:	
	1ST OFFENSE	\$ 50.00
	2ND OFFENSE	\$ 100.00
	3RD OFFENSE	\$ 250.00
9.32.030	ALCOHOL CONSUMPTION/OPEN CONTAINERS PROHIBITED ON STREET, PARK, SCHOOL GROUNDS, BEACH	\$ 50.00
9.34.010	PUBLIC URINATION / DEFECATION PROHIBITED	\$ 50.00
9.48.020	CAMPING PROHIBITED	\$ 50.00
10.04.030	PERSONS OTHER THAN OFFICIALS NOT TO DIRECT TRAFFIC	\$ 50.00
10.04.040	OBEDIENCE TO POLICE OR OTHER AUTHORIZED OFFICERS	\$ 100.00
10.04.070	BICYCLES PROHIBITED ON SIDEWALKS	\$ 30.00
10.04.080	OPERATION OF DEVICES ON SIDEWALKS	\$ 30.00
10.04.100	OBSTRUCTION OR INTERFERENCE/ERASED CHALK MARKS	\$ 70.00
10.28.010	DRIVING THROUGH FUNERAL PROCESSION	\$ 50.00
10.28.020	CLINGING TO MOVING VEHICLES	\$ 50.00
10.28.030	COMMERCIAL VEHICLES USING PRIVATE DRIVEWAYS	\$ 50.00
10.28.040	RIDING OR DRIVING ON SIDEWALK	\$ 50.00
10.28.050	NEW PAVEMENT MARKINGS	\$ 30.00
10.28.060	LIMITED ACCESS	\$ 30.00
10.28.070	RESTRICTIONS ON USE OF FREEWAYS	\$ 30.00
10.28.080	OBEDIENCE TO BARRIERS AND SIGNS	\$ 50.00
10.28.090	OBSTRUCTING INTERSECTION OR CROSSWALK	\$ 50.00
10.28.100	TRAFFIC BARRIERS	\$ 50.00
10.32.020	PEDESTRIANS MUST USE CROSSWALKS BUSINESS DISTRICT	\$ 30.00
10.36.010	PARKING PERMIT REQUIRED	\$ 48.00 ord. #705
10.36.020	STOPPING OR STANDING IN PARKWAYS	\$ 23.00 ord. #204

DRAFT
EXHIBIT A
CITY OF CAPITOLA BAIL SCHEDULE

<u>Code Section</u>	<u>Violation Description</u>	<u>Base Bail</u>
10.36.040	NO PARKING AREAS AS POSTED	\$ 41.00 ord. #204
10.36.045	EXPIRED METER ZONE	\$ 36.00 ord. #837
10.36.045	PARKING WITHIN A METER ZONE WITHOUT PAYING IS AN INFRACTION	\$ 25.00
10.36.060	CITY HALL PARKING LOT USE: ONE-HOUR AND PERMIT PARKING	\$ 23.00 ord. #614
10.36.065	PARKING METER TAMPERING PROHIBITED	\$ 100.00
10.36.070	STORAGE OF VEHICLE ON STREET +72 HOURS:	
	1ST OFFENSE	\$ 73.00
	2ND OFFENSE	\$ 98.00
	3RD OFFENSE	\$ 128.00
10.36.070A	PARKING A VEHICLE ON A STREET OR ALLEY FOR MORE THAN 72 CONSECUTIVE HOURS IS PROHIBITED	\$ 65.00
10.36.070B	STORAGE OF COMMERCIAL VEHICLE ON PUBLIC STREET	
10.36.070B	1ST OFFENSE	\$ 50.00
10.36.070B	2ND OFFENSE	\$ 100.00
10.36.090	REPAIRING VEHICLE ON PUBLIC STREET	\$ 50.00
10.36.110	PARKING ADJACENT TO SCHOOLS	\$ 23.00 ord. #204
10.36.120	PARKING ON NARROW STREET: ON OR BETWEEN WHITE LINES	\$ 38.00 ord. #204
10.36.130	PARKING ON GRADES: WHEELS NOT CURBED	\$ 38.00 ord. #204
10.36.140	PEDDLER AND VENDOR PARKING	\$ 23.00 ord. #204
10.36.140B	VENDOR LICENSE REQUIRED	\$ 50.00
10.36.150	EMERGENCY PARKING SIGNS	\$ 30.00 ord. #204
10.36.160	DISABLED COMMERCIAL VEHICLES: WARNING SIGNALS	\$ 20.00 ord. #204
10.36.170A	RED ZONE	\$ 43.00 ord. #614
10.36.170B	YELLOW ZONE	\$ 41.00 ord. #664
10.36.170C	PASSENGER ZONE WHITE CURB	\$ 41.00 ord. #614
10.36.170D	GREEN CURB - 24 MINUTES	\$ 41.00 ord. #614
10.36.180	PARKING OF TALL VEHICLES WITHIN 100 FT OF AN INTERSECTION:	
10.36.180	1ST OFFENSE	\$ 50.00
10.36.180	2ND OFFENSE	\$ 100.00
10.36.195	NO PARKING WEEKENDS AND HOLIDAYS WITHOUT PERMIT	\$ 48.00 ord. #587
10.36.210	PARALLEL PARKING 18 INCHES FROM CURB: ONE-WAY STREETS	\$ 38.00 ord. #204
10.36.220	DIAGONAL PARKING	\$ 31.00 ord. #204
10.36.230	PARKED OUT OF SPACE	\$ 31.00 ord. #204
10.36.240	NO STOPPING ZONES	\$ 23.00 ord. #204
10.36.250	TAXICAB STANDS	\$ 23.00 ord. #204
10.36.270	HEAVY VEHICLES - USE OF STREETS	\$ 30.00 ord. #204
10.36.280	HEAVY VEHICLES - PARKING	\$ 53.00 ord. #670
10.36.290	PARKING RESTRICTIONS AUTHORIZED: TWO-HOUR PARKING	\$ 39.00 ord. #588
10.36.360	STOPPING OR STANDING OR PARKING IN ALLEYS	\$ 38.00 ord. #204
10.36.380	PARKING RESTRICTIONS CITY-CONTROLLED OFF-STREET PARKING	\$ 30.00 ord. #811
10.44.010	BICYCLE LICENSE REQUIRED	\$ 25.00
10.44.040	BICYCLE SECONDHAND DEALER REPORT REQUIRED	\$ 100.00
10.44.050	BICYCLE SALE REPORT REQUIRED	\$ 100.00
10.44.060	BICYCLE LICENSE PLATE OR SERIAL NUMBER DESTRUCTION	\$ 100.00
10.48.010	TRUCK ROUTES	\$ 50.00
10.48.020	ADVERTISING VEHICLES WITH SOUND AMPLIFYING LOUDSPEAKER	\$ 50.00
10.48.040	COMMERCIAL VEHICLES PROHIBITED FROM STREETS	\$ 50.00
10.56.010	MAXIMUM VEHICLE LENGTH	\$ 73.00 ord. #551
12.12.110	PERMITS ARE REQUIRED FOR ANY WORK DONE TO A HERITAGE TREE, DISREGARDING MAINTENANCE TRIMMING	\$250/\$1,000
12.12.120	ANY DESTRUCTION VISITED UPON ANY PUBLIC TREE, OR DESTRUCTION TO A PRIVATE TREE THAT COULD SUBSEQUENTLY HARM A PUBLIC TREE WITHOUT FIRST OBTAINING A PERMIT IS PROHIBITED	\$250/\$1,000
12.12.130	FAILURE TO PROTECT OR MAINTAIN TREES ON CONSTRUCTION/DEMOLITION SITES IS A VIOLATION	\$250/\$1,000
12.12.160	CUTTING OR REMOVAL OF TREES IN THE CITY WITHOUT A TREE REMOVAL PERMIT IS PROHIBITED	\$250/\$1,000
12.12.270	VIOLATION OF COMMUNITY TREE / FOREST MANAGEMNT ORDINANCE	TREE REPLACE- MENT VALUE

RESOLUTION NO.

DRAFT
EXHIBIT A
CITY OF CAPITOLA BAIL SCHEDULE

<u>Code Section</u>	<u>Violation Description</u>	<u>Base Bail</u>
12.42.010	DEPOT HILL BLUFF - PROHIBITION AGAINST GRADING, DISTURBING, ERECTING ANY STRUCTURE, MINING OR EXTRACTING MATERIALS: 1ST OFFENSE IN A 12-MONTH PERIOD	\$ 100.00
	2ND OFFENSE IN A 12-MONTH PERIOD	\$ 250.00
	3RD OFFENSE IN A 12-MONTH PERIOD	\$ 500.00
12.44.010	PROHIBITION LIMITING BOATS ON CAPITOLA BEACH DURING WORKING HOURS	\$ 50.00
12.48.010	DOGS PROHIBITED ON WHARF	\$ 50.00
12.48.020	DIVING AND JUMPING FROM WHARF PROHIBITED	\$ 50.00
12.48.030	TYING BOATS TO WHARF PROHIBITED	\$ 50.00
12.48.040	OVERHEAD CASTING FROM WHARF PROHIBITED	\$ 30.00
12.48.050	UNAUTHORIZED VEHICLES PROHIBITED ON WHARF	\$ 108.00 ord. #523
12.48.060	BURNING ON WHARF PROHIBITED	\$ 50.00
12.48.070	TRESPASSING ON WHARF WHILE CLOSED PROHIBITED	\$ 50.00
12.48.090	JET SKIING, CAPITOLA BEACH	\$ 50.00
12.48.110	POWER BOAT, CAPITOLA BEACH	\$ 50.00
12.48.120	30 MINUTE FLOATING DOCK LIMIT	\$ 30.00
12.48.130	PRIVATE VOLLEYBALL NETS ON BEACH PROHIBITED DURING THE SUMMER PERIOD	\$ 30.00
12.48.140	GLASS CONTAINERS AND ALCOHOLIC BEVERAGE CONTAINERS LARGER THAN ONE GALLON PROHIBITED ON PUBLIC BEACH	\$ 30.00
12.52.010	SKATEBOARDING IS PROHIBITED IN (NEARLY ALL OF) ESPLANADE /CAPITOLA VILLAGE AREA	\$ 30.00
12.52.010A	SKATEBOARDING PROHIBITED ON SIDEWALKS OR CURBS	\$ 30.00
12.52.010B	SKATEBOARDING PROHIBITED - ESPLANADE PARK/RESTROOMS	\$ 30.00
12.52.010C	SKATEBOARDING PROHIBITED - PACIFIC COVE MOBILEHOME PARK AND PACIFIC COVE PARKING LOT	\$ 30.00
12.52.010D	SKATEBOARDING PROHIBITED - SIDEWALKS OF CERTAIN STREETS LOCATED IN CAPITOLA VILLAGE	\$ 30.00
12.52.010E	SKATEBOARDING PROHIBITED - SIDEWALKS OF CERTAIN STREETS LOCATED IN CAPITOLA VILLAGE	\$ 30.00
12.52.020	SKATEBOARDING PROHIBITED IN ANY AREAS NOT INCLUDED IN SECTION 12.52.010 IF ONE OR MORE SIGNS IS POSTED PROHIBITING SKATEBOARDING	\$ 30.00
12.52.030A	SKATEBOARDING - STOP AT ALL STOP SIGNS/RED LIGHTS	\$ 30.00
12.52.030B	SKATEBOARDING - YIELD TO VEHICLES AT YIELD SIGNS	\$ 30.00
12.52.030C	SKATEBOARDING - YIELD TO PEDESTRIANS AT CROSSWALKS	\$ 30.00
12.52.030D	SKATEBOARDING - DO NOT IMPEDE TRAFFIC OR INTERFERE WITH THE FLOW OF VEHICULAR TRAFFIC	\$ 30.00
12.52.030E	SKATEBOARDING - YIELD TO APPROACHING VEHICLES WHEN ENTERING ANY ROADWAY	\$ 30.00
12.52.030F	SKATEBOARDING - DO NOT BE TOWED BY A MOTOR VEHICLE OF ANY SPEED OR A BICYCLE AT ANY UNSAFE SPEED	\$ 50.00
12.52.030G	SKATEBOARDING - YIELD BICYCLE LANES TO BICYCLES	\$ 30.00
12.52.030H	SKATEBOARDING - DO NOT TRAVEL INTO PATH OF A CLOSE VEHICLE CONSTITUTING AN IMMEDIATE HAZARD	\$ 30.00
12.52.030I	SKATEBOARDING WITH DUE CARE AT A SAFE SPEED VIOLATION	\$ 50.00
12.52.040	WHEN SKATEBOARDING ON SIDEWALKS THAT ARE NOT PROHIBITED, SKATEBOARDERS MUST YIELD TO ALL PEDESTRIANS AND PROCEED WITH CARE WHEN NEAR PEDESTRIANS	\$ 30.00
12.56.010	ENCROACHMENT WITHOUT PERMIT	\$ 100.00
12.56.090	INSTALLING PRIVATE IMPROVEMENTS OR OBSTRUCTIONS IN ANY PUBLIC RIGHT-OF-WAY IS PROHIBITED, BARRING THE SPECIFIED EXCEPTIONS	\$ 100.00
12.58.030	ENTERING OR REMAINING ON POSTED PROPERTY WITHOUT WRITTEN PERMISSION OF CITY MANAGER 1ST OFFENSE IN A 12-MONTH PERIOD	\$ 100.00
	2ND OFFENSE IN A 12-MONTH PERIOD	\$ 200.00
	3RD OFFENSE IN A 12-MONTH PERIOD	\$ 500.00
12.64.020	DISPLAY OR SALE OF MERCHANDISE PROHIBITED	\$ 50.00
13.02.090	FAILURE TO COMPLY WITH PLUMBING FIXTURE RETROFIT REQUIREMENTS IS PROHIBITED	\$ 100.00

DRAFT
EXHIBIT A
CITY OF CAPITOLA BAIL SCHEDULE

<u>Code Section</u>	<u>Violation Description</u>	<u>Base Bail</u>
13.04.050	PUBLIC SEWAGE CONNECTION REQUIRED FOR BUILDINGS INTENDED FOR HUMAN HABITATION	\$ 500.00 ord. #182
13.16.180	VIOLETION OR FAILURE TO COMPLY WITH STORM WATER POLLUTION PREVENTION AND PROTECTION ORDINANCE MAY BE SUBJECT TO ENFORCEMENT ACTIONS OUTLINED IN TITLE 4	
	1ST OFFENSE	\$ 100.00 ord. #985
	2ND OFFENSE	\$ 200.00
	3RD OFFENSE	\$ 500.00
15.04.020	BUILDING CODE VIOLATIONS	\$ 100.00
15.12.010	ILLEGAL USE OF MOBILEHOME	\$ 50.00
15.14.010	TRANSPORTING A MOBILEHOME ACROSS PUBLIC STREETS/ALLEYS WITHOUT A PERMIT IS PROHIBITED	\$ 250.00
15.14.020	APPLICATION TO TRANSPORT A MOBILEHOME, FILED 3 DAYS PRIOR TO ANTICIPATED TRANSPORTATION IS REQUIRED	\$ 250.00
15.14.030	MOBILEHOME: A FIFTY DOLLAR PERMIT FEE IS REQUIRED	\$ 250.00
15.14.040	ALLOWING A MOBILEHOME TO STAND ON A PUBLIC STREET/ALLEY FOR MORE THAN 12 HOURS IS PROHIBITED	\$ 250.00
17.21.060	CONDITIONAL USE PERMIT - AS PROVIDED IN 17.60.020	\$ 60.00 Duplication - delete
17.54.070	ERECTING FENCE WITHOUT A PERMIT	\$ 100.00
17.57.020	PERMIT REQUIRED FOR SIGN	\$ 100.00
17.57.040	SIGN PROHIBITED VIOLATION	\$ 100.00
17.57.050	TEMPORARY SIGN VIOLATION	\$ 100.00
17.57.060	CENTRAL VILLAGE SIGN VIOLATION	\$ 100.00
17.57.070	PERMANENT SIGN VIOALTION	\$ 100.00
17.60.020	FAILURE TO OBTAIN CONDITIONAL USE PERMIT	\$ 100.00
17.81.060	ANIMAL OFFENSIVE OR ENDANGER TO NEIGHBORS	\$ 100.00
17.81.060B	NUMBER OF ANIMALS ALLOWED IN SINGLE-FAMILY DWELLING	\$ 100.00
17.81.110	ACCESSORY STRUCTURE WITHOUT A PERMIT	\$ 100.00
17.81.140	DISH ANTENNAE PROHIBITED	\$ 80.00
17.98.080	WIRELESS COMMUNICATION FACILITIES ARE PROHIBITED WITHIN 500 FEET OF SPECIFIED ZONING DISTRICTS (FAMILY RESIDENCE, SCHOOLS, PARKS AND OPEN SPACE, PUBLIC FACILITIES, ETC.) AND WITHIN 3,000 FEET OF COASTLINE	\$ 250.00

RESOLUTION NO. 3934

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
REPEALING RESOLUTION NO. 3719 AND ADOPTING
A NEW BAIL SCHEDULE FOR THE CITY OF CAPITOLA

WHEREAS, the City Council of the City of Capitola adopted Resolution No. 3719 amending the City's Bail Schedule on September 11, 2008; and

WHEREAS, the City Council has adopted several Ordinances which require inclusion of new fines and changes to existing fines since the adoption of the City's Bail Schedule in 2008; and

WHEREAS, the City of Capitola determines the fines for violating the Capitola Municipal Code; and

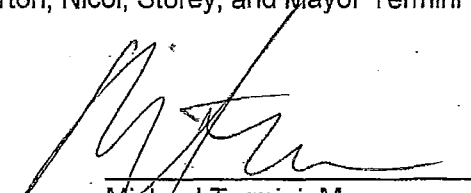
WHEREAS, staff has conducted a thorough review of the City's Bail Schedule and has determined and recommends City Council approval of the proposed additions and corrections presented to the City Council at its meeting of September 13, 2012.

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

1. Resolution No. 3719 is hereby repealed in its entirety.
2. The City of Capitola Bail Schedule, attached hereto as Exhibit A, is hereby approved.

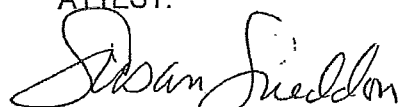
I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Capitola on the 13th day of September, 2012, by the following vote:

AYES:	Council Members Harlan, Norton, Nicol, Storey, and Mayor Termini
NOES:	None
ABSENT:	None
ABSTAIN:	None



Michael Termini, Mayor

ATTEST:



Susan Sneddon, City Clerk

RESOLUTION NO. 3934

7841

EXHIBIT A
CITY OF CAPITOLA BAIL SCHEDULE

<u>Violation Section</u>	<u>Violation Description</u>	<u>Base Bail</u>
1.40.020	CAMPAIGN CONTRIBUTION LIMITATIONS VIOLATION	\$ 250.00
3.34.040	FAILURE BY MOBILEHOME PARK OWNER TO SUBMIT RESIDENT LIST	\$ 50.00
4.04.010	VIOLATION OR FAILURE TO COMPLY WITH CODE PROVISIONS:	\$ 1,000.00
4.04.010	1ST OFFENSE	\$ 100.00
4.04.010	2ND OFFENSE	\$ 200.00
4.04.010	3RD OFFENSE	\$ 500.00
5.06.030	PEDDLING OR SOLICITING WITHOUT A BUSINESS LICENSE IS PROHIBITED	\$ 75.00
5.06.040	PEDDLING, SOLICITING, OR CANVASSING UPON PREMISES WHERE "NO SOLICITORS" ARE INDICATED IS PROHIBITED	\$ 75.00
5.06.050	PEDDLING, SOLICITING, OR CANVASSING OUTSIDE OF DESIGNATED HOURS ARE PROHIBITED	\$ 75.00
5.08.230A	VALID TAXICAB OWNER'S PERMIT REQUIRED	\$ 40.00
5.08.230B	VALID TAXICAB OWNER'S DRIVER'S PERMIT REQUIRED	\$ 40.00
5.14.040	FAILURE TO REGISTER SECURITY ALARM SYSTEM	\$ 100.00
5.14.090	FALSE ALARM FINES:	
5.14.090	THREE (3) OR FOUR (4) FALSE ALARMS IN ANY CALENDAR YEAR	\$ 100.00
5.14.090	FIVE (5) FALSE ALARMS IN ANY CALENDAR YEAR	\$ 150.00
5.14.090	SIX (6) OR MORE FALSE ALARMS IN ANY CALENDAR YEAR	\$ 200.00
5.24.020	ENTERTAINMENT PERMIT REQUIRED	\$ 110.00
5.24.090	ENTERTAINMENT PERMITS - VIOLATION OF PERMIT CONDITIONS	\$ 110.00
5.40.020	VENDING MACHINE SALES OF TOBACCO PRODUCTS ARE PROHIBITED	\$ 75.00
5.40.030	VENDING MACHINE SALES OF TOBACCO PRODUCTS ARE ALLOWED ONLY IF MACHINES ARE TOKEN OPERATED	\$ 250.00
5.40.040	VENDOR-ASSISTED SALE OF TOBACCO PRODUCTS IS REQUIRED	\$ 250.00
6.08.020	INTERFERENCE WITH POUNDMASTER	\$ 100.00
6.08.120	FAILURE OR REFUSAL TO STATE TRUE NAME/EVIDENCE OF RABIES VACCINATION/LICENSE	\$ 50.00
6.12.030	VICIOUS/DANGEROUS ANIMALS	\$ 50.00
6.14.010	DOG LICENSE REQUIRED	\$ 30.00
6.14.020	DISPLAY DOG LICENSE REQUIRED	\$ 25.00
6.14.040	VACCINATION REQUIRED	\$ 40.00
6.14.130	NUMBER OF FEMALE DOG KEPT IN ONE PLACE	\$ 20.00
6.14.200	DOGS IN PUBLIC PLACES - PROHIBITED LOCATIONS	\$ 40.00
6.14.215	FAILURE OF OWNER TO PICK UP AFTER DOG DEFECATING	\$ 25.00
6.14.380	ANIMALS DOGS DEFECATING IN PUBLIC PROHIBITED	\$ 30.00
6.14.310	DOGS AT LARGE PROHIBITED	\$ 35.00
6.14.320	LEASH REQUIRED FOR DOGS OFF PREMISES	\$ 30.00
6.14.330	SAFETY OF ANIMALS IN MOTOR VEHICLES REQUIRED	\$ 60.00
6.14.340	SAFETY OF ANIMALS IN PARKED VEHICLES REQUIRED	\$ 60.00
6.14.380	ANIMALS DEFECATING ON PUBLIC/PRIVATE PROPERTY PROHIBITED	\$ 30.00
6.14.390	ANIMAL NOISE NUISANCE	\$ 30.00
6.14.400	DOGS THREATENING OR INJURING PERSONS PROHIBITED	\$ 100.00
6.14.410	DOMESTICATED ANIMAL KILLING OR INJURING OTHER DOMESTICATED ANIMALS	\$ 100.00
6.14.420	PROHIBITION OF LIVESTOCK OR WILD ANIMALS TO BE AT LARGE	\$ 30.00
6.14.430	PROHIBITION AGAINST DOGS THREATENING OR INJURING WILD GAME OR LIVESTOCK	\$ 100.00
6.14.440	DOGS THREATENING OR INJURING PERSONS PROHIBITED	\$ 100.00
6.14.445	POSSESSION OF WILD ANIMAL SPECIES PROHIBITED	\$ 110.00
6.14.455	USE OF STEEL-JAWED LEG-HOLD TRAPS PROHIBITED	\$ 110.00
6.14.590	DUTY TO REPORT ANIMAL BITES REQUIRED	\$ 50.00
6.16.030	MANDATORY SPAYING/NEUTERING	\$ 110.00
6.16.040	CARE OF FERAL CATS PROHIBITED WITHOUT SIGNED STATEMENT	\$ 50.00
6.18.060	PERMIT FOR WILD ANIMALS REQUIRED	\$ 110.00
6.18.070	KEEPING DISEASED ANIMALS PROHIBITED	\$ 50.00
6.18.100	PLACEMENT OF DEAD ANIMALS IN PUBLIC PLACES PROHIBITED	\$ 20.00
6.18.120	WILLFUL INJURY TO WILDLIFE PROHIBITED	\$ 30.00
6.20.020	FEEDING WATERFOWL/PIGEONS IN RESTRICTED AREA PROHIBITED	\$ 60.00
6.20.030	SELLING WATERFOWL/PIGEONS PROHIBITED	\$ 60.00
6.20.040	RELEASING WATERFOWL/PIGEONS IN RESTRICTED AREA PROHIBITED	\$ 30.00
6.24.010	FEEDING WILD RODENTS AND VERMIN PROHIBITED	\$ 30.00

7842

RESOLUTION NO. 3934

EXHIBIT A
CITY OF CAPITOLA BAIL SCHEDULE

<u>Violation Section</u>	<u>Violation Description</u>	<u>Base Bail</u>
8.04.020	ACCUMULATION OF REFUSE - PUBLIC/PRIVATE PROPERTY	\$ 30.00
8.04.040	ACCUMULATION OF COMMERCIAL GARBAGE	\$ 100.00
8.04.050	PLACE, DEPOSIT, KEEP, BURY ANY GARBAGE ON, IN, OR UNDER ANY PREMISES	\$ 100.00
8.04.060	ACCUMULATION OF GARBAGE IN PUBLIC	\$ 50.00
8.04.070	GARBAGE CONTAINERS OUT OF PUBLIC VIEW ON NON-COLLECTION DAYS	\$ 50.00
8.04.068	MANDATORY GARBAGE SERVICE	\$ 50.00
8.04.080	HAULING OF TRASH BY ANY PERSON, FIRM, OR CORPORATION BESIDES THOSE DESIGNATED BY THE CITY TO BE EXCEPTIONS IS PROHIBITED.	\$ 250.00
8.04.120	UNAUTHORIZED USE OF DUMPSTER	\$ 100.00
8.06.035	RECYCLING REQUIRED	\$ 50.00
8.06.050	RECYCABLE WASTE MATERIAL - UNAUTHORIZED COLLECTION	\$ 50.00
8.20.010	POWER BOATS PROHIBITED ON SOQUEL CREEK	\$ 100.00
8.24.290	WATER WELL VIOLATION	\$ 100.00
8.36.030	PROHIBITED FOOD SERVICE WARE	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD/FUTURE OFFENSE	\$ 300.00
8.36.035	PROHIBITED RETAIL SALES OF POLYSTYRENE FOAM PRODUCTS	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD/FUTURE OFFENSE	\$ 300.00
8.36.040	REQUIRED BIODEGRADABLE AND COMPOSTABLE DISPOSABLE FOOD SERVICE WARE	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD/FUTURE OFFENSE	\$ 300.00
8.38.050	PROHIBITION OF SMOKING IN INDOOR PUBLIC PLACES	\$ 30.00
8.38.055	PROHIBITION OF SMOKING IN OUTDOOR PUBLIC PLACES	\$ 30.00
8.38.130A	OWNER/MANAGER FAILURE TO COMPLY WITH SMOKING PROVISIONS	\$ 50.00
8.38.130B	SMOKING IN AREA WHERE SMOKING PROHIBITED	\$ 30.00
8.46.030	BOAT MOORING	\$ 60.00
8.60.020	GRAFFITI PROHIBITED	\$ 500.00
8.60.050	DISPLAYING AEROSOL SPRAY PAINT CONTAINERS AND MARKER PENS IN ANY AREA ACCESSIBLE TO THE PUBLIC WITHOUT EMPLOYEE ASSISTANCE IS PROHIBITED.	\$ 250.00
8.64.060	ANY VIOLATION OF ORDERS OR DIRECTIVES FOR WATER SPORTS AND EQUIPMENT IS PROHIBITED.	\$ 100.00
8.88.010	ANY TRANSFERRING OF OWNERSHIP OF A FIREARM WITHOUT AN EFFECTIVE TRIGGER LOCK AND PRINTED MATERIAL ADVISING SAFE STORAGE PRACTICES IS PROHIBITED	\$ 250.00
9.04.030	PUBLIC NUDITY	\$ 75.00
9.10.010	REMAINING ON BUSINESS PROPERTY AFTER REQUESTED TO LEAVE	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 250.00
9.12.010	NOISE PROHIBITED, 10PM TO 8AM	\$ 110.00
9.12.015A	MECHANICAL SWEEPERS, PARKING LOT VACUUM MACHINES, AND LEAF BLOWERS ON NON-RESIDENTIAL PRIVATE PROPERTY PROHIBITED BETWEEN 11 PM TO 7 AM	\$ 50.00
9.12.015B	MECHANICAL SWEEPERS, PARKING LOT VACUUM MACHINES, AND LEAF BLOWERS ON RESIDENTIAL PRIVATE PROPERTY PROHIBITED WEEKDAYS BETWEEN 5 PM AND 8 AM AND WEEKENDS BETWEEN 4 PM AND 10 AM	\$ 50.00
9.12.015C	LEAF BLOWERS IN EXCESS OF 65 dBA PROHIBITED	\$ 50.00
9.12.015D	UNLAWFUL TO CAUSE LEAVES OR DEBRIS FROM LEAF BLOWER OPERATIONS TO BE BLOWN OR DEPOSITED ON OTHER PROPERTY	\$ 50.00
9.12.040	AMPLIFIED SOUND WITHOUT A PERMIT	\$ 100.00
9.12.070	SOUND AMPLIFICATION PERMITS - VIOLATION OF PERMIT CONDITIONS	\$ 100.00
9.20.010	DISCHARGING FIREARMS	\$ 250.00
9.22.050	ANY DISPLAY OR TRANSFER OF OWNERSHIP OF A FIREARM ON THE SATURDAY NIGHT SPECIALS LIST IS PROHIBITED	\$ 250.00
9.24.010	UNLAWFUL SALE OF FIREWORKS	\$ 500.00
9.24.020	UNLAWFUL DISCHARGE OF FIREWORKS	\$ 500.00

RESOLUTION NO. 3934

7843

EXHIBIT A
CITY OF CAPITOLA BAIL SCHEDULE

<u>Violation Section</u>	<u>Violation Description</u>	<u>Base Bail</u>
9.28.010	NO VEHICLES ON BEACH	\$ 100.00
9.28.020	ILLEGAL CAMPING ON BEACH	\$ 50.00
9.28.030	NO OPEN FIRES ON BEACHES	\$ 50.00
9.30.030	VIOLATION OF SURF SCHOOL REGULATIONS - 1ST OFFENSE	\$ 50.00
9.30.030	VIOLATION OF SURF SCHOOL REGULATIONS - 2ND OFFENSE	\$ 100.00
9.30.030	VIOLATION OF SURF SCHOOL REGULATIONS - 3RD OFFENSE	\$ 250.00
9.32.030	ALCOHOL CONSUMPTION/OPEN CONTAINERS PROHIBITED ON STREET, PARK, SCHOOL GROUNDS, BEACH	\$ 50.00
9.34.010	PUBLIC URINATION / DEFECATION PROHIBITED	\$ 50.00
9.48.020	CAMPING PROHIBITED	\$ 50.00
10.04.030	PERSONS OTHER THAN OFFICIALS NOT TO DIRECT TRAFFIC	\$ 50.00
10.04.040	OBEDIENCE TO POLICE OR OTHER AUTHORIZED OFFICERS	\$ 100.00
10.04.070	BICYCLES PROHIBITED ON SIDEWALKS	\$ 30.00
10.04.080	OPERATION OF DEVICES ON SIDEWALKS	\$ 30.00
10.04.100	OBSTRUCTION OR INTERFERENCE/ERASED CHALK MARKS	\$ 70.00
10.28.010	DRIVING THROUGH FUNERAL PROCESSION	\$ 50.00
10.28.020	CLINGING TO MOVING VEHICLES	\$ 50.00
10.28.030	COMMERCIAL VEHICLES USING PRIVATE DRIVEWAYS	\$ 50.00
10.28.040	RIDING OR DRIVING ON SIDEWALK	\$ 50.00
10.28.050	NEW PAVEMENT MARKINGS	\$ 30.00
10.28.060	LIMITED ACCESS	\$ 30.00
10.28.070	RESTRICTIONS ON USE OF FREEWAYS	\$ 30.00
10.28.080	OBEDIENCE TO BARRIERS AND SIGNS	\$ 50.00
10.28.090	OBSTRUCTING INTERSECTION OR CROSSWALK	\$ 50.00
10.28.100	TRAFFIC BARRIERS	\$ 50.00
10.32.020	PEDESTRIANS MUST USE CROSSWALKS BUSINESS DISTRICT	\$ 30.00
10.36.045	PARKING WITHIN A METER ZONE WITHOUT PAYING IS AN INFRACTION	\$ 25.00
10.36.065	PARKING METER TAMPERING PROHIBITED	\$ 100.00
10.36.070A	PARKING A VEHICLE ON A STREET OR ALLEY FOR MORE THAN 72 CONSECUTIVE HOURS IS PROHIBITED	\$ 65.00
10.36.070B	STORAGE OF COMMERCIAL VEHICLE ON PUBLIC STREET	
10.36.070B	1ST OFFENSE	\$ 50.00
10.36.070B	2ND OFFENSE	\$ 100.00
10.36.090	REPAIRING VEHICLE ON PUBLIC STREET	\$ 50.00
10.36.140B	VENDOR LICENSE REQUIRED	\$ 50.00
10.36.180	PARKING OF TALL VEHICLES WITHIN 100 FT OF AN INTERSECTION	
10.36.180	1ST OFFENSE	\$ 50.00
10.36.180	2ND OFFENSE	\$ 100.00
10.44.010	BICYCLE LICENSE REQUIRED	\$ 25.00
10.44.040	BICYCLE SECONDHAND DEALER REPORT REQUIRED	\$ 100.00
10.44.050	BICYCLE SALE REPORT REQUIRED	\$ 100.00
10.44.060	BICYCLE LICENSE PLATE OR SERIAL NUMBER DESTRUCTION	\$ 100.00
10.48.010	TRUCK ROUTES	\$ 50.00
10.48.020	ADVERTISING VEHICLES WITH SOUND AMPLIFYING LOUDSPEAKER	\$ 50.00
10.48.040	COMMERCIAL VEHICLES PROHIBITED FROM STREETS	\$ 50.00
10.56.010	MAXIMUM VEHICULAR LENGTH	\$ 30.00
12.12.110	PERMITS ARE REQUIRED FOR ANY WORK DONE TO A HERITAGE TREE, DISREGARDING MAINTENANCE TRIMMING	\$250/\$1,000
12.12.120	ANY DESTRUCTION VISITED UPON ANY PUBLIC TREE, OR DESTRUCTION TO A PRIVATE TREE THAT COULD SUBSEQUENTLY HARM A PUBLIC TREE WITHOUT FIRST OBTAINING A PERMIT IS PROHIBITED	\$250/\$1,000
12.12.130	FAILURE TO PROTECT OR MAINTAIN TREES ON CONSTRUCTION/DEMOLITION SITES IS A VIOLATION	\$250/\$1,000
12.12.160	CUTTING OR REMOVAL OF TREES IN THE CITY WITHOUT A TREE REMOVAL PERMIT IS PROHIBITED	\$250/\$1,000
12.12.270	VIOLATION OF COMMUNITY TREE / FOREST MANAGEMNT ORDINANCE	TREE REPLACEMENT VALUE
12.42.010	DEPOT HILL BLUFF - PROHIBITION AGAINST GRADING, DISTURBING, ERECTING ANY STRUCTURE, MINING OR EXTRACTING MATERIALS	
	1ST OFFENSE IN A 12-MONTH PERIOD	\$ 100.00
	2ND OFFENSE IN A 12-MONTH PERIOD	\$ 250.00
	3RD OFFENSE IN A 12-MONTH PERIOD	\$ 500.00

7844

RESOLUTION NO. 3934

EXHIBIT A
CITY OF CAPITOLA BAIL SCHEDULE

<u>Violation Section</u>	<u>Violation Description</u>	<u>Base Bail</u>
12.44.010	PROHIBITION LIMITING BOATS ON CAPITOLA BEACH DURING WORKING HOURS	\$ 50.00
12.48.010	DOGS PROHIBITED ON WHARF	\$ 50.00
12.48.020	DIVING AND JUMPING FROM WHARF PROHIBITED	\$ 50.00
12.48.030	TYING BOATS TO WHARF PROHIBITED	\$ 50.00
12.48.040	OVERHEAD CASTING FROM WHARF PROHIBITED	\$ 30.00
12.48.060	BURNING ON WHARF PROHIBITED	\$ 50.00
12.48.070	TRESPASSING ON WHARF WHILE CLOSED PROHIBITED	\$ 50.00
12.48.090	JET SKIING, CAPITOLA BEACH	\$ 50.00
12.48.110	POWER BOAT, CAPITOLA BEACH	\$ 50.00
12.48.120	30 MINUTE FLOATING DOCK LIMIT	\$ 30.00
12.48.130	PRIVATE VOLLEYBALL NETS ON BEACH PROHIBITED DURING THE SUMMER PERIOD	\$ 30.00
12.48.140	GLASS CONTAINERS AND ALCOHOLIC BEVERAGE CONTAINERS LARGER THAN ONE GALLON PROHIBITED ON PUBLIC BEACH	\$ 30.00
12.52.010	SKATEBOARDING IS PROHIBITED IN (NEARLY ALL OF) ESPLANADE /CAPITOLA VILLAGE AREA	\$ 30.00
12.52.010A	SKATEBOARDING PROHIBITED ON SIDEWALKS OR CURBS	\$ 30.00
12.52.010B	SKATEBOARDING PROHIBITED - ESPLANADE PARK/RESTROOMS	\$ 30.00
12.52.010C	SKATEBOARDING PROHIBITED - PACIFIC COVE MOBILEHOME PARK AND PACIFIC COVE PARKING LOT	\$ 30.00
12.52.010D	SKATEBOARDING PROHIBITED - SIDEWALKS OF CERTAIN STREETS LOCATED IN CAPITOLA VILLAGE	\$ 30.00
12.52.010E	SKATEBOARDING PROHIBITED - SIDEWALKS OF CERTAIN STREETS LOCATED IN CAPITOLA VILLAGE	\$ 30.00
12.52.020	SKATEBOARDING PROHIBITED IN ANY AREAS NOT INCLUDED IN SECTION 12.52.010 IF ONE OR MORE SIGNS IS POSTED PROHIBITING SKATEBOARDING	\$ 30.00
12.52.030A	SKATEBOARDING - STOP AT ALL STOP SIGNS/RED LIGHTS	\$ 30.00
12.52.030B	SKATEBOARDING - YIELD TO VEHICLES AT YIELD SIGNS	\$ 30.00
12.52.030C	SKATEBOARDING - YIELD TO PEDESTRIANS AT CROSSWALKS	\$ 30.00
12.52.030D	SKATEBOARDING - DO NOT IMPEDE TRAFFIC OR INTERFERE WITH THE FLOW OF VEHICULAR TRAFFIC	\$ 30.00
12.52.030E	SKATEBOARDING - YIELD TO APPROACHING VEHICLES WHEN ENTERING ANY ROADWAY	\$ 30.00
12.52.030F	SKATEBOARDING - DO NOT BE TOWED BY A MOTOR VEHICLE OF ANY SPEED OR A BICYCLE AT ANY UNSAFE SPEED	\$ 50.00
12.52.030G	SKATEBOARDING - YIELD BICYCLE LANES TO BICYCLES	\$ 30.00
12.52.030H	SKATEBOARDING - DO NOT TRAVEL INTO PATH OF A CLOSE VEHICLE CONSTITUTING AN IMMEDIATE HAZARD	\$ 30.00
12.52.030I	SKATEBOARDING WITH DUE CARE AT A SAFE SPEED VIOLATION	\$ 50.00
12.52.040	WHEN SKATEBOARDING ON SIDEWALKS THAT ARE NOT PROHIBITED, SKATEBOARDERS MUST YIELD TO ALL PEDESTRIANS AND PROCEED WITH CARE WHEN NEAR PEDESTRIANS	\$ 30.00
12.56.010	ENCROACHMENT WITHOUT PERMIT	\$ 100.00
12.56.090	INSTALLING PRIVATE IMPROVEMENTS OR OBSTRUCTIONS IN ANY PUBLIC RIGHT-OF-WAY IS PROHIBITED, BARRING THE SPECIFIED EXCEPTIONS	\$ 100.00
12.58.030	ENTERING OR REMAINING ON POSTED PROPERTY WITHOUT WRITTEN PERMISSION OF CITY MANAGER	
	1ST OFFENSE IN A 12-MONTH PERIOD	\$ 100.00
	2ND OFFENSE IN A 12-MONTH PERIOD	\$ 200.00
	3RD OFFENSE IN A 12-MONTH PERIOD	\$ 500.00
12.64.020	DISPLAY OR SALE OF MERCHANDISE PROHIBITED	\$ 50.00
13.02.090	FAILURE TO COMPLY WITH PLUMBING FIXTURE RETROFIT REQUIREMENTS IS PROHIBITED	\$ 100.00
15.04.020	BUILDING CODE VIOLATIONS	\$ 100.00
15.12.010	ILLEGAL USE OF MOBILEHOME	\$ 50.00
15.14.010	TRANSPORTING A MOBILEHOME ACROSS PUBLIC STREETS/ALLEYS WITHOUT A PERMIT IS PROHIBITED	\$ 250.00
15.14.020	APPLICATION TO TRANSPORT A MOBILEHOME, FILED 3 DAYS PRIOR TO ANTICIPATED TRANSPORTATION IS REQUIRED	\$ 250.00
15.14.030	MOBILEHOME: A FIFTY DOLLAR PERMIT FEE IS REQUIRED	\$ 250.00
15.14.040	ALLOWING A MOBILEHOME TO STAND ON A PUBLIC STREET/ALLEY FOR MORE THAN 12 HOURS IS PROHIBITED	\$ 250.00
17.21.060	CONDITIONAL USE	\$ 60.00
17.54.070	ERECTING FENCE WITHOUT A PERMIT	\$ 100.00

RESOLUTION NO. 3934

7845

EXHIBIT A
CITY OF CAPITOLA BAIL SCHEDULE

<u>Violation Section</u>	<u>Violation Description</u>	<u>Base Bail</u>
17.57.020	PERMIT REQUIRED FOR SIGN	\$ 100.00
17.57.040	SIGN PROHIBITED VIOLATION	\$ 100.00
17.57.050	TEMPORARY SIGN VIOLATION	\$ 100.00
17.57.060	CENTRAL VILLAGE SIGN VIOLATION	\$ 100.00
17.57.070	PERMANENT SIGN VIOALTION	\$ 100.00
17.60.020	FAILURE TO OBTAIN CONDITIONAL USE PERMIT	\$ 100.00
17.81.060	ANIMAL OFFENSIVE OR ENDANGER TO NEIGHBORS	\$ 100.00
17.81.060B	NUMBER OF ANIMALS ALLOWED IN SINGLE-FAMILY DWELLING	\$ 100.00
17.81.110	ACCESSORY STRUCTURE WITHOUT A PERMIT	\$ 100.00
17.81.140	DISH ANTENNAE PROHIBITED	\$ 80.00
17.98.080	WIRELESS COMMUNICATION FACILITIES ARE PROHIBITED WITHIN 500 FEET OF SPECIFIED ZONING DISTRICTS (FAMILY RESIDENCE, SCHOOLS, PARKS AND OPEN SPACE, PUBLIC FACILITIES, ETC.) AND WITHIN 3,000 FEET OF COASTLINE	\$ 250.00

7591

RESOLUTION NO. 3848

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
 REPEALING RESOLUTION NO. 3744 AND REVISING THE CITY'S
 PARKING PENALTIES TO REFLECT STATE MANDATED SURCHARGES
 FOR CERTAIN PARKING VIOLATIONS

WHEREAS, State law provides in Vehicle Code Section 40203.5 that cities establish the amount of parking penalties; and

WHEREAS, on March 26, 2009, the City Council adopted Resolution No. 3744 repealing the prior parking penalty resolution and establishing parking penalties for the City of Capitola; and

WHEREAS, State law authorizes the City to recover administrative fees, process service fees, fees and collection costs related to civil debt collection, late payment penalties and other related charges; and

WHEREAS, the Governor of California has signed Senate Bill 857 increasing the amount of parking penalties paid to the State by \$3.00 beginning December 7, 2010; and

WHEREAS, this State mandated cost to the City would amount to an estimated \$31,203 per year; and

WHEREAS, the City faces an ongoing operating deficit and in order to cover this increased State cost for future parking violations must increase its parking fines by \$3.00 per parking offense to reduce current and future budget needs; and

WHEREAS, it is necessary to amend the City's current parking penalty resolutions in order to reflect the current State mandated surcharge for parking violations.

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

1. Resolution No. 3744 is hereby repealed in its entirety.
2. The City of Capitola hereby establishes parking penalties for parking violations, late payment penalties, administrative fees and other charges as set forth in Exhibit A, attached hereto and incorporated herein.

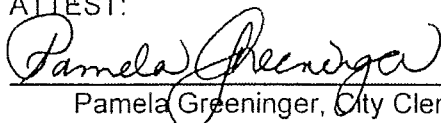
I HEREBY CERTIFY that the above and foregoing resolution was passed and adopted by the City Council of the City of Capitola at its regular meeting held on the 9th day of December, 2010, by the following vote:

AYES: Council Members Harlan, Termini, Nicol, Storey, and Mayor Norton
 NOES: None
 ABSENT: None
 ABSTAIN: None



 Dennis Norton, Mayor

ATTEST:


 _____, MMC
 Pamela Greeninger, City Clerk

7592

Exhibit A

Resolution No. 3848

Capitola Municipal Codes:**Fine**

10.36.020	Stopping or Standing in Parkways	23.00
10.36.040	No Parking Areas as Posted	41.00
10.36.045	Expired Meter	36.00
10.36.060	City Hall Parking Lot Use: One-hour and Permit Parking	23.00
10.36.070	Storage of Vehicle on Street +72 hours (1st Offense)	73.00
10.36.070	Storage of Vehicle on Street +72 hours (2nd Offense)	98.00
10.36.070	Storage of Vehicle on Street +72 hours (3rd and Subsequent Offense)	128.00
10.36.110	Parking Adjacent to Schools	23.00
10.36.120	Parking on Narrow Streets: On or between White Lines	38.00
10.36.130	Parking on grades: Wheels not Curbed	38.00
10.36.140	Peddler and Vendor Parking	23.00
10.36.150	Emergency Parking Signs	30.00
10.36.160	Disabled Commercial Vehicles: Warning Signals	20.00
10.36.170 A	Red Zone	43.00
10.36.170 B	Yellow Zone	41.00
10.36.170 C	Passenger Zone White Curb	41.00
10.36.170 D	Green Curb – 24 Minutes	41.00
10.36.195	No Parking Weekends & Holidays without Permit	48.00
10.36.210	Parallel Parking 18 inches from Curb: One-way streets	38.00
10.36.220	Diagonal Parking	31.00
10.36.230	Parked out of Space	31.00
10.36.240	No Stopping Zones	23.00
10.36.250	Taxicab Stands	23.00
10.36.270	Heavy Vehicles – Use of Streets	30.00
10.36.280	Heavy Vehicles - Parking	53.00
10.36.290	Parking Restrictions Authorized: Two-hour parking	39.00
10.36.360	Stopping, Standing or Parking in Alleys	38.00
10.36.380	Parking Restrictions: City-controlled Off-Street Parking	30.00
10.56.010	Maximum Vehicle Length	73.00
12.48.050	Unauthorized Vehicles Prohibited on Wharf	108.00

Late Payment Penalties – Late Payment Penalties shall be as set forth in the City's contract with parking citation processor approved by the City Council.

Other Charges:

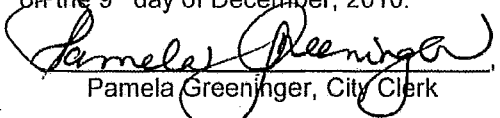
Civil debt collections and process serving at actual cost.

Administrative fee retained by the State of California Department of Motor Vehicles for each unpaid citation referred to that agency for collection.

California Vehicle Code Parking Violations:		<u>Fine</u>
5200	2 Plates Required	25.00
5201	Plates Securely Fastened	25.00
5202	Plates on Proper Vehicle	25.00
5204 (a)	No Current Registration Tab	25.00
5352	Trailer Coach Registration Required	25.00
21113 (a)	No Parking on Public Grounds	35.00
22500 (a)	No Parking in Intersection	30.00
22500 (b)	No Parking in Crosswalk	33.00
22500 (e)	No parking in Driveway	30.00
22500 (f)	No parking on Sidewalk	33.00
22500 (h)	Double Parked	30.00
22500 (i)	No parking in Bus Zone *	255.00
22500 (k)	No Parking on Bridge	43.00
22500.1	No Parking in Fire Lane	145.00
22502 (a)	Parked within 18 inches of Curb	43.00
22502 (e)	Parked within 18 inches of Curb: One-way Street	43.00
22507.8 (a)	Disabled Parking Regulations *	380.00
22507.8 (b)	Obstructing Disabled Space *	380.00
22507.8 (c)(1)	Parked on Crosshatches *	380.00
22507.8 (c)(2)	Disabled Parking Lines Marking Boundaries *	380.00
22514	Parked within 15 feet of Fire Hydrant	58.00
22515 (a) (b)	Unattended Vehicle with Engine Running	35.00
22520	No stopping on freeway	35.00
22521	Parked within 7.5 feet of Railroad Track	35.00
22522	Parked within 3 feet of Disabled Access *	375.00
22526 (a) (b)	Anti-gridlock - Keep Intersection Clear	50.00
27465 (b)	Proper Tread Depth	25.00

* Penalties set by State

This is to certify that the above and foregoing is a true and correct copy of Resolution No. 3848 passed and adopted by the Capitola City Council on the 9th day of December, 2010.


Pamela Greeninger, City Clerk, MMC

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CITY COUNCIL AGENDA REPORT

MEETING OF SEPTEMBER 12, 2013

FROM: CITY MANAGER DEPARTMENT

SUBJECT: CONSIDER APPOINTING A CITY TREASURER TO SERVE UNTIL DECEMBER 2016

RECOMMENDED ACTION: Appoint a City Treasurer to fill a vacancy for the remaining term of the former Treasurer ending in December 2016; or

BACKGROUND/DISCUSSION: On July 10, 2013, the elected City Treasurer announced her resignation, effective July 15, 2013. Pursuant to Government Code § 36512(b) the Council shall, within 60 days from the commencement of the vacancy (September 13, 2013), either fill the vacancy by appointment or call a special election. The person appointed/elected to fill a vacancy holds office for the unexpired term of the former incumbent (December 2016).

At the July 25, 2013, City Council meeting the Council provided direction to advertise for prospective applicants to apply to fill the vacancy for the remaining term. Council also directed staff to prepare the documents necessary to elect a new Treasurer so a final decision regarding how to fill the vacancy could be made at the September 12, 2013, City Council meeting.

Staff has advertised for the Treasurer appointment by placing a notice in display cases and on the scroll, and posted the notice and application on the City's website. At the close of the application period, August 30, 2013, the City received 1 application.

At the July 25th hearing, City Council also requested staff to provide information regarding how many other cities have elected City Treasurers, and for staff to review the advantages and disadvantages of an elected versus appointed Treasurer.

Option 1 - Appointment by City Council

Staff recommends the City Council appoint the new Treasurer to ensure a qualified individual serves in the role, and to avoid costs associated with holding a special election. Staff recommends the City Council review the attached application to make an appointment [Attachment 1]. This recommendation is supported by the City's Finance Advisory Committee, who reviewed the options to fill the vacancy at their August meeting and unanimously supported appointing a qualified applicant to the position.

Option 2 - Voters to Elect Treasurer

As another option the Council may order an election in 2014 for the voters to select a Treasurer. Attached is a draft Resolution requesting the County Elections Department conduct an election at either the June 3, 2014 (Primary Election); or the November 4, 2014 (Consolidated General Municipal Election) for the voters to elect a Treasurer [Attachment 2].

If the Council decides to hold an election to fill the vacancy staff recommends that it be placed on the November 4, 2014, ballot to minimize the City's election costs. If Council decides on a June 3, 2014, special election, the cost is estimated at \$41,300.

Item #: 10.A. Staff Report.pdf

9-12-13 AGENDA REPORT: City Treasurer Vacancy

Should the City Have an Elected Treasurer?

State law requires a general law city, like Capitola, to have either an elected or appointed Treasurer. The only qualifications in state law for the elected Treasurer are that the individual is over 18 years of age, a registered voter and resident in the City. Switching from an elected Treasurer to an appointed Treasurer requires voter approval.

Staff compiled data by surveying cities around the state to ascertain which cities have appointed/elected Treasurers. The result was that 264 of 403 incorporated cities in California (65%) have appointed Treasurers and 35% have elected Treasurers (currently 478 incorporated cities in California). The overall trend statewide has been that many cities have shifted from elected Treasurers to appointed Treasurers due to the increased complexity in government financial management, the high level of oversight by external auditors, and financial reporting requirements.

Staff contacted local jurisdictions to see if they have an elected/appointed Treasurer:¹

- City of Scotts Valley appoints the City Manager/Finance Director as Treasurer;
- City of Watsonville appoints the Administrative Services Director as Treasurer;
- The County of Santa Cruz County currently has an elected Treasurer; however upon the incumbent's retirement the position will be consolidated with the Auditor-Controller position. The County Auditor-Controller is an elected position, which is fully benefited and compensated at a rate commensurate with other County department heads.

Some believe a publicly elected Treasurer provides additional oversight and increased accountability for the City. However there are several reasons this may not necessarily be the case.

For example, the responsibilities of a Treasurer are important and simply being a registered voter in Capitola does not necessarily qualify an individual for the highly complex role and responsibilities involving government accounting, financial markets, investment policies, risk mitigation, and records management. By some measure, if a Treasurer has limited understanding of City finances it may actually decrease transparency in that it may be less evident to the public how governmental financial decisions are made.

In addition, Capitola has a long history of citizen engagement and public oversight by the City's Finance Advisory Committee (FAC). The FAC is comprised of elected officials and community members that publically discuss and make recommendations regarding financial matters.

Should the City Council wish to consider transitioning the Treasurer from an elected to an appointed position during the City's November 4, 2014 election, the Council would need to adopt a Resolution to request such an election prior to July 13, 2014. The FAC has offered to study the option of transitioning to an appointed Treasurer and make a recommendation if so directed by the City Council.

FISCAL IMPACT: There are no direct fiscal impacts if the City Council appoints a Treasurer, or adds an item to the November 4, 2014 (Consolidated General Municipal Election). If the Council decides to hold a special election at the June 3, 2014 (Primary Election), the estimated cost is \$41,300.

ATTACHMENTS:

1. Application for appointment;
2. Draft Resolution requesting an election to elect a Treasurer;
3. GC §41001-41007.

Report Prepared By: Susan Sneddon, CMC
City Clerk

Reviewed and Forwarded
By City Manager: 

¹ City of Santa Cruz is a charter city and does not have a City Treasurer.



RECEIVED
JUL 31 2013
CITY OF CAPITOLA

CITY of CAPITOLA CITY TREASURER APPLICATION

Name: McBroom Christine Renee
Last First M.I.

Telephone: 831-247-7285 831-476-7300
Home Business Cell

E-mail Address: cmcbroom@lanaitfinancialsolutions.com

Physical Address of Residence: 627 Gilroy Dr Capitola, Ca 95010

Mailing Address: same

Business Address: 1500 41st Ave Suite 262 Capitola, Ca 95010

Occupation: Financial Advisor

Are you a resident of the City of Capitola? Yes No

Are you a registered vote of the City of Capitola? Yes No

Describe your qualifications and interest to serve as City Treasurer: designation
Series 7, Series 66 licensed as well as AAMS designation
Asset Accredited Asset Management Specialist. Experience
with balance sheets as well as served as a member
of the Finance Committee for about 3yrs. Chair of
the finance committee for the past 2yrs. 000 to KA

(Use additional paper, if necessary)

Please Note: Appointment to this position will 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. In addition, you would also be required to complete on-line ethics training pursuant to AB 1234.

7/31/13
Date

Cat R McB
Signature of Applicant

APPLICATION DEADLINE: Friday, August 30, 2013

Mail or Deliver Application to:
Capitola City Hall
Attn: City Clerk

420 Capitola Avenue, Capitola, CA 95010

For questions please call the City Clerk at (831) 475-7300

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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, _____, 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 city for 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 the statewide election, the city shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections office, 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, at it is to appear on the ballot. Upon such request, the board of supervisors may order the consolidation; and

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 _____, 2014.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Capitola hereby orders an election be called and consolidated with any and all elections also called to be held on _____, 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 hereby requests the Board of Supervisors of the County of Santa Cruz to order such consolidation under Elections Code Sections 10401 and 10403.

BE IT FURTHER RESOLVED AND ORDERED that the City Council of the City of Capitola 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 to be voted on at the _____, 2014, election:

Selection of one (1) City Treasurer for the term of office expiring in December 2016.

BE IT FURTHER RESOLVED AND ORDERED that the City Clerk of the City of Capitola is hereby ordered and directed to cause said proposed 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 12th day of September, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

_____, CMC
Susan Sneddon, City Clerk

Stephanie Harlan, Mayor

DRAFT

**CITY TREASURER
POWERS AND DUTIES
CALIFORNIA GOVERNMENT CODE § 41000 TO 41007**

41001. The city treasurer shall receive and safely keep all money coming into his hands as treasurer.

41002. He shall comply with all laws governing the deposit and securing of public funds and the handling of trust funds in his possession.

41003. He shall pay out money only on warrants signed by legally designated persons.

41004. Regularly, at least once each month, the city treasurer shall submit to the city clerk a written report and accounting of all receipts, disbursements, and fund balances. He shall file a copy with the legislative body.

41005. The city treasurer shall perform such duties relative to the collection of city taxes and license fees as are prescribed by ordinance.

41006. The city treasurer may appoint deputies for whose acts he and his bondsmen are responsible.

41007. The deputies shall hold office at the pleasure of the city treasurer and receive such compensation as is provided by the legislative body.

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CITY COUNCIL AGENDA REPORT

MEETING OF SEPTEMBER 12, 2013

FROM: DEPARTMENT OF PUBLIC WORKS
SUBJECT: 2013 SLURRY SEAL PROJECT
NOTICE OF COMPLETION

RECOMMENDED ACTION: Accept the 2013 Slurry Seal Project, constructed by Graham Contractors, Inc., as complete at a final cost of \$86,558.10, and authorize the Director of Public Works to release the contract retention of \$8,655.81 in 35 days following the recordation of the attached Notice of Completion.

BACKGROUND: Graham Contractors, Inc. has completed all work on the 2013 Slurry Seal Project. This project completed a slurry seal and restriping on Gilroy Drive, Riverview Drive, and all streets in Cliffwood Heights.

Council and staff have received both positive and negative comments regarding this slurry seal project from residents in both neighborhoods. The negative comments centered on the quality of the slurry seal application, mainly in the Riverview neighborhood. Staff has determined that the contractor met the project specifications and that the resulting product is consistent with industry standards. In response though, the Council and staff may want to consider other types of slurry seals for future projects.

DISCUSSION: The final contract cost was \$86,558.10 which included the cost of a contract change order that was issued due to the good pricing on the original bid. The final cost was \$606.10 higher than the amended contract amount. The increase was due to minor variations in quantities from the estimated amounts. A project cost summary is included as Attachment 2.

FISCAL IMPACT: The construction budget in the Capital Improvement Program was \$100,000. The remaining \$13,441.90 was used for patching failed asphalt prior to applying the slurry seal.

ATTACHMENTS:

1. Notice of Completion
2. Final Cost Summary

Report Prepared By: **Steven Jesberg**
Public Works Director

Reviewed and Forwarded
By City Manager: 

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RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City of Capitola
Public Works Department
Attn: Steven Jesberg
420 Capitola Avenue
Capitola, California 95010

SPACE ABOVE THIS LINE FOR RECORDER'S USE

THIS INSTRUMENT IS BEING RECORDED FOR THE BENEFIT OF THE CITY OF CAPITOLA.
NO RECORDING FEE IS REQUIRED PURSUANT TO GOVERNMENT CODE §27383.

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN that the City of Capitola, owner of the property hereinafter described, whose address is 420 Capitola Avenue, Capitola, California, has caused a work of improvements more particularly described as follows:

PROJECT NAME: 2013 Slurry Seal

PROJECT DESCRIPTION: Pavement Overlays

to be constructed on property more particularly described as follows:

DESCRIPTION: Numerous city streets

ADDRESS: N/A

APN: N/A

The work of the improvement was completed by:

CONTRACTOR: Graham Contractors Inc.

ADDRESS: P.O. Box 26770, San Jose, CA 95159

The work of the improvements was actually completed on the 21st day of August 2013, and accepted by the City Council of said City on the 12th day of September 2013

Signature of City Official: _____

The undersigned certifies that he is an officer of the City of Capitola, that he has read the foregoing Notice of Completion and knows the content thereof; and that the same is true of his own knowledge, except as to those matters which are therein stated on information or belief, and as to those matters that he believes to be true. I certify under penalty of perjury that the foregoing is true and correct. Executed at the City of Capitola, County of Santa Cruz, State of California.

Steven E. Jesberg
Director of Public Works

Signed: _____

Date: _____

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**City of Capitola
Final Cost Summary**

Project: 2013 Slurry Seal Project

Item	Description	Bid Quantity	Bid Units	Actual Final Quantity	Diff	Unit Cost	Final Cost	Difference
1	Mobilization	1	LS	1	0	\$ 4,500.00	\$ 4,500.00	\$ -
2	Traffic Control	1	LS	1	0	\$ 3,000.00	\$ 3,000.00	\$ -
3	Slurry Seal (Type II)	29,260	SY	29260	0	\$ 1.35	\$ 39,501.00	\$ -
4	12" Line	526	LF	513	-13	\$ 4.15	\$ 2,128.95	\$ (53.95)
5	Detail 21	950	LF	820	-130	\$ 2.75	\$ 2,255.00	\$ (357.50)
6	Stop Letters	418	LF	476	58	\$ 4.15	\$ 1,975.40	\$ 240.70
7	Pavement Marker - Blue, Two-Way Reflective (Fire Hydrant)	7	EA	7	0	\$ 21.00	\$ 147.00	\$ -
<u>Contract Change Order No. 1</u>								
	Slurry Seal (Type II)	21,104	SY	21104	0	\$ 1.35	\$ 28,490.40	\$ -
	12" Line	330	LF	349	19	\$ 4.15	\$ 1,448.35	\$ 78.85
	Detail 21	500	LF	708	208	\$ 2.75	\$ 1,947.00	\$ 572.00
	Stop Letters	220	LF	220	0	\$ 4.15	\$ 913.00	\$ -
	Pavement Marker - Blue, Two-Way Reflective (Fire Hydrant)	6	EA	12	6	\$ 21.00	\$ 252.00	\$ 126.00

Total \$ 86,558.10 \$ 606.10

Summary

Original Bid: \$ 53,678.10
 Contract Change Order No. 1 \$ 32,273.90

 Revised Contract \$ 85,952.00
 Changes: \$ 606.10
 Final Cost: \$ 86,558.10

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CITY COUNCIL AGENDA REPORT

MEETING OF SEPTEMBER 12, 2013

FROM: FINANCE DEPARTMENT

SUBJECT: PUBLIC HEARING TO CONSIDER THE PROPOSED FEE SCHEDULE FOR FISCAL YEAR 2013/2014; AND A RESOLUTION REPEALING RESOLUTION NO. 3935 AND AMENDING THE CITY'S FEE SCHEDULE TO REFLECT STATE IMPOSED FEES AND ADMINISTRATIVE ADJUSTMENTS

RECOMMENDED ACTION: Conduct the noticed public hearing on the proposed City Fee Schedule for Fiscal Year 13/14 and adopt the proposed resolution repealing Resolution No. 3935, and amending the existing fee schedule to waive the State-imposed Disability Access and Education Fee; and approve administrative adjustments.

BACKGROUND: The City updates the resolution setting fees for various City services such as planning, encroachment permits, use permits, and many other similar fees on an annual basis. Generally the updated fee schedule is effective on July 1st. Due to staffing vacancies within the Finance Department, the public hearing was delayed. State law requires the City to conduct a public hearing where testimony can be taken before any fees are added or existing fees are altered. Last year fees were maintained at the Fiscal Year 11/12 levels to provide time to review compliance with Proposition 26. Staff is recommending extending the current flat rates into this fiscal year, while the review process is being completed. The only proposed adjustments to the Fiscal Year 13/14 fee schedule include minor administrative adjustments.

DISCUSSION: The City Council adopted Resolution No. 3285 on May 22, 2003, which states that all flat fees listed on the fee schedule are to be updated in July to reflect changes to the Consumer Price Index (CPI) for the San Francisco, Oakland, San Jose area, with the exception of those fees that are established by law. Historically, the City has used the April CPI to determine July increases. In Fiscal Year 12/13, the Council approved deferring the 2.1% CPI increase to confirm compliance with Proposition 26. While the CPI index is commonly used to update fees, a periodic review is recommended to ensure that each fee does not exceed the reasonable cost of providing the service or program. The CPI increase for Fiscal Year 13/14 is 2.4%. While Staff believes all current fees do not exceed reasonable costs, staff is recommending deferring the combined increase until the review process is completed. It is anticipated this process should be completed within this fiscal year.

Drafts of the proposed fee schedules are provided in Attachments 1 and 2. Each schedule lists the current and proposed fees, with any adjustments highlighted in yellow. Last year, Council approved paying the State-imposed Disability Access and Education Fee on behalf of residents. This schedule continues to waive the fee. The original legislation required the City to collect an additional fee of one dollar (\$1) on every business license or equivalent instrument or permit, while remitting \$0.30 to the State. In Fiscal Year 12/13, the City remitted \$280 to the State on behalf of residents; and realized a reduction of \$747 in revenues that could have been applied towards disability compliance efforts.

Item #: 10.C. Staff Report.pdf

9-12-13 AGENDA REPORT: FEE SCHEDULE FOR FISCAL YEAR 2013/2014

The proposed fee schedule also includes the following administrative adjustments/corrections:

- Addition of a Private Tennis Lessons Fee, which is equivalent to 75% of the activity costs. This fee has historically been charged to participants; however it was not listed on the fee schedule.
- Deletion of a \$25 Pacific Cove Parking Lot Permit fee. The practice of issuing \$25 Pacific Cove Parking Lot Permits was discontinued prior to 2002; however it was not removed from the fee schedule. All current parking permit fees are in accordance with Resolutions 3715 and 3733.
- Deletion of the Mobile Home Park Administrative Fee as the program was dissolved in 2011.

All additional fees that are set by resolution, ordinance, or by State Law have not been adjusted, unless noted in these attachments. If Council chooses to add or increase fees, the attached resolution and fee schedule can be modified to reflect the adjustments.

FISCAL IMPACT: The fiscal impact from waiving the State Imposed Disability Access and Education Fee is estimated to be \$1,030. The impact of deferring the annual CPI increase is estimated to be \$16,000. This increase was not included in the FY 13/14 Budget. The proposed fee schedule will become effective September 13, 2013.

ATTACHMENTS:

1. Draft Resolution
2. Draft Fee Schedule for Various Services
3. Proposed Animal Services Fees
4. Public Hearing Notice

Report Prepared By: Tori Hannah
Finance Director

**Reviewed and Forwarded
By City Manager:** 

RESOLUTION NO. ____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA REPEALING
RESOLUTION NO. 3935 AND AMENDING THE CITY'S FEE SCHEDULE FOR
FISCAL YEAR 2013/2014**

WHEREAS, the Government Code of the State of California, Section 66018 requires local agencies to notice and hold at least one open and public meeting prior to levying a new fee or increasing an existing fee; and

WHEREAS, the City Council of the City of Capitola has held a duly noticed public hearing on September 12, 2013, to consider increases to existing fees charged for various City services; and

WHEREAS, this fee schedule sets forth the City's cost recovery fee programs, which includes minimum deposits against which staff costs, adjusted for overhead, are assessed; and

WHEREAS, the City Council adopted Resolution No. 3285 on May 22, 2003, stating that all flat fees, with the exception of those established by law, shall be adjusted annually by the Consumer Price Index (CPI) for the San Francisco, Oakland, San Jose area, which was 2.4% for April 2013; and

WHEREAS, the City Council discussed CPI increases in conjunction with Proposition 26, and the deferral of the Fiscal Year 2013/2014 CPI increase that would be in accordance with Resolution No. 3285, to provide for a periodic review of the fee calculations; and

WHEREAS, the "Business License – Disability Access and Education Fee" waiver of \$1.00 has been extended; and

WHEREAS, the following fees have been updated to reflect administrative adjustments;

- Deletion of the "Mobile Home Park Administrative Service Fee" to be consistent with the 2011 elimination of rent control; and
- Addition of the "Private Tennis Lessons Fee" to reflect the existing practice of recovering 75% of the activity fee; and
- Deletion of the "Pacific Cove Lot Permit Fee" to be consistent with resolutions 3715 and 3733; and
- Merging "Police Reports" with "Police – Copies of Reports" to avoid duplication; and

WHEREAS, the City of Capitola has made available to the public the required data pursuant to Government Code Section 66018 for at least ten days prior to adoption of a revised fee schedule.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Capitola does hereby resolve as follows:

Item #: 10.C. Attach 1.pdf

1. The "Business License – Disability Access and Education Fee" of \$1.00 shall be waived; and
2. The following administrative adjustments shall be set forth in the City's fee schedule;
 - The "Mobile Home Park Administrative Service Fee" shall be deleted to be consistent with the elimination of rent control in 2011; and
 - The "Private Tennis Lessons Fee" of 75% of the activity fee shall be added to be consistent with existing practices; and
 - The "Pacific Cove Lot Permit Fee" shall be deleted to be consistent with resolutions 3715 and 3733; and
 - "Police Reports" shall be merged into the category of "Police - Copies of Reports" to avoid duplication; and

BE IT FURTHER RESOLVED that the City of Capitola Fee Schedule for Various City Services as identified in Exhibit A, and the Animal Services Fees identified in Exhibit B attached hereto are hereby approved to become effective on September 13, 2013.

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 12th day of September, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Stephan Harlan, Mayor

ATTEST:

_____, CMC
Susan Sneddon, City Clerk

DRAFT FEE SCHEDULE FOR FY13-14: EFFECTIVE SEPTEMBER 12, 2013		
CITY OF CAPITOLA FEE SCHEDULE FOR VARIOUS SERVICES		
Description	CURRENT FEES (07/1/11)	PROPOSED ADJUSTMENTS 09/12/2013
MISCELLANEOUS FEES		
Bingo Permit (Municipal Code § 5.16.190) can change by resolution		\$60
Capitola Municipal Code		\$597
Capitola Municipal Code Supplement Service (Per year)		\$179
Copies:		
1 – 5 copies		\$0
6 or more copies (Per copy)		\$0.25 / page
Gov't Code § 81008 (Political Reform Act) statements/reports (Per copy)		\$0.10 / page
DVD's / Cassette Tapes (Per tape)		\$27
Entertainment Permit Application Fee		\$35
Single Event Permit		\$35
Minor Entertainment Permit		\$146
Regular Entertainment Permit		\$548
Pet Shops and Kennel License Fee (Municipal Code § 5.20.020) set only by ordinance		\$20
Returned Check Fee		\$35
Business License Overpayment Refund Fee (resolution 3532, ord 871)		0 (Set to -0- by Council in 2011)
Business License Late Payment Penalty Admin. Fee (Reso. 3532)		\$35 + 10% each month late
Business License Application Fee (Reso. 3532)		\$35
Business License - Disability Access and Education Fee (State)		- Additional \$1 for business licenses
Temporary, Publicly Attended Activities, Application Fee (Municipal Code § 9.36.040)		\$31
Public Art (Total Building Valuation \$250,000 or more) (Municipal Code Chapter 2.58)		2% of TBV or 1% in lieu to City
Notice of Intent to Circulate Initiative Petition (Elections Code § 9103(b))		\$200
Mobile Home Park Administrative Service Fee (raise by a public hearing)		\$240 / per year Remove - City does not collect due to the elimination of rent control
Bandstand Rental Fee		\$210 / 4 hrs or \$630 all day / deposit \$1,500
Notary Service Fees (State Code)		
Acknowledgment or proof of a deed, or other instrument, to include the seal and writing of the certificate		\$10 / signature
Administering an oath or affirmation to one person and executing the jurat, including the seal		\$10 / signature
CITY ATTORNEY DEPARTMENT FEES		
Whenever any City permit or approval requires the preparation of a deed, contract, or other formal legal instrument by the City Attorney, an hourly fee shall be charged.		Cost + 17%
HISTORICAL MUSEUM FEES		
Research Fee - 1/2 hour minimum charge		Cost
Print of an electronically available Photograph in Collection		\$7
Digital Copies of Collection Items		\$17
Scan High Resolution Tiff File of any collection item for a customer		\$21

CITY OF CAPITOLA FEE SCHEDULE FOR VARIOUS SERVICES		
Description	CURRENT FEES (07/1/11)	PROPOSED ADJUSTMENTS 09/12/2013
COMMUNITY DEVELOPMENT DEPARTMENT FEES		
BUILDING FEES		
The cost of a "combination building permit" and its associated plan check shall be 1.5 times the amounts shown in Table 1-A. A "combination building permit" is defined as a permit for a scope of construction work regulated by two or more of the model codes. The model codes are the building code, the plumbing code, the mechanical code and the electrical code.		
The cost of a "building permit" and its associated plan check shall be the amounts shown in Table 1-A. A "building permit" is defined as a permit for a scope of construction work regulated solely by a single model code. The model codes are the building code, the plumbing code, the mechanical code and the electrical code.		
TABLE 1-A		
Total Valuation	FEES	
\$1.00 to \$500.00	\$23.50	
\$501.00 to \$2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00 or fraction thereof.	
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1000.00 or fraction thereof.	
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00 or fraction thereof.	
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00 or fraction thereof.	
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00 or fraction thereof.	
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00 or fraction thereof.	
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.15 for each additional \$1,000.00 or fraction thereof.	
Greywater System Permit		
Electric Vehicle Charging Permits (<i>* Note: These fees were added to the fee schedule for FY2011-12, but will be waived for the first year.</i>)		
a. Level I (120 volts)		\$100
b. Level II (208-240 volts)		\$150
c. Level III (480 volts)		\$200
Research Fee - 1/2 hour minimum charge		Cost
Information Technology Fee (Resolution No. 3786 adopted 11/12/09)		5% of Permit Fee

CITY OF CAPITOLA FEE SCHEDULE FOR VARIOUS SERVICES

Description	CURRENT FEES (07/1/11)	PROPOSED ADJUSTMENTS 09/12/2013
PLANNING FEES		
Administration/Documents		
Public Notice (without newspaper published notice)		\$173
Public Notice (with newspaper published notice)		\$376
Application Withdrawal (prior to public hearing) Amount of refund	40% Refund of the unused portion of deposit	
Request for Continuance by Applicant (2nd and each after)		\$147
Extra Meetings Fee (each ZA/CPC >2; CC >1)		Cost
Staff Billing Rate		Cost
Records Search/Special Report--Minor	\$84 / hour minimum 1/2 hour	
Records Search/Special Report--Major		Cost
General Plan with Map		\$60
General Plan Map Alone		\$10
General Plan Maintenance Fee	Total Building Valuation X 0.6%	
Zoning Ordinance with Map		\$36
Zoning Map alone		\$10
Development Application Intake Fee	\$510 / Application	
Preliminary Review Fee		\$210
Conceptual Review Fee		\$1,500 deposit
Architectural and Site Review Committee		
Residential-New or >= 50% addition/remodel	Cost; \$3,500 min. deposit	
Residential-New <50% Addition/Remodel	Cost; \$3,000 min. deposit	
Commercial New, Addition or Exterior Remodel	Cost; \$5,500 min. deposit	
Floodplain Elevation/Certification Review	Cost + 17%	
Geologic/Engineering Report Review	Cost + 17%	
Archaeological Survey Report Review	Cost + 17%	
Biotic Report review	Cost + 17%	
Traffic Report Review	Cost + 17%	
Architectural Historian Report Review	Cost + 17%	
NOTE: Third party review costs to be required as necessary		
Temporary Signs and Banner Permits		\$36
Signs (staff approval) per permit application		\$121
Signs (CPC approval) per permit application	Cost; \$500 min deposit	
Master Sign Program CPC approval	Cost; \$3,000 min deposit	
Fence Permit (Staff approval)		\$41
Fence Permit (CPC approval)	Cost; \$750 min deposit	
Code Compliance		
All code compliance fees and costs	Minimum statutory fees and fines plus any staff costs and any contract costs incurred + 17%	Double Application Fees

CITY OF CAPITOLA FEE SCHEDULE FOR VARIOUS SERVICES		
Description	CURRENT FEES (07/1/11)	PROPOSED ADJUSTMENTS 09/12/2013
Use Permits		
Home Occupation Use Permit		\$266
Mobile home Park Change of Use or Closure		Cost
Condo Conversion		Cost
CUP for Significant Alteration of Historic Feature		Cost; \$2,000 min. deposit
Transient Rental Occupancy Use Permit		Cost; \$1,500 min. deposit
Master Conditional Use Permit --CPC approval		Cost; \$3,500 min. deposit
Tenant Use Permit (MCUP)--Staff approval		\$73
Conditional Use Permit--ZA/Staff approval		Cost; \$2,000 min. deposit
Conditional Use Permit--CPC approval		Cost; \$3,000 min. deposit
CV/CN Outdoor Display Merchandise		\$210
Temporary Uses		\$76
Commercial Sidewalk/Parking Lot Sale Permit		\$72
Variances		
Single Family Residences (each)		Cost; \$2,000 min. deposit
Flood Ordinance Variance		Cost; \$2,000 min. deposit
All Other (each)		Cost; \$2,500 min. deposit
Coastal Permits		
All		Cost; \$1,500 min. deposit
Coastal Permit Exclusion		\$84
Environmental Review Fees		
CEQA Exemption Determination		\$106
Initial Study (ND/EIR Determination)		Cost; \$2,000 min deposit
Negative Declaration (and Mitigated ND)		Cost; \$2,000 min deposit
EIR Processing		Cost; + 17% of consultant; \$10,000 min deposit
Mitigation Monitoring Program		Cost + 17%
NEPA Compliance		Cost + 17%
General Plan Amendment		
General Plan Amendment (map and/or text)		Cost; \$5,000 min. deposit
Local Coastal Plan Amendment		
Local Coastal Plan Amendment		Cost; \$5,000 min. deposit
Local Coastal Plan Amendment if also paying for General Plan Amendment or rezoning		see General Plan Amendment

CITY OF CAPITOLA FEE SCHEDULE FOR VARIOUS SERVICES

Description	CURRENT FEES (07/1/11)	PROPOSED ADJUSTMENTS 09/12/2013
<u>Rezoning</u>		
Zoning Ordinance Amendment (map and/or text)	Cost; \$5,000 min. deposit	
<u>Planned Developments</u>		
PD Preliminary Development Plan Approval	Cost; \$3,500 min. deposit	
PD Rezoning Fee	Cost; \$5,000 min. deposit	
<u>Subdivisions</u>		
Certificate of Compliance	Cost; \$1,500 min. deposit	
Boundary Line Adjustment/Merger/Reversion	Cost; \$1,500 min. deposit	
Parcel Map (4 Parcels or Less)	Cost; \$2,000 min. deposit	
Tentative Map (5 parcels or more)	Cost; \$5,000 min. deposit	
Final Map	Cost; \$3,000 min. deposit	
Subdivision Modification	Cost; \$3,500 min. deposit	
<u>Historic Structures</u>		
Applicant Request for Historic Feature Removal	Cost; \$3,000 min. deposit	
Conditional Use Permit for Significant Alteration of Historic Feature	Cost; \$2,000 min. deposit	
<u>Affordable Housing In-Lieu Fees</u>		
For Sale Housing Developments of two to six units (Municipal Code Chapter 18.02/Reso. 3473) :		
All Units	\$10 per sq. ft.	
For Sale Housing Developments of Seven or more units		
#Units	#Units Built	
7	1	\$0
8-13	1	Total # units minus 7 @ \$10 per avg. sq. ft. per unit
14	2	\$0
15-20	2	Total # units minus 14 @ \$10 per avg. sq. ft. per unit
21	3	\$0
22-27	3	Total # units minus 21 @ \$10 per avg. sq. ft. per unit
28	4	\$0
Rental Multi-Family	\$6 per sq. ft.	
One Unit:		
New SF Unit	\$2.50 per sq. ft.	
Demolish/Re-build	\$2.50 per sq. ft.	
Addition/Remodel adding 50% or more square ft.	\$2.50 per sq. ft.	
(note: Sq. Ft. calculations to exclude garages and decks)		

CITY OF CAPITOLA FEE SCHEDULE FOR VARIOUS SERVICES		
Description	CURRENT FEES (07/1/11)	PROPOSED ADJUSTMENTS 09/12/2013
Other Planning Fees		
Street Abandonment		\$1,333
Annexation	Costs+ overhead / \$3,000 min. deposit	
Appeals-by other than city official		\$142
Appeals of coastal permits		\$0
Development Agreement	Cost; \$5,000 min. deposit	
Research Fee - 1/2 hour minimum charge	Cost	
Specific Plan	Cost; \$5,000 min. deposit	
Time Extension	50% of Orig. Fee	
Encroachment Agreement Private Improvements (CPC)		\$415
Green Building Educational Resource Fund Fee (Municipal Code 17.10.080)	Fee equals .0025 times the overall building permit valuation of the project.	
Information Technology Fee (Resolution No. 3786 adopted 11/12/09)	5% of Permit Fee	
Building Plan Check/Final Inspection Fees		
Planning Plan Check & Final Inspection	20% of Building Permit Fee	
Repeat Planning Final Inspections		\$120
Building Permit Zoning Consistency Review		\$72
Structural Review of Engineering Plans	Cost + 17%	
Advanced Plan Review	Cost + 17%	
Tree Removal		
Tree Removal--any tree subject to ordinance--staff approval		\$120
Tree Removal--any tree subject to ordinance--CPC hearing	Cost; \$1,000 min deposit	
Tree Removal -- 3 or more trees on a property	257 + hrly cost for staff beyond 3 hrs.	
Tree/Landscape Installation/Maintenance Agreement		\$120
Major Development Projects Fee		
Projects with Building Valuation of \$2,000,000 +	Cost; \$5,000 min. deposit	
POLICE DEPARTMENT FEES		
Special Event Permit		\$56
Amplified Sound Permit (Municipal Code 9.12.040)		\$28
DUI Cost Recovery Fee (Res. 3533)	Not to exceed \$12,000	
Copies of reports: Crime Reports, Special Reports, etc. (Regardless of number of pages)	\$23	\$24 (Duplicate - See Below)
Copies of: Citations, Code sections, Ordinances, etc.	\$6	
Police Reports	\$24	(Remove - Duplicate)

CITY OF CAPITOLA FEE SCHEDULE FOR VARIOUS SERVICES		
Description	CURRENT FEES (07/1/11)	PROPOSED ADJUSTMENTS 09/12/2013
Bicycle Licenses (New)	\$10	
Bicycle Licenses (Renewal)	\$7	
Citation Sign-Offs	\$14	
Photographs	\$18 + administration fees	
VIN verifications	\$14	
Video or cassette Tapes	\$50 1st Hour (Minimum) + \$25 / hour	
Local Fire Arm dealers (set by state)		
New application	\$325	
Renewal	\$100	
Second Dealers License (set by state)		
Application	\$300	Increased by State 08/17/2012
Renewal	\$300	Increased by State 08/17/2012
Taxi Fee per application	\$56	
Civil Subpoena (per case) (set by state)	\$150	
Parking Permits (separate action by the Council)		
Neighborhoods per year (Resolution No. 3733)	\$25	
Village Preferential Permit (Resolution No. 3733)	\$50 per year	
Village Employer/Employee Permit (Resolution No. 3733)	\$50 per year	
Pacific Cove Lot Permit	\$25	Remove
Morning Village Parking Permit (Resolution No. 3715)	\$50 per year	
Concealed Weapon Permits (set by state)		
<i>Application</i>		
Standard	\$340	
Judicial	\$357	
Employment	\$323	
<i>Renewal</i>		
Standard	\$42	
Judicial	\$59	
Employment	\$25	
Firearm Surrender Fees (set by state law)		
1-5 guns	\$0	
6+ guns	\$0	
Vehicle Storage per day	\$24	
Administrative fee to release Impounded / Stored Vehicle	\$119	
Surf School Permit Fee (Resolution No. 3695)	\$52	

CITY OF CAPITOLA FEE SCHEDULE FOR VARIOUS SERVICES		
Description	CURRENT FEES (07/1/11)	PROPOSED ADJUSTMENTS 09/12/2013
Animal Services Fees		
See Exhibit B "Animal Services Fees"		
PUBLIC WORKS DEPARTMENT FEES		
Encroachment Permits		
Non-Construction Items (includes materials storage within right-of-way road and sidewalk closures		\$59
Construction Items		
\$0 to \$1,500 of valuation		\$85
\$1,500 to \$50,000 valuation		\$86 + 5% of value over \$1,501
over \$50,000 valuation		\$2500 + 3% of value over \$50,001
Utility Fees		
Connection/Minor & Local Roads		\$290
Arterial Road Connections: Inspection estimation		\$110 per hour
All other projects: Inspection estimation		\$110 per hour
Blanket Permits (repair and maintenance of existing facilities)		\$890
Private Improvement Permits/Encroachment Agreement		
Applications for Minor Permits		\$60
Applications for Major Permits		\$356
Memorial Bench		\$1,212
Memorial Plaque (wharf)		\$580
Memorial Plaque (Grand Ave)		\$580
Memorial Plaque (tree)		360 + Cost of tree
Memorial Picnic Table		\$1,526
Seasonal Boat Storage Permits		
Seasonal Permit		\$125 per month
Short Term Permit		\$10 per day
Research Fee - 1/2 hour minimum charge		Cost
Information Technology Fee (Resolution No. 3796 adopted 11/12/09)		5% of Permit Fee
GOVERNMENT ACCESS CHANNEL FEES		
Preprogramming or live coverage hourly rate		Cost
City Scroll		\$28 / hr; min 1 hour

CITY OF CAPITOLA FEE SCHEDULE FOR VARIOUS SERVICES

Description	CURRENT FEES (07/1/11)	PROPOSED ADJUSTMENTS 09/12/2013
PARKS AND RECREATION FEES		
<u>All fees are evaluated annually to determine if they are competitive with other recreation programs in Santa Cruz County</u>		
Classes		
Negotiated Instructor Activity Fee (Instructor receives 65% of this fee, Department retains 35%)		Negotiated
Registration Fee - Resident (Capitola Residents Only)		\$16 per class
-Department retains this fee		
Non-Resident (Anyone residing outside of the City)		\$14 per class
-Department retains this fee		
Senior Discount		10%
Sports		
<u>League Fees</u>		Costs + 30% admin fee
League fees will change depending upon number and type of leagues offered, number of games per league, number of officials, amount of equipment needed, field/site prep and maintenance, and whether or not playoffs & awards are offered. Fees are calculated based on direct costs + 30% admin fee.		
<u>Junior Guards</u>		
5 weeks resident/non resident		\$242 / \$275
4 weeks resident/non resident		\$192 / \$220
<u>Camp Capitola</u>		
All day 2 week session, resident/non resident		\$238 / \$262
1/2 day resident/non resident		\$135 / \$152
All day 3 week session, resident/non resident		\$353-\$389
1/2 day resident/non resident		\$184 / \$201
Extended Care--daily resident/non resident		\$8.00
Extended Care--weekly resident/non resident		\$35
Transportation fee to Jr. Guards (1st Session / 2nd Session)		\$54 / \$42
<u>Private Tennis Lessons</u>	75% of Activity Fee	Administrative Update
<u>Facility Rentals</u>		
Softball & Soccer fields hourly rental; non profit youth groups/other non profit & Cap residents/all others		\$13 / \$25 / \$33
Gym hourly rental; non profit youth groups/other non profits & Cap residents/all others		\$19/ \$32/ \$43
<u>Jade Street Community Center</u>		
Rooms A&B hourly rent		\$42
Room C hourly rent		\$58
Kitchen hourly rent		\$21
Entire Center hourly rent		\$150
Non profit discount of Jade Street Facility rents		25%
Field Prep and/or additional staffing required to prepare for or supervise the Sports rentals only		\$13 / hr

CITY OF CAPITOLA FEE SCHEDULE FOR VARIOUS SERVICES		
Description	CURRENT FEES (07/1/11)	PROPOSED ADJUSTMENTS 09/12/2013
Notes:		
Costs mean staff costs adjusted for benefits, department overhead, and City overhead as calculated by the City Manager. Costs can also mean direct cost of a consultant. When consultant costs are included <u>17%</u> of such costs will be charged to cover staff time for contract management. <i>Staff costs do not accrue during an appeal unless appeal is made by applicant.</i>		
Deposits are stated as minimums. Actual deposits depend on the evaluation by staff of an individual project or application. The City Manager may lower minimum deposits if the application or project justifies a lower deposit. When an application involves multiple minimum fees the highest minimum fee applies.		

Proposed City of Capitola Fee Schedule September 12, 2013

Adoption Fees

Dogs	\$ 110
Cats	\$ 90
Rabbits	\$ 50
Rodents	\$ 10
Small Caged birds	\$ 20
Exotic birds	\$ 75
Small Livestock	\$ 75
Large Livestock	\$ 100
Horse	\$ 250
Chicken/Rooster	\$ 10

Animal Services Fees

License Fee

Altered	\$20
Unaltered	\$50
Late Penalty	\$15
Failure to License	\$50
Sr. Citizen (65+ for lifetime of altered dog)	\$20
Unaltered Certificate	\$100 (one time, renewal if owner moves)

Quarantine Fees

Home	\$75
Protective Custody	\$30 + daily board fees

Impound Fees

		Altered	Unaltered ⁽¹⁾
Cat	First Impound	\$30	\$30 + Penalty \$35
	Second Impound	\$50	\$50 + Penalty \$50
	Third Impound	\$75	\$75 + Penalty \$100
	Fourth/Subsequent	\$75	\$75 + Penalty \$100
Dog	First Impound	\$60	\$60 + Penalty \$35
	Second Impound	\$115	\$115 + Penalty \$50
	Third Impound	\$195	\$195 + Penalty \$100
	Fourth/Subsequent	\$225	\$225 + Penalty \$100
Livestock	First Impound	\$100	
	Second/Subsequent	\$125	

Board Fees (per day)

Cats	\$ 18
Dogs	\$23-\$30 ⁽²⁾
Small Livestock	\$ 20
Emergency Boarding	\$40

⁽²⁾ Varies based on weight

Animal Control Officers Services

\$75 / hour

Field Return of Owned Animal

\$45 / hour

Miscellaneous Service Fees

Microchip	\$ 15
Dog/Cat trap rental	n/c
Dog Humane Trap Deposit	\$ 250
Cat Humane Trap Deposit	\$ 55
Pick Up animal in a trap	\$ 50
Pick Up of Owned Animal	\$ 50
Owner Surrender of Animal	\$ 25
Owner Requested Euthanasia	\$30 + Disposal
Refund Processing Fee	\$ 30
Returned Check Fee	\$ 30

Protective Custody Fees

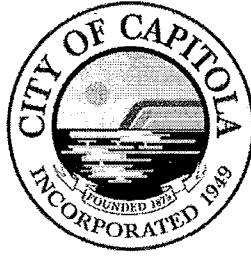
Owner Arrest	1st \$50 / 2nd \$75 / 3rd \$95
Confiscate/Humane	1st \$50 / 2nd \$75 / 3rd \$95
Emergency	\$ 25.00

Disposal of Dead Animals

Up to 19 lbs	\$50
20-60	\$66
60 +	\$70

⁽¹⁾ Unaltered animal penalty fee provided under Calif. Food and Agriculture Code Section 31751.7

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**NOTICE OF PUBLIC HEARING
BEFORE THE CAPITOLA CITY COUNCIL
AMENDING THE FEE SCHEDULE FOR FISCAL YEAR 2013/2014**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the City Council of the City of Capitola on Thursday, September 12, 2013, at 7:00 P.M. in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California, to consider a Resolution amending the City's fee schedule to reflect adjustments to State imposed fees and administrative corrections.

Interested persons are invited to attend and be heard at the Public Hearing. Testimony may be presented in person or submitted in written form prior to the hearing and made a part of the hearing record.

If you require special assistance in order to attend the meeting, including needs addressed by the Americans with Disabilities Act, please notify the City at least 3 days prior to the meeting by calling (831) 475-7300.

Copies of the proposed fee schedule and further information on this subject may be obtained from the Office of the City Clerk, 420 Capitola Avenue, Capitola, CA 95010.

CITY OF CAPITOLA

DATED: August 23, 2013

Susan Sneddon, City Clerk

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CITY COUNCIL AGENDA REPORT

MEETING OF SEPTEMBER 12, 2013

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: CONSIDERATION OF CALIFORNIA COASTAL COMMISSION
MODIFICATIONS TO TITLE 10 SECTION 36.055 OF THE CAPITOLA
MUNICIPAL CODE PERTAINING TO PARKING METER RATES AND
ZONES [1ST READING]

RECOMMENDED ACTION: Approve for a first reading, the proposed Ordinance amending Section 10.36.055 as shown on Attachment 1.

BACKGROUND: The City Council approved amendments to the Municipal Code and Local Coastal Program (LCP) on December 13, 2012 to allow the City Council to approve modifications to parking meter rates and zones through the Coastal Development Permit (CDP) process. Previously, any changes to parking meter rates or zones required a LCP amendment.

DISCUSSION: The California Coastal Commission (CCC) considered the requested LCP amendment at its August 15, 2013 hearing. The CCC unanimously approved the LCP, but added modifications which require all CDP's authorizing changes to parking meter rates, zones, or other standards to include conditions of approval necessary to maintain or enhance public parking availability and coastal access. The following is the additional language proposed by the CCC:

All Coastal Development Permits that authorize changes to public parking zones, time limits, hours of operation, fees and/or standards that effect public parking use shall include enforceable measures (e.g. conditions of approval) necessary to maintain or enhance existing public parking availability and opportunities for public access to the shoreline and Capitola Village, where such measures may include but not be limited to:

- *Requirements to maintain at current levels, expand, and/or enhance the City's free park and ride shuttle service.*
- *Requirements to maintain at current levels, expand, and/or enhance free and low-cost public parking access in areas conducive to providing easy access to the shoreline and Village area, such as through expansion of the Pacific Cove parking area.*
- *Requirements to reduce existing negative public access impacts associated with existing parking zones, time limits, hours of operation, fees and/or standards (e.g., reducing or eliminating fees in certain areas to offset changes elsewhere).*

Item #: 10.D. Staff Report.pdf

AGENDA STAFF REPORT SEPTEMBER 12, 2013 ORDINANCE PERTAINING TO PARKING METER RATES AND ZONES

All such Coastal Development Permits shall be accompanied by substantial evidence demonstrating compliance with the above requirements, including evidence documenting the ways in which the enforceable measures applied maintain or enhance existing public parking availability and opportunities for public access to the shoreline and Capitola Village.

Staff recommends the City Council approve the amended Ordinance with CCC modifications because routine parking meter zone changes and modest meter rate increases would not typically impair public parking availability or coastal access.

CEQA REVIEW - Categorically Exempt

ATTACHMENTS

1. Draft Ordinance Amendment to Section 10.36.055

Report Prepared By: Richard Grunow
Community Development Director

**Reviewed and Forwarded
by City Manager:** 

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF CAPITOLA
AMENDING SECTION 10.36.055 OF THE CAPITOLA MUNICIPAL CODE
PERTAINING TO PARKING METER RATES AND ZONES AND AMENDING
SECTION 17.46.090 COASTAL PERMIT APPROVAL**

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

Section 1. Section 10.36.055 is hereby amended to read as follows:

10.36.055 Parking meter zones/rates.

A. Parking meter zones shall be established by the city council. Rates in the Coastal Zone will be established and/or modified by the city council issuing a Coastal Development Permit. All Coastal Development Permits that authorize changes to public parking zones, time limits, hours of operation, fees and/or standards that effect public parking use shall include enforceable measures (e.g. conditions of approval) necessary to maintain or enhance existing public parking availability and opportunities for public access to the shoreline and Capitola Village, where such measures may include but not be limited to:

- Requirements to maintain at current levels, expand, and/or enhance the city's free park and ride shuttle service.
- Requirements to maintain at current levels, expand, and/or enhance free and low-cost public parking access in areas conducive to providing easy access to the shoreline and Village area, such as through expansion of the Pacific Cove parking area.
- Requirements to reduce existing negative public access impacts associated with existing parking zones, time limits, hours of operation, fees and/or standards (e.g., reducing or eliminating fees in certain areas to offset changes elsewhere).

All such Coastal Development Permits shall be accompanied by substantial evidence demonstrating compliance with the above requirements, including evidence documenting the ways in which the enforceable measures applied maintain or enhance existing public parking availability and opportunities for public access to the shoreline and Capitola Village.

The city public works director, acting in the director's capacity as superintendent of streets, is hereby authorized to install parking equipment in conformance with the zones and rates established by the city council. The director shall maintain on file a map showing parking meter zones established by the city council. The city council, by resolution or minute order, may designate days when said parking equipment will not operate.

Item #: 10.D. Attach 1.pdf

ORDINANCE NO. _____

B. Parking meter zones and rates shall be established by city council ~~resolution~~ ordinance approving the required coastal development permit. Parking meter fees will be shown in the city's fee schedule.

Parking meter rates and zones in effect at the time of this ordinance amendment will remain in effect until modified by the city council and;

Section 2. Section 17.46.090 is hereby amended to read as follows:

Section 17.46.090 Coastal permit approval.

A. Approving Authority. Action on a coastal permit shall be taken by the planning commission or city council on appeal or concurrent with other required permit applications except Coastal Permits related to parking equipment rates, hours or zones on public property shall be considered only by the city council.

This ordinance was introduced on the 12th day of September, 2013, and was passed and adopted by the City Council of the City of Capitola on the ___ day of _____ 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: _____

Stephanie Harlan, Mayor

ATTEST:

Susan Sneddon, City Clerk