

City of Capitola Agenda

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



CAPITOLA CITY COUNCIL REGULAR MEETING

THURSDAY, OCTOBER 10, 2019

7:00 PM

CITY COUNCIL CHAMBERS
420 CAPITOLA AVENUE, CAPITOLA, CA 95010

All correspondences received prior to 5:00 p.m. on the Wednesday preceding a Council Meeting will be distributed to Councilmembers to review prior to the meeting. Information submitted after 5 p.m. on that Wednesday may not have time to reach Councilmembers, nor be read by them prior to consideration of an item.

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

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

2. PRESENTATIONS

Presentations are limited to eight minutes.

A. Santa Cruz County Youth Violence Prevention Task Force Update

3. ADDITIONAL MATERIALS

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

4. ADDITIONS AND DELETIONS TO AGENDA

5. PUBLIC COMMENTS

Oral Communications allows time for members of the Public to address the City Council on any item not on the Agenda. 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.

6. CITY COUNCIL / STAFF COMMENTS

City Council Members/Staff may comment on matters of a general nature or identify issues for staff response or future council consideration. No individual shall speak for more than two minutes.

7. CONSENT CALENDAR

All items listed in the "Consent Calendar" will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time the Council votes on the action unless members of the public or the City Council request specific items to be discussed for separate review. Items pulled for separate discussion will be considered following General Government.

Note that all Ordinances which appear on the public agenda shall be determined to have been read by title and further reading waived.

A. Consider the September 26, 2019, City Council Regular Meeting Minutes
RECOMMENDED ACTION: Approve minutes.

B. Consider a Resolution Accepting an Alcoholic Beverage Control Grant
RECOMMENDED ACTION: Adopt a resolution accepting a State of California Department of Alcoholic Beverage Control grant in the amount of \$13,500 to support training and enforcement, and authorize amending the Fiscal Year 2019-20 general fund operating budget to increase revenues and expenditures by \$13,500.

8. GENERAL GOVERNMENT / PUBLIC HEARINGS

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

A. Consider Afterschool Program Scholarships
RECOMMENDED ACTION:

1. Approve a scholarship program for the Recreation Division afterschool program, and
2. Authorize a budget amendment to allocate \$4,000 from the dedicated early childhood and youth programs fund, and to accept a \$4,000 matching contribution for the scholarship program from the Soquel Union Elementary School District.

- B. Introduce an Ordinance Amending Capitola Municipal Code Chapter 12.64 Sidewalk Vending Prohibitions
RECOMMENDED ACTION: Approve the first reading of an ordinance to amend Chapter 12.64 to allow sidewalk vending consistent with Senate Bill 946.
- C. Introduce an Ordinance Amending Capitola Municipal Code Chapter 2.12, Planning Commission
RECOMMENDED ACTION: Approve the first reading of an ordinance amending section 2.12.010 regarding Planning Commission membership to require that commissioners reside within the City limits or sphere of influence.
- D. Consider Adding Streets within the Jewel Box Neighborhood to be Slurry Sealed as Part of the Jewel Box Sewer Project
RECOMMENDED ACTION: Authorize the Public Works Department to reimburse the County of Santa Cruz for slurry sealing additional streets within the Jewel Box neighborhood as part of the County's Jewel Box Sewer Project at an estimated cost of \$84,750; and approved a budget amendment of \$93,000 transferring funds within the Capital Improvement Program.

9. ADJOURNMENT

Note: Any person seeking to challenge a City Council decision made as a result of a proceeding in which, by law, a hearing is required to be given, evidence is required to be taken, and the discretion in the determination of facts is vested in the City Council, shall be required to commence that court action within ninety (90) days following the date on which the decision becomes final as provided in Code of Civil Procedure §1094.6. Please refer to code of Civil Procedure §1094.6 to determine how to calculate when a decision becomes "final." Please be advised that in most instances the decision become "final" upon the City Council's announcement of its decision at the completion of the public hearing. Failure to comply with this 90-day rule will preclude any person from challenging the City Council decision in court.

Notice regarding City Council: The City Council meets on the 2nd and 4th Thursday of each month at 7:00 p.m. (or in no event earlier than 6:00 p.m.), in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

Agenda and Agenda Packet Materials: The City Council Agenda and the complete Agenda Packet are available for review on the City's website: www.cityofcapitola.org and at Capitola City Hall prior to the meeting. Agendas are also available at the Capitola Post Office located at 826 Bay Avenue, Capitola. Need more information? Contact the City Clerk's office at 831-475-7300.

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

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

CAPITOLA CITY COUNCIL REGULAR MEETING AGENDA
October 10, 2019

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



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF OCTOBER 10, 2019

FROM: Capitola Police Department

SUBJECT: Santa Cruz County Youth Violence Prevention Task Force Update

BACKGROUND/DISCUSSION: The City Council received a report on the Youth Violence Prevention Task Force at its March 28, 2019, regular City Council meeting. Capitola Police Sergeant Sarah Ryan will provide an update on the program's progress and future activities.

The Capitola Police Department is committed to this program and has dedicated a sergeant to represent the City as a member of the Countywide Steering Committee for advancing equity and cultural responsiveness in Capitola and Santa Cruz County. Two officers participated in Community-Law Enforcement Dialogues throughout 2019. These dialogue "circles" bring together youth, community members and law enforcement to discuss issues of safety, equity, and policing that works for all.

Report Prepared By: Andrew Dally
Police Captain

Reviewed and Forwarded by:

A handwritten signature in black ink, appearing to read "J. Goldstein".

Jamie Goldstein, City Manager

10/4/2019



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF OCTOBER 10, 2019

FROM: City Manager Department

SUBJECT: Consider the September 26, 2019, City Council Regular Meeting Minutes

RECOMMENDED ACTION: Approve minutes.

DISCUSSION: Attached for City Council review and approval are the minutes of the regular meeting of September 26, 2019.

ATTACHMENTS:

1. 9-26 draft minutes

Report Prepared By: Linda Fridy
City Clerk

Reviewed and Forwarded by:

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

Jamie Goldstein, City Manager

10/4/2019

**DRAFT
CAPITOLA CITY COUNCIL
REGULAR MEETING MINUTES
THURSDAY, SEPTEMBER 26, 2019**

Mayor Bertrand called the meeting to order at 6 p.m. There was no public comment and the Council adjourned to City Manager's office to discuss the following closed session items:

CONFERENCE WITH LABOR NEGOTIATOR [Govt. Code § 54957.6]

Negotiator: Larry Laurent

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

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

(One potential case)

LIABILITY CLAIMS [Govt. Code § 54956.95]

(Two claims)

Claimant: Bruce Stamps

Agency claimed against: City of Capitola

Claimant: Madeline Chiavetta

Agency claimed against: City of Capitola

REGULAR MEETING OF THE CAPITOLA CITY COUNCIL – 7 PM

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council Member Yvette Brooks: Present, Council Member Ed Bottorff: Present, Council Member Sam Storey: Present, Vice Mayor Kristen Petersen: Present, Mayor Jacques Bertrand: Present.

2. PRESENTATIONS

A. Junior Guards Recognition

Recreation Supervisor Nikki Bryant LeBlond joined Mayor Bertrand in honoring Junior Guards award winners.

B. Introduce New Building Inspector

Community Development Director Katie Herlihy introduced new Building Inspector Cat Thrasher. Ms. Thrasher thanked the Council and said she was pleased to be working in her community.

3. REPORT ON CLOSED SESSION

City Attorney Samantha Zutler said the Council received reports on the items listed.

4. **ADDITIONAL MATERIALS**

A. Item 9.A – Four communications.

5. **ADDITIONS AND DELETIONS TO AGENDA - None**

6. **PUBLIC COMMENTS**

Gary David Arnold spoke about various public figures.

7. **CITY COUNCIL / STAFF COMMENTS**

Council Member Petersen noted that with the approaching 2020 census count, children under five and seniors are most likely not to be counted. She encouraged everyone to participate as an accurate count is vital to districting and state and federal funding. She also said the annual Silicon Valley Leadership Group Turkey Trot supports nonprofits including Second Harvest Food Bank and encouraged local participation.

Council Member Brooks attended a September 20 criminal justice gang violence symposium. She also reported that Project Pajamas is seeking partners to distribute pajamas to those in need. The Sheriff’s Office will hold its annual Trunk or Treat festival October 25. She encouraged the community to look into the City of Santa Cruz’s online health policy survey. Finally, she congratulated Nick Brown, Capitola resident and the City’s representative to the Hazardous Materials Commission, who will be honored at the Volunteer Center’s “Be the Difference” awards on October 10.

Council Member Bottorff provided a brief jet plane noise update in response to recent letters. The route has not been moved as recommended but the Federal Aviation Administration is studying feasibility, which should take 18 to 24 months. He also asked that the Finance Advisory Committee review compensation for the Planning Commission and Architecture and Site Review Committee and bring a recommendation to Council.

Mayor Bertrand reminded the community that the Capitola Beach Festival is this weekend and the Plein Air outdoor painting event and sale is the end of October.

8. **CONSENT CALENDAR**

MOTION:	APPROVE OR REJECT AS RECOMMENDED
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sam Storey, Council Member
SECONDER:	Ed Bottorff, Council Member
AYES:	Brooks, Bottorff, Storey, Petersen, Bertrand

A. Consider the September 12, 2019, City Council Regular Meeting Minutes
RECOMMENDED ACTION: Approve minutes.

B. Planning Commission Action Minutes
RECOMMENDED ACTION: Receive minutes.

C. Liability Claim of Bruce Stamps [Claims Binder]
RECOMMENDED ACTION: Reject liability claim.

Attachment: 9-26 draft minutes (Approval of City Council Minutes)

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES
September 26, 2019

- D. Liability Claim of Madeline Chiavetta [Claims Binder]
RECOMMENDED ACTION: Reject liability claim.
- E. Approval of City Check Registers Dated August 2, August 7, August 16, August 23 and August 30, 2019
RECOMMENDED ACTION: Approve check registers.
- F. Adopt an Ordinance Amending Capitola Municipal Code Section 2.04.275
RECOMMENDED ACTION: Approve the second reading of **Ordinance No. 1032** amending Capitola Municipal Code Section 2.04.275 pertaining to City Council Member salary to provide an adjusted salary of \$600 per month for members of the City Council, to be effective upon the start of new terms of office following the November 2020 General Municipal Election.
- G. Adopt an Ordinance Adding Chapter 18.04 to the Capitola Municipal Code Pertaining to Development Agreements
RECOMMENDED ACTION: Approve the second reading of **Ordinance No. 1033**.

9. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Consider a Report Regarding Residency Requirements for Planning Commission and City Advisory Board Membership
RECOMMENDED ACTION: Receive report and provide direction regarding residency requirements for Planning Commission and City advisory bodies.

City Clerk Linda Fridy presented the staff report, noting that there is significant variation among the state's 482 cities in their approaches to Planning Commission membership.

Council Member Petersen confirmed that the nonresident status of a Capitola Planning Commissioner was made public prior to appointment.

In public comment, Planning Commissioner Mick Routh said his concerns are not personal about a nonresident member but a concern about residency. He said there is a universal impression that commission members must be residents.

Peter Wilk, planning commissioner, said he opposes a strict residency requirement. He trusts Council judgement and said business owners are also stakeholders.

Mark Hatcher, resident, appreciates concerns about finding five well-qualified Planning Commission members. He supports a balance for legacy projects such as the wharf, mall, and Village hotel.

Stephanie Harlan, resident and former mayor, recalled that nonresidents have been allowed on other advisory boards, but does not think it is appropriate for nonresidents to serve on the Planning Commission.

Kathi Howard, resident and former business owner, does not recall any nonresidents serving on the Planning Commission but would support a business owner option.

Council Member Storey said he has no concern that errors were made in the appointment of a nonresident, but he does believe there has been a practice of residency for the Planning Commission and the Council expressed interest in 2000 to codify that requirement. He does not see a reason for requiring residency for the

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES

September 26, 2019

Finance Advisory Committee and not the Planning Commission. He would consider an exception for some business members. He would not support a residency requirement for all other advisory bodies.

Council Member Brooks expressed concern about misinformation seen in letters and in social media posts regarding this issue. She said she did a lot of research prior to her appointment of a nonresident and praised the qualifications of her appointee. Her motion to require residency starting after the 2020 election along with future discussion of an ethics policy, standards for termination of a planning commission member, and development of a robust onboarding process for all new appointees died for lack of a second.

Council Member Bottorff expressed displeasure with how concerns have been expressed and feels that the City’s practices must reflect the current times. He does not want to discriminate between property owners versus renters, or owners versus employees.

Council Member Petersen said she appreciates the attempt to identify a commitment to the City by applicants. She emphasized that the City Council should be held responsible for any concerns about the Planning Commission.

Mayor Bertrand noted the challenge of addressing tradition and including newer approaches.

There was Council support for future discussion of a code of ethics/conduct and options to discipline or remove commissioners.

MOTION:	DIRECT STAFF TO COME BACK WITH AN ORDINANCE REQUIRING PLANNING COMMISSION MEMBERS TO BE REGISTERED VOTERS OF THE CITY, OR WORK AT LEAST 20 HOURS A WEEK IN THE CITY, OR RESIDE IN THE SPHERE OF INFLUENCE AS DEFINED BY THE LOCAL AREA FORMATION COMMISSION
RESULT:	DEFEATED [2 TO 3]
MOVER:	Ed Bottorff, Council Member
SECONDER:	Kristen Petersen, Vice Mayor
AYES:	Ed Bottorff, Kristen Petersen
NAYS:	Yvette Brooks, Sam Storey, Jacques Bertrand

MOTION:	DIRECT STAFF TO COME BACK WITH AN ORDINANCE REQUIRING PLANNING COMMISSION MEMBERS TO RESIDE IN THE CITY OR IN THE SPHERE OF INFLUENCE AS DEFINED BY THE LOCAL AREA FORMATION COMMISSION
RESULT:	ADOPTED [4-1]
MOVER:	Yvette Brooks, Council Member
SECONDER:	Ed Bottorff, Council Member
AYES:	Yvette Brooks, Ed Bottorff, Kristen Petersen, Jacques Bertrand
NAYS:	Sam Storey

B. Receive a Presentation from the Monterey Regional Waste Management District to Begin Negotiations for a Long-Term Agreement for Disposal and Recycling Processing

RECOMMENDED ACTION: Direct staff to negotiate a new Waste Disposal Agreement with Monterey Regional Waste Management District for solid waste

Attachment: 9-26 draft minutes (Approval of City Council Minutes)

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES

September 26, 2019

disposal and recycling processing and to reopen the Refuse, Recycling and Yard Waste Services Franchise Agreement with Green Waste Recovery, Inc., to account for the new disposal rates.

Public Works Director Steve Jesberg introduced the report with an overview of current services along with changes in regulation and recycling demand. Tim Flanagan, general manager of Monterey Regional Waste Management District, said the district offers the most diversion and best rates within 100 miles. It opened a new facility last year. The district was an early adopter of liners for the landfill and methane collection. It runs its collection fleet on carbon negative fuel from organic waste. Rate increases are due to unfunded state mandates for waste management and tightening recycling markets.

Council Member Storey asked what citizens can do to help to reduce the waste stream, and Mr. Flanagan responded to take care to put waste in the correct bin. He is also open to partnering on more public education and considering expanding the phone application "Where does it go?"

There was no public comment.

MOTION:	DIRECT STAFF TO OPEN NEGOTIATIONS AND THE FRANCHISE AGREEMENT AS RECOMMENDED
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sam Storey, Council Member
SECONDER:	Kristen Petersen, Vice Mayor
AYES:	Brooks, Bottorff, Storey, Petersen, Bertrand

- C. Update on the Capitola Branch Library Project
RECOMMENDED ACTION: Receive report.

Director Jesberg presented the staff report. A change order adding conduit construction for utility undergrounding will be brought forward once PG&E finishes the design, which began ahead of schedule. Negotiations to recover related costs through errors and omissions will resume once that work is complete.

He presented the contingency expenses to date, the largest of which was the redesign to bring construction costs down. There is \$651,700 remaining from the original \$1.1 million.

RESULT:	RECEIVE REPORT
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- D. Consider Elimination of Art and Cultural Commission Term Limits
RECOMMENDED ACTION: Approve **Resolution No. 4158** accepting the Capitola Art and Cultural Commission's recommended changes to the bylaws to remove term limits of the commissioners.

Assistant to the City Manager Larry Laurent presented the staff report. He explained the commission does not want to lose active, experienced members who oversee key projects.

There was no public comment.

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES

September 26, 2019

MOTION:	APPROVE THE RESOLUTION AND AMENDED BYLAWS AS RECOMMENDED
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Yvette Brooks, Council Member
SECONDER:	Sam Storey, Council Member
AYES:	Brooks, Bottorff, Storey, Petersen, Bertrand

10. ADJOURNMENT

The meeting adjourned at 9:28 p.m.

Jacques Bertrand, Mayor

ATTEST:

Linda Fridy, City Clerk

DRAFT

Attachment: 9-26 draft minutes (Approval of City Council Minutes)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF OCTOBER 10, 2019

FROM: Capitola Police Department

SUBJECT: Consider a Resolution Accepting an Alcoholic Beverage Control Grant

RECOMMENDED ACTION: Adopt a resolution accepting a State of California Department of Alcoholic Beverage Control grant for \$13,500 to support training and enforcement, and authorize amending the Fiscal Year 2019/20 general fund operating budget to increase revenues and expenditures by \$13,500.

BACKGROUND: Each fiscal year, the State of California Department of Alcoholic Beverage Control (ABC) awards grants through its Grant Assistance to Local Law Enforcement Program to help local law enforcement agencies reduce alcohol-related crimes through training, prevention, community involvement, and enforcement. The Police Department has applied for and received several ABC grants over the years, the latest one for Fiscal Year (FY) 2017-18. This grant is for FY 2019-20.

DISCUSSION: The Police Department has experienced staffing changes over the past three years. In addition, there have been several changes in alcohol licensee ownership, including an increase in the number of licensees from 68 in 2017 to the current total of 71. With the help of the ABC grant funding received in FY 2017-18, the department provided the education and enforcement necessary to prevent a significant increase in alcohol-related offenses during that period.

Staff applied for and was awarded an ABC grant for \$13,500 for FY 2019-20 to be used for officer overtime, travel expenses, equipment, and supplies to expand efforts in addressing underage and adult alcohol-related problems in the community. The grant funds will provide the department with resources needed to facilitate outreach efforts and presentations at New Brighton Middle School regarding ABC-related laws, alcohol consumption by youth, and the effects and consequences of drinking and driving. The additional funds will also help the department to continue to increase the education of Capitola businesses and allow for increased enforcement of alcohol-related laws.

FISCAL IMPACT: This will not require additional general fund resources. The funds received from this grant must be used for grant-related overtime, travel, equipment, and supplies.

ATTACHMENTS:

State of California ABC Grant Acceptance
October 10, 2019

1. 19_20 ABC Approval Letter (PDF)
2. ABC Grant Budget Amendment (PDF)

Report Prepared By: Andrew Dally
Police Captain

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

10/4/2019

State of California ABC Grant Acceptance
October 10, 2019

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
ACCEPTING A STATE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE
CONTROL (ABC) GRANT IN THE AMOUNT OF \$13,500 AND AMENDING THE FY 2019-20
GENERAL FUND OPERATING BUDGET, INCREASING BOTH REVENUES AND
EXPENDITURES BY \$13,500 FOR THE 2019-2020 FISCAL YEAR**

WHEREAS, the Capitola Police Department is a recipient of a State of California Department of Alcoholic Beverage Control (ABC) Grant; and

WHEREAS, a budget amendment must be enacted before funds can be accepted and expended for their intended and legally mandated purposes.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Capitola hereby accepts a State of California Department of Alcoholic Beverage Control (ABC) Grant for \$13,500, and authorizes an amendment to the Police Department's 2019-20 budget by increasing both revenues and expenditures by \$13,500 as follows:

Category	FY 2019-20 Budget Amendment
ABC Grant Revenue	\$13,500
Total Source of Funds	\$13,500
Use of Funds:	
Overtime	\$ 13,000
Supplies	\$ 0
Training	\$ 500
Total Use of Funds	\$ 13,500

BE IT FURTHER RESOLVED that the Finance Department shall record these changes into the City's accounting records in accordance with appropriate accounting practices.

BE IT FURTHER RESOLVED that these grants will be expended pursuant to the conditions of the grant program.

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 10nd day of October, 2019, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Jacques Bertrand, Mayor

ATTEST:

State of California ABC Grant Acceptance
October 10, 2019

Linda Fridy, City Clerk

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

3927 Lennane Drive, Suite 100
Sacramento, CA 95834
(916) 419-2500



September 25, 2019

Captain Andrew Dally
Capitola Police Department
422 Capitola Avenue
Capitola, CA 95010

Re: ABC-OTS Grant Program

Dear Captain Dally:

We are pleased to inform you that your agency has been selected to participate in the Department of Alcoholic Beverage Control's ABC-OTS Grant Program. Funding for this project comes from the Office of Traffic Safety through the National Highway Traffic Safety Administration. We anticipate operations to begin upon completion of a one-day mandatory training. Funding will conclude on August 31, 2020.

Because the grant starts October 1, 2019, on or after that date you can make travel arrangements for your operations officer and fiscal officer to attend the one-day training. Travel purchased prior to October 1st will not be reimbursed. The information regarding the date, location and authorized per diem rates are enclosed. If you have questions, please contact Supervising Agent Brandon Shotwell at (916) 928-7954.

To expedite the issuance of your contract please review and complete the enclosed ABC-OTS Grant Program Information Sheet. You can mail, fax, or email this information to our Grant Coordinator, Diana Fouts-Guter, at 3927 Lennane Drive, Suite 100, Sacramento, CA 95834, Fax: (916) 928-7625, or email her at Diana.fouts-guter@abc.ca.gov. We will also need a resolution from your agency's governing body. Since these resolutions typically must put be on your governing body's calendar, we ask that you do this as soon as possible.

We appreciate your prompt response and look forward to working with your agency.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jacob Appelsmith".

Jacob Appelsmith
Director

Enclosures

Attachment: 19_20 ABC Approval Letter (State of California ABC Grant Acceptance)

City of Capitola Budget Adjustment Form

7.B.2



Date 10/10/2019

Requesting Department Police

Administrative Council

Item # TBD
 Council Date Oct. 10, 2019
 Council Approval _____

Revenues		
Account #	Account Description	Increase/Decrease
1000-20-20-000-3320.100	State Government Grants	13,500
Total		13,500

Expenditures		
Account #	Account Description	Increase/Decrease
1000-20-20-000-4130.200	Overtime Grant Funded	13,000
1000-20-20-000-4400.500	Training & Memberships Other	500
Total		13,500

Net Impact -

Purpose: State of California Department of Alcoholic Beverage Control Grant

Department Head Approval _____
 Finance Department Approval _____
 City Manager Approval _____

Attachment: ABC Grant Budget Amendment (State of California ABC Grant Acceptance)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF OCTOBER 10, 2019

FROM: City Manager Department
SUBJECT: Consider Afterschool Program Scholarships

RECOMMENDED ACTION:

1. Approve a scholarship program for the Recreation Division afterschool program, and
2. Authorize a budget amendment to allocate \$4,000 from the dedicated early childhood and youth programs fund, and to accept a \$4,000 matching contribution for the scholarship program from the Soquel Union Elementary School District.

BACKGROUND: In September 2019, the Recreation Division began a pilot Afterschool Rec Club at New Brighton Middle School (formerly the Teen Club). The cost of this program is \$12 per day for residents, which includes those living in the Soquel Union Elementary School District (SUESD) boundaries, and \$14 per day for nonresidents. Sessions are offered in six- or seven-week cycles. The cost to enroll depends on the number of days a week a student participates in the program and the length of the session. For example, for three days a week of participation in a six-week session the cost is \$215 resident/\$252 nonresident.

Research into scholarship processes used by other recreation departments in the County showed most use the Federal Income Eligibility Guidelines for free or reduced meals. The California Department of Education states that any family who qualifies for CalFresh or CalWorks benefits are automatically eligible for free meal benefits. Staff has received public inquiries regarding scholarships for the afterschool program.

DISCUSSION: Consistent with other local recreation programs, staff is recommending a scholarship application process that utilizes the Federal Income Eligibility Guidelines, or CalFresh/CalWorks benefits. Applicants will self-report their eligibility; there is no proposed income verification process. Applicants who qualify will be eligible for a full scholarship minus a registration fee. For example, the cost to participate in a six-week session, for three days a week, for will drop from \$215 to \$15.

Income verification processes are staff intensive. The City currently contracts with the Housing Authority to complete income verifications for affordable housing units. Each verification costs approximately \$150. The Friends of Parks and Recreation for Santa Cruz City and the California Department of Education use an application process that references the Federal guidelines and also does not require proof of income.

As proposed, applicants must be residents of the City or Soquel Union Elementary School District to receive funding. Scholarship applications will be processed on a first-come, first-

Afterschool Program Scholarships
October 10, 2019

served basis and if all the funds are awarded will serve a minimum of 15 percent of participants, for each session.

Staff will review scholarship applications. Those applicants awarded benefits will receive a credit applied to their Active Net account. Any award not used after the start of the session will be returned to the scholarship fund and awarded to the next qualified applicant.

Staff recommends allocating \$4,000 from the Transient Occupancy Tax (TOT) dedicated early childhood and youth fund to be used for the remainder of Fiscal Year 2019/20. SUEDES has pledged to match \$4,000 from its budget to be allocated to this scholarship fund for a total scholarship program of \$8,000.

The money allocated for this scholarship will be used specifically for the Afterschool Rec Club and no other programs offered by Recreation. As part of the Strategic Plan project, an evaluation of the scholarship need for all of Recreation programs will be explored and brought before Council at a later date.

FISCAL IMPACT: The estimated available balance in the Restricted TOT Early Childhood/ Youth Programs fund is \$20,000. Using \$4,000 for the scholarship fund will leave a remaining available balance of approximately \$16,000.

ATTACHMENTS:

1. ScholarshipApplication
2. Budget Amendment Afterschool Scholarship Program

Report Prepared By: Nikki Bryant LeBlond
Recreation Supervisor

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

10/4/2019



Capitola Recreation Scholarship Application

4400 Jade Street, Capitola, CA 95010 • 831.475.5935

Parent/Guardian Name: _____ Child Name: _____

Address: _____ City: _____ Zip: _____

Primary Phone: _____ Secondary Phone: _____

Email Address: _____

SCHOLARSHIP REQUESTS

Program Title	Cost of Program	Dates of Program

Including myself, household size: _____

Household monthly income:
\$ _____

Household is synonymous with family and means a group of related or unrelated individuals who are not residents of an institution or boarding house, but who are living as one economic unit sharing housing and all significant income and expenses.

Based on California Department of Education Income eligibility guidelines for reduced price meals and snacks. <https://www.cde.ca.gov/ls/nu/rs/scales1920.asp>

OR I currently receive CalFresh or CalWorks benefits

Income Eligibility Limits

Household Size	Annual	Monthly	Twice Per Month	Every Two Weeks	Weekly
1	23,107.00	1,926.00	963.00	889.00	445.00
2	31,284.00	2,607.00	1,304.00	1,204.00	602.00
3	39,461.00	3,289.00	1,645.00	1,518.00	759.00
4	47,638.00	3,970.00	1,985.00	1,833.00	917.00
5	55,815.00	4,652.00	2,326.00	2,147.00	1,074.00
6	63,992.00	5,333.00	2,667.00	2,462.00	1,231.00
7	72,169.00	6,015.00	3,008.00	2,776.00	1,388.00
8	80,346.00	6,696.00	3,348.00	3,091.00	1,546.00
For each additional family member, add:	8,177.00	682.00	341.00	315.00	158.00

Attachment: Scholarship Application (Afterschool Program Scholarships)

- Scholarship applications **must be submitted 5 working days before the start of registration**. Email to: capitolarecreation@ci.capitola.ca.us or mail to 4400 Jade St. Capitola, CA 95010
- Applications will be reviewed in the order they are received
- Applicants who are awarded benefits will receive full benefits minus the registration fee. The registration fee is the responsibility of the applicant.
- Scholarship applicants **must create a Capitola Recreation ActiveNet account** to receive benefits
- Scholarship benefits will be awarded as credit to your ActiveNet account
- Any unused credit will be removed from your account and returned to the scholarship fund a week after the start of the session.

By signing below, I acknowledge that the information I provided is accurate, true, correct and that my household INCOME IS AT OR LESS THAN the income eligibility scale provided, or I currently receive CalFresh or CalWorks benefits.

Signature: _____ Date: _____

City of Capitola Budget Adjustment Form



Date 10/10/2019

Requesting Department Recreation

Administrative Council

Item # TBD
 Council Date Oct. 10, 2019
 Council Approval _____

Revenues		
Account #	Account Description	Increase/Decrease
1000-50-50-545-3910.xxx	Interfund transfer in-Restricted	4,000
	TOT Early Childhood/Youth	
1000-50-50-545-3700.xxx	Other revenues grants, donations	4,000
Total		8,000

Expenditures		
Account #	Account Description	Increase/Decrease
1305-00-00-000-4910.xxx	Interfund transfer out-aftershcool	4,000
	scholarship program	
Total		4,000

Net Impact 4,000

Purpose: Funding for Afterschool Scholarship Program

Department Head Approval _____
 Finance Department Approval *Jim Malberg*
 City Manager Approval _____

Attachment: Budget Amendment Afterschool Scholarship Program (Afterschool Program Scholarships)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF OCTOBER 10, 2019

FROM: Community Development

SUBJECT: Introduce an Ordinance Amending Capitola Municipal Code Chapter 12.64
Sidewalk Vending Prohibitions

RECOMMENDED ACTION: Approve the first reading of an ordinance to amend Chapter 12.64 to allow sidewalk vending consistent with Senate Bill 946.

BACKGROUND: On September 17, 2018, Governor Jerry Brown signed Senate Bill (SB) 946, which establishes statewide regulations regarding vending on sidewalks and pathways in the public right-of-way and parks. The stated purpose of this bill is to create entrepreneurial and economic development opportunities for individuals by removing barriers to selling food and merchandise on public sidewalks and in parks. The bill went into effect on January 1, 2019.

On July 25, 2019, staff presented an overview on the new legislation and examples of new regulations. City Council directed staff to draft an ordinance to ensure protection of public safety.

DISCUSSION: Local jurisdictions that wish to regulate sidewalk vending are required to first adopt a program with rules and regulations consistent with SB 946. (Attachment 2). The new law also allows sidewalk vending within public parks with additional criteria to protect the public's use and enjoyment of natural resources and recreational opportunities, and undue concentration of commercial activity that unreasonably interferes with the park's scenic and natural character. The law permits "roaming" sidewalk vendors in all areas, and allows local governments to limit hours of regulation in residential areas

Staff drafted an ordinance consistent with the provisions of SB 946, while retaining local control to the extent feasible. The draft ordinance protects pedestrian safety with minimum sidewalk width requirements and increased standards for the Central Village due to high pedestrian volumes. To avoid pedestrian and auto conflicts, minimum setbacks standards from crosswalks, driveways, and schools are proposed. To maintain the tranquil experience in environmentally sensitive habitat areas and viewpoints, the ordinance prohibits sidewalk vending along the Grand Avenue Pathway and the Soquel Creek Pathway. Table 1 includes an explanation of standards with SB 946 followed by bulleted regulations included in the proposed ordinance.

Table 1.

Subject	Description
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Sidewalk Vending Ordinance
October 10, 2019

Definitions	<p><i>Roaming sidewalk vendors</i> move from place to place and only stop to complete a transaction.</p> <p><i>Stationary sidewalk vendors</i> vend from fixed locations.</p>
Area of public right-of-way	<p>Regulations apply to sidewalks, pathways, and public parks.</p> <ul style="list-style-type: none"> • Maintain 4 feet of clearance on sidewalk for Americans with Disabilities Act (ADA) compliance • Maintain 10 feet of clearance on Central Village sidewalks due to high pedestrian activity and safety. • 25-foot setbacks for safety (fire hydrants, crosswalks, driveway, alley, or entrance to parking areas, trash receptables, bike rack, bench, bus stop) • 100-foot setback from another sidewalk vendor or emergency personnel. • 200-foot setback from police station, fire station, beach, farmer's market, school, and special event. • Prohibit vending sales near schools to prevent sidewalk overcrowding and pedestrian/vehicle hazards.
City-owned Parks	<p>Cities cannot prohibit <i>roaming vendors</i> from operating in City-owned parks, but may prohibit <i>stationary vendors</i>, if the City has an exclusive agreement with a concessionaire.</p> <p>Restrictions can be imposed in parks when necessary, including to protect public health, safety, or welfare; to protect public's use and enjoyment of natural resources and recreational opportunities; and to prevent an undue concentration of commercial activity that unreasonably interferes with the park's scenic and natural character.</p> <ul style="list-style-type: none"> • 200-foot setbacks from recreational opportunities (Capitola Beach). • Prohibit from pathways in close proximity to natural resources (Soquel Creek Pathway, Prospect Pathway, Depot Hill stairs, and Grand Avenue Pathway) to ensure the public's enjoyment of natural resources.
Farmers' Markets, Swap Meets, and Special Events	<p>Cities may prohibit sidewalk vending from the immediate vicinity of a certified permitted farmers' market or swap meet or temporary special event.</p> <ul style="list-style-type: none"> • Require a 200-foot setback from farmers' markets, swap meets, or temporary special events.
Residential and Commercial Neighborhoods	<p>In residential areas, a city may prohibit <i>stationary sidewalk vendors</i> but must allow <i>roaming sidewalk vendors</i>.</p> <ul style="list-style-type: none"> • Prohibits stationary sidewalk vendors in residential areas
Hours of Operation	<p>In commercial zones, hours cannot be more restrictive than other businesses. In residential areas, a city may establish more restrictive hours of operation.</p> <ul style="list-style-type: none"> • In residential areas, limit hours from 9 a.m. to 6 p.m.

Sidewalk Vending Ordinance
October 10, 2019

	<ul style="list-style-type: none"> In commercial areas, limit hours to normal operating hours of surrounding commercial establishments.
Limit on Number of Vendors	<p>Cities may not limit the number of vendors or restrict them from certain areas of the City, unless restrictions are necessary to ensure public health, safety or welfare standards are met.</p> <ul style="list-style-type: none"> No limit on number of vendors.
Required Permits	<p>Cities may require a specific city vending license or permit or a general business license. Cities may not require a vendor to first obtain approval from a nongovernmental entity before conducting business.</p> <ul style="list-style-type: none"> Require a sidewalk vending license, business license, and CA seller's permit number. Health and Safety permit to sell food.
Storefront Businesses	<p>Cities cannot require a sidewalk vendor to obtain permission from any business to operate near them. Cities do not have the authority to restrict a vendor from operating on the sidewalk due to conflicting business uses.</p>

FISCAL IMPACT: The addition of sidewalk vendors is not expected to have a significant fiscal impact.

Report Prepared By: Katie Herlihy
Community Development Director

Reviewed and Forwarded by:


Katie Herlihy, Community Development Director 10/2/2019

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
AMENDING SECTION 12.64 OF THE CAPITOLA MUNICIPAL CODE TO ADD SIDEWALK
VENDING REGULATIONS AND STANDARDS GOVERNING SIDEWALK VENDING IN THE
CITY LIMITS.**

WHEREAS, the City Council of the City of Capitola does hereby find, determine and declare as follows:

- A. Limitations on sidewalk vending are necessary to:
1. Comply with State Legislation;
 2. Promote the health, safety and welfare;
 3. Ensure that the Goals and Policies of the City's General Plan are upheld;
 4. Ensure that the flow of pedestrian or vehicular traffic including ingress into, or egress from, any residence, public building, or place of business, or from the street to the sidewalk, by persons exiting or entering parked or standing vehicles is maintained;
 5. Provide reasonable access for the use and maintenance of sidewalks, pathways, hydrants, restrooms, trash receptacles, firefighting apparatus, as well as access to locations used for public transportation services;
 6. Protect the quality of life of City residents and minimize disruptions to the quiet enjoyment of residential property by restricting noise-making devices associated with sidewalk vending;
 7. Ensure no interference in the performance of police, firefighter, and emergency medical personnel services;
 8. Maximize public access in the commercial districts and along the coast; and
 9. Reduce exposure to the City for personal injury or property damage claims and litigation.
- B. The unique characteristics of the City require certain restrictions on sidewalk vending as follows:
1. The majority of the sidewalks and pathways in the City are under ten (10) feet wide and sidewalk vending in these areas would unreasonably interfere with the flow of pedestrians and disrupt access for persons with disabilities in compliance with the American with Disabilities Act (ADA);
 2. The majority of the City's sidewalks in the Regional Commercial District, Community Commercial District and Mixed-Use Neighborhood Districts are less than four (4) feet in width and cannot facilitate sidewalk vending while maintaining pedestrian

- accessibility. A minimum sidewalk width standard of four feet is necessary to protect maintain accessibility standards on sidewalks for all residents;
3. The Central Village and associated sidewalk areas are extremely popular tourist destinations with unusually high pedestrian and vehicular traffic volumes in which most of the segments of sidewalk are under ten feet in width. A minimum ten feet sidewalk width standard is necessary to protect the public from injury given the popularity of these tourist destinations and the narrow sidewalks;
 4. The majority of the City's Residential Zoning Districts are less the four (4) feet in width and cannot facilitate sidewalk vending without blocking access. A minimum sidewalk width standard of four feet is necessary to protect maintain accessibility standards on sidewalks for all residents;
 5. Esplanade Park is 1.2 acres in size and offers passive types of uses such as picnicking and ocean viewing, and active types of uses such as being the staging area for the Junior Lifeguard Program, a concession area for beach merchandise and surfboard rental, multiple surf school gathering areas, and the City of Capitola summer event series (Art & Music, Opera, Movies, and the Wednesday night Twilight Concert series). It is also a vehicular access point for the City of Capitola Public Works, and Santa Cruz County Sanitation District, Central Fire Department, and lifeguard vehicles and equipment. Esplanade Park contains the Capitola Pump Sewage Pump Station which is critical infrastructure. Restrictions around this facility are necessary to ensuring health, safety and welfare of the public. A prohibition on sidewalk vending permits in Esplanade Park is necessary to promote public health, safety and welfare, and to prevent an undue concentration of commercial activity that unreasonably interferes with the scenic and natural character of the park and access to coastal areas and recreation;
 6. Capitola Beach is a coastal and scenic resource and restrictions of sidewalk vending on and around the beach are necessary to protect this resource;
 7. The Grand Avenue Pathway is a narrow, paved pathway located along the Depot Hill bluffs. The pathway is a popular tourist destination with high pedestrian traffic volumes and is located adjacent to an eroding coastal bluff, an identified geologic hazard. The Grand Avenue Pathway is a coastal and scenic resource. Restrictions on sidewalk vending along the path are necessary to protect the public from injury given the popularity of this tourist destination and the geological hazards of this area, and to protect the scenic and natural character of the area;
 8. The Prospect Pathway is a narrow pathway located along Prospect Avenue. The pathway is a popular coastal and scenic resource. Restrictions on sidewalk vending along the path are necessary to protect the public from injury given the popularity of this tourist destination and protect the scenic and natural character of the area;
 9. The Soquel Creek Pathway is a narrow pedestrian pathway. The Soquel Creek Pathway and Soquel Creek Park are located within a designated environmentally sensitive habitat area and scenic resource. Restrictions of sidewalk vending at this location are necessary to preserve this resource;

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10. The Depot Hill Stairway is a historic stairway with high pedestrian volumes. Restrictions to sidewalk vending on and around the Depot Hill Stairway is necessary to protect the public from injury;
11. Lawn Way is a historic right of way located within the Lawn Way and Six Sisters Historic District and the Coastal Zone. Lawn way is a cultural and scenic resource within the City, and is zoned to only allow residential and bed/breakfast uses. A prohibition on sidewalk vending permits in Lawn Way is necessary to prevent an undue concentration of commercial activity that unreasonably interferes with the scenic, natural, and cultural resources of the historic district within the Coastal Zone.

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

Section 1. Chapter 12.64 is hereby amended and restated as follows:

**Chapter 12.64
SIDEWALK VENDING PROGRAM**

Sections:

12.64.010	Purpose and Findings
12.64.020	Definitions
12.64.030	Permit Required
12.64.040	Issuance of Permit
12.64.050	Operating Conditions
12.64.060	Prohibited Locations
12.64.070	Prohibited Activities
12.64.080	Penalties
12.64.090	Appeals

12.64.010 Purpose

Purpose. The requirements set forth in this chapter are intended to protect the public's health, safety, and welfare by ensuring that sidewalk vendors on public property provide safe and sanitary conditions for consumers and the general public, are adequately insured, and are properly licensed with other agencies.

12.64.020 Definitions

Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this chapter. Words and phrases not defined by this chapter have the meaning set forth elsewhere in this Code, the California Business and Professions Code, California Vehicle Code, or California Government Code.

A. "Beach" means any public oceanfront beach within the City.

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- B. "Certified farmers' market" means a location operated in accordance with Chapter 10.5 (commencing with Section 47000) of Division 17 of the Food and Agricultural Code and any regulations adopted pursuant to that chapter, or any successor chapter.
- C. "Commercial District" means any area zoned Community Commercial (CC), Regional Commercial (CR), Mixed-Use Neighborhood (MU-N), Neighborhood Commercial (CN), Mixed-Use Village (MU-V), and Central Village (CV), in Title 17 of the Municipal Code.
- D. "Food" means any item provided in Health and Safety Code Section 113781, or any successor section.
- E. "Harassment" means any form of unauthorized or unpermitted touching, verbal abuse, blockage of pathways or interference with pedestrian traffic.
- F. "Human Powered Device" shall mean any device moved solely by human power, including, but not limited to, a pushcart, wagon, bicycle, tricycle, pedal-driver cart, other non-motorized conveyance, or other wheeled container or mechanism, or from one's person.
- G. "Merchandise" means any item(s) that can be sold and immediately obtained from a sidewalk vendor, which is not considered food. Items for rent shall not be considered merchandise.
- H. "Owner" shall mean any person or entity owning or otherwise controlling the operation of any business or activity involving Vending.
- I. "Park" means the parks listed in the Land Use Element of the General Plan.
- J. "Public Property" shall mean any real property, public easement, public street, street median, alley, parkway, public sidewalk, or other interest therein owned, held, leased, operated or otherwise controlled by the City.
- K. "Residential District" means any area zoned exclusively as residential in Title 17 of the Municipal Code.
- L. "Roaming Sidewalk Vendor" shall mean a Sidewalk Vendor who moves from place to place and stops only to complete a transaction.
- M. "Service Business" means a commercial enterprise that provides work performed by an individual or team for the benefit of its customers.
- N. "Pathway" means a public walkway limited to use by pedestrians through public property or established through an easement not within an active roadway, including but not limited to the Depot Hill pathway and the Soquel Creek pathway.
- O. "Sidewalk" means that portion of a roadway, set apart by curbs, barriers, markings or other delineation specifically for the safety of pedestrians.
- P. "Sidewalk Vendor" shall mean a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack or other non-motorized conveyance, or from one's person, upon a public sidewalk, public pathway, or City park.

Sidewalk Vending Ordinance
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- Q. "Sidewalk vending receptacle" or "sidewalk vendor receptacle" means a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance used for sidewalk vending activities;
- R. "Special Event" shall mean a City-permitted event including, but not limited to, festivals, art shows, parades, and/or cultural events.
- S. "Stationary Sidewalk Vendor" shall mean a Sidewalk Vendor who vends from a fixed location.
- T. "Vend" or "Vending" shall mean any act of displaying, selling, or offering for sale of any displayed goods or merchandise to the public from a Sidewalk Vending Receptacle.

12.64.030 Permit Required

- A. No person, either for themselves or any other person, shall engage in any sidewalk vendor activities within the City without first applying for and receiving a sidewalk vending permit from the Community Development Director, or the Director's designee, under this chapter.
- B. No more than one sidewalk vending permit shall be issued to an individual sidewalk vendor. One sidewalk vending receptacle is permitted per permit.
- C. Permits shall be issued in the order in which they are received and deemed complete by City staff.
- D. An applicant shall file a written application for a sidewalk vendor permit with the Community Development Director, or Director's designee, on a form provided by the City. The application shall include the information and materials required by the community development department, together with the required application fees. It is the responsibility of the applicant to provide evidence in support of compliance with this Chapter.

12.64.040 Issuance of Permit

- A. Within thirty (30) calendar days of receiving a complete application, the Community Development Director, or the Director's designee, may issue a sidewalk vendor permit, with appropriate conditions, as provided for herein, if he or she finds based on all of the relevant information that:
 1. The conduct of the sidewalk vendor will not unduly interfere with traffic or pedestrian movement, or tend to interfere with or endanger the public peace or rights of nearby residents to the quiet and peaceable enjoyment of their property, or otherwise be detrimental to the public peace, health, safety or general welfare, nor shall it violate any of the provisions, or related rules, restrictions and regulations of the Americans with Disability Act.
 2. The conduct of the sidewalk vendor will not unduly interfere with normal governmental or City operations, threaten to result in damage or detriment to public property, or result in the City incurring costs or expenditures in either money or personnel not reimbursed in advance by the vendor.

3. The conduct of such sidewalk vending activity will not interfere with public safety operations.
 4. The sidewalk vendor has not had a sidewalk vending permit revoked by the City of Capitola within the past twelve (12) months.
 5. The sidewalk vendor has not made a materially false, misleading or fraudulent statement of fact to the City in the application process.
 6. The sidewalk vendor has satisfied all requirements of this chapter.
 7. The sidewalk vendor has adequate insurance to protect the City from liability associated with the sidewalk vendor's activities, as determined by the City's Risk Manager, or the Risk Manager's designee, and, if required by the City, the City has been named as an additional insured.
 8. The sidewalk vendor has satisfactorily provided all information requested by the Community Development Director, or the Community Development Director's designee, to consider the vendor's application.
- B. A sidewalk vendor permit is non-transferable. Any change in ownership or operation of a sidewalk vendor or sidewalk vending receptacle requires a new permit under this chapter.

12.64.050 Operating Conditions

- A. All sidewalk vendors are subject to the following operating conditions when conducting sidewalk vending activities:
1. All food and merchandise shall be stored either inside or affixed to the sidewalk vendor receptacle or carried by the sidewalk vendor. Food and merchandise shall not be stored, placed, or kept on any public property. The overall space taken up by the sidewalk vendor receptacle shall not exceed the size requirements provided in this section.
 2. Sidewalk vendors who sell food shall be in possession of a current Health and Safety permit issued by the County of Santa Cruz Environmental Health Department in accordance with Part 7 of the California Health and Safety Code.
 3. The sidewalk vendor permit shall be displayed conspicuously at all times on the sidewalk vending receptacle or the sidewalk vendor's person.
 4. Only one sidewalk vendor with one sidewalk vending receptacle is permitted per permit.
 5. Sidewalk vendors shall ensure that all required insurance is in effect prior to conducting any sidewalk vendor activities and maintained for the duration of the permit.
 6. While engaged in vending, sidewalk vendors shall not leave their sidewalk vending receptacle unattended for any reason.
 7. Sidewalk vending receptacles shall not be stored on public property.

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8. All sidewalk vendors shall allow a police officer, firefighter, life safety services officer, code enforcement officer, health inspector, or other government official charged with enforcing laws related to the street vendor's activities, at any time, to inspect their sidewalk vending receptacle for compliance with the size requirements of this chapter or any related codes or regulations, and to ensure the safe operation of any heating elements used to prepare food.
9. Sidewalk vending receptacles and any attachments thereto shall not exceed a total height of four (4) feet, a total width of three (3) feet, and a total length of four (4) feet.
10. No sidewalk vending receptacle shall contain or use propane, natural gas, or other explosive or hazardous materials.
11. All sidewalk vendors associated with the sidewalk vending receptacle shall be within five (5) feet of the sidewalk vending receptacle when conducting sidewalk vending activities. Deliveries from sidewalk vending receptacles is prohibited.
12. Sidewalk vendors that sell food shall maintain a trash container in or on their sidewalk vending receptacle and shall not empty their trash into public trash cans. The size of the vendor's trash container shall be taken into account when assessing the total size limit of a sidewalk vending receptacle. Sidewalk vendors shall not leave any location without first picking up, removing, and disposing of all trash or refuse from their operation.
13. Sidewalk vendors shall immediately clean up any food, grease or other fluid or item related to sidewalk vending activities that is discharged. Failure to comply may result in the City taking appropriate action to clean the discharge at the vendor's expense. The vendor permit may thereafter be suspended until such time as the expense associated with cleanup has been reimbursed to the City. The vendor permit may be revoked upon three violations of this requirement.
14. Sidewalk vendors shall comply with the Federal Americans with Disabilities Act of 1990 and amendments thereto, and State disability rights laws.
15. Sidewalk vendors shall maintain a minimum four (4) foot clear accessible path free from obstructions, including sidewalk vending receptacle and customer queuing area.
16. Sidewalk vendors shall comply with the noise standards provided in Chapter 9.12 of this Code, or any successor chapters.
17. Sidewalk vendors shall not approach persons to sell food or merchandise.
18. All signage and advertising related in any way to the sidewalk vendor shall be attached to the sidewalk vending receptacle, if any, or the sidewalk vendor's person.
19. Sidewalk vendors shall not use any illuminated, flashing, wind powered, or animated sign.
20. Signs shall not exceed three (3) square feet; and no free-standing sign shall be placed on a public street or sidewalk.

12.64.060 Prohibited Locations

- A. Sidewalk vendors shall not engage in sidewalk vending activities at the following locations:
1. Any public property that does not meet the definition of a sidewalk, pathway, or park including, but not limited to, any alley, intra-block walkway, beach, square, street, street end, or parking lot.
 2. Within two hundred (200) feet of:
 - a. A Police Station.
 - b. A Fire Station.
 - c. The Beach.
 - d. School,
 - e. A permitted certified farmers' market or swap meet during the limited operating hours of that certified farmers' market or swap meet.
 - f. An area designated for a special event permit issued by the City, during the limited duration of the special event, if the City provides the sidewalk vendor any notice, business interruption mitigation, or other rights the City provided to any affected businesses or property owners under the City's special event permit.
 3. Within one hundred (100) feet of:
 - a. Another sidewalk vendor.
 - b. Any police officer, firefighter, lifeguard or emergency medical personnel who are actively engaged in providing emergency services to the public.
 4. Within twenty-five (25) feet of a:
 - a. Fire hydrant.
 - b. Crosswalk.
 - c. Curb which has been designated as white, yellow, green, blue, or red zone, or a bus zone.
 - d. Automated teller machine.
 - e. Driveway, alley, or entrance to a park, parking lot, or parking garage.
 - f. Trash receptacle, bike rack, bench, bus stop, restroom, or similar public use items.
 - g. Pay station or parking meter.

- h. Esplanade Park
 - i. Grand Avenue Pathway
 - j. Soquel Creek Pathway and Park
 - k. Depot Hill Stairway
 - l. Lawn Way
5. Sidewalk vendors shall not sell food or merchandise or engage in any sidewalk vending activities:
- a. On any portion of a sidewalk or pathway that is not a minimum width of ten (10) feet wide within the Central Village zoning district and four (4) feet wide throughout the rest of the City; or
 - b. At any park where the City has signed an agreement for concessions that exclusively permits the sale of food or merchandise by a concessionaire.
6. Stationary sidewalk vendors shall not operate in the residential zoning districts.
7. Sidewalk vending receptacles shall not touch, lean against or be affixed at any time to any building or structure including, but not limited to lampposts, fire hydrants, benches, bus shelters, newsstands, trashcans, or traffic barriers.

12.64.070 Prohibited Activities

- A. Sidewalk vendors shall not engage in any of the following activities:
- 1. Renting merchandise to customers.
 - 2. Providing a service that is neither defined as merchandise or food.
 - 3. Displaying or advertising merchandise or food that is not available for immediate sale.
 - 4. Selling of alcohol, cannabis, sexually oriented merchandise, tobacco products, products that contain nicotine or cannabis, or any product used to smoke/vape nicotine or cannabis.
 - 5. Using an open flame on or within any sidewalk vending receptacle.
 - 6. Using an electrical outlet or power source, or water sources, that is owned by the City or any person other than the sidewalk vendor.
 - 7. Harassment of customers as defined in CMC 12.64.020.
 - 8. Knowingly making false statements or misrepresentations during the course of offering food or merchandise for sale.

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9. Blocking or impeding the path of the person(s) being offered food or merchandise to purchase.
 10. Placing sidewalk vending receptacles outside of any pathway, park or sidewalk when engaging in sidewalk vending activities.
- B. Sidewalk vending is permitted during the following times:
1. Within the commercial districts during normal operating hours of surrounding commercial establishments;
 2. Within residential districts, between the hours of 9:00a.m. and 6:00 p.m. daily.

12.64.080 Penalties

- A. As prescribed by State Legislation, violations of this chapter may not be prosecuted as infractions or misdemeanors and shall only be punished by the following administrative citation and revocation structure.
- B. Except as otherwise provided in this chapter, any violation of this chapter shall be assessed penalties as established by resolution adopted by the city council.
- C. If a sidewalk vendor violates any portion of this chapter and cannot present the citing officer with a proof of a valid permit, the sidewalk vendor shall be assessed penalties as established by resolution adopted by the city council.
- D. The Community Development Director, or the Director's designee, may revoke a permit issued to a sidewalk vendor upon violation of any relevant code.

12.46.090 Appeals

All appeals of this chapter shall be conducted pursuant to Section 2.52 of this Code, or any successor section.

Section 2. California Environmental Quality Act

The City Council exercises its independent judgment and finds that the proposed ordinance is not subject to California Environmental Quality Act (CEQA), pursuant to Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment), and section 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because the subject regulations have no potential for resulting in any significant physical change to the environment, either directly or indirectly.

Section 3. Severability.

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Sidewalk Vending Ordinance
October 10, 2019

Section 4. Effective Date

This ordinance shall take effect and be in force thirty (30) days after final adoption.

This ordinance was introduced on the 10th day of October, 2019, and was passed and adopted by the City Council of the City of Capitola on the ___ day of ___, 2019, by the following vote:



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF OCTOBER 10, 2019

FROM: City Manager Department

SUBJECT: Introduce an Ordinance Amending Capitola Municipal Code Chapter 2.12,
Planning Commission

RECOMMENDED ACTION: Approve the first reading of an ordinance amending section 2.12.010 regarding Planning Commission membership to require that commissioners reside within the City limits or sphere of influence.

BACKGROUND: In 2000, the City Council adopted Ordinance No. 823, which included repealing language in Capitola Municipal Code Section 2.04.030 requiring residency for "boards and commissions" memberships. The November 29, 2000, meeting minutes for the hearing where the ordinance was introduced included a request for the City Attorney to return with an ordinance or resolution requiring residency for the Planning Commission and Finance Advisory Commission. That amendment was never brought forward, although the requirement was later added to the Finance Advisory Commission.


DISCUSSION: At its September 26, 2019, meeting, the City Council directed staff to prepare an ordinance adding a requirement that Planning Commissioners reside in either the city limits or the City's sphere of influence as defined by the Santa Cruz Local Area Formation Commission. Staff has drafted an amendment to Section 2.12.010 to include the residency requirement.

FISCAL IMPACT: None.

Report Prepared By: Linda Fridy
City Clerk

Planning Commission Residency Ordinance
October 10, 2019

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

10/4/2019

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAPITOLA AMENDING SECTION 2.12.010 OF THE CAPITOLA MUNICIPAL CODE REGARDING PLANNING COMMISSION MEMBERSHIP TO REQUIRE THAT COMMISSIONERS RESIDE WITHIN THE CITY LIMITS OR SPHERE OF INFLUENCE

WHEREAS, the City Council of Capitola does hereby find that one of the purposes of the Planning Commission is to make and advise on decisions that are in the best interests of the community of Capitola; and

WHEREAS, the City Council of Capitola does hereby find that many individuals who may reside in the sphere of influence of Capitola are invested in the community of Capitola; and

WHEREAS, the City Council of Capitola does hereby find that individuals who reside in the City of Capitola or the sphere of influence, as defined by the Santa Cruz Local Agency Formation Commission, are best positioned to make decisions that are in the best interests of the community of Capitola,

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

Section 1. Section 2.12.010 of the Capitola Municipal Code is hereby amended to read as follows (added language is underlined):

2.12.010 Members ~~—Number~~

The planning commission of the city shall consist of five members. Those commissioners serving at the time of adoption of the ordinance codified in this chapter may continue to serve until replaced in the manner provided in this chapter. All commissioners shall live within the City limits of Capitola or within the sphere of influence of Capitola, as defined by the Santa Cruz Local Area Formation Commission.

Section 2. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

The City Council hereby finds that the action to adopt this ordinance will not result in any change in the environment and thus is not a project subject to the requirements of CEQA.

Section 3. SEVERABILITY.

The City Council hereby declares every section, paragraph, sentence, cause, and phrase of this ordinance is severable. If any section, paragraph, sentence, clause, or phrase of this ordinance is for any reason found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses, or phrases.

Section 4. EFFECTIVE DATE.

This Ordinance shall be in full force and effect thirty (30) days from its passage and adoption.

This ordinance was introduced on the 10th day of October, 2019, and was passed and adopted by the City Council of the City of Capitola on the ___ day of _____, 2019, by the following vote:



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF OCTOBER 10, 2019

FROM: Public Works Department

SUBJECT: Consider Adding Streets within the Jewel Box Neighborhood to be Slurry Sealed as Part of the Jewel Box Sewer Project

RECOMMENDED ACTION: Authorize the Public Works Department to reimburse the County of Santa Cruz for slurry sealing additional streets within the Jewel Box neighborhood as part of the County's Jewel Box Sewer Project at an estimated cost of \$84,750; and approved a budget amendment of \$93,000 transferring funds within the Capital Improvement Program.

BACKGROUND: In 2018 the City completed a citywide slurry seal project that initially included some streets within the Jewel Box neighborhood. While planning the slurry project, Public Works staff was also working with County of Santa Cruz staff on scheduling the Jewel Box Sewer Project (sewer project). The sewer project included slurry seals on the impacted streets. At the time the City bid the slurry project, City staff removed from the scope of work streets within the Jewel Box with the plan to add streets to the sewer project to ensure all of the streets in the neighborhood were slurry sealed. As the sewer project is nearing completion, the contractor is scheduling the slurry seal and Public Works staff is recommending adding slurry seals on 45th Avenue, 47th Avenue, 49th Avenue, Topaz Street and small portions of Emerald Street and Garnet Street to the project. A map is included as Attachment 1.

DISCUSSION: The County's contractor has calculated the cost to add this additional work at the contract prices prescribed in its contract. Public Works staff has requested the contractor also provide some pothole and pavement repairs prior to the slurry seal. The cost of the City's requested additional work breaks down as follows:

Work Item	Cost
Slurry Seal	\$37,507
Striping	\$29,243
3 days of pothole/street repair (\$750/hour)	<u>\$18,000</u>
Total	\$84,750

The contractor's pricing sheets are included as Attachment 2. The pot hole and street repair work will be done under the direction of Public Works staff and the \$18,000 is the maximum that

Jewel Box Sewer Add Slurry
October 10, 2019

will be spent. The slurry seal and striping final costs will be based on the actual quantity completed.

As has been the past practice when working with the County to add work to one of its projects, the City will issue a Purchase Order to the County for the \$84,570 and then the County will bill the City once the work is complete.

FISCAL IMPACT: The 2018 slurry seal project budget has a remaining fund balance of \$21,368. In addition, the 38th Avenue improvement project that was also completed in 2018 has a remaining fund balance of \$72,382. A budget transfer has been prepared to create a new Capital Improvement Program project for this work and transfer both project balances to this new project. This plan will allow for the previously completed projects to be closed. Funds remaining from the \$93,750 being transferred will be available for use on future projects.

ATTACHMENTS:

1. Map
2. Slurry Seal Pricing
3. Budget Amendment 2019-20 Slurry Seal - Jewel Box

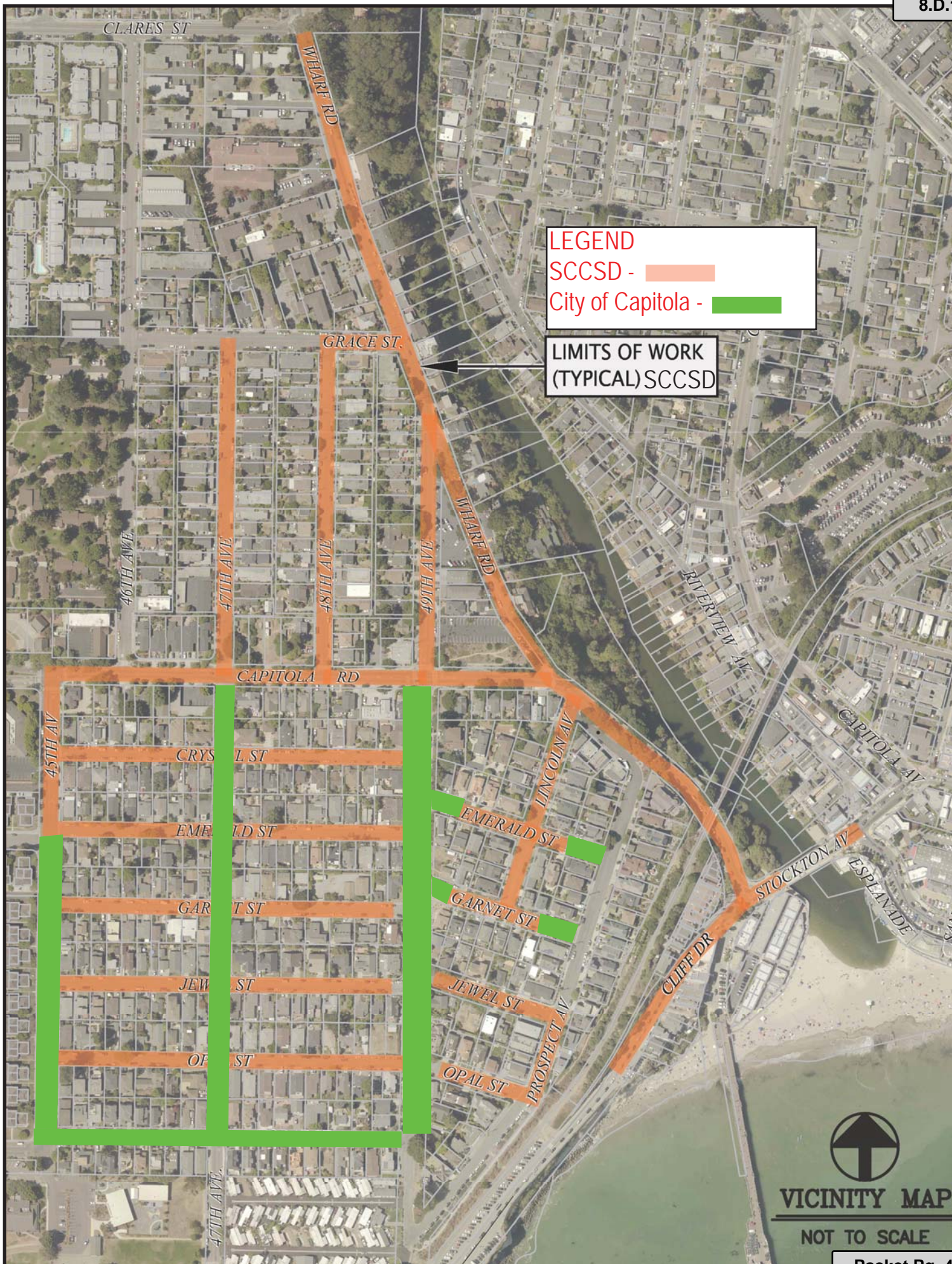
Report Prepared By: Steve Jesberg
Public Works Director

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

10/4/2019



Attachment: Map (Jewel Box Sewer Add Slurry)

RANGER PIPELINES INC.



GENERAL ENGINEERING CONTRACTORS
LICENSE NUMBER 417996

9/25/2019

Santa Cruz County Sanitation District
701 Ocean Street, Room 410
Santa Cruz , CA 95060

Attn: Mr. David Seanez
Construction Manager

Project Title: Capitola /Jewel Box Sewer Replacement

Re: Additional Slurry Sealing to 45thAve, 47th Ave, 49th Ave, Emerald St, Garnet St & Topaz St.

Ranger Pipelines, Inc. hereby submit our PCO in the amount of \$37,506.50 to slurry seal the additional streets above.

<i>Additional Slurry Sealing Costs</i>				
Description	Quantity	Unit	Unit Price	Total
Additional Slurry Seal	16,570	SY	-	-
Additional Slurry Seal (Up to 125% of Contract)	12,350	SY	\$ 2.14	\$ 26,429.00
Additional Slurry Seal (Over 125% of Contract)	4,220	SY	\$ 2.63	\$ 11,077.50
Total Cost for Additional Slurry Sealing				\$ 37,506.50

Attachment: Slurry Seal Pricing (Jewel Box Sewer Add Slurry)



Exclusions/Clarifications

- Slurry seal approximately 16,570 SY of additional streets.
- This does not include the additional portion on Grace St that has since been removed.
- The additional slurry seal will commence after the contract slurry seal has been completed.
- Contract time extension will be required if slurry sealing and striping cannot be performed until Spring 2020.
- If the work cannot be performed this year (2019) due to inclement weather, Graham Contractors is charging \$9,500 per day to mobilize and complete the work in 2020.
- The unit rate price for additional slurry seal from our contractor is \$2.50 SY, All additional slurry over 125% of original contract will be charged at this rate.
- Additional slurry over 125% of original contract will have a 5% Subcontractor Markup.
- Attached quote from Graham Contractor's for additional slurry sealing.
- Working Hours, 7am to 5pm

Yours sincerely,

Gavin McElhinney

Attachment: Slurry Seal Pricing (Jewel Box Sewer Add Slurry)

**GRAHAM
CONTRACTORS
INC. EST. 1976**

Post Office Box 26770
San Jose, CA 95159 Phone (408) 293-9516 Fax (408) 293-3633

Crack Seal Division Ph:(916) 257-7158 Fax (916) 772-9327

QUOTATION

To:	Gavin McElhinney	Quote Date:	REVISED #3.....9-24-19
Firm:	Ranger Pipelines	Bid Date/Time	
Phone:	(415) 866-7459	City	Capitola
Fax:		Contr. NO	N/A
Email:	gavin@rangerpipelines.com		
Job:	CAPITOLA / JEWEL BOX SEWER REPLACEMENT for Santa Cruz County Sanitation District		

ITEM NO.	DESCRIPTION	UOM	QUANTITY	UNIT PRICE	TOTAL
CHANGE ORDER	Slurry Seal	SY	16,570	\$2.50	\$ 41,425.
	INCLUDES ADD TWO (2) DAYS OF WORK TO BASE				
	Add portions of 45th, 47th, 49th, Emerald, Garnet & Topaz				

Includes:	72-Hour Post & Notify, Pre-Sweeping, Traffic Control,	TOTAL	\$	41,425.
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Price Good	October 15, 2019	# OF DAYS ON JOB:	UP TO 5 DAYS
Thru		Each Add'l DAY:	\$9,500.00

Exclusions: Permits, Fees, Bonds (Bondable @ 1%), Removal of Parked Cars, A/C Patching, Heavy Cleaning / Pressure Washing, Crackfilling, Rout/Sawcutting of cracks, **Herbicide**, Clearing/Grubbing, Vegetation / Tree Trimming, Job-Site Scales, CMS Boards, Traffic Police, Tack/Prime Coats, Flood Testing, Leveling Courses, Rut Filling, Security Classes/Badging, Stripe/Marker Removal, Stripe/Marker Replacement, Stripe/Marker Protection, Temporary Delineation of any type, Job-Specific Calibration, Installation of Posts/Signs, Curb Painting, Bollard Painting, Wheel Stops, Sandblasting or Grinding of any type, Informational Signage Saturday & Sunday Work, Night Work, Any and ALL Contractual Share Payments or Agreements, OCIP/CCIP/WRAP Participation OR Fees (these may be added at actual cost, pending approval by our insurer), Builder's Risk Insurance, Railroad or VTA Traffic Control / Insurance / Permits / Classes / Fees of any type, Federal Wages, Repair of power steering marks (inherent to materials being used), QA/QC/TESTING, SWPPP/WPCP/BMPs, Grading/Base Prep/Watering, Formal OR Certified Traffic Control Plans, Attenuator Vehicles,

Terms of Quote: Payment Within 30 Days of substantial completion of our work / NO RETENTION ON PROJECTS UNDER \$ 7,501.00

THIS QUOTATION AND CONDITIONS MUST BECOME PART OF ANY CONTRACT OR PURCHASE ORDER, AND CANNOT BE SUPERSEDED BY ANY OTHER TERMS OF THE AGREEMENT

IF CONTRACTOR OR OWNER DIRECTS GRAHAM CONTRACTORS TO PROCEED WITH THE WORK SET FORTH ABOVE, EVEN IF SAID DIRECTION IS ONLY MADE VERBALLY OR ELECTRONICALLY, THEN CONTRACTOR AGREES TO THE TERMS AND CONDITIONS OF THIS QUOTE, UNLESS AND UNTIL THE PARTIES THEREAFTER SIGN A MUTUALLY ACCEPTABLE WRITTEN AGREEMENT

Accepted
By: _____ Date: _____
Title: _____

GRAHAM CONTRACTORS IS UNION SIGNATORY
CA Lic. # 315789 A, C-12 ----- DIR Reg. # 1000006175
Quote Submitted By:

Che Corlett _____

Attachment: Slurry Seal Pricing (Jewel Box Sewer Add Slurry)

RANGER PIPELINES INC.



GENERAL ENGINEERING CONTRACTORS
LICENSE NUMBER 417996

9/25/2019

Santa Cruz County Sanitation District
701 Ocean Street, Room 410
Santa Cruz, CA 95060

Attn: Mr. David Seanez
Construction Manager

Project Title: Capitola /Jewel Box Sewer Replacement

Re: Additional Striping to 45th Ave, 47th Ave, 49th Ave, Emerald St, Garnet St & Topaz St.

Ranger Pipelines, Inc. hereby submit our PCO in the amount of \$29,242.50 to stripe
the additional streets above.

<i>Additional Striping Costs</i>				
Description	Quantity	Unit	Unit Price	Total
Additional Striping	1	LS	\$ 27,850.00	\$ 27,850.00
Markup Percentage on Sub Contractors		5%		\$ 1,392.50
Total Cost for Additional Striping				\$ 29,242.50

Attachment: Slurry Seal Pricing (Jewel Box Sewer Add Slurry)

**Exclusions/Clarifications**

- Removal of existing thermoplastic striping to 45thAve, 47th Ave, 49th Ave, Emerald St, Garnet St & Topaz St
- Install new striping to match existing striping to 45thAve, 47th Ave, 49th Ave, Emerald St, Garnet St & Topaz St
- This does not include the additional portion on Grace St that has since been removed.
- The additional striping will commence after the contract striping has been completed.
- Contract time extension will be required if slurry sealing and striping cannot be performed until Spring 2020.
- Attached quote from Sierra Striping for additional striping.
- Working Hours, 7am to 5pm

Yours sincerely,

Gavin McElhinney

Attachment: Slurry Seal Pricing (Jewel Box Sewer Add Slurry)



CHANGE ORDER # 1

ESTIMATE #: 19-281

Date 9/25/2019

SIERRA TRAFFIC MARKINGS, INC.
9725 Del Road Suite B Roseville, Ca. 95747
(916) 774-9080 Office (916) 774-9088 Fax

TO

Ranger Pipelines, Inc.
PO Box 24109
San Francisco, CA 94124

Attn: Gavin McElhinney
Office: 415-822-3700
Fax: 415-822-3703
Customer E-mail: Gavin@rangerpipelines.com

PROJECT NAME:
PROJECT ADDRESS:
CITY:
CUSTOMER JOB #:
AUTHORIZED BY:

Capitola Jewel Box Sewer
Santa Cruz County, CA
Glenn Bacchi

The original contract agreement between Sierra Traffic Markings, Inc. and the contractor named above is here by modified and amended by the following deviations from the original contract.

DESCRIPTION OF CHANGE OR MODIFICATION

ITEM	QTY	DESCRIPTION	UNIT TOTAL
	1	LS. ADDITIONAL WORK	27,850.00
		45TH AVENUE	
	610	LF. Detail 22	
	1,032	LF. Detail 39	
	400	LF. Detail 39A	
	1	EA. 8' STOP Stencil	
	4	EA. Bike Symbol with Rider	
	1	EA. "25"	
	2	EA. Speed Bump Striping	
	4	EA. BUMP Legend	
	1	LS. Remove Thermoplastic Striping and Markings	
		47TH AVENUE	
	1	EA. Ladder Crosswalk	
	3	EA. Speed Bump Striping	
	1	LS. Remove Thermoplastic Marking	
*****CONTINUES ONTO NEXT PAGE*****			

CHANGE ORDER TOTAL

It is mutually agreed that for such change the contract price is increased by All provisions of the original contract and agreement shall remain in full force and effect, without change because of above deviations. All change orders must be approved before Sierra Traffic Markings can complete any additional work requested or required. Upon approval of all changes above, please sign, date and return back Sierra Traffic Markings, Inc..

Thank You,
Sierra Traffic Markings, Inc.

Upon Approval Please Sign Below

Authorized Name & Signature	Date Accepted
Ranger Pipelines, Inc. PO Box 24109 San Francisco, CA 94124	

Attachment: Slurry Seal Pricing (Jewel Box Sewer Add Slurry)



CHANGE ORDER # 1

8.D.2

SIERRA TRAFFIC MARKINGS, INC.
 9725 Del Road Suite B Roseville, Ca. 95747
 (916) 774-9080 Office (916) 774-9088 Fax

ESTIMATE #: 19-281

Date 9/25/2019

TO
 Ranger Pipelines, Inc.
 PO Box 24109
 San Francisco, CA 94124

PROJECT NAME: Capitola Jewel Box Sewer
PROJECT ADDRESS:
CITY: Santa Cruz County, CA
CUSTOMER JOB #:
AUTHORIZED BY: Glenn Bacchi

Attn: Gavin McElhinney
 Office: 415-822-3700
 Fax: 415-822-3703
 Customer E-mail: Gavin@rangerpipelines.com

The original contract agreement between Sierra Traffic Markings, Inc. and the contractor named above is here by modified and amended by the following deviations from the original contract.

DESCRIPTION OF CHANGE OR MODIFICATION

ITEM	QTY	DESCRIPTION	UNIT TOTAL
	1	49TH AVENUE EA. Ladder Crosswalk	
	3	EA. Speed Bump Striping	
	1	LS. Remove Thermoplastic Marking	
	150	TOPAZ STREET LF. Detail 22	
	4	EA. 8' STOP Stencil w/ Limit Line	
	1	LS. Remove Thermoplastic Marking	
NOTE: Additional Work to be Completed At Same Time as Original Contract Work			
CHANGE ORDER TOTAL			\$27,850.00

Attachment: Slurry Seal Pricing (Jewel Box Sewer Add Slurry)

It is mutually agreed that for such change the contract price is increased by **\$27,850.00**
 All provisions of the original contract and agreement shall remain in full force and effect, without change because of above deviations. All change orders must be approved before Sierra Traffic Markings can complete any additional work requested or required. Upon approval of all changes above, please sign, date and return back Sierra Traffic Markings, Inc..

Thank You,
 Sierra Traffic Markings, Inc.

Upon Approval Please Sign Below

Authorized Name & Signature	Date Accepted
Ranger Pipelines, Inc. PO Box 24109 San Francisco, CA 94124	

PROJECT:
OWNER:
Job #:

RANGER PIPELINES, INC.
1790 YOSEMITE AVE
SAN FRANCISCO, CA 94124
(415) 822.3700 Fax: (415) 822.3703

REPORT No.: XWK - _____
DATE: _____
PCO No.: _____
COR: _____
Page No.: _____

Extra Work Report

WORK PERFORMED BY: Ranger Pipelines, Inc.

DESCRIPTION OF WORK: This is a sample T&M tag for a paving crew. Depending on how much paving there is will determine the size of the crew and the amount of equipment required. Some equipment may or may not be required to carry out the works. These are the base rates so you can make a estimate off these.

A- EQUIPMENT		HOURS		HOURLY	EXTENDED
No.	DESCRIPTION	ACTUAL	PAY	Rate	AMOUNT
1	Crew Truck (F250 & F350)	1		\$ 20.29	\$20.29
1	Foreman Truck (F250 & F350)	1		\$ 20.29	\$20.29
1	6 Yard Dump Truck	1		\$ 36.46	\$36.46
1	John Deere 310G Backhoe	1		\$ 36.75	\$36.75
1	Bomag BW 120AD Roller	1		\$ 28.69	\$28.69
COST OF EQUIPMENT - A					\$142.48
B-MATERIALS					
No.	DESCRIPTION	Unit No.	Unit	UNIT COST	AMOUNT
1	7.5% Surcharge for Small Tools				
1	Asphalt	1	Ton	\$78.84	\$78.84
COST OF MATERIALS & WORK-B					\$78.84
C-SUBCONTRACTORS					
No.	DESCRIPTION	Unit No.	Unit	UNIT COST	AMOUNT
1	10 wheeler	1	Hrs.	\$110.00	\$110.00
COST OF SUBCONTRACTOR & WORK-C					\$110.00

TOTAL COST & 15 % MARK- UP A (Equipment)	\$163.85
TOTAL COST & 15 % MARK- UP B (Material)	\$90.67
TOTAL COST & 5 % MARK- UP OR 20% ON TRUCKING C (Subcontractor)	\$132.00
TOTAL COST A & B & C (Incl. Markup)	\$386.52

*s Denotes Standby Rate

No.	D -LABOR	HOURS	RATE	EXT. AMOUNT
1	Operator	1	\$ 78.69	\$78.69
1	Laborer	1	\$ 58.37	\$58.37
1	Laborer	1	\$ 58.37	\$58.37
1	Laborer	1	\$ 58.37	\$58.37
SUBTOTAL				\$253.80
19 % LABOR SURCHARGE				\$48.22
SUBTOTAL				\$302.02
15 % MARKUP ON LABOR				\$45.30
TOTAL COST OF LABOR - D				\$347.33
TOTAL COST OF EQUIPMENT, MALT'S, & SUBS-A & B & C				\$386.52
SUBTOTAL				\$733.84
2 % MARKUP Bonds & Insur				\$14.68
TOTAL THIS REPORT				\$748.52

CERTIFIED CORRECT:

Garvin McElhinney

9/20/2019

For Ranger Pipelines, Inc.

DATE

Inspector

DATE

Attachment: Slurry Seal Pricing (Jewel Box Sewer Add Slurry)

City of Capitola Budget Adjustment Form



Date 10/1/2019

Requesting Department Public Works

Administrative Council

Item # TBD
 Council Date Oct. 10, 2019
 Council Approval _____

Revenues		
Account #	Account Description	Increase/Decrease
Total		-

Expenditures		
Account #	Account Description	Increase/Decrease
1200-00-00-000-4390.100 - CS0053	2017-18 City-Wide Slurry Seal	(21,368)
1200-00-00-000-4390.100 - CS0054	2017-18 38th Ave. Sidewalks	(72,382)
1200-00-00-000-4390.100 - TBD	2019-20 Slurry Seal	93,750
Total		-

Net Impact -

Purpose: Funding for the Jewel Box slurry seal project

Department Head Approval _____
 Finance Department Approval _____
 City Manager Approval _____

Attachment: Budget Amendment 2019-20 Slurry Seal - Jewel Box (Jewel Box Sewer Add Slurry)