

City of Capitola Agenda

Mayor: Stephanie Harlan
Vice Mayor: Michael Termini
Council Members: Jacques Bertrand
Ed Bottorff
Kristen Petersen

Treasurer: Peter Wilk



CAPITOLA CITY COUNCIL REGULAR MEETING

THURSDAY, OCTOBER 26, 2017

7:00 PM

CITY COUNCIL CHAMBERS
420 CAPITOLA AVENUE, CAPITOLA, CA 95010

CLOSED SESSION – 6:30 PM CITY MANAGER’S OFFICE

An announcement regarding the items to be discussed in Closed Session will be made in the City Hall Council Chambers prior to the Closed Session. Members of the public may, at this time, address the City Council on closed session items only. There will be a report of any final decisions in City Council Chambers during the Open Session Meeting.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION [Govt. Code § 54956.9(d)(1)]

Friends of Monterey Park v. the City of Capitola
Santa Cruz Superior Court Case No. CV 16CV01091

REGULAR MEETING OF THE CAPITOLA CITY COUNCIL – 7 PM

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

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council Members Kristen Petersen, Michael Termini, Jacques Bertrand, Ed Bottorff, and Mayor Stephanie Harlan

2. REPORT ON CLOSED SESSION

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 / 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.

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 October 12, 2017, City Council Regular Meeting Minutes
RECOMMENDED ACTION: Approve minutes.

CAPITOLA CITY COUNCIL REGULAR MEETING AGENDA
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- B. Approval of City Check Register Reports Dated September 1, September 8, September 15, September 22 and September 29, 2017
RECOMMENDED ACTION: Approve check registers.
- C. Second Reading Subdivision Ordinance Cleanup
RECOMMENDED ACTION: Staff recommends the City Council direct staff to reintroduce the proposed ordinance amendment at a future hearing.

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. Hear Appeal of Vicious Animal Declaration
RECOMMENDED ACTION: Uphold the declaration of "vicious animal" as determined by the Director of the Santa Cruz County Animal Services Agency.
- B. Introduce an Ordinance Amending Chapter 6 of the Capitola Municipal Code Pertaining to Animals
RECOMMENDED ACTION: Approve first reading of an Ordinance amending Capitola Municipal Code Title 6: Animals by adding mandatory microchipping and updating definitions and rabies vaccinations requirements.
- C. Introduce an Ordinance Amending Chapter 17.98 of the Capitola Municipal Code Pertaining to Wireless Telecommunications
RECOMMENDED ACTION: Approve first reading of an ordinance amending Municipal Code Chapter 17.98: Wireless Communications Facilities which incorporates revisions requested by the California Coastal Commission.
- D. Consider Membership in the Central Coast Climate Collaborative
RECOMMENDED ACTION: Council discretion to authorize the City Manager to join the Central Coast Climate Collaborative.

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 and at

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the Capitola Branch Library, 2005 Wharf Road, Capitola, prior to the meeting. Agendas are also available at the Capitola Post Office located at 826 Bay Avenue, Capitola. Need more information? Contact the City Clerk's office at 831-475-7300.

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

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

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



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF OCTOBER 26, 2017

FROM: City Manager Department

SUBJECT: Consider the October 12, 2017, 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 October 12, 2017.

ATTACHMENTS:

1. 10-12-17 draft minutes

Report Prepared By: Linda Fridy
City Clerk

Reviewed and Forwarded by:

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

Jamie Goldstein, City Manager

10/19/2017

**DRAFT
CAPITOLA CITY COUNCIL
REGULAR MEETING MINUTES
THURSDAY, OCTOBER 12, 2017**

CLOSED SESSION 6:30 PM

CALL TO ORDER

Mayor Harlan called the meeting to order at 6:30 p.m. with the following items to be discussed in Closed Session:

1. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
[Govt. Code § 54956.9(d)(1)]
 City of Capitola v. Water Rock Construction, Inc.
 Santa Clara Superior Court Case No. 16CV295795
2. **LIABILITY CLAIMS [Govt. Code § 54956.95]**
 Claimant: Richard Willis
 Agency claimed against: City of Capitola

There was no public comment; therefore, the City Council recessed to the Closed Session in the City Manager's Office.

REGULAR MEETING OF THE CAPITOLA CITY COUNCIL - 7 PM

1. **ROLL CALL AND PLEDGE OF ALLEGIANCE**
 Council Member Ed Bottorff: Present, Council Member Jacques Bertrand: Present, Mayor Stephanie Harlan: Present, Vice Mayor Michael Termini: Present, Council Member Kristen Petersen: Present.

 Treasurer Peter Wilk was present.
2. **REPORT ON CLOSED SESSION**
 Deputy City Attorney Reed Gallogly said no reportable action was taken on the existing litigation and denial of the liability claim is on the consent calendar.
3. **ADDITIONAL MATERIALS**
 A. Item 8.A – Revised contract and insurance requirement attachment
4. **ADDITIONS AND DELETIONS TO AGENDA - NONE**
5. **PUBLIC COMMENTS - NONE**
6. **CITY COUNCIL / CITY TREASURER / STAFF COMMENTS**
 Council Member Bottorff noted the Capitola Mall on 41st Ave is hosting a circus this week.

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October 12, 2017

He also said the fireworks approved several years ago for October are still enjoyed by many.

Council Member Bertrand attended a Measure C meeting by the Soquel Union Elementary School District.

Council Member Termini noted the Council has received emails with concern about speeding on Capitola Avenue where pets have been hit. The Begonia Festival gala is this Saturday.

Council Member Petersen thanked everyone for a successful Safety Foundation golf tournament.

Mayor Harlan noted receipt of an anonymous letter regarding illegal signs. She recently thanked workers in honor of California Water Professionals Appreciation Week. She continued to encourage both local officials and the community to attend Midcounty Groundwater workshops. She praised independent living projects providing housing for local veterans in the Salinas area, and noted Soquel Creek Water District meetings are held in Capitola's Council Chambers and televised.

Treasurer Wilk reported that at the recent Finance Advisory Committee meeting it requested the Finance Director look into prepaying retirement costs and more aggressive investment policies. He may ask to share the results at a future Council meeting and revisit the City's investment policy.

City Manager Jamie Goldstein noted divers are inspecting the Wharf and reminded the community that Local Government Academy signups are open now.

Community Development Director Rich Grunow introduced new Assistant Planner Matt Orbach, who was chosen from a pool of 80 applicants. Mr. Orbach noted he had worked with some City projects while with Soquel Creek Water District and said as a Capitola resident he is especially pleased to join the staff.

7. CONSENT CALENDAR

Council Member Bottorff asked to pull Item 7.G and the Council agreed to hear it immediately following the Consent Calendar.

MOTION:	APPROVE OR DENY ITEMS A THROUGH F AND ITEM H AS RECOMMENDED
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Termini, Vice Mayor
SECONDER:	Ed Bottorff, Council Member
AYES:	Bottorff, Bertrand, Harlan, Termini, Petersen

- A. Consider the September 25 and September 28, 2017, City Council Meeting Minutes
RECOMMENDED ACTION: Approve minutes.
- B. Receive Planning Commission Action Minutes for the Regular Meeting of October 5, 2017
RECOMMENDED ACTION: Receive minutes.

Attachment: 10-12-17 draft minutes (Approval of City Council Minutes)

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES
October 12, 2017

- C. Liability Claim of Richard Willis [Claims Binder]
RECOMMENDED ACTION: Deny liability claim.
- D. Schedule Hearing to Consider an Appeal of a Vicious Animal Declaration
RECOMMENDED ACTION: Schedule an appeal hearing for October 26, 2017.
- E. Consider Amendments to Records Coordinator and Receptionist Job Descriptions
RECOMMENDED ACTION: Approve the amended job descriptions.
- F. Consider Public Works Project Manager Job Description Changes
RECOMMENDED ACTION: Approve changes to the job title and description for Public Works Project Manager and approve a side letter with Mid-Management Employees.
- G. Consider a Resolution Amending the 2017/18 Budget to Transfer \$58,000 from the Road Maintenance and Rehabilitation Account to Highway 1 Enhanced Bike Lane Improvement Project
RECOMMENDED ACTION: Adopt resolution.

This item was heard immediately following Consent Calendar. Public Works director Steve Jesberg provided a staff report, explaining that the state guidance for the new funds was not in place when the annual budget was adopted and the requested action addresses state requirements. Council Member Bottorff confirmed that the action does not increase the road slurry budget. Director Jesberg said the green bike lane project will soon be completed.

MOTION:	APPROVE AS RECOMMENDED
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Termini, Vice Mayor
SECONDER:	Ed Bottorff, Council Member
AYES:	Bottorff, Bertrand, Harlan, Termini, Petersen

- H. Consider Contract Change Order No. 1 for the Rispin ADA Pathway Phase II Project and a Notice of Completion
RECOMMENDED ACTION: Approve Contract Change Order No. 1 for the Rispin ADA Pathway Phase II Project in the amount of \$135,334 and accept the project as complete by approving a Notice of Completion.

8. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Capitola Avenue Railing Public Art
RECOMMENDED ACTION: Approve the recommended railing Public Art Project along Capitola Avenue and approve the contract with Sculptural Accents for \$30,000.

Council Member Bottorff recused himself for a potential conflict of interest because he rents property in the vicinity, and left the dais.

Assistant to the City Manager Larry Laurent explained that the change to the contract, distributed as additional materials, reflects recent laws. He introduced the project. More than 20 artists from western states responded to the call to artists. The design will allow

Attachment: 10-12-17 draft minutes (Approval of City Council Minutes)

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for adjustments for future street or sidewalk work. Lois and Ernest Rich of Sculptural Accents were unanimously selected. They introduced themselves to the Council and offered images and an overview of their vision for the project incorporating ocean themes.

Treasurer Wilk asked if the project also includes Capitola Road. Council Member Termini said not at this time, but the Art and Cultural Commission could consider it later, and added that the commission was very impressed with the proposal.

MOTION:	APPROVE THE PROJECT AND AMENDED CONTRACT
RESULT:	ADOPTED [4 TO 0]
MOVER:	Michael Termini, Vice Mayor
SECONDER:	Kristen Petersen, Council Member
AYES:	Jacques Bertrand, Stephanie Harlan, Michael Termini, Kristen Petersen
RECUSED:	Ed Bottorff

B. Coastal Climate Change Vulnerability Report
RECOMMENDED ACTION: Accept report.

Director Grunow introduced the staff report, which looks at sea level rise impacts over three time horizons. Ross Clark, study project manager, presented the results. Moss Landing and the City and County of Santa Cruz are also part of the larger study. Mr. Clark noted that the Capitola study included flooding impacts from Soquel Creek and much of the City's infrastructure is vulnerable to both sea and river flooding.

The study should help the city identify projects to minimize future risks to facilities and infrastructure. These can be incorporated into Capital Improvement Projects.

In response to a question from Council Member Bertrand, Mr. Clark said that while the science is continuing to improve, coastal jurisdictions shouldn't wait until the science is "perfect" to begin short-term adaptations. Future scenarios may arrive sooner than the study projects, but they will occur.

Council Member Termini asked if Mr. Clark felt such studies would gain support for coastal armoring from the California Coastal Commission. He said his discussions show that the commission may consider that action as one of the tools available.

Council Member Bertrand expressed support for continuing staff participation in regional discussions on these topics.

RESULT:	RECEIVED REPORT
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C. Section 8 Landlord Incentive Program
RECOMMENDED ACTION: Authorize the City Manager to allocate \$4,040 of Housing Successor funds to support the Section 8 Landlord Incentive Program.

Director Grunow presented the staff report. The program's goal is to encourage more landlords to accept Section 8 voucher holders. Jenny Panetta of the Housing Authority spoke to the need to assist landlords. She clarified the funds are not in a shared pot, but for Capitola.

Attachment: 10-12-17 draft minutes (Approval of City Council Minutes)

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Voucher holders are averaging nine months to find a unit. The program currently serves 4,500 low-income households countywide, 200 of which are in Capitola. The waiting list has been closed since July 2011 and the need is tremendous. This new program will be featured in the upcoming affordable housing week efforts.

MOTION:	AUTHORIZE THE PROGRAM FUNDING AS RECOMMENDED
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Termini, Vice Mayor
SECONDER:	Ed Bottorff, Council Member
AYES:	Bottorff, Bertrand, Harlan, Termini, Petersen

D. Subdivision Ordinance Cleanup

RECOMMENDED ACTION: Introduce an Ordinance amending Municipal Code Chapter 16 pertaining to Subdivisions.

Director Grunow presented the staff report. The purpose of this amendment is to update the code to reflect changes in state law since the chapter's last update in 1980. He also provided examples within the City of approved projects that could have been challenged under current code.

Council Member Termini noted there was a recent legal challenge to a project that was withdrawn and asked if those concerns were addressed by the proposed changes. Director Grunow said they were. Council Member Bertrand confirmed there are no changes to the condominium section.

Peter Teller, resident, noted that he recently challenged a project adjoining his property and wanted to know how the changes would impact that status. He said there is a difference between access from a one-lane driveway and a two-lane street. Staff confirmed the project was withdrawn before the appeal was heard.

Council members expressed support for the updates.

MOTION:	APPROVE FIRST READING OF AMENDED ORDINANCE AS RECOMMENDED
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ed Bottorff, Council Member
SECONDER:	Michael Termini, Vice Mayor
AYES:	Bottorff, Bertrand, Harlan, Termini, Petersen

9. **ADJOURNMENT**

The meeting was closed at 8:16 p.m.

Stephanie Harlan, Mayor

ATTEST:

Linda Fridy, City Clerk

Attachment: 10-12-17 draft minutes (Approval of City Council Minutes)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF OCTOBER 26, 2017

FROM: Finance Department

SUBJECT: Approval of City Check Register Reports Dated September 1, September 8, September 15, September 22 and September 29, 2017

RECOMMENDED ACTION: Approve check registers.

Account: City Main				
Date	Starting Check #	Ending Check #	Check/EFT Count	Amount
9/01/2017	87568	87601	34	\$31,024.20
9/08/2017	87602	87661	64	\$189,330.98
9/15/2017	87662	87702	43	\$116,903.14
9/22/2017	87703	87757	60	\$323,693.49
9/29/2017	87758	87809	54	\$327,346.39

The general account check register dated August 25, 2017, ended with check #87567.

Account: Library				
Date	Starting Check #	Ending Check #	Check/EFT Count	Amount
9/08/2017	34	34	1	\$7,305
9/22/2017	35	35	1	\$3,000
9/29/2017	36	36	1	\$88,206.22

The library account check register dated August 4, 2017, ended with check #33.

Account: Payroll				
Date	Starting Check #	Ending Check #	Check/EFT Count	Amount
9/01/2017	5219	5224	91	\$145,240.94
9/15/2017	5225	5231	94	\$148,462.95
9/29/2017	5232	5238	92	\$147,519.25

The payroll account check register dated August 18, 2017, ended with check #5218.

Following is a list of checks issued for more than \$10,000 and a brief description of the expenditure:

Check	Issued to	Dept.	Description	Amount
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Approval of City Check Registers
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87607	American Traffic Solutions	PD	FY16/17 red light citations	\$17,178.28
87648	Soquel Creek Water District	PW	August water usage and irrigation fees	\$15,974.06
EFT 493	IRS	FN	Federal taxes & Medicare	\$28,242.88
EFT 495	CalPERS Health Insurance	FN	September health insurance	\$63,275.93
87696	SZS Consulting Group	PW	ADA pedestrian facility assessment	\$20,200
EFT 496	CalPERS Member Services	FN	PERS contributions PPE 8-26-17	\$47,613.23
87713	Atchison Barisone Condotti & Kovacevich	CM	August legal services	\$13,693.50
87734	Kimley-Horn & Associates	PW	August engineering support and Park Ave. sidewalk improvements	\$11,118.25
87741	PG&E	PW	September utilities	\$16,180.62
87743	Power Engineering Contractors Inc.	PW	Wharf pilings removal and replacement	\$122,616.78
87745	Rogers Anderson Malody & Scott LLP	FN	FY16/17 audit progress billing	\$11,000
87746	SCC Auditor Controller	PD	August citation processing	\$15,131
EFT 499	CalPERS Member Services	FN	PERS contributions PPE 9-09-17	\$47,286.91
EFT 501	IRS	FN	Federal taxes & Medicare	\$29,391.90
87758	Old Republic Title	FN	Affordable housing loan	\$71,678.75
87768	D&M Traffic Services	PW	Green bike lanes	\$66,844.37
87791	SCC Animal Shelter	PD	Quarterly animal services	\$11,513.10
87793	Santa Cruz Regional 911	PD	Regional 911 services	\$140,367.75
36	Noll and Tam Architects	PW	July and August library design	\$88,206.22

ATTACHMENTS:

1. 9-1-17 City Check Register
2. 9-8-17 City Check Register
3. 9-15-17 City Check Register
4. 9-22-17 City Check Register
5. 9-29-17 City Check Register

Report Prepared By: Maura Herlihy
Account Technician

Approval of City Check Registers
October 26, 2017

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

10/19/2017

City account payable checks dated 9/1/2017, numbered 87568 to 87601, totaling \$31,024.20, plus 6 Payroll account checks and 85 Payroll efts, totaling \$145,240.94, for a grand total of \$176,265.14, have been reviewed and authorized for distribution by the City Manager.

As of 9/1/2017 the unaudited cash balance is \$3,599,404.09.


CASH POSITION - CITY OF CAPITOLA 9/1/17

	Net Balance
General Fund	\$1,995.33
Payroll Payables	\$208,684.91
Contingency Reserve Fund	\$1,903,345.66
Facilities Reserve Fund	\$339,870.00
Capital Improvement Fund	\$677,019.14
Stores Fund	\$19,242.33
Information Technology Fund	\$69,315.01
Equipment Replacement	\$186,179.93
Self-Insurance Liability Fund	\$79,352.30
Workers' Comp. Ins. Fund	\$124,338.79
Compensated Absences Fund	(\$9,939.31)
TOTAL UNASSIGNED GENERAL FUNDS	\$3,599,404.09

The Emergency Reserve Fund balance is \$1,277,205.54 (not included above).

The PERS Contingency Fund balance is \$308,186.39 (not included above).

The Library Fund balance is \$392,227.81 (not included above).



 Jamie Goldstein, City Manager

9/7/17

 Date



 Peter Wilk, City Treasurer

9/7/17

 Date

Attachment: 9-1-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 1, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
87568	09/01/2017	Open			ALPHA GRAPHICS	\$1,005.9
	Invoice		Date	Description		Amount
	43749		08/30/2017	FY 17/18 printed budgets (20)		\$1,005.93
87569	09/01/2017	Open			APTOS LANDSCAPE SUPPLY INC.	\$368.9
	Invoice		Date	Description		Amount
	449868		08/23/2017	Wood chips		\$129.12
	449885		08/23/2017	Wood chips		\$129.12
	450319		08/29/2017	Wood chips		\$110.67
87570	09/01/2017	Open			B & B SMALL ENGINE REPAIR	\$593.6
	Invoice		Date	Description		Amount
	381439		08/25/2017	Sharpen hedger, grease		\$82.60
	381440		08/25/2017	Sharpen mower blades		\$27.15
	381409		08/25/2017	Enclosed entry supplies		\$483.92
87571	09/01/2017	Open			BAY AREA BARRICADE SERVICE INC.	\$1,459.1
	Invoice		Date	Description		Amount
	0348572-IN		08/25/2017	Urethane channelizer and base 1310 - Gas Tax		\$1,459.10
87572	09/01/2017	Open			BIOBAG AMERICAS INC.	\$2,547.5
	Invoice		Date	Description		Amount
	450806		08/15/2017	Dog waste bags		\$2,547.57
87573	09/01/2017	Open			CALIFORNIA LAW ENFORCEMENT ASSOCIATION	\$514.5
	Invoice		Date	Description		Amount
	CLEA082317		09/01/2017	Sept. POA LTD insurance 1001 - Payroll Payables		\$514.50
87574	09/01/2017	Open			CENTRAL HOME SUPPLY	\$60.8
	Invoice		Date	Description		Amount
	107695-1		08/29/2017	Gold pathfines - Hubback park		\$60.80
87575	09/01/2017	Open			COAST PAPER & SUPPLY INC.	\$59.8
	Invoice		Date	Description		Amount
	515256		08/25/2017	Evidence bags		\$59.84
87576	09/01/2017	Open			CRIME SCENE CLEANERS INC	\$100.0
	Invoice		Date	Description		Amount
	66774		08/14/2017	Cleaning & disinfecting drying cabinet		\$100.00
87577	09/01/2017	Open			DAN REED	\$33.0
	Invoice		Date	Description		Amount
	8252017		08/25/2017	Softball Officials 8/14 - 8/25/17		\$33.00
87578	09/01/2017	Open			ED MORRISON	\$2,400.0
	Invoice		Date	Description		Amount
	1718-2		08/28/2017	August contract inspection services		\$2,400.00

Attachment: 9-1-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 1, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
87579	09/01/2017	Open			EWING IRRIGATION	\$365.00
	Invoice		Date	Description		Amount
	3937090		08/17/2017	Irrigation controller & supplies		\$326.24
	3962378		08/22/2017	Irrigation supplies		\$38.77
87580	09/01/2017	Open			FedExOffice	\$27.50
	Invoice		Date	Description		Amount
	5-901-96243		08/18/2017	Recreation shipping		\$27.50
87581	09/01/2017	Open			FIRST ALARM SECURITY & PATROL INC.	\$300.00
	Invoice		Date	Description		Amount
	538992		08/22/2017	Jade St. park foot patrol		\$300.00
87582	09/01/2017	Open			FRED C. BEYERS	\$231.00
	Invoice		Date	Description		Amount
	FB82517		08/25/2017	Softball Officials 8/14 - 8/25/17		\$231.00
87583	09/01/2017	Open			INTERSTATE ALL BATTERY CENTER	\$136.25
	Invoice		Date	Description		Amount
	558821		08/28/2017	Battery		\$136.25
87584	09/01/2017	Open			KINGS PAINT AND PAPER INC.	\$258.71
	Invoice		Date	Description		Amount
	A0256191		08/10/2017	Red curb paint		\$81.90
	A0256620		08/18/2017	Memorial bench supplies		\$176.81
87585	09/01/2017	Open			LABORMAX STAFFING	\$2,653.26
	Invoice		Date	Description		Amount
	26-81987		08/25/2017	Seasonal labor		\$2,653.26
87586	09/01/2017	Open			LESLIE FELLOWS	\$250.00
	Invoice		Date	Description		Amount
	LF080717		08/07/2017	Art and music coordinator admin. fee		\$250.00
87587	09/01/2017	Open			MAR-KEN K-9 TRAINING CENTER	\$240.00
	Invoice		Date	Description		Amount
	0171-17		08/18/2017	August K-9 training		\$240.00
87588	09/01/2017	Open			PALACE OFFICE SUPPLIES	\$464.02
	Invoice		Date	Description		Amount
	439132-0		08/28/2017	Office supplies		\$48.06
	439194-0		08/28/2017	Office supplies		\$45.44
	439282-0		08/29/2017	Thermal pouch		\$1.97
	439265-0		08/29/2017	Paper		\$147.12
	439260-0		08/29/2017	Office supplies		\$123.20
	437915-0		08/21/2017	Letter trays		\$85.77
	438529-0		08/24/2017	Document cover		\$12.46
				1000 - General Fund	\$93.50	
				2210 - ISF - Stores Fund	\$370.52	

Attachment: 9-1-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 1, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
87589	09/01/2017	Open			PARK N POOL CORP	\$6,219.6
	Invoice		Date	Description		Amount
	389049		08/18/2017	Beach trash cans		\$6,219.63
87590	09/01/2017	Open			PK SAFETY SUPPLY	\$230.9
	Invoice		Date	Description		Amount
	333317		08/21/2017	Gloves and safety vests		\$101.65
	333146		08/23/2017	Safety glasses, masks, and safety vests		\$129.33
87591	09/01/2017	Open			PUBLIC ENGINES INC.	\$597.0
	Invoice		Date	Description		Amount
	25078		09/01/2017	Command central analytics quarterly subscription		\$597.00
87592	09/01/2017	Open			PUBLIC PARKING ASSOCIATES	\$944.1
	Invoice		Date	Description		Amount
	2017-0622-1		06/22/2017	Parking meter repairs		\$780.00
	2017-0601-1		06/01/2017	Parking meter card reader, battery pack		\$164.19
87593	09/01/2017	Open			SIRCHIE	\$179.6
	Invoice		Date	Description		Amount
	0313653-IN		08/18/2017	Evidence bags		\$179.67
87594	09/01/2017	Open			UNITED PARCEL SERVICE	\$11.2
	Invoice		Date	Description		Amount
	0000954791327		08/12/2017	PD shipping charges		\$11.25
87595	09/01/2017	Open			UNITED STATES POSTAL SERVICE	\$4,700.0
	Invoice		Date	Description		Amount
	67093		08/17/2017	Postage for late Fall brochure mailing		\$4,700.00
87596	09/01/2017	Open			WATSONVILLE BLUEPRINT	\$90.4
	Invoice		Date	Description		Amount
	71603		08/24/2017	Green bike lane blueprints 1200 - Capital Improvement Fund		\$90.46
87597	09/01/2017	Open			Joe Mingione	\$479.9
	Invoice		Date	Description		Amount
	16-111		08/25/2017	Design permit refund 212 Monterey Ave.		\$479.95
87598	09/01/2017	Open			Kwan Cynthia Chan	\$1,500.0
	Invoice		Date	Description		Amount
	Chan082117		08/28/2017	Bandstand deposit refund		\$1,500.00
87599	09/01/2017	Open			PSTI	\$370.0
	Invoice		Date	Description		Amount
	PSTI082417		08/24/2017	CSO training		\$370.00
87600	09/01/2017	Open			Santa Cruz Seaside Company	\$16.0
	Invoice		Date	Description		Amount
	17-026		08/25/2017	CUP for carwash and sign permit refund 4100 Auto Plaza Dr.		\$16.00

Attachment: 9-1-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 1, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
87601	09/01/2017	Open			William and Mary Ivison	\$1,616.0
	Invoice		Date	Description		Amount
	17-080		08/25/2017	CUP for multi-family residence refund 614 Capitola Ave.		\$1,616.00
Type Check Totals:						\$31,024.2

	Counts:	Totals
CITY - Main City Totals		
Checks	34	\$31,024.2
EFTs	0	\$0.0
All	34	\$31,024.2
WELLS - Payroll Totals		
Checks	6	\$4,398.5
EFTs	85	\$140,842.3
All	91	\$145,240.9
Grand Totals:		
Checks	40	\$35,422.7
EFTs	85	\$140,842.3
All	125	\$176,265.14

Attachment: 9-1-17 City Check Register (Approval of City Check Registers)

City account payable checks dated 9/8/2017, numbered 87602 to 87661, plus 4 EFTs, totaling \$189,330.98, plus 1 Library account check, totaling \$7,305.00, for a grand total of \$196,635.98, have been reviewed and authorized for distribution by the City Manager.

As of 9/8/2017 the unaudited cash balance is \$3,475,041.54.

CASH POSITION - CITY OF CAPITOLA 9/8/17

	Net Balance
General Fund	\$6,208.51
Payroll Payables	\$91,884.30
Contingency Reserve Fund	\$1,903,345.66
Facilities Reserve Fund	\$339,870.00
Capital Improvement Fund	\$676,928.68
Stores Fund	\$16,706.17
Information Technology Fund	\$60,166.51
Equipment Replacement	\$186,179.93
Self-Insurance Liability Fund	\$79,352.30
Workers' Comp. Ins. Fund	\$124,338.79
Compensated Absences Fund	(\$9,939.31)
TOTAL UNASSIGNED GENERAL FUNDS	\$3,475,041.54

The Emergency Reserve Fund balance is \$1,277,205.54 (not included above).

The PERS Contingency Fund balance is \$308,186.39 (not included above).

The Library Fund balance is \$384,922.81 (not included above).



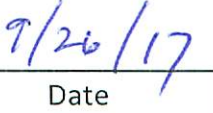
Jamie Goldstein, City Manager



Date



Peter Wilk, City Treasurer



Date

Attachment: 9-8-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 8, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
87602	09/08/2017	Open			ROBERT STOW	\$62.00
	Licensee Type			Licensee Number		Transaction Type
	Business			3168		Pre-Payment
87603	09/08/2017	Open			ABC SUPPLY CO INC - MBA 742	\$159.76
	Invoice		Date	Description		Amount
	62503626		08/22/2017	Rubbercoat for City Hall roof		\$159.76
87604	09/08/2017	Open			AFLAC	\$989.14
	Invoice		Date	Description		Amount
	844616		08/31/2017	August supplemental insurance 1001 - Payroll Payables		\$989.14
87605	09/08/2017	Open			ALLSAFE LOCK COMPANY	\$31.02
	Invoice		Date	Description		Amount
	49796		08/31/2017	Keys		\$21.61
	49794		08/31/2017	Keys		\$9.41
87606	09/08/2017	Open			ALVAREZ TECHNOLOGY GROUP INC	\$7,100.00
	Invoice		Date	Description		Amount
	42915		09/01/2017	October IT services 2211 - ISF - Information Technology		\$7,100.00
87607	09/08/2017	Open			AMERICAN TRAFFIC SOLUTIONS INC.	\$17,178.28
	Invoice		Date	Description		Amount
	INV00025085		08/16/2017	FY16/17 red light citations		\$17,178.28
87608	09/08/2017	Open			AUTOMATION TEST ASSOCIATES	\$40.00
	Invoice		Date	Description		Amount
	45268		08/22/2017	August wharf meter reading 1311 - Wharf		\$40.00
87609	09/08/2017	Open			B & B SMALL ENGINE REPAIR	\$5.30
	Invoice		Date	Description		Amount
	381995		09/05/2017	Filler cap		\$5.30
87610	09/08/2017	Open			CALE AMERICA INC.	\$281.94
	Invoice		Date	Description		Amount
	146643		08/31/2017	Playstation keypad decal		\$156.94
	146638		08/31/2017	Playstation parts		\$125.00
87611	09/08/2017	Open			CALIFORNIA QUALITY PLASTICS	\$326.87
	Invoice		Date	Description		Amount
	0123781-IN		09/01/2017	Esplanade bathroom diffuser		\$326.87
87612	09/08/2017	Open			CAPITOLA PEACE OFFICERS ASSOCIATION	\$1,618.00
	Invoice		Date	Description		Amount
	POA090117		09/01/2017	POA dues PPE 08-26-17 1001 - Payroll Payables		\$1,618.00

Attachment: 9-8-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 8, 2017

Invoice	Date	Description	Amount	
87613	09/08/2017	Open	CAROLYN FLYNN	\$4,560.00
CBF-08-2017	08/31/2017	August affordable housing program admin.	\$4,560.00	
		1000 - General Fund	\$2,520.00	
		5552 - Cap Hsg Succ- Program	\$2,040.00	
87614	09/08/2017	Open	CLIFF SLOMA	\$877.09
CS090217	09/02/2017	FBINAA advanced training reimbursement	\$877.09	
87615	09/08/2017	Open	CRESTOR INC.	\$173.06
R217122	08/14/2017	Bronze plaque - Kalbough	\$173.06	
87616	09/08/2017	Open	D & G SANITATION	\$1,931.03
243079	08/31/2017	Esplanade park fencing	\$54.50	
243080	08/31/2017	McGregor park portable toilets	\$252.65	
243081	08/31/2017	Wharf portable toilets	\$1,198.05	
243082	08/31/2017	Pac Cove lot portable toilets	\$425.83	
		1000 - General Fund	\$732.98	
		1311 - Wharf	\$1,198.05	
87617	09/08/2017	Open	ELEVATOR SERVICE COMPANY INC.	\$170.00
13228	09/01/2017	Quarterly elevator lube and inspection	\$170.00	
87618	09/08/2017	Open	EMERGENCY VEHICLE SPECIALISTS INC.	\$125.08
7402	07/27/2017	Spot light repairs car #162	\$125.08	
87619	09/08/2017	Open	EWING IRRIGATION	\$380.76
3970583	08/23/2017	Check valve & saw blades	\$60.61	
4016050	08/31/2017	Basketball net	\$90.75	
4022098	08/31/2017	Wharf water line repair	\$229.40	
		1000 - General Fund	\$151.36	
		1311 - Wharf	\$229.40	
87620	09/08/2017	Open	FERGUSON ENTERPRISES INC.	\$104.02
5554412	08/25/2017	Wrench and toilet repair kit	\$104.02	
87621	09/08/2017	Open	FIRST ALARM SECURITY & PATROL INC.	\$208.89
335180	08/15/2017	Recreation center first alarm monitoring	\$208.89	
87622	09/08/2017	Open	FIRST ALARM SECURITY & PATROL INC.	\$310.00
538985	08/22/2017	McGregor skate park foot patrol	\$310.00	

Attachment: 9-8-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 8, 2017

Invoice	Date	Description	Amount
87623 09/08/2017 Open FLYERS ENERGY LLC \$1,778.46			
Invoice	Date	Description	Amount
17-530416	08/25/2017	317 gallons ethanol	\$989.44
17-530418	08/25/2017	280 gallons diesel	\$789.02
87624 09/08/2017 Open GARDAWORLD \$183.82			
Invoice	Date	Description	Amount
10333105	09/01/2017	September armored car service	\$183.82
87625 09/08/2017 Open HOME DEPOT CREDIT SERVICES \$524.56			
Invoice	Date	Description	Amount
3011372	08/18/2017	Toilet auger	\$56.94
9582108reissue	08/22/2017	Paint	\$4.08
1041232	08/10/2017	Sign supplies	\$87.72
1041249	08/10/2017	Painting supplies	\$23.82
34351	08/21/2017	Snips	\$15.16
4013941	07/28/2017	Test gauge	\$10.83
8034434	08/23/2017	Phone charger	\$9.73
7223472	08/24/2017	Extension cord, cable	\$146.40
3020937	08/28/2017	Stucco mix, flashing tape, trowel, foam float	\$77.19
3020986	08/28/2017	Roofing repairs	\$4.82
0043404	08/31/2017	Root killer and plumbing supplies	\$87.87
87626 09/08/2017 Open HOSE SHOP \$281.26			
Invoice	Date	Description	Amount
400000	08/28/2017	Hose assemblies	\$281.26
87627 09/08/2017 Open ICMA RETIREMENT TRUST 457 \$5,761.38			
Invoice	Date	Description	Amount
41462974	09/01/2017	457 contributions PPE 08-26-17 1001 - Payroll Payables	\$5,761.38
87628 09/08/2017 Open INTERWEST CONSULTING GROUP INC. \$916.73			
Invoice	Date	Description	Amount
35563	08/24/2017	July building plan review services	\$916.73
87629 09/08/2017 Open KBA Docusys Inc. \$38.89			
Invoice	Date	Description	Amount
INV575451	08/14/2017	Copier usage charges 2211 - ISF - Information Technology	\$38.89
87630 09/08/2017 Open KELLY MOORE PAINT COMPANY INC. \$247.48			
Invoice	Date	Description	Amount
803-00000723643	08/31/2017	Respirator and paint	\$247.48
87631 09/08/2017 Open KINGS PAINT AND PAPER INC. \$147.94			
Invoice	Date	Description	Amount
A0257629	09/06/2017	Painting supplies	\$147.94

Attachment: 9-8-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 8, 2017

Invoice	Date	Description	Amount	
87632	09/08/2017	Open	LIFE INSURANCE CO OF NORTH AMERICA-CIGNA	\$2,306.17
CIGNA083117	08/31/2017	August LTD, STD, AD&D & life insurance	\$2,306.17	
		1000 - General Fund	\$0.07	
		1001 - Payroll Payables	\$2,306.10	
87633	09/08/2017	Open	LLOYDS TIRE SERVICE	\$28.00
308082	08/25/2017	Flat repair	\$28.00	
87634	09/08/2017	Open	MASTER CLEANERS	\$1,184.46
MC083117	08/31/2017	August uniform cleaning	\$1,184.46	
87635	09/08/2017	Open	METRO MOBILE COMMUNICATIONS	\$214.02
39637	08/28/2017	Motorola speaker microphone	\$214.02	
87636	09/08/2017	Open	MID COUNTY AUTO SUPPLY	\$658.77
47498	08/18/2017	Fuel filter	\$55.45	
47217	08/16/2017	Filters, lube	\$277.54	
47504	08/18/2017	Filters	\$116.37	
47499	08/18/2017	Fuel filters	\$166.35	
47938	08/22/2017	Grease	\$43.06	
87637	09/08/2017	Open	MISSION LINEN SUPPLY	\$514.76
505474400	08/07/2017	Mat service for PD	\$48.18	
505541266	08/16/2017	Uniforms, shop towels	\$33.65	
505541267	08/16/2017	Linen service	\$112.64	
505569946	08/21/2017	Mats for PD	\$48.18	
505586562	08/23/2017	Linen service	\$92.17	
505633136	08/30/2017	Linen services	\$33.65	
505586561	08/23/2017	Linen services	\$33.65	
505633137	08/30/2017	Linen service	\$112.64	
87638	09/08/2017	Open	O'REILLY AUTO PARTS	\$108.78
2763-312618	08/24/2017	Grease	\$108.78	

Attachment: 9-8-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 8, 2017

Invoice	Date	Description	Amount
87639	09/08/2017	Open	
		ORCHARD SUPPLY HARDWARE	\$1,313.55
028986	08/10/2017	Hitch ring, 2 inch discharge	\$7.22
049485	08/03/2017	Worklight and batteries	\$26.90
152198	08/04/2017	Metal cutoff blades	\$14.48
035435	08/07/2017	Masonry cutoff blades	\$10.85
057863	08/08/2017	T handle and gloves	\$26.90
152897	08/09/2017	Painting supplies	\$13.34
152944	08/09/2017	Graffiti painting supplies	\$29.33
036210	08/10/2017	Tape and pry bar	\$49.68
040615	08/10/2017	Wharf arch repainting supplies	\$122.24
153195	08/11/2017	Sign repair supplies	\$52.33
020290	08/14/2017	Hooks and chalk line	\$12.36
154183	08/17/2017	Rust stopper, paint brushes, hex bolt	\$48.27
037857	08/18/2017	Primer, hex bolts	\$55.14
040888	08/11/2017	Sawzall blades	\$20.70
154048	08/16/2017	LED headlamp, wedge anchors, sunglasses, bit	\$98.49
154213	08/17/2017	Brushes	\$16.55
042434	08/17/2017	Multi purpose bit	\$9.31
021241	08/17/2017	Wedge anchors - signs	\$6.19
037803	08/18/2017	Water can, soap, wood screws	\$61.03
021440	08/18/2017	Nylon lock nuts	\$2.67
038601	08/21/2017	Stencils	\$17.57
022337	08/21/2017	Sign supplies	\$35.17
028984	08/10/2017	Curb painting supplies	\$33.08
154383	08/18/2017	Brush	\$8.80
023276	08/24/2017	Irrigation supplies	\$12.72
039387	08/24/2017	Steel rings	\$10.25
039412	08/24/2017	Hex bolts	\$1.13
023446	08/24/2017	Cleaning supplies	\$34.52
155294	08/25/2017	Mops	\$18.62
023626	08/25/2017	Batteries for cameras	\$33.11
023899	08/25/2017	Duct tape and light bulbs	\$20.69
043833	08/28/2017	batteries and torx heads	\$25.83
155090	08/23/2017	Universal tool	\$8.80
025357	08/30/2017	Bits and sockets	\$30.62
030799	08/30/2017	Hex nuts, bolts, dies	\$29.89
022679	08/22/2017	Drill bits	\$76.07
040183	08/08/2017	Nozzle and SS clamps	\$43.45
025369	08/30/2017	Glasses & wood screws	\$53.81
025667	08/31/2017	Head lamp & flashlight - Jesse	\$30.01
031081	08/31/2017	Paint	\$21.49
032650	09/06/2017	Pant, shovel, rake, chain	\$65.76
032702	09/06/2017	Graffiti paint	\$18.18
		1000 - General Fund	\$1,169.17
		1311 - Wharf	\$144.38
87640	09/08/2017	Open	
		PALACE OFFICE SUPPLIES	\$144.65
440499-0	09/05/2017	Office supplies	\$90.06
440078-0	08/31/2017	Office supplies	\$28.51
439692-0	08/30/2017	Office supplies	\$26.08
		2210 - ISF - Stores Fund	

Attachment: 9-8-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 8, 2017

Invoice	Date	Description	Amount	
87641	09/08/2017	Open	PITNEY BOWES	\$2,020.99
Invoice	Date	Description	Amount	
PB082017	08/20/2017	City Hall postage machine refill 2210 - ISF - Stores Fund	\$2,020.99	
87642	09/08/2017	Open	PK SAFETY SUPPLY	\$38.59
Invoice	Date	Description	Amount	
333710	08/29/2017	Safety vests	\$38.59	
87643	09/08/2017	Open	PRAXAIR DISTRIBUTION INC.	\$94.94
Invoice	Date	Description	Amount	
78628040	08/22/2017	Acetylene cylinder rental	\$94.94	
87644	09/08/2017	Open	PREFERRED BENEFIT INSURANCE ADMIN.	\$5,708.60
Invoice	Date	Description	Amount	
EIA22001	09/01/2017	September dental & vision insurance	\$5,708.60	
		1000 - General Fund	\$73.10	
		1001 - Payroll Payables	\$5,635.50	
87645	09/08/2017	Open	SANTA CRUZ COUNTY INFORMATION SERVICES	\$1,323.36
Invoice	Date	Description	Amount	
SCC082817	08/28/2017	Quarterly radio shop charges	\$801.37	
SCC08282017	08/28/2017	September open query scan charges	\$521.99	
87646	09/08/2017	Open	SANTA CRUZ MUNICIPAL UTILITIES	\$79.76
Invoice	Date	Description	Amount	
SCMU081417	08/14/2017	August water service for medians	\$79.76	
87647	09/08/2017	Open	SESAC	\$397.00
Invoice	Date	Description	Amount	
SESAC090117	09/01/2017	Music performance license	\$397.00	
87648	09/08/2017	Open	SOQUEL CREEK WATER DISTRICT	\$15,974.06
Invoice	Date	Description	Amount	
SCWD081617	08/16/2017	August water usage and irrigation fees	\$3,765.71	
SCWD082817	08/28/2017	Monthly water usage and irrigation fees	\$12,208.35	
		1000 - General Fund	\$15,189.51	
		1311 - Wharf	\$784.55	
87649	09/08/2017	Open	SOQUEL HEARING AID CENTER	\$27.43
Invoice	Date	Description	Amount	
SHAC082817	08/28/2017	Police radio adapter electronics	\$27.43	
87650	09/08/2017	Open	SOQUEL NURSERY GROWERS INC.	\$35.74
Invoice	Date	Description	Amount	
0000339488	08/29/2017	Plants	\$35.74	
87651	09/08/2017	Open	SPECTRUM BUSINESS	\$3,653.57
Invoice	Date	Description	Amount	
0000178081917	08/19/2017	Monthly internet service	\$3,653.57	
		1000 - General Fund	\$1,354.96	
		2211 - ISF - Information Tech	\$2,298.61	

Attachment: 9-8-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 8, 2017

Invoice	Date	Description	Amount	
87652	09/08/2017	Open	SUMMIT UNIFORMS	\$2,426.45
43408	08/19/2017	Uniform for Anderson	\$315.73	
43000	08/03/2017	Uniform for Vazquez	\$337.58	
42997	08/03/2017	Uniform alterations - Sloma	\$98.33	
43620	08/28/2017	Uniform for Currier	\$409.69	
43032	08/04/2017	Uniform for Weagle	\$872.91	
43004	08/03/2017	Uniform alterations	\$54.63	
43003	08/03/2017	Uniform for S. Ryan	\$337.58	
87653	09/08/2017	Open	SUTTER GOULD MEDICAL FOUNDATION	\$125.00
971177789-1	08/27/2017	Pre-employment physical	\$125.00	
87654	09/08/2017	Open	T MOBILE	\$2,364.08
TM081317	08/13/2017	Monthly cell phone usage	\$2,364.08	
87655	09/08/2017	Open	TRACTOR SUPPLY COMPANY	\$60.08
200120516	08/25/2017	Adjustable tailgate step hitch	\$60.08	
87656	09/08/2017	Open	UNITED PARCEL SERVICE	\$12.48
0000954791357	09/02/2017	Shipping	\$12.48	
87657	09/08/2017	Open	UPEC LIUNA LOCAL 792	\$1,228.50
1321	08/03/2017	August UPEC dues 1001 - Payroll Payables	\$1,228.50	
87658	09/08/2017	Open	US BANK PARS	\$339.70
PARS090117	09/01/2017	PARS contributions PPE 8-26-17 1001 - Payroll Payables	\$339.70	
87659	09/08/2017	Open	ZEE MEDICAL SERVICE CO.	\$139.80
66608296	09/05/2017	Safety supplies	\$139.80	
87660	09/08/2017	Open	ZUMAR INDUSTRIES INC.	\$364.88
0171645	08/29/2017	Measure D signs 1310 - Gas Tax	\$364.88	
87661	09/08/2017	Open	Teresa Coughman	\$84.60
2003085.002	08/30/2017	Class refund	\$84.60	
Type Check Totals:			\$89,485.53	

Attachment: 9-8-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 8, 2017

EFT

492	09/06/2017	Open		EMPLOYMENT DEVELOPMENT DEPT		\$7,093.88
	Invoice	Date	Description		Amount	
	1-056-247-680	09/06/2017	State taxes PPE 8-26-17		\$7,093.88	
			1001 - Payroll Payables			
493	09/06/2017	Open		INTERNAL REVENUE SERVICE		\$28,242.88
	Invoice	Date	Description		Amount	
	70779322	09/06/2017	Federal taxes & Medicare PPE 8-26-17		\$28,242.88	
			1001 - Payroll Payables			
494	09/04/2017	Open		STATE DISBURSEMENT UNIT		\$1,232.76
	Invoice	Date	Description		Amount	
	U57U0TU6657	09/04/2017	Employee garnishments PPE 8-26-17		\$1,232.76	
			1001 - Payroll Payables			
495	09/06/2017	Open		CalPERS Health Insurance		\$63,275.93
	Invoice	Date	Description		Amount	
	1000922236	09/06/2017	September health insurance		\$63,275.93	
			1000 - General Fund	\$2,421.77		
			1001 - Payroll Payables	\$60,854.16		
Type EFT Totals:						\$99,845.45

Library - Library

Check

34	09/08/2017	Open		BOGARD CONSTRUCTION INC		\$7,305.00
	Invoice	Date	Description		Amount	
	160707-12	08/28/2017	Library project management services		\$7,305.00	
			1360 - Library Fund			
Type Check Totals:						\$7,305.00

CITY - Main City Totals

	Counts:	Totals:
Checks	60	\$89,485.53
EFTs	4	\$99,845.45
All	64	\$189,330.98

Library - Library Totals

Checks	1	\$7,305.00
EFTs	0	\$0.00
All	1	\$7,305.00

Grand Totals:

Checks	61	\$96,790.53
EFTs	4	\$99,845.45
All	65	\$196,635.98

Attachment: 9-8-17 City Check Register (Approval of City Check Registers)

City account payable checks dated 9/15/2017, numbered 87662 to 87702, plus 2 EFTs, totaling \$116,903.14, plus 7 Payroll account checks and 87 Payroll EFTs, totaling \$148,462.95, for a grand total of \$265,366.09, have been reviewed and authorized for distribution by the City Manager.

As of 9/15/2017 the unaudited cash balance is \$3,490,090.92.


CASH POSITION - CITY OF CAPITOLA 9/15/17

	<u>Net Balance</u>
General Fund	(\$32,902.45)
Payroll Payables	\$169,979.40
Contingency Reserve Fund	\$1,903,345.66
Facilities Reserve Fund	\$339,870.00
Capital Improvement Fund	\$656,728.68
Stores Fund	\$16,068.69
Information Technology Fund	\$57,069.23
Equipment Replacement	\$186,179.93
Self-Insurance Liability Fund	\$79,352.30
Workers' Comp. Ins. Fund	\$124,338.79
Compensated Absences Fund	(\$9,939.31)
TOTAL UNASSIGNED GENERAL FUNDS	<u>\$3,490,090.92</u>

The Emergency Reserve Fund balance is \$1,277,205.54 (not included above).

The PERS Contingency Fund balance is \$308,186.39 (not included above).

The Library Fund balance is \$384,922.81 (not included above).



Jamie Goldstein, City Manager

9/18/17

Date



Peter Wilk, City Treasurer

9/26/17

Date

Attachment: 9-15-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 15, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
87662	09/15/2017	Open			ALVAREZ TECHNOLOGY GROUP INC	\$3,097.28
	Invoice		Date	Description		Amount
	42789		08/24/2017	50% deposit for new file server 2211 - ISF - Information Technology		\$3,097.28
87663	09/15/2017	Open			AMY FERRASCI	\$150.00
	Invoice		Date	Description		Amount
	2017-1		09/03/2017	Feb 2017 CVWBIA brochure update 1321 - BIA - Capitola Village-Wharf BIA		\$150.00
87664	09/15/2017	Open			APTOS LANDSCAPE SUPPLY INC.	\$149.73
	Invoice		Date	Description		Amount
	450900		09/08/2017	Mini bark		\$149.73
87665	09/15/2017	Open			B & B SMALL ENGINE REPAIR	\$66.40
	Invoice		Date	Description		Amount
	382165		09/07/2017	Oil		\$66.40
87666	09/15/2017	Open			BAY PHOTO LAB	\$3.80
	Invoice		Date	Description		Amount
	6780054		09/13/2017	Museum photo prints		\$3.80
87667	09/15/2017	Open			BEN NOBLE URBAN AND REGIONAL PLANNING	\$472.50
	Invoice		Date	Description		Amount
	1150		09/06/2017	August zoning code update services 1313 - General Plan Update and Maint		\$472.50
87668	09/15/2017	Open			CA DEPARTMENT OF JUSTICE	\$64.00
	Invoice		Date	Description		Amount
	252974		09/06/2017	August fingerprinting		\$64.00
87669	09/15/2017	Open			CENTRAL FIRE PROTECTION DISTRICT	\$120.00
	Invoice		Date	Description		Amount
	832017		08/03/2017	Annual Corp Yard fire/life safety inspection		\$120.00
87670	09/15/2017	Open			CHRISTINE CANDELARIA	\$1,622.51
	Invoice		Date	Description		Amount
	12		09/01/2017	BIA website & consulting services 1321 - BIA - Capitola Village-Wharf BIA		\$1,622.51
87671	09/15/2017	Open			COASTAL WATERSHED COUNCIL	\$5,985.52
	Invoice		Date	Description		Amount
	1609		09/11/2017	August urban watch		\$5,985.52
87672	09/15/2017	Open			DAN REED	\$99.00
	Invoice		Date	Description		Amount
	REED9817		09/08/2017	Softball Officials 8/28-9/8/17		\$99.00

Attachment: 9-15-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 15, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
87673	09/15/2017	Open			DONALD W ALLEY	\$4,141.43
	Invoice		Date	Description		Amount
	917-02		09/04/2017	August Noble Gulch nutrient monitoring		\$553.76
	917-01		09/04/2017	Lagoon water quality monitoring		\$3,587.67
87674	09/15/2017	Open			FLYERS ENERGY LLC	\$3,733.97
	Invoice		Date	Description		Amount
	17-540718		09/11/2017	180 gallons diesel		\$527.78
	17-540717		09/11/2017	468 gallons ethanol		\$1,481.37
	17-535648		08/31/2017	400 gallons ethanol		\$1,267.21
	17-535671		08/31/2017	150 gallons diesel		\$457.61
87675	09/15/2017	Open			FRED C. BEYERS	\$66.00
	Invoice		Date	Description		Amount
	BEYERS90817		09/08/2017	Softball Officials 8/28-9/8/17		\$66.00
87676	09/15/2017	Open			GAIL S PENNIMAN	\$280.80
	Invoice		Date	Description		Amount
	2018-00000209		09/12/2017	Early Fall Instructor Payment 2017		\$280.80
87677	09/15/2017	Open			HOPE REHABILITATION SERVICES	\$2,700.00
	Invoice		Date	Description		Amount
	S163917		08/31/2017	August litter abatement & street cleaning		\$2,700.00
87678	09/15/2017	Open			JACQUES BERTRAND	\$44.90
	Invoice		Date	Description		Amount
	Bertrand090817		09/08/2017	Soquel school district meetings meal reimbursements		\$44.90
87679	09/15/2017	Open			JAMES P ALLEN	\$2,738.75
	Invoice		Date	Description		Amount
	JPA090617		09/06/2017	Arborist services - Monterey cypress tree at lower Pac Cove lot		\$2,738.75
87680	09/15/2017	Open			KINGS PAINT AND PAPER INC.	\$122.84
	Invoice		Date	Description		Amount
	A0257846		09/11/2017	Red curb paint 1310 - Gas Tax		\$122.84
87681	09/15/2017	Open			LABORMAX STAFFING	\$5,221.71
	Invoice		Date	Description		Amount
	26-82337		09/01/2017	Seasonal labor		\$2,598.73
	26-82685		09/08/2017	Seasonal labor		\$2,622.98
87682	09/15/2017	Open			MADELINE C HORN	\$712.50
	Invoice		Date	Description		Amount
	010		09/08/2017	Cataloging and organizing museum artifacts		\$712.50
87683	09/15/2017	Open			MAURA HERLIHY	\$571.25
	Invoice		Date	Description		Amount
	MHerlihy091117		09/11/2017	Education reimbursement		\$571.25

Attachment: 9-15-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 15, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
87684	09/15/2017	Open			MV TRANSPORTATION INC.	\$5,243.20
	Invoice		Date	Description		Amount
	78001		09/01/2017	August beach shuttle service		\$5,243.20
87685	09/15/2017	Open			NIELS KISLING	\$200.00
	Invoice		Date	Description		Amount
	061217		09/12/2017	City vehicle towing reimbursement		\$200.00
87686	09/15/2017	Open			O'REILLY AUTO PARTS	\$177.62
	Invoice		Date	Description		Amount
	2763-317302		09/13/2017	Tools and auto supplies		\$177.62
87687	09/15/2017	Open			ORCHARD SUPPLY HARDWARE	\$454.31
	Invoice		Date	Description		Amount
	040218		08/08/2017	Tape, straps, towels		\$20.96
	041663		08/14/2017	Batteries		\$22.25
	021128		08/17/2017	Loctite		\$3.62
	022328		08/21/2017	Play sand		\$5.17
	043158		08/21/2017	Kwik seal, sunglasses, gloves		\$43.44
	022728		08/22/2017	Paint		\$4.55
	044388		08/30/2017	Electrical tape, triflow, neem oil		\$55.99
	044584		08/31/2017	Septonic, pin set		\$28.96
	027912		09/07/2017	Hose, cable ties, leaf skimmer		\$66.75
	028365		09/08/2017	Graffiti supplies		\$17.06
	029249		09/11/2017	Cleanup		\$7.23
	029325		09/11/2017	Ball valve, gopher trap		\$17.37
	033925		09/12/2017	Painting supplies		\$28.93
	059877		09/12/2017	Twist loc		\$3.62
	158252		09/12/2017	Hooks, links and swivel		\$99.09
	046961		09/13/2017	Painting supplies		\$17.58
	158432		09/14/2017	Spray paint		\$11.74
				1000 - General Fund	\$404.39	
				1311 - Wharf	\$49.92	
87688	09/15/2017	Open			PALACE OFFICE SUPPLIES	\$133.15
	Invoice		Date	Description		Amount
	441109-0		09/08/2017	Office supplies		\$34.56
	441526-0		09/12/2017	Labels		\$44.23
	441658-0		09/12/2017	Paper		\$58.89
	C439692-0		08/31/2017	Return post-it refills		(\$4.53)
				2210 - ISF - Stores Fund		
87689	09/15/2017	Open			PAPA	\$870.00
	Invoice		Date	Description		Amount
	PS091417		09/14/2017	Pesticide seminars and PAPA memberships		\$870.00
87690	09/15/2017	Open			ROYAL WHOLESALE ELECTRIC	\$56.68
	Invoice		Date	Description		Amount
	7719-619832		08/30/2017	Box lid		\$38.15
	7719-620093		09/08/2017	Gloves		\$18.53

Attachment: 9-15-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 15, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
87691	09/15/2017	Open			S&S WORLDWIDE INC.	\$196.24
	Invoice		Date	Description		Amount
	9821370		08/18/2017	Camp supplies		\$196.24
87692	09/15/2017	Open			SANTA CRUZ OCCUPATIONAL MEDICAL CENTER	\$372.00
	Invoice		Date	Description		Amount
	I-18492		05/31/2017	Employee pre-employment exam		\$372.00
87693	09/15/2017	Open			SAVE OUR SHORES	\$3,202.00
	Invoice		Date	Description		Amount
	2017-40		08/21/2017	Educational outreach for food service ware		\$3,202.00
87694	09/15/2017	Open			STATE STEEL COMPANY	\$340.00
	Invoice		Date	Description		Amount
	123884		09/06/2017	Steel		\$340.00
87695	09/15/2017	Open			SUPPLYWORKS	\$2,728.19
	Invoice		Date	Description		Amount
	411295900		08/29/2017	Cleaning supplies		\$2,038.44
	411295918		08/29/2017	Diaper changing stations		\$689.75
87696	09/15/2017	Open			SZS CONSULTING GROUP	\$20,200.00
	Invoice		Date	Description		Amount
	6		09/06/2017	ADA pedestrian facility assessment 1200 - Capital Improvement Fund		\$20,200.00
87697	09/15/2017	Open			U.S. BANK EQUIPMENT FINANCE	\$869.85
	Invoice		Date	Description		Amount
	338843006		09/01/2017	Copier lease		\$288.85
	338842388		09/01/2017	Copier leases		\$581.00
				1000 - General Fund	\$388.05	
				2210 - ISF - Stores Fund	\$481.80	
87698	09/15/2017	Open			ZEE MEDICAL SERVICE CO.	\$22.53
	Invoice		Date	Description		Amount
	66608295		09/05/2017	Clean wipes, burn spray, aspirin 2210 - ISF - Stores Fund		\$22.53
87699	09/15/2017	Open			East Bay Landscaping Company	\$500.00
	Invoice		Date	Description		Amount
	17-092		09/13/2017	Tree deposit refund		\$500.00
87700	09/15/2017	Open			Jeff Myll	\$98.10
	Invoice		Date	Description		Amount
	2003086.002		08/30/2017	Class refund		\$98.10
87701	09/15/2017	Open			Matthew Ryan	\$500.00
	Invoice		Date	Description		Amount
	17-0306		08/12/2017	Tree deposit refund		\$500.00

Attachment: 9-15-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 15, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
87702	09/15/2017	Open			Rose Mary Brown	\$64.00
	Invoice		Date	Description		Amount
	2003094.002		09/08/2017	Class refund		\$64.00
Type Check Totals:						\$68,392.76

<u>EFT</u>						
496	09/14/2017	Open			CalPERS Member Services Division	\$47,613.23
	Invoice		Date	Description		Amount
	1000926904-7		09/14/2017	PERS contributions PPE 8-26-17		\$47,613.23
				1000 - General Fund	(\$0.25)	
				1001 - Payroll Payables	\$47,613.48	
497	09/11/2017	Open			WELLS FARGO BANK	\$897.15
	Invoice		Date	Description		Amount
	WF091117		09/11/2017	Monthly client analysis charges		\$897.15
Type EFT Totals:						\$48,510.38

CITY - Main City Totals	Counts:	Totals:
Checks	41	\$68,392.76
EFTs	2	\$48,510.38
All	43	\$116,903.14
WELLS - Pavroll Totals		
Checks	7	\$4,745.25
EFTs	87	\$143,717.70
All	94	\$148,462.95
Grand Totals:		
Checks	48	\$73,138.01
EFTs	89	\$192,228.08
All	137	\$265,366.09

Attachment: 9-15-17 City Check Register (Approval of City Check Registers)

City account payable checks dated 9/22/2017, numbered 87703 to 87757, plus 5 EFTs, totaling \$323,693.49, plus 1 Library account check, totaling \$3,000.00, for a grand total of \$326,693.49, have been reviewed and authorized for distribution by the City Manager.

As of 9/22/2017 the unaudited cash balance is \$4,251,412.84.

CASH POSITION - CITY OF CAPITOLA 9/22/17

	<u>Net Balance</u>
General Fund	\$835,541.16
Payroll Payables	\$76,068.85
Contingency Reserve Fund	\$1,903,345.66
Facilities Reserve Fund	\$339,870.00
Capital Improvement Fund	\$645,610.43
Stores Fund	\$15,601.84
Information Technology Fund	\$55,443.19
Equipment Replacement	\$186,179.93
Self-Insurance Liability Fund	\$79,352.30
Workers' Comp. Ins. Fund	\$124,338.79
Compensated Absences Fund	(\$9,939.31)
TOTAL UNASSIGNED GENERAL FUNDS	<u><u>\$4,251,412.84</u></u>

The Emergency Reserve Fund balance is \$1,277,205.54 (not included above).
The PERS Contingency Fund balance is \$308,186.39 (not included above).
The Library Fund balance is \$381,922.81 (not included above).



Jamie Goldstein, City Manager

9/25/17

Date



Peter Wilk, City Treasurer

9/26/17

Date

Attachment: 9-22-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 22, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
87703	09/22/2017	Open			PITNEY BOWES	\$379.32
	Invoice		Date	Description		Amount
	PB091917		09/19/2017	Postage machine rental 2210 - ISF - Stores Fund		\$379.32
87704	09/22/2017	Open			PITNEY BOWES	\$147.15
	Invoice		Date	Description		Amount
	1005061202		08/27/2017	Recreation postage machine rental fee		\$147.15
87705	09/22/2017	Open			Syeda M. Badar	\$10.00
	Invoice		Date	Description		Amount
	244854		01/20/2017	Reissued citation refund		\$10.00
87706	09/22/2017	Open			ABC SUPPLY CO INC - MBA 742	\$461.12
	Invoice		Date	Description		Amount
	63184497		09/12/2017	Fibered emulsion		\$217.00
	63205746		09/12/2017	Rubbercoat for City Hall roof		\$244.12
87707	09/22/2017	Open			ADAMS ASHBY GROUP INC	\$1,160.00
	Invoice		Date	Description		Amount
	2117		09/01/2017	August CDBG general admin 1350 - CDBG Grants		\$1,160.00
87708	09/22/2017	Open			AED Professionals	\$78.00
	Invoice		Date	Description		Amount
	56334		09/06/2017	Wall mount bracket		\$78.00
87709	09/22/2017	Open			APTOS LANDSCAPE SUPPLY INC.	\$1,209.78
	Invoice		Date	Description		Amount
	450372		08/30/2017	Wood chips for Jade St. park		\$73.78
	451321		09/14/2017	Wood chips for Jade St. park		\$289.70
	451328		09/14/2017	Wood chips for Jade St. park		\$73.78
	451618		09/18/2017	Wood chips for McGregor park		\$624.96
	451670		09/19/2017	Wood chips for McGregor park		\$147.56
87710	09/22/2017	Open			ARCHIVES & ARCHITECTURE LLC	\$1,300.00
	Invoice		Date	Description		Amount
	AA071017		07/10/2017	#17-034 standards review 201 Central Avenue		\$1,300.00
87711	09/22/2017	Open			AT&T	\$9.12
	Invoice		Date	Description		Amount
	ATT090117		09/01/2017	Monthly long distance charges		\$9.12
				1000 - General Fund	\$4.48	
				2211 - ISF - Information Tech	\$4.64	
87712	09/22/2017	Open			AT&T/CALNET 3	\$1,911.34
	Invoice		Date	Description		Amount
	0010091374		08/13/2017	August telephone service & T-1 access		\$1,911.34
				1000 - General Fund	\$1,596.33	
				2211 - ISF - Information Tech	\$315.01	

Attachment: 9-22-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 22, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
87713	09/22/2017	Open			ATCHISON BARISONE CONDOTTI & KOVACEVICH	\$13,693.50
	Invoice		Date	Description		Amount
	ABCK083117		08/31/2017	August legal services		\$13,693.50
87714	09/22/2017	Open			B & B SMALL ENGINE REPAIR	\$60.55
	Invoice		Date	Description		Amount
	381234		08/22/2017	Woodcutter bar oil		\$60.55
87715	09/22/2017	Open			BEAR ELECTRICAL SOLUTIONS INC.	\$1,705.00
	Invoice		Date	Description		Amount
	5282		08/28/2017	August traffic signal maint. - routine		\$616.00
	5281		08/28/2017	August traffic signal maint. - response 1310 - Gas Tax		\$1,089.00
87716	09/22/2017	Open			BOGNER SHEET METAL	\$287.34
	Invoice		Date	Description		Amount
	14634		09/11/2017	Leader head		\$287.34
87717	09/22/2017	Open			BRINKS AWARDS & SIGNS	\$10.90
	Invoice		Date	Description		Amount
	79926		09/14/2017	JG award		\$10.90
87718	09/22/2017	Open			CALIFORNIA QUALITY PLASTICS	\$674.70
	Invoice		Date	Description		Amount
	1122834-IN		09/08/2017	Esplanade bathroom supplies		\$210.00
	2122834-CM		09/11/2017	Credit for Esplanade bathroom supplies		(\$210.00)
	0122834-IN		07/28/2017	Light difusers, vaportite for Esplanade bathrooms		\$884.70
	3122834-CM		09/11/2017	Returned vaportite		(\$210.00)
87719	09/22/2017	Open			CA SOCIETY OF MUNICIPAL FINANCE OFFICERS	\$40.00
	Invoice		Date	Description		Amount
	177500		09/20/2017	CSMFO chapter meeting		\$40.00
87720	09/22/2017	Open			CAPITOLA PEACE OFFICERS ASSOCIATION	\$1,593.00
	Invoice		Date	Description		Amount
	POA091517		09/15/2017	POA dues PPE 9-09-17 1001 - Payroll Payables		\$1,593.00
87721	09/22/2017	Open			COASTAL WATERSHED COUNCIL	\$2,129.35
	Invoice		Date	Description		Amount
	1602		08/31/2017	Stormwater education and outreach project services		\$2,129.35
87722	09/22/2017	Open			COMMUNITY TELEVISION OF SCC	\$204.00
	Invoice		Date	Description		Amount
	2446		09/07/2017	Televised city council meeting		\$204.00
87723	09/22/2017	Open			CRYSTAL SPRINGS WATER CO	\$579.49
	Invoice		Date	Description		Amount
	CSW083117		08/31/2017	August drinking water		\$214.24
	CSW073117		07/31/2017	July drinking water		\$365.25

Attachment: 9-22-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 22, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
87724	09/22/2017	Open			EWING IRRIGATION	\$13.41
	Invoice		Date	Description		Amount
	4044807		09/07/2017	Toro parts		\$13.41
87725	09/22/2017	Open			FERGUSON ENTERPRISES INC.	\$297.94
	Invoice		Date	Description		Amount
	5574923		09/08/2017	Wrench and batteries		\$90.13
	5576561		09/08/2017	Diaphragm kits, wrench		\$207.81
87726	09/22/2017	Open			FRED MENG AUDIO VISUAL SERVICES	\$600.00
	Invoice		Date	Description		Amount
	FM091517		09/15/2017	Movies at the beach AV services		\$600.00
87727	09/22/2017	Open			HOUSING AUTHORITY OF SCC	\$4,065.50
	Invoice		Date	Description		Amount
	18-2 CDBG		09/07/2017	August CDBG housing rehab. & homeownership assistance		\$3,115.50
	18-2 CSD		09/07/2017	August security deposit admin.		\$950.00
				1350 - CDBG Grants	\$3,115.50	
				5552 - Cap Hsg Succ- Prog	\$950.00	
87728	09/22/2017	Open			HUB INTERNATIONAL	\$100.18
	Invoice		Date	Description		Amount
	HUB083117		08/31/2017	Weston block party event insurance		\$100.18
87729	09/22/2017	Open			HYDROSCIENCE ENGINEERS INC.	\$7,150.00
	Invoice		Date	Description		Amount
	331011005		09/05/2017	#17-054 Olive Garden stormwater review		\$7,150.00
87730	09/22/2017	Open			ICMA RETIREMENT TRUST 457	\$5,262.37
	Invoice		Date	Description		Amount
	41472472		09/15/2017	Employee 457 contributions PPE 9-09-17		\$5,262.37
				1001 - Payroll Payables		
87731	09/22/2017	Open			JACQUES BERTRAND	\$400.00
	Invoice		Date	Description		Amount
	JB020216		07/01/2017	Focus agriculture program fee		\$400.00
87732	09/22/2017	Open			JENNY SHELTON	\$1,000.00
	Invoice		Date	Description		Amount
	JS091217		09/12/2017	Event planning and administration		\$1,000.00
87733	09/22/2017	Open			KBA Docusys Inc.	\$188.11
	Invoice		Date	Description		Amount
	INV585890		09/14/2017	Copier usage charges		\$28.33
	INV584427		09/12/2017	Copier usage charges		\$4.97
	INV581881		09/05/2017	Copier usage charges		\$154.81
				1000 - General Fund	\$19.97	
				2211 - ISF - Information Tech	\$168.14	

Attachment: 9-22-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 22, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
87734	09/22/2017	Open			KIMLEY-HORN AND ASSOCIATES INC.	\$11,118.25
	Invoice		Date	Description		Amount
	9921575		08/31/2017	Park ave. sidewalk improvements		\$5,722.50
	097763120-0817		08/31/2017	August engineering support 1200 - Capital Improvement Fund		\$5,395.75
87735	09/22/2017	Open			KINGS PAINT AND PAPER INC.	\$125.06
	Invoice		Date	Description		Amount
	A0257348		08/31/2017	Bandstand paint, brushes		\$125.06
87736	09/22/2017	Open			KRISTEN PETERSEN	\$623.51
	Invoice		Date	Description		Amount
	KP091517		09/15/2017	League of CA Cities annual conference		\$623.51
87737	09/22/2017	Open			MANPOWER	\$186.68
	Invoice		Date	Description		Amount
	31858611		09/10/2017	Temporary receptionist staffing		\$186.68
87738	09/22/2017	Open			MILLER'S TRANSFER & STORAGE CO.	\$148.05
	Invoice		Date	Description		Amount
	89286		09/03/2017	Monthly record storage and warehouse handling		\$148.05
87739	09/22/2017	Open			MUNISERVICES LLC	\$1,264.63
	Invoice		Date	Description		Amount
	INV06-000316		08/28/2017	Quarterly STARS service		\$1,264.63
87740	09/22/2017	Open			OLIVE SPRINGS QUARRY INC.	\$101.34
	Invoice		Date	Description		Amount
	110587		09/01/2017	3/4" drain rock		\$77.01
	110588		09/01/2017	Track fines		\$24.33
87741	09/22/2017	Open			PACIFIC GAS & ELECTRIC	\$16,180.62
	Invoice		Date	Description		Amount
	PGE091417-acct9		09/14/2017	September gas & electricity		\$15,786.56
	PGE091417-acct5		09/14/2017	Pac cove parking lot utilities		\$383.45
	PGE091317-acct0		09/13/2017	Wharf Road Rispin Mansion utilities		\$10.61
				1000 - General Fund	\$5,678.61	
				1300 - SLESF - Supl Law Enfc	\$229.66	
				1310 - Gas Tax	\$7,593.16	
				1311 - Wharf	\$2,679.19	
87742	09/22/2017	Open			PALACE OFFICE SUPPLIES	\$250.27
	Invoice		Date	Description		Amount
	442669-0		09/18/2017	Recreation supplies		\$159.09
	28124-0		08/08/2017	Magnetic label holders		\$31.77
	429821-0		07/31/2017	Stamp		\$30.81
	9411617		08/22/2017	Stencils		\$28.60
				1000 - General Fund	\$187.69	
				2210 - ISF - Stores Fund	\$62.58	

Attachment: 9-22-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 22, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
87743	09/22/2017	Open			POWER ENGINEERING CONTRACTORS INC.	\$122,616.78
	Invoice		Date	Description		Amount
	1725-01		09/15/2017	Capitola pier pile removal and replacement 1311 - Wharf		\$122,616.78
87744	09/22/2017	Open			RENNE SLOAN HOLTZMAN SAKAI LLP	\$781.50
	Invoice		Date	Description		Amount
	35708		08/31/2017	Personnel legal services		\$781.50
87745	09/22/2017	Open			ROGERS ANDERSON MALODY & SCOTT LLP	\$11,000.00
	Invoice		Date	Description		Amount
	55579		08/31/2017	FY 16/17 audit progress billing		\$11,000.00
87746	09/22/2017	Open			SANTA CRUZ COUNTY AUDITOR-CONTROLLER	\$15,131.00
	Invoice		Date	Description		Amount
	SCC090617		08/31/2017	August citation processing		\$15,131.00
87747	09/22/2017	Open			SANTA CRUZ COUNTY OFFICE OF EDUCATION	\$30.00
	Invoice		Date	Description		Amount
	18026		09/07/2017	Fingerprinting		\$30.00
87748	09/22/2017	Open			SANTA CRUZ SENTINEL	\$498.30
	Invoice		Date	Description		Amount
	0001074352		08/31/2017	Public notices		\$498.30
87749	09/22/2017	Open			SUPPLYWORKS	\$1,712.55
	Invoice		Date	Description		Amount
	412389033		09/08/2017	Cleaning supplies		\$1,712.55
87750	09/22/2017	Open			TERRENCE MCMANUS	\$251.42
	Invoice		Date	Description		Amount
	TM091317		09/13/2017	League of CA Cities annual conference lodging		\$251.42
87751	09/22/2017	Open			UNITED WAY OF SANTA CRUZ COUNTY	\$30.00
	Invoice		Date	Description		Amount
	UW091517		09/15/2017	United Way contributions PPE 9-09-17 1001 - Payroll Payables		\$30.00
87752	09/22/2017	Open			UPEC LIUNA LOCAL 792	\$1,137.50
	Invoice		Date	Description		Amount
	1417		09/15/2017	September UPEC dues 1000 - General Fund 1001 - Payroll Payables	(\$22.75) \$1,160.25	\$1,137.50
87753	09/22/2017	Open			US BANK PARS	\$453.94
	Invoice		Date	Description		Amount
	PARS091517		09/15/2017	PARS contributions PPE 9-9-17 1001 - Payroll Payables		\$453.94

Attachment: 9-22-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 22, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
87754	09/22/2017	Open			VISIT SANTA CRUZ COUNTY	\$2,580.00
	Invoice		Date	Description		Amount
	11859.3		08/03/2017	BIA advertising 1321 - BIA - Capitola Village-Wharf BIA		\$2,580.00
87755	09/22/2017	Open			WELLS FARGO BANK	\$3,751.06
	Invoice		Date	Description		Amount
	WF090417		09/04/2017	August credit card purchases Purchases over the \$500 threshold:		\$3,751.06
				Job posting civil engineer	\$590.00	
				OptiPlex mini tower	\$636.44	
				Job posting civil engineer	\$500.30	
				League of Cities - Chief	\$525.00	
				1000 - General Fund	\$2,587.86	
				2210 - ISF - Stores Fund	\$24.95	
				2211 - ISF - Information Tech	\$1,138.25	
87756	09/22/2017	Open			WESTERN EXTERMINATOR COMPANY	\$114.00
	Invoice		Date	Description		Amount
	5380854		08/31/2017	City Hall - rodent control		\$57.00
	5396293		08/31/2017	Turnouts - rodent control		\$57.00
87757	09/22/2017	Open			Wittwer and Parkin	\$250.00
	Invoice		Date	Description		Amount
	16-04		09/19/2017	Refund appeal permit #16-04 2205 Wharf Road		\$250.00
Type Check Totals:						\$237,057.63

Attachment: 9-22-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 22, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
EFT						
499	09/19/2017	Open			CalPERS Member Services Division	\$47,286.91
	Invoice		Date	Description		Amount
	1000930387-90		09/19/2017	PERS contributions PPE 9-09-17		\$47,286.91
				1000 - General Fund	(\$0.23)	
				1001 - Payroll Payables	\$47,287.14	
500	09/19/2017	Open			EMPLOYMENT DEVELOPMENT DEPT	\$7,499.19
	Invoice		Date	Description		Amount
	1-910-845-312		09/19/2017	State taxes PPE 9-09-17		\$7,499.19
				1001 - Payroll Payables		
501	09/19/2017	Open			INTERNAL REVENUE SERVICE	\$29,391.90
	Invoice		Date	Description		Amount
	35430884		09/19/2017	Federal taxes & Medicare PPE 9-9-17		\$29,391.90
				1001 - Payroll Payables		
502	09/18/2017	Open			STATE DISBURSEMENT UNIT	\$1,232.76
	Invoice		Date	Description		Amount
	NSK3FD56657		09/18/2017	Employee garnishments PPE 9-09-17		\$1,232.76
				1001 - Payroll Payables		
503	09/20/2017	Open			STATE BOARD OF EQUALIZATION	\$1,225.10
	Invoice		Date	Description		Amount
	BOE09192017		09/20/2017	Sales tax on trash cans and ammunitions		\$1,225.10
Type EFT Totals:						\$86,635.86
Library - Library						
Check						
35	09/22/2017	Open			HYDROSCIENCE ENGINEERS INC.	\$3,000.00
	Invoice		Date	Description		Amount
	331012002		09/05/2017	Library stormwater review services		\$3,000.00
				1360 - Library Fund		
Type Check Totals:						\$3,000.00
CITY - Main City Totals						
				Counts:		Totals:
Checks				55		\$237,057.63
EFTs				5		\$86,635.86
All				60		\$323,693.49
Library - Library Totals						
Checks				1		\$3,000.00
EFTs				0		\$0.00
All				1		\$3,000.00
Grand Totals:						
Checks				56		\$240,057.63
EFTs				5		\$86,635.86
All				61		\$326,693.49

Attachment: 9-22-17 City Check Register (Approval of City Check Registers)

City account payable checks dated 9/29/2017, numbered 87758 to 87809, plus 2 EFTs, totaling \$327,346.39, plus 1 Library account check, totaling \$88,206.22, plus 7 Payroll account checks and 85 Payroll EFTs, totaling \$147,519.25, for a grand total of \$563,071.86, have been reviewed and authorized for distribution by the City Manager.

As of 9/29/2017 the unaudited cash balance is \$3,926,757.33.

CASH POSITION - CITY OF CAPITOLA 9/29/17

	<u>Net Balance</u>
General Fund	\$155,737.16
Payroll Payables	\$186,326.22
Contingency Reserve Fund	\$1,903,345.66
Facilities Reserve Fund	\$339,870.00
Capital Improvement Fund	\$593,835.06
Stores Fund	\$24,333.77
Information Technology Fund	\$124,877.75
Equipment Replacement	\$217,429.93
Self-Insurance Liability Fund	\$186,352.30
Workers' Comp. Ins. Fund	\$204,588.79
Compensated Absences Fund	(\$9,939.31)
TOTAL UNASSIGNED GENERAL FUNDS	<u>\$3,926,757.33</u>

The Emergency Reserve Fund balance is \$1,277,205.54 (not included above).
The PERS Contingency Fund balance is \$308,186.39 (not included above).
The Library Fund balance is \$293,716.59 (not included above).



Jamie Goldstein, City Manager



Date



Peter Wilk, City Treasurer



Date

Attachment: 9-29-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 29, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
87758	09/25/2017	Open			OLD REPUBLIC TITLE	\$71,678.75
	Invoice		Date	Description		Amount
	ORT092017		09/20/2017	Pelton rehab loan escrow #2123023772-SP 1350 - CDBG Grants		\$71,678.75
87759	09/29/2017	Open			ALLSAFE LOCK COMPANY	\$33.20
	Invoice		Date	Description		Amount
	49868		09/21/2017	Keys, tags		\$12.11
	49862		09/14/2017	Keys, key ring		\$21.09
87760	09/29/2017	Open			AUTOMATION TEST ASSOCIATES	\$40.00
	Invoice		Date	Description		Amount
	45374		09/22/2017	September wharf meter reading 1311 - Wharf		\$40.00
87761	09/29/2017	Open			CALE AMERICA INC.	\$2,026.59
	Invoice		Date	Description		Amount
	146409		08/31/2017	August Cale paystation fees		\$1,829.00
	146648		09/07/2017	Paystation decals		\$156.28
	146667		09/19/2017	Paystation test cards		\$41.31
87762	09/29/2017	Open			CALIFORNIA COAST UNIFORM COMPANY	\$31.00
	Invoice		Date	Description		Amount
	5703		09/14/2017	Police uniform alterations		\$22.00
	5776		09/21/2017	Sgt. stripes for S. Ryan		\$9.00
87763	09/29/2017	Open			CALIFORNIA LAW ENFORCEMENT ASSOCIATION	\$514.50
	Invoice		Date	Description		Amount
	CLEA092017		09/20/2017	October POA long term disability 1001 - Payroll Payables		\$514.50
87764	09/29/2017	Open			CLIFF SLOMA	\$27.70
	Invoice		Date	Description		Amount
	CS092117		09/21/2017	FBINA meeting parking and meal reimbursement		\$27.70
87765	09/29/2017	Open			CLIPPER CREEK INC	\$4,882.70
	Invoice		Date	Description		Amount
	74870		09/27/2017	2 EV stations, 2 pedestals		\$4,882.70
87766	09/29/2017	Open			COMMUNITY ACTION BOARD	\$2,037.33
	Invoice		Date	Description		Amount
	CAB091817		09/18/2017	August emergency housing program admin and rent assistance 5552 - Cap Hsg Succ- Program Income		\$2,037.33
87767	09/29/2017	Open			CUMMINS PACIFIC	\$217.45
	Invoice		Date	Description		Amount
	027-80438		09/20/2017	Sweeper fuel water separators, fuel filters 1310 - Gas Tax		\$217.45

Attachment: 9-29-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 29, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
87768	09/29/2017	Open			D & M TRAFFIC SERVICES	\$66,844.37
	Invoice		Date	Description		Amount
	54140		09/22/2017	Green bike lanes		\$66,844.37
				1200 - Capital Improvement	\$51,775.37	
				1309 - RTC Streets	\$15,069.00	
87769	09/29/2017	Open			DISCOVERY BENEFITS	\$78.94
	Invoice		Date	Description		Amount
	0000009645		09/18/2017	COBRA participant refund		\$78.94
87770	09/29/2017	Open			EWING IRRIGATION	\$436.85
	Invoice		Date	Description		Amount
	4084374		09/14/2017	Bender board, tie down strap		\$365.63
	4091817		09/15/2017	Wattle		\$62.50
	4109386		09/19/2017	Irrigation supplies		\$8.72
87771	09/29/2017	Open			FIRST ALARM	\$225.39
	Invoice		Date	Description		Amount
	346383		09/15/2017	Activity report, monitoring service, supervised open/close		\$225.39
87772	09/29/2017	Open			FIRST SECURITY	\$300.00
	Invoice		Date	Description		Amount
	541147		09/21/2017	Jade St. patrol services		\$300.00
87773	09/29/2017	Open			FLYERS ENERGY LLC	\$1,827.78
	Invoice		Date	Description		Amount
	17-544316		09/15/2017	578 gallons ethanol		\$1,827.78
87774	09/29/2017	Open			FRANK PERRY	\$176.45
	Invoice		Date	Description		Amount
	FP092117		09/21/2017	Museum books		\$176.45
87775	09/29/2017	Open			G2 FORENSIC INVESTIGATIONS	\$800.00
	Invoice		Date	Description		Amount
	463		09/21/2017	Background check		\$800.00
87776	09/29/2017	Open			GAYLORD ARCHIVAL	\$192.81
	Invoice		Date	Description		Amount
	2501628		09/14/2017	Museum filing and storage supplies		\$192.81
87777	09/29/2017	Open			GRANITE ROCK COMPANY	\$455.60
	Invoice		Date	Description		Amount
	1055786		09/16/2017	Rainbow jasper rock, metal stakes, bend-a-board		\$455.60
87778	09/29/2017	Open			HOPE REHABILITATION SERVICES	\$2,250.00
	Invoice		Date	Description		Amount
	S164023		09/15/2017	Litter abatement and street cleaning		\$2,250.00
87779	09/29/2017	Open			HOSE SHOP	\$111.42
	Invoice		Date	Description		Amount
	400645		09/20/2017	Replacement hose for damaged Ditchwitch vacuum		\$111.42

Attachment: 9-29-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 29, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
87780	09/29/2017	Open			HUMBOLDT PETROLEUM LLC	\$91.00
	Invoice		Date	Description		Amount
	086798		08/31/2017	August patrol car cleaning		\$45.50
	086838		09/15/2017	September vehicle cleaning		\$45.50
87781	09/29/2017	Open			JACQUES BERTRAND	\$250.00
	Invoice		Date	Description		Amount
	JB091017		09/10/2017	Digital reading device reimbursement		\$250.00
87782	09/29/2017	Open			LLOYDS TIRE SERVICE	\$28.00
	Invoice		Date	Description		Amount
	308560		09/28/2017	Flat repair		\$28.00
87783	09/29/2017	Open			MAR-KEN K-9 TRAINING CENTER	\$240.00
	Invoice		Date	Description		Amount
	01793-17		09/18/2017	September K-9 training		\$240.00
87784	09/29/2017	Open			MASTER CAR WASH	\$31.98
	Invoice		Date	Description		Amount
	MCW083117		09/15/2017	August car washes		\$31.98
87785	09/29/2017	Open			MISSION PRINTERS	\$62.56
	Invoice		Date	Description		Amount
	55688		09/21/2017	Business cards 2210 - ISF - Stores Fund		\$62.56
87786	09/29/2017	Open			MORRONE'S DRAPERIES	\$101.47
	Invoice		Date	Description		Amount
	2536		09/20/2017	Repair to blinds at Community Center		\$101.47
87787	09/29/2017	Open			NATIONAL RECREATION & PARKS ASSOCIATION	\$170.00
	Invoice		Date	Description		Amount
	NRPA103117		09/26/2017	Annual membership		\$170.00
87788	09/29/2017	Open			PALACE OFFICE SUPPLIES	\$753.04
	Invoice		Date	Description		Amount
	443001-0		09/19/2017	Office supplies		\$164.54
	440926-0		09/07/2017	Office supplies		\$70.49
	443892-0		09/22/2017	Office supplies		\$65.87
	443839-0		09/22/2017	Office supplies		\$5.44
	443400-0		09/21/2017	Office supplies		\$195.62
	444076-0		09/25/2017	Calendars		\$205.44
	444016-0		09/25/2017	Paper		\$33.44
	444362-0		09/26/2017	Calendar		\$12.20
87789	09/29/2017	Open			PHOENIX GROUP INFORMATION SYSTEMS	\$2,181.93
	Invoice		Date	Description		Amount
	082017070		09/19/2017	August citation processing		\$2,181.93
				1000 - General Fund	\$235.03	
				2210 - ISF - Stores Fund	\$518.01	

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City Checks Issued September 29, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
87790	09/29/2017	Open			ROYAL WHOLESALE ELECTRIC	\$127.92
	Invoice		Date	Description		Amount
	7719-620655		09/21/2017	Fluorescent tubes		\$127.92
87791	09/29/2017	Open			SANTA CRUZ COUNTY ANIMAL SHELTER	\$11,513.10
	Invoice		Date	Description		Amount
	17/18-2CA		09/11/2017	Quarterly animal services payment		\$11,513.10
87792	09/29/2017	Open			SANTA CRUZ FIRE EQUIPMENT CO.	\$299.18
	Invoice		Date	Description		Amount
	101493		09/15/2017	Community center semi-annual service		\$299.18
87793	09/29/2017	Open			SANTA CRUZ REGIONAL 911	\$140,367.75
	Invoice		Date	Description		Amount
	SCR091517cbs		09/15/2017	Regional 911 first half capital/debt service		\$32,564.00
	SCR091517moc		09/15/2017	Regional 911 2nd quarter payment		\$107,803.75
87794	09/29/2017	Open			SOQUEL NURSERY GROWERS INC.	\$50.46
	Invoice		Date	Description		Amount
	339924		09/20/2017	Plants		\$50.46
87795	09/29/2017	Open			STAPLES ADVANTAGE	\$209.17
	Invoice		Date	Description		Amount
	8046336317		09/09/2017	Office supplies		\$153.41
	8046236063		09/02/2017	Office supplies		\$55.76
87796	09/29/2017	Open			SUMMIT UNIFORMS	\$1,558.46
	Invoice		Date	Description		Amount
	42996		08/03/2017	Police uniform tailoring		\$174.80
	43640		08/29/2017	Uniform hats		\$345.23
	43043		08/04/2017	Uniform items for Gonzalez		\$299.35
	43002		08/03/2017	Uniform items for Zamora		\$337.58
	43142		08/08/2017	VIP jacket and patch for K. Howard		\$74.84
	43268		08/15/2017	Uniform boots for Mendoza		\$326.66
87797	09/29/2017	Open			THE CLEANING MACHINE INC.	\$2,910.00
	Invoice		Date	Description		Amount
	6184		08/31/2017	Sidewalk cleaning		\$2,910.00
87798	09/29/2017	Open			TOM HELD	\$905.20
	Invoice		Date	Description		Amount
	TH092217		09/22/2017	Education reimbursement		\$870.00
	TH092117		09/21/2017	FBINA orientation parking and meal reimbursement		\$35.20
87799	09/29/2017	Open			TOTAL COMPENSATION SYSTEMS INC.	\$1,980.00
	Invoice		Date	Description		Amount
	5660		09/22/2017	GASB 75 valuation services - 2nd installment		\$1,980.00

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City Checks Issued September 29, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
87800	09/29/2017	Open			TRANSPORTATION ALLIANCE BANK INC.	\$1,027.54
	Invoice		Date	Description		Amount
	639967		09/07/2017	GB set for sweeper 1310 - Gas Tax		\$1,027.54
87801	09/29/2017	Open			UNITED RENTALS (NORTH AMERICA) INC.	\$2,849.54
	Invoice		Date	Description		Amount
	150103386-001		09/26/2017	Ditchwitch vacuum rental		\$2,849.54
87802	09/29/2017	Open			ZEE MEDICAL SERVICE CO.	\$324.82
	Invoice		Date	Description		Amount
	66608294		09/05/2017	Medical supplies		\$324.82
87803	09/29/2017	Open			Cheryl Thomas	\$10.00
	Invoice		Date	Description		Amount
	166129432		09/07/2017	Citation refund		\$10.00
87804	09/29/2017	Open			Dianne Callsen	\$76.00
	Invoice		Date	Description		Amount
	188124232		09/07/2017	Citation overpayment refund		\$76.00
87805	09/29/2017	Open			Joe Brower	\$76.00
	Invoice		Date	Description		Amount
	166127913		09/07/2017	Citation refund		\$76.00
87806	09/29/2017	Open			Kaye Whitmer	\$36.00
	Invoice		Date	Description		Amount
	199126873		09/26/2017	Citation refund		\$36.00
87807	09/29/2017	Open			Linda Kathryn Shields	\$86.00
	Invoice		Date	Description		Amount
	199127765		09/07/2017	Citation refund		\$86.00
87808	09/29/2017	Open			Megan Campbell	\$1,936.00
	Invoice		Date	Description		Amount
	17-0280		09/26/2017	208 Capitola Ave. CUP deposit refund		\$1,936.00
87809	09/29/2017	Open			Silicon Valley Invitational	\$1,500.00
	Invoice		Date	Description		Amount
	Bandstanddeposit		09/28/2017	Bandstand deposit refund		\$1,500.00
Type Check Totals:						\$326,941.95

Attachment: 9-29-17 City Check Register (Approval of City Check Registers)

City Checks Issued September 29, 2017

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
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EFT

498	09/25/2017	Open			DISCOVERY BENEFITS	\$139.00
	Invoice		Date	Description		Amount
	0000792680-IN		08/31/2017	August COBRA and FSA admin		\$139.00
504	09/29/2017	Open			ADP LLC	\$265.44
	Invoice		Date	Description		Amount
	500684987		09/29/2017	ez Labor processing charges		\$265.44
				2211 - ISF - Information Technology		

Type EFT Totals: \$404.44

Library - Library

Check

36	09/29/2017	Open			NOLL AND TAM ARCHITECTS	\$88,206.22
	Invoice		Date	Description		Amount
	0057388		07/31/2017	Library design development		\$70,057.60
	0057413		08/31/2017	Library design development		\$17,514.40
	0057412		07/31/2017	Library reimbursable expenses		\$634.22
				1360 - Library Fund		

Type Check Totals: \$88,206.22

CITY - Main City Totals

	Counts:	Totals:
Checks	52	\$326,941.95
EFTs	2	\$404.44
All	54	\$327,346.39

Library - Library Totals

	Counts:	Totals:
Checks	1	\$88,206.22
EFTs	0	\$0.00
All	1	\$88,206.22

WELLS - Payroll Totals

	Counts:	Totals:
Checks	7	\$4,530.04
EFTs	85	\$142,989.21
All	92	\$147,519.25

Grand Totals:

	Counts:	Totals:
Checks	60	\$419,678.21
EFTs	87	\$143,393.65
All	147	\$563,071.86

Attachment: 9-29-17 City Check Register (Approval of City Check Registers)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF OCTOBER 26, 2017

FROM: Community Development

SUBJECT: Second Reading Subdivision Ordinance Cleanup

RECOMMENDED ACTION: Staff recommends the City Council direct staff to reintroduce the proposed ordinance amendment at a future hearing.

BACKGROUND/DISCUSSION: Staff has received comments from Coastal Commission staff regarding the proposed ordinance amendment. City staff recommends the City Council remove this item from the agenda to allow time for staff to work with Coastal Commission staff to develop mutually agreeable revisions. City staff will subsequently reintroduce the ordinance amendment and present the requested revisions to the City Council.

FISCAL IMPACT: None

Report Prepared By: Rich Grunow
Community Development Director

Reviewed and Forwarded by:

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

Jamie Goldstein, City Manager

10/19/2017



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF OCTOBER 26, 2017

FROM: Capitola Police Department
SUBJECT: Hear Appeal of Vicious Animal Declaration

RECOMMENDED ACTION: Uphold the declaration of “vicious animal” as determined by the Director of the Santa Cruz County Animal Services Agency.

BACKGROUND: Santa Cruz County Animal Services Authority officers investigate all animal-related calls within the City of Capitola, including dog bite and vicious animal complaints. The director of the Santa Cruz County Animal Services Authority, under the contract established by the existing Joint Powers Authority, serves as the City’s poundmaster.

Capitola Municipal Code 6.04.010 (Q) states: “A ‘vicious animal’ means any animal except a dog assisting a peace officer engaged in law enforcement duties, which bites any human being or any domestic animal, or which demonstrates menacing behavior towards human beings or domestic animals, but does not include an animal which bites, attacks, or menaces a trespasser on the property of its guardian or harms or menaces anyone who has tormented, tortured, or exhibited cruelty to such animal as such terms are defined in California Penal Code Section 597.”

Pursuant to Capitola Municipal Code section 6.08.140-Appeals, the guardian (owner) who is served with notice may appeal the enforcement action to the City Council in the manner specified in Chapter 2.52 of the Capitola Municipal Code, and the action shall not be carried out until a hearing is held and the council either upholds or overturns the order.

DISCUSSION: On September 9, 2017, the Santa Cruz County ASA Field Services Manager sent a declaration letter to the appellants (Attachment 1), Brian and Pam Schnack, notifying them of the decision by the Director of the ASA (poundmaster) to declare their dog Presley a “vicious animal.”

The declaration requires that the dog owners schedule an appointment with an Animal Control Officer for a facility check to ensure that their dog can be adequately confined to their property. Additionally, the declaration requires the dog be leashed and muzzled anytime he is off the owner’s property.

City staff has reviewed the case and recommends that the declaration is an appropriate enforcement action by ASA, based on the fact that Presley has bitten a human on three separate occasions: November 5, 2014, December 17, 2016, and September 1, 2017. Each incident was documented in an official report prepared by law enforcement and did not involve

Hear Appeal of Vicious Animal Declaration
October 26, 2017

trespassers or abuse.

On September 25, 2017, City staff received written notice from Brian Schnack (Attachment 2) requesting an appeal of ASA's decision to declare his dog a "vicious animal." Based upon the three dog bite incidents mentioned above, staff recommends Council uphold the ASA's declaration of the appellant's pet as a vicious animal pursuant to applicable municipal code.

FISCAL IMPACT: None.

ATTACHMENTS:

1. ASA Declaration - Schnack
2. Appeal Letter Schnack
3. Public comment

Report Prepared By: Terry McManus
Police Chief

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

10/19/2017



Melanie Sobel
General Manager

Santa Cruz County Animal Shelter Field Services Division

2200 7th Ave., Santa Cruz, CA 95062
580 Airport Boulevard, Watsonville, CA 95076
Phone: (831) 454-7303 Fax: (831) 454-7222

September 9, 2017

Brian and Pam Schnack
4310 Trotter Street
Capitola, CA 95010

Re: **ANIMAL CONTROL ORDER – DECLARATION OF VICIOUS ANIMAL**

Dear Mr. and Mrs. Schnack:

This animal control order concerns your dog, “Presley,” described as a blue and white pitbull residing at 4310 Trotter Street in Capitola.

As defined in the Animal Control Ordinance 6.04.010 (Q), a “vicious animal” shall mean “any animal, except a dog assisting a peace officer engaged in law enforcement duties, which bites any human being or any domestic animal or which demonstrates menacing behavior toward human beings or domestic animals but does not include an animal which bites, attacks or menaces a trespasser on the property of its guardian

The director of animal control services, hereafter known as the General Manager of the Santa Cruz County Animal Shelter, has determined your dog to be a “vicious animal” due to the following:

Presley has bitten a human on three separate occasions: November 5, 2014, December 17, 2016 and September 1, 2017.

This order of declaration of vicious animal requires that you schedule an appointment with an Animal Control Officer for a facility check to ensure that your dog can be adequately confined to your property.

The containment must be “escape proof,” whereas the dog cannot dig under, jump over, or in any way exit the containment on its own. It is recommended that the containment be locked whenever occupied with all gates having spring-loaded automatic closure mechanisms. It is also recommended that the containment for the animal have a concrete floor or the base be secured with railroad ties. “Beware of dog” signage is recommended to be posted on the fencing and be visible from off the property.

Attachment: ASA Declaration - Schnack (Hear Appeal of Vicious Animal Declaration)



Melanie Sobel
General Manager

Santa Cruz County Animal Shelter Field Services Division

2200 7th Ave., Santa Cruz, CA 95062
580 Airport Boulevard, Watsonville, CA 95076
Phone: (831) 454-7303 Fax: (831) 454-7222

Any violation of this order may result in our agency placing a Destruction Order on your dog. Additionally, Presley is required to be leashed and muzzled anytime he is off your property.

The owner served with a notice pursuant to 6.08.140 may appeal the decision of the poundmaster (director of animal control services) to the city council in the manner specified in Chapter 2.52 of the Capitola Municipal Code and for purposes of that chapter, the poundmaster's order shall be considered an administrative abatement notice and order. However, notwithstanding Section 2.52 the appeal of any such administrative abatement notice and order must be filed in writing within ten business days, excluding weekends and legal holidays, of the date on the administrative abatement notice and order. When appealed, the poundmaster's order shall not be carried out until an appeal hearing is held and the city council either upholds or overturns the order.

If you have any questions, please do not hesitate to contact me personally at 831-454-7303 ext1.

Sincerely,

Todd Stosuy
Field Services Manager

Copy to: Nuisance Abatement Commission
Animal Control Unit

Attachment: ASA Declaration - Schnack (Hear Appeal of Vicious Animal Declaration)

To: Linda Fridy, Capitola City Clerk

From: Brian and Pam Schnack, 4310 Trotter Street, Capitola, CA 95010, (831) 824-9100

Regarding: Appeal of decision from poundmaster and notice pursuant to 6.08.140

September 25, 2017

Dear Ms. Fridy and, ultimately, members of the Capitola City Council,

On September 13, 2017, we were formally served by Officer Stousy of the Santa Cruz County Animal Shelter with a declaration of vicious animal. Please consider this letter a formal appeal of the declaration, provided to you within 10 business days of the notice.

First and foremost, our appeal is not an attempt to shirk our obligations as dog owners, friends, parents, neighbors, or citizens of the City and County. Just as important, our appeal is not a statement against Officer Stousy, who was very up-front and professional with us and who does incredible work across the County for animal rescue.

Secondly, regardless of our appeal of the ruling, Pam and I are continuing to take steps to ensure we have a safe, sane environment for our family, our dogs, and our neighborhood. Our actions are outlined at the end of this appeal and include our working with Carla Braden (County Animal Behaviorist, PMCT, CPDT-KA) – who is scheduled to visit our family on Wednesday, September 27, 2017 (the earliest she could visit). We are looking forward to Carla's assessment and recommendations.

At issue is whether Presley is a vicious animal. Per the declaration issued to us on September 13th, the General Manager of the Santa Cruz County Animal Shelter determined Presley to be a vicious animal due to biting a human on three separate occasions (those occasions being 11/5/2014, 12/17/2016, and 9/1/2017). We are not contesting that each of the three bites occurred.

What was neither reported nor detailed was the circumstances of each event and the degree of the resulting bite. Specifically, our appeal contends that Presley does not meet the definition of a "vicious animal" per Animal Control Ordinance 6.04.010 (Q). This ordinance states (emphasis ours)

"Vicious animal" means any animal, except a dog assisting a peace officer engaged in law enforcement duties, which bites any human being or any domestic animal or which demonstrates menacing behavior toward human beings or domestic animals but does not include an animal which bites, attacks or menaces a trespasser on the property of its guardian or harms or

menaces anyone who has tormented, tortured, or exhibited cruelty to such animal as such terms are defined in California Penal Code Section 597.

Again, we do not deny that the three reported bites occurred. However, each of the three bites occurred under circumstances which might moderate the degree to which Presley acted viciously or menacingly. Without arguing that the events reported did occur, the following are our concerns with each of the reported events, starting with the most questionable event

1. 12/17/2016, reported by Sean Ferry

On 12/17/2016, Sean Ferry was “house sitting” our two dogs and our son, Nico, for the night.

On this night, our two dogs were competing over the same wrapped gift. Presley ultimately got the present, and laid down, pawing and gnawing at it – like it was his.

It is in this situation that Sean decided to take the present away from Presley. He reached toward the present as Presley growled. Despite the growling, Sean took the present, and Presley bit his hand, breaking his skin with a single tooth mark.

Again, there’s no excuse for Presley biting Sean. Having said that, Presley bit Sean (one tooth mark) after communicating his annoyance with someone entering his space, taking something that belonged to him (the present). Please note that Sean will be willing to testify.

2. 11/5/2014, reported by Rocco Rouse

This was the first avoidable event. On this day, Rocco knocked on the door for Nico to play. This unfortunately got Stella (our second dog, a Chihuahua/Dachshund mix) barking like crazy. Stella’s the alpha dog of the house, and her shrieking bark triggered Presley.

With both dogs barking and jumping at the front door, Nico (age 10 at this time), opened the door while grabbing Presley’s collar. Sadly, Presley and Stella got out, immediately barking at Rocco, who in turn ran away from them. Frightened at two barking dogs, Rocco waved and flailed at Presley – who bit Rocco’s hand. Rocco suffered a single tooth wound to the hand.

This is our fault for placing the dogs in a situation where they could not succeed, and in exposing other people to a situation in which our dogs could scare and potentially hurt them. After this event, we made it entirely clear to Nico that we never open the door to visitors if our dogs are not under our control (on leash or isolated in another part of the house). We enforce this to this day.

3. 9/1/2017, reported by Callahan Gagarin

This most recent event was avoidable and, as with the biting of Rocco, a matter of NOT putting dogs in a place where we can ensure they succeed. In this case, a friend and her daughter (Kirsten and Callahan Gagarin) were house sitting our dogs for the weekend, something they’ve done 5-10 times with no incident.

After spending all day since early morning inside, the dogs were excited when Kirsten came over and picked up Presley to take him with her to pick up Callahan at school. Presley loves car rides, but we have not been taking him on them since he was diagnosed with a torn ACL. It causes him discomfort to jump up into the car and stay seated with all the jostling. Having said that, Kirsten pulled into the parking lot, parked, and Callahan jumped into the car, immediately bear-hugging Presley.

For some reason – discomfort, uncertainty, surprise – Presley bit Callahan’s hand, leaving one tooth bite. Please note that Kirsten will be willing to testify.

Attachment: Appeal Letter Schnack (Hear Appeal of Vicious Animal Declaration)

There are several things in common with each event

1. Each occurred while Presley was under the control of a minor and/or someone other than his owner
2. Each event was avoidable. Particularly, on 12/17/16, clear signs of “do not take my thing” were presented by Presley as he was covering the present with paws and muzzle. On 11/4/14, our son (accidentally) let his barking dogs escape through the front door. Rocco was defending himself from what he saw as an aggressive dog – and Presley bit his hand.
3. The degree of each bite was 1 tooth puncture, with no lacerations or bruising. After each bite, Presley expressed immediate passivity or remorse (while emphasizing this doesn’t justify it) [Here is where we will state formally that many people are quick to demonize ‘pitbulls’, whereas studies show that ‘pitbull’ breeds are no more or less aggressive than other breeds; furthermore, the term ‘pitbull’ itself is used as a pejorative. See <https://bestfriends.org/>]

Again, the length of this letter does not mean that we are justifying Presley’s behavior. We are not. As we note in an appendix to this letter, we have tried to and will continue to work on providing a safe, sane home for our family and our pets, not to mention for our friends and neighbors. This starts with Carla Braden’s pending review and upcoming behavior training sessions.

What Pam and I are doing, though, is appealing the grounds for Presley being declared a “vicious animal” per Animal Control Ordinance 6.04.010 (Q). Our family has logged hundreds of miles with Presley on walks, and thousands of hours on the couch and in the yard. We took Presley to training after rescuing him from the shelter in 2014, have leash and muzzle trained him (an ongoing practice), never have nor ever will let our dogs off leash, and have strived to never put him in a place where he can’t succeed – or where he can scare or harm others.

I appreciate the time the county, city, and you have already spent on this matter. Regardless of the outcome of this appeal, we look forward to Carla Braden’s upcoming visit, assessment, and training for both Presley, Stella (the second dog), and us.

Regards,

Brian and Pam Schnack

4310 Trotter Street, Capitola, CA 95010

831-824-9100

Postscript

October 6, 2017

Capitola City Council,

Re: Vicious dog behavior case

The State Law regarding Vicious Dog Behavior is basically a three strikes out law. Whether or not the Schrack's dog is guilty or not, is very difficult to judge.

The citations issued are done by qualified personal. Undermining their difficult duty, their decisions that they are trained and paid for, would be undermining them. This is what the public pays them for. I don't believe any animal control professional enjoys condemning an animal, and most often realizes it is the animals problems, but the owners.

Given the dogs record, one has to wonder how many other attacks it has been in that went unreported.

Oftentimes it is not the dog that needs therapy but the owners

If the dog in question owned by the Schnacks harms say a small child, the City would be named in a personal injury lawsuit for not taking action to prevent it when they had the opportunity. That's a big reason for these laws, to eliminate danger and liabilities. The Diane Whipple attack in San Francisco was a turning point for reckless dog behavior. Had the dogs that attacked her been confiscated prior to the attack, she would be alive today.

Public safety should be number one.

In this time, where no city is safe from terrorism, any activity that drains the security of both local and national entities should be minimized as much as possible.

I walk my dog almost every day in the village and about twice a month we are confronted by an aggressive dog. I would like to see the City take this issue to a new level with our own ordinance. That being,

Employ an "Aggressive Dog Behavior" ordinance, whereby for example, any dog showing a threatening level of aggression to any person or other dog, is cited for \$200 and given a 3 strike warning. Any dog (owner) whose dog physically attacks another's dog, is subject to a \$500 fine and the dog s banned from the Village or impounded.

On behalf of all the law abiding, friendly dogs and their owners in Capitola.

Sincerely,

Bob Edgren

Attachment: Public comment (Hear Appeal of Vicious Animal Declaration)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF OCTOBER 26, 2017

FROM: Capitola Police Department

SUBJECT: Introduce an Ordinance Amending Chapter 6 of the Capitola Municipal Code Pertaining to Animals

RECOMMENDED ACTION: Approve first reading of an Ordinance amending Capitola Municipal Code Title 6: Animals by adding mandatory microchipping and updating definitions and rabies vaccinations requirements.

BACKGROUND: The City entered a Joint Powers Agreement with the Santa Cruz County Animal Services Authority (ASA) in July 2017. ASA has recommended that each member of the JPA consider a mandatory microchip ordinance within their respective municipalities for consistency throughout the county. In 2014 the County approved changes to the County Code requiring microchips for dogs and cats over the age of four months. The proposed ordinance would make Capitola's requirements consistent with County Code.

On January 1, 2014, state law mandated rabies vaccines for puppies at three months of age or older. The Capitola Municipal Code currently requires rabies vaccines at four months of age or older.

DISCUSSION:

Microchip Ordinance

A microchip is an electronic device enclosed in a glass cylinder, which is injected under an animal's skin using a hypodermic needle. The procedure is no more painful than a typical injection. Once inserted, the microchip is activated by a scanner that displays a unique number used to identify the animal. The number links to owner contact information via a "registry" that allows shelters, clinics, veterinarians, and humane organizations to contact the owner on a 24-hour basis when a lost pet is found. The microchip itself does not store the owner's contact information. The benefits of microchipping pets are as follows:

- Increased likelihood of reuniting lost pets with owners
- Decreased shelter euthanasia
- Decreased shelter overcrowding
- Decreased taxpayer cost related to housing/caring for lost pets
- Permanent and unalterable identification of animals
- Reunification of animals during natural disasters, stolen pet cases, cruelty cases, and other animal-related investigations

Staff recommends approval of a microchip ordinance with the following provisions, which are consistent with the county ordinance:

1. Provides that all dogs and cats over the age of four months be implanted with an identifying microchip.
2. Provides the following exemptions for the microchip requirement:
 - a. A dog or cat with a high likelihood of suffering serious injury if implanted, due to health conditions (with written confirmation from a licensed veterinarian).
 - b. A dog or cat kenneled or trained in Santa Cruz County, whose owner resides outside of Santa Cruz County.
 - c. A dog that is tattooed and registered with the National Dog Registry.
3. Provides that the owner of a dog or cat over four months of age, that is offered for sale, trade, or adoption, must provide microchip identification information on required documents when transferring animal to the new owner.
4. Provides that impounded dogs or cats without microchip identification shall be subject to one of the following:
 - a. The dog or cat be implanted with a microchip by shelter staff at the expense of the owner.
 - b. The dog or cat be implanted with a microchip by a California licensed veterinarian. The owner shall pay the cost of the delivery of the animal to the chosen veterinarian.
5. Provides that the fee for an identifying microchip shall be included in the adoption fee when adopting a dog or cat from the Santa Cruz County Animal Shelter.
6. Provides that all costs, fees and fines collected shall be paid to the Santa Cruz Animal Shelter for defraying the cost of the implementation and enforcement program.
7. Provides that the definition of "owner" means any person who intentionally and continually provides care or sustenance for any animal, has title to or interest in, harbors or has control of any animal, including but not limited to a dog or cat.

Mandatory Vaccinations

As of January 1, 2014, State law mandates rabies vaccines to puppies at three months of age or older. The current Capitola Municipal Code requires rabies vaccination at four months of age and must be amended to reflect the change in State law resulting from the passage of AB 272 in 2013. The proposed ordinance provides an exemption to the vaccination if a licensed veterinarian determines that it would endanger the dog's life due to disease or other considerations as determined by the veterinarian, and submitted to the Santa Cruz County Health Officer or designee. Such dogs registered as unvaccinated shall be confined to the premises of the owner, and when off premises shall be on a leash under the direct physical control of an adult.

FISCAL IMPACT: There is no fiscal impact and associated fees are already included in the Fiscal Year 2017-18 Adopted Fee Schedule.

Animal Ordinance Update
October 26, 2017

Report Prepared By: Terry McManus
Police Chief

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

10/19/2017

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
AMENDING SECTION 6.04.010 "DEFINITIONS,"
AMENDING SECTION 6.14.040 "VACCINATION REQUIREMENTS,"
AMENDING SECTION 6.14.040 "VACCINATION EXEMPTIONS,"
AND ADDING SECTION 6.14.035 "MICROCHIP OF DOGS AND CATS,"
TO THE CITY OF CAPITOLA MUNICIPAL CODE**

THE CITY COUNCIL OF THE CITY OF CAPITOLA does hereby ordain as follows:

Section 1. Section 6.04.010-Definitions is hereby amended by renumbering existing Subsections L through Q as Subsections M through R, respectively, and adding a new Subsection L to read as follows:

"L. "Owner" means any person who intentionally provides care or sustenance for any animal, has title to or an interest in, harbors or has control of any animal, including but not limited to, a dog or cat; a "Custodian" is any person who intentionally provides care or sustenance for any animal, including but not limited to a dog or cat, on behalf of another or represents the interests of the owner."

Section 2. Section 6.14.040-Vaccination Requirements is hereby repealed in its entirety and replaced by the text below to read as follows:

6.14.040 Vaccination Requirements.

Every owner of any dog, other than a dog hybrid, over the age of three months or older, shall, within the limits of the City of Capitola shall, at intervals specified by the California State Department of Public Health, procure the vaccination of the dog by a licensed veterinarian with an approved canine antirabies vaccine and administered according to the vaccine label, unless a licensed veterinarian determines, on an annual basis, that a rabies vaccination would endanger the dog's life due to disease or other considerations that the veterinarian can verify and document. Every owner of a dog hybrid over the age of three months within the City of Capitola is required to provide proof of annual rabies vaccination with an inactivated canine rabies product.

Section 3. Section 6.24.050-Vaccination Exemptions is hereby repealed in its entirety and replaced by the text below to now read as follows:

6.04.040 Vaccination Exemptions.

A. A request for an exemption from the requirements of this section shall be submitted on an approved form developed by the California State Department of Public Health and shall include a signed statement by the veterinarian explaining the inadvisability of the vaccination and a signed statement by the dog owner affirming that the owner understands the

Animal Ordinance Update
October 26, 2017

consequences and accepts all liability associated with owning a dog that has not received the canine anti-rabies vaccine. The request shall be submitted to the Santa Cruz County Health Officer, who may issue an exemption from the canine antirabies vaccine.

B. The Santa Cruz County Health Officer shall report exemptions issued pursuant to this section to the California State Department of Public Health.

C. A dog that is exempt from the vaccination requirements of this section shall be considered unvaccinated.

D. A dog that is exempt from the vaccination requirements of this section shall, at the discretion of the Santa Cruz County Health Officer or the Officer's designee, be confined to the premises of the owner, keeper, or harborer and, when off the premises, shall be on a leash the length of which shall not exceed six feet and shall be under the direct physical control of an adult. A dog that is exempt from the provisions of this section shall not have contact with a dog or cat that is not currently vaccinated against rabies.

Section 4. Section 6.14.035-Microchip of Dogs and Cats is hereby added to the Capitola Municipal Code to read as follows:

6.14.035 Microchip of Dogs and Cats.

A. All dogs and cats over the age of four months must be implanted with an identifying microchip. The owner or custodian is required to provide the microchip number to the Microchip Registry. Nothing in this section supersedes, eliminates, or alters the licensing requirements of this chapter.

B. Exemptions. The microchip requirements shall not apply to any of the following:

1. A dog or cat with a high likelihood of suffering serious bodily injury, if implanted with the microchip identification, due to the health conditions of the animal. The owner or custodian must obtain written confirmation of that fact from a California licensed veterinarian. If the dog or cat is able to be safely implanted with an identifying microchip at a later date, the date must be stated in the written confirmation.

2. A dog or cat that is kenneled or trained in the City of Capitola, but is owned by an individual that does not reside in the City of Capitola. The owner or custodian must keep and maintain the animal in accordance with the applicable laws and ordinances of the jurisdiction in which the owner or custodian of the animal permanently resides, including but not limited to the applicable licensing and rabies vaccination requirements of that jurisdiction.

3. A dog that is tattooed and registered with the National Dog Registry located at 9018 E. Wilson Rd., Independence, MO 64053.

C. Transfer, sale of dogs and cats.

1. An owner or custodian who offers any dog, over the age of four months, for sale, trade, or adoption must provide the microchip identification number and the valid dog license

Animal Ordinance Update
October 26, 2017

number with the offer of sale, trade or adoption. The license and microchip numbers must appear on a document transferring the dog to the new owner. The owner or custodian shall also advise the County Animal Shelter of the name and address of the new owner or custodian in accordance with Subdivision (A) of this section. An owner or custodian who offers any dog, over the age of four months for sale, trade, or adoption and fails to provide the County Animal Shelter with the name and address of the new owner, is in violation of this chapter and shall be subject to the penalties set forth herein.

2. An owner or custodian who offers any cat, over the age of four months for sale, trade, or adoption must provide the microchip identification number with the offer of sale, trade or adoption. The microchip numbers must appear on a document transferring the cat to the new owner. The owner or custodian shall also advise the County Animal Shelter of the name and address of the new owner or custodian in accordance with Subdivision (A) of this section. An owner or custodian who offers any cat, over the age of four months for sale, trade or adoption and fails to provide the County Animal Shelter with the name and address of the new owner, is in violation of this chapter and shall be subject to the penalties set forth herein.

3. When a puppy or kitten under the age of four months implanted with microchip identification is sold or otherwise transferred to another person, the owner or custodian shall advise the County Animal Shelter of the name and address of the new owner or custodian, and the microchip number of the puppy or kitten with ten days after the transfer. If it is discovered that an owner or custodian has failed to provide the County Animal Shelter with the name and address of the new owner and the microchip number of the puppy or kitten, the owner or custodian shall be subject to the penalties set forth in this chapter.

D. When an impounded dog or cat is without microchip identification, in addition to satisfying applicable requirements for the release of the animal, including but not limited to payment, of impound fees pursuant to this chapter, the owner or custodian shall also do one of the following:

1. Have the dog or cat implanted with a County Animal Shelter microchip by a Shelter California licensed veterinarian technician or veterinarian or designated personnel at the expense of the owner or custodian;

2. Have the dog or cat implanted with a County Animal Shelter approved microchip by a California licensed veterinarian. The owner or custodian may arrange for another California licensed veterinarian to perform the implant, and shall pay to the department the cost to deliver the dog or cat to the chosen veterinarian. The veterinarian shall complete and return to the County Animal Shelter within ten days, a statement confirming that the microchip has been implanted, provide the County Animal Shelter with the number and shall release the dog or cat to the owner or custodian only after the procedure is complete; or

E. Fees for microchip identification device. The fee for identifying microchip device shall be included in the cost of adoption when adopting a dog or cat from the Santa Cruz County Animal Shelter. If an animal has already been implanted with an identifying microchip device by some other facility, there will be no fee to have the identification microchip number entered into the

Animal Ordinance Update
October 26, 2017

County Animal Shelter's registry as required by Subdivision (A) of this section.

F. Allocation of fees and fines collected. All costs, fees and fines collected under this part shall be paid to the County of Santa Cruz Animal Shelter for the purpose of defraying the cost of the implementation and enforcement program.

Section 5. This ordinance shall take effect and be in full force thirty (30) days after its final adoption.

This ordinance was introduced on the ____ day of October, 2017, and was passed and adopted by the City Council of the City of Capitola on the ____ day of November, 2017, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

Stephanie Harlan, Mayor

ATTEST:

Linda Fridy, City Clerk



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF OCTOBER 26, 2017

FROM: Community Development

SUBJECT: Introduce an Ordinance Amending Chapter 17.98 of the Capitola Municipal Code Pertaining to Wireless Telecommunications

RECOMMENDED ACTION: Approve first reading of an ordinance amending Municipal Code Chapter 17.98 Wireless Communications Facilities which incorporates revisions requested by the California Coastal Commission.

BACKGROUND: The City Council adopted an amended Wireless Communications Ordinance on February 9, 2017. Staff subsequently sent the amended ordinance to the California Coastal Commission. Coastal Commission staff reviewed the amendments and recommended the City adopt several revisions prior to setting a hearing before the Coastal Commission to facilitate an expedited certification process.

DISCUSSION: Most of the requested revisions are minor and largely focus on requirements for wireless facilities to be consistent with the City's Local Coastal Program (LCP) and to obtain a coastal development permit as applicable. Several other revisions are intended to clarify standards and procedures for permitting wireless facilities. A summary of all requested revisions can be found in Attachment 2.

Two of the requested revisions are more substantial in nature. The first would require equipment cabinets, wires, cables, meters, and other electric equipment be placed underground unless an applicant demonstrates that the requirement would effectively prevent the provision of wireless service. This requirement would apply to facilities both within and outside the coastal zone.

The second is to add the coastal appeal zone as a discouraged location for wireless facilities and to require an alternatives analysis for any facilities proposed in the coastal appeal zone. As proposed, a wireless facility could be located in the coastal appeal zone if the alternatives analysis demonstrates to the City's satisfaction that a facility could not provide adequate service if it were located in a more preferred location.

Staff and the City Attorney's office worked closely with Coastal Commission staff to refine the revisions in a manner that addresses Coastal staff concerns while maintaining the City's authority to regulate wireless facilities and require well-designed facilities to be sited in appropriate locations.

FISCAL IMPACT: None

Wireless Ordinance Amendment
October 26, 2017

ATTACHMENTS:

1. Amended Wireless Communications Facilities Ordinance
2. Summary of Coastal Revisions
3. General Plan Update Environmental Impact Report Addendum
4. Local Coastal Program Amendment Resolution

Report Prepared By: Rich Grunow
Community Development Director

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

10/19/2017

Chapter 17.98 – WIRELESS COMMUNICATIONS FACILITIES

Sections:

- 17.98.010 Purpose and Intent
- 17.98.020 Definitions
- 17.98.030 Applicability and Exemptions
- 17.98.040 Permit Requirements
- 17.98.050 Standard Conditions of Approval
- 17.98.060 Preferred Siting and Location
- 17.98.070 Development Standards
- 17.98.080 Operation and Maintenance Requirements
- 17.98.090 Temporary Wireless Communications Facilities
- 17.98.100 Limited Exemption from Standards
- 17.98.110 Severability

17.98.010 Purpose and Intent

- A. Purpose.** This chapter establishes requirements for the development, siting, collocation, installation, modification, relocation, ~~development~~, and operation of wireless communications facilities consistent with applicable state and federal laws. These requirements aim to protect public health, safety, and welfare while balancing the benefits of robust wireless services with the unique community character, aesthetics, and local values of City of Capitola.
- B. Intent.** This chapter does not intend to, and shall not be interpreted or applied to:
1. Prohibit or effectively prohibit personal wireless services;
 2. Unreasonably discriminate among wireless communications providers of functionally equivalent personal wireless services;
 3. Regulate the installation, operation, collocation, modification, or removal of wireless facilities on the basis of the environmental effects of radio frequency (RF) emissions to the extent that such emissions comply with all applicable Federal Communications Commission (FCC) regulations;
 4. Prohibit or effectively prohibit any collocation or modification that the City may not deny under state or federal law; or
 5. Preempt any applicable state or federal law.

17.98.020 Definitions

- A. Terms Defined.** Terms used in this chapter are defined as follows:

1. “Amateur radio facilities” are antennas and related equipment for the purpose of self-training, intercommunication, or technical investigations carried out by an amateur radio operator who operates without commercial interest, and who holds a written authorization from the Federal Communications Commission to operate an amateur radio facility.
2. “Antenna” means a device or system of wires, poles, rods, dishes, discs, or similar devices used to transmit and/or receive radio or electromagnetic waves.
3. “Applicable FCC decisions” means the same as defined by California Government Code Section 65964.1(d)(1), as may be amended, which defines that term as “In re Petition for Declaratory Ruling, 24 FCC Rcd. 13994 (2009) and In the Matter of Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies, Report and Order, 29 FCC Rcd. 12865 (2014).”
4. “Array” means one or more antennas mounted at approximately the same level above ground on tower or base station.
5. “Base station” means the same as defined by the FCC in 47 C.F.R. Section 1.40001(b)(1), as may be amended, which defines that term as follows:
 - a. A structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined in 47 C.F.R. Section 1.40001(b)(9) or any equipment associated with a tower.
 - b. “Base station” includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
 - c. “Base station” includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small-cell networks).
 - d. “Base station” includes any structure other than a tower that, at the time the relevant application is filed with the State or local government under 47 C.F.R. Section 1.40001, supports or houses equipment described in paragraphs (b)(1)(i) through (ii) of 47 C.F.R. Section 1.40001 that has been reviewed and approved under the applicable zoning or siting process, or under another state or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.
 - e. “Base station” excludes any structure that, at the time the relevant application is filed with the State or local government under 47 C.F.R. Section 1.40001, does not support or house equipment described in paragraphs (b)(1)(i)-(ii) of 47 C.F.R. Section 1.40001.

6. “Collocation” means the same as defined by the FCC in 47 C.F.R. Section 1.40001(b)(2), as may be amended, which defines that term as “[t]he mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.” As an illustration and not a limitation, the FCC’s definition effectively means “to add” new equipment to an existing facility and does not necessarily refer to more than one wireless facility installed at a single site.
7. “Eligible facilities request” means the same as defined by the FCC in 47 C.F.R. Section 1.40001(b)(3), as may be amended, which defines that term as “[a]ny request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving: (i) Collocation of new transmission equipment; (ii) Removal of transmission equipment; or (iii) Replacement of transmission equipment.”
8. “Eligible support structure” means the same as defined by the FCC in 47 C.F.R. Section 1.40001(b)(4), as may be amended, which defines that term as “[a]ny tower or base station as defined in [47 C.F.R. Section 1.40001], provided that it is existing at the time the relevant application is filed with the State or local government under [47 C.F.R. Section 1.40001].”
9. “Existing” means the same as defined by the FCC in 47 C.F.R. Section 1.40001(b)(5), as may be amended, which provides that “[a] constructed tower or base station is existing for purposes of the [FCC rules implementing Section 6409 of the Spectrum Act] if it has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, provided that a tower that has not been reviewed and approved because it was not in a zoned area when it was built, but was lawfully constructed, is existing for purposes of this definition.”
10. “FCC” means the Federal Communications Commission or its successor agency.
11. “Personal wireless services” has the same meaning as provided in 47 U.S.C. Section 332(c)(7)(C)(i), as may be amended, which defines the term as “commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services.”
12. “Section 6409(a)” means Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, 126 Stat. 156, codified as 47 U.S.C. Section 1455(a), as may be amended.
13. “Service provider” means a wireless communications provider, company or organization, or the agent of a company or organization that provides wireless communications services.
14. “Significant gap” is a gap in the service provider’s own wireless telecommunications facilities, as defined in federal case law interpretations of the Federal Telecommunications Act of 1996.

15. “Site” means the same as defined by the FCC in 47 C.F.R. Section 1.40001(b)(6), as may be amended, which provides that “[f]or towers other than towers in the public rights-of-way, the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site, and, for other eligible support structures, further restricted to that area in proximity to the structure and to other transmission equipment already deployed on the ground.”
16. “Stealth facility” is any facility designed to blend into the surrounding environment, and is visually unobtrusive. Examples of stealth facilities may include architecturally screened roof-mounted antennas, facade mounted antennas painted and treated as architectural elements to blend with the existing building, or elements designed to appear as vegetation or trees. Also referred to as concealed communications facilities.
17. “Substantial change” means the same as defined by the FCC in 47 C.F.R. Section 1.40001(b)(7), as may be amended, which defines that term differently based on the particular facility type and location. For clarity, the definition in this chapter organizes and paraphrases the FCC’s criteria and thresholds for a substantial change according to the facility type and location. The definition of substantial change contained in this section shall be interpreted and applied so as to be consistent with 47 C.F.R. Section 1.40001(b)(7) (as may be amended) and the applicable FCC decisions, rules and orders and court rulings relating to the same. In the event of any conflict between the definition of substantial change contained in this section and the definition contained in 47 C.F.R. Section 1.40001(b)(7) (as may be amended), 47 C.F.R. Section 1.40001(b)(7) (as may be amended) shall govern and control.
 - a. For towers outside the public right-of-way, a substantial change occurs when:
 - (1) The proposed collocation or modification increases the overall height more than 10 percent or the height of one additional antenna array not to exceed 20 feet (whichever is greater); or
 - (2) The proposed collocation or modification involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than 20 feet, or more than the width of the tower structure at the level of the appurtenance (whichever is greater); or
 - (3) The proposed collocation or modification involves the installation of more than the standard number of equipment cabinets for the technology involved, not to exceed four cabinets; or
 - (4) The proposed collocation or modification involves excavation outside the current boundaries of the leased or owned property surrounding the wireless tower, including any access or utility easements currently related to the site.
 - b. For towers in the public right-of-way and for all base stations, a substantial change occurs when:

- (1) The proposed collocation or modification increases the overall height more than 10 percent or 10 feet (whichever is greater); or
 - (2) The proposed collocation or modification involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than 6 feet; or
 - (3) the proposed collocation or modification involves the installation of more than the standard number of equipment cabinets for the technology involved, not to exceed four 4cabinets; or
 - (4) The proposed collocation or modification involves the installation of any new equipment cabinets on the ground when there are no pre-existing ground cabinets associated with the structure; or
 - (5) The proposed collocation or modification involves the installation of any ground cabinets that are more than ten percent larger in height or overall volume than any other ground cabinets associated with the structure; or
 - (6) The proposed collocation or modification involves excavation outside the area in proximity to the structure and other transmission equipment already deployed on the ground.
- c. In addition, for all towers and base stations wherever located, a substantial change occurs when:
- (1) The proposed collocation or modification would defeat the existing concealment elements of the support structure as determined by the Community Development Director; or
 - (2) The proposed collocation or modification violates a prior condition of approval, provided however that the collocation need not comply with any prior condition of approval related to height, width, equipment cabinets, or excavation that is inconsistent with the thresholds for a substantial change described in this section.
- d. Interpretation of Thresholds.
- (1) The thresholds for a substantial change described above are disjunctive. The failure to meet any one or more of the applicable thresholds means that a substantial change would occur.
 - (2) The thresholds for height increases are cumulative limits. For sites with horizontally separated deployments, the cumulative limit is measured from the originally-permitted support structure without regard to any increases in size due to wireless equipment not included in the original design. For sites with vertically separated deployments, the cumulative limit is measured from the permitted site dimensions as they existed on February 22, 2012—the date that Congress passed Section 6409(a).

18. “Temporary wireless communications facility” means a wireless communications facility located on a parcel of land and consisting of a vehicle-mounted facility, a building mounted antenna, or a similar facility, and associated equipment, that is used to provide temporary coverage for a large-scale event or an emergency, or to provide temporary replacement coverage due to the removal of an existing permitted, permanent wireless communications facility necessitated by the demolition or major alteration of a nearby property.
19. “Tower” means the same as defined by the FCC in 47 C.F.R. Section 1.40001(b)(9), as may be amended, which defines that term as “[a]ny structure built for the sole or primary purpose of supporting any [FCC]-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.” Examples include, but are not limited to, monopoles, mono-trees, and lattice towers.
20. “Transmission equipment” means the same as defined by the FCC in 47 C.F.R. Section 140001(b)(8), as may be amended, which defines that term as “[e]quipment that facilitates transmission for any [FCC]-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.”
21. “Wireless” means any FCC-licensed or authorized wireless communications service transmitted over frequencies in the electromagnetic spectrum.
22. “Wireless communications facility” is a facility that sends and/or receives radio frequency signals, AM/FM, microwave, and/or electromagnetic waves for the purpose of providing voice, data, images or other information, including, but not limited to, cellular and/or digital telephone service, personal communications services, and paging services. Wireless communications facilities include antennas and all other types of equipment for the transmission or receipt of such signals; towers or similar structures built to support such equipment; equipment cabinets, base stations, and other accessory development; and screening and concealment elements. (Also referred to as “facility”).
23. “Wireless communications provider” is any company or organization that provides or who represents a company or organization that provides wireless communications services. (Also referred to as “service provider”).
24. “Zoning Code” means the City of Capitola Zoning Code.

- B. Terms Not Defined.** Terms not defined in this section shall be interpreted to give this chapter its most reasonable meaning and application, consistent with applicable state and federal law.

17.98.030 Applicability and Exemptions

- A. Applicability.** This chapter applies to all new facilities and all modifications to existing facilities proposed after the effective date of this chapter unless exempted by Subsection B (Exemptions) below.
- B. Exemptions.** This chapter does not apply to:
1. Amateur radio facilities;
 2. Direct-to-home satellite dishes, TV antennas, wireless cable antennas, and other OTARD antennas covered by the Over-the-Air Reception Devices rule in 47 Code of Federal Regulations (C.F.R.) Section 1.4000 et seq.;
 3. Non-commercial wireless communications facilities owned and operated by a public agency, including but not limited to the City of Capitola; and
 4. All antennas and wireless facilities identified by the FCC or the California Public Utilities Commission (CPUC) as exempt from local regulations.

17.98.040 Permit Requirements

- A. Required Permits.** Wireless communications facilities are grouped into four tiers, each with its own permit requirement as shown in Table 17.98-1.

TABLE 17.98-1: WIRELESS COMMUNICATIONS FACILITY TIERS AND REQUIRED PERMITS*

	Types of Facilities	Permit Required
Tier 1	Modifications to an existing facility that qualify as an “eligible facility request” as defined in Section 17.98.020.A.7	Section 6409(a) Permit
Tier 2	<p>Building- and facade-mounted facilities in the C-C, C-R, or I zoning district when the proposed facility (1) is a stealth facility, (2) does not generate noise in excess of the City’s noise regulations and (3) does not exceed the applicable height limit in the applicable zoning district.</p> <p>Pole-mounted facilities in the public right-of-way consistent with Section 17.98.070.D when the facility is either (1) incorporated into a steel pole with all antennas, equipment, and cabling entirely concealed from view, or (2) mounted to a wood pole with all equipment other than antennas located substantially underground and pole-mounted equipment, where necessary, extends no more than 2 feet horizontally and 5 feet vertically from the pole.</p> <p>A collocation that is not a Tier 1 Facility.</p>	Administrative Permit

	A modification to an eligible support structure that is not a Tier 1 Facility.	
Tier 3	Building- and facade-mounted facilities in the C-C, C-R, or I zoning district that are not Tier 2 Facilities. Building- and facade-mounted facilities in the MU-V, MU-N, VA, or CF zoning district. Pole-mounted facilities in the public right-of-way consistent with Section 17.98.070.D that are not Tier 2 Facilities.	Minor Use Permit
Tier 4	New towers in any zoning district Any facility in the R-1, RM, or MH zoning district ¹ Any facility within a public park or open space Any facility that is not a Tier 1, 2, or 3 Facility	Conditional Use Permit
<p>¹ Except pole-mounted facilities located in a public right-of-way that qualify as either a Tier 2 or 3 Facility. * <u>Any wireless communications facility located in the City’s coastal zone may also require a Coastal Development Permit per Zoning Code Chapter 17.46 (CZ Coastal Zone Combining District), in which case the public notice and hearing requirements (and required findings) set forth in Chapter 17.46 will also apply.</u></p>		

B. Review Authority.

1. **Tier 1 and Tier 2 Facilities.** The Community Development Director shall review and take action on all Section 6409(a) Permit applications for Tier 1 facilities and Administrative Permit applications for Tier 2 facilities.
2. **Tier 3 Facilities.** The Community Development Director shall review and take action on Minor Use Permit applications for Tier 3 facilities. If a member of the public requests a public hearing in accordance with Subsection H.3 (Tier 3 Facilities (Minor Use Permit)) below, the Community Development Director may refer the application to the Planning Commission for review and final decision.
3. **Tier 4 Facilities.** The Planning Commission shall review and take action on Conditional Use Permit applications for Tier 4 facilities.

C. Conflicting Provisions. Conditional Use Permits required for a wireless communications facility shall be processed in compliance with Chapter 17.60 (Conditional Use Permits) and with this chapter. In the event of any conflict between this chapter and Chapter 17.60 (Conditional Use Permits), this chapter shall govern and control.

D. Coastal Zone. A Coastal Development Permit may also be required for any wireless communications facility located (or proposed to be located) in the City’s coastal zone. Coastal Development Permits required for wireless communications facilities shall be

processed in conformance with chapter 17.46 (CZ Coastal Zone Combining District, as may be amended) and with this chapter. In the event of any conflict between this chapter and Chapter 17.46 (as may be amended), Chapter 17.26 shall govern and control, to the extent consistent with applicable federal law (including, but not limited to, the Telecommunications Act of 1996, Section 6409(a), and applicable FCC decisions, rules and orders) and not preempted by applicable state or federal law.

E. Other Permits. A permit issued under this chapter is not in lieu of any other permit required under the Municipal Code (including, but not limited to, coastal development permits, encroachment permits, building permits, etc.), except as specifically provided in this chapter. In addition to any Section 6409(a) permit, administrative use permit, minor use permit, or conditional use permit that may be required under this chapter, the applicant must obtain all other required permits and/or approvals from other City departments, and/or state or federal agencies.

F. Pre-Application Conference.

1. The City encourages prospective applicants to request a pre-application conference with the Community Development Department before completing and filing a permit application.
2. The purpose of this conference is to:
 - a. Inform the applicant of City requirements as they apply to the proposed project;
 - b. Inform the applicant of the City's review process;
 - c. Identify information and materials the City will require with the application; and
 - d. Provide guidance to the applicant of possible project alternatives or modifications.
3. The pre-application conference and any information provided to prospective applicants by City staff shall not be construed as a recommendation for approval or denial of an application.
4. Failure by City staff to identify all permit requirements shall not constitute a waiver of those requirements.

G. Permit Application and Review.

1. **Application Required.** All permits granted under this chapter shall require an application filed and reviewed in compliance with this chapter. All permit applications shall be filed with the Community Development Department on an official City application form. Applications shall be filed with all required fees, information, and materials as specified by the Community Development Department.
2. **Eligibility for Filing.**

- a. An application may only be filed by the property owner or the property owner's authorized agent.
 - b. The application shall be signed by the property owner or the property owner's authorized agent if written authorization from the owner is filed concurrently with the application.
3. **Application Contents.** All applications shall include the following:
- a. The applicable application fee(s) established by the City. Fees required to process permit applications are identified in the Planning Fee Schedule approved by the City Council.
 - b. A fully completed and executed application using an official City application form.
 - c. The application must state what approval is being sought (i.e., Conditional Use Permit, Minor Use Permit, Administrative Permit, or Section 6409(a) Permit). If the applicant believes the application is for a Section 6409(a) Permit, the applicant must provide a detailed explanation as to why the applicant believes that the application qualifies as an eligible facilities request subject to a Section 6409(a) Permit;
 - d. A completed and signed application checklist available from the City, including all the information, materials, and fees specified in the City's application checklist for proposed wireless communications facilities;
 - e. If the proposed facility is to be located on a City-owned building or structure, the application must be signed by an authorized representative of the City;
 - f. For Section 6409(a) Permits and Administrative Permits involving a collocation or modification to an eligible support structure, the application must be accompanied by all prior approvals for the existing facility (including but not limited to all conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment), as well as all permit applications with required application materials for each separate permit required by the City for the proposed facility, including but not limited to a building permit and an encroachment permit (if applicable); and
 - g. All other materials and information required by the Community Development Director as publicly stated in the application checklist(s).
4. **Application Fees.**
- a. The City may deem an application complete only after all required fees have been paid.
 - b. Failure to pay any required supplemental application fees is a basis for denial or revocation of a permit application.
 - c. The City will not refund fees for a denied application.

5. **Application Review.**

- a. The application processing time for applications subject to this chapter shall be in conformance with the time periods and procedures established by applicable FCC decisions, adjusted for any tolling due to incomplete application notices or mutually agreed upon extensions of time.
- b. The Community Development Department shall review each application for completeness and accuracy before it is accepted as being complete. The Community Development Department's determination of completeness shall be based on the City's list of required application contents and any additional written instructions provided to the applicant in a pre-application conference and during the initial application review period.
- c. Within 30 calendar days of the Community Development Department's receipt of an application, the Community Development Department shall inform the applicant in writing that the application is complete and has been accepted for processing, or that the application is incomplete and that additional information is required.
- d. When an application is incomplete as filed, the applicable timeframe for the City's review and action on such application does not include the time that the applicant takes to respond to the Community Development Department's request for additional information. The applicable timeframe for the City's review and action on the application shall be tolled until the applicant makes a supplemental submission, responding to the Community Development Department's request for additional information. The timeframe for review begins running again when the applicant makes a supplemental submission in response to the Community Development Department's notice of incompleteness.
- e. Additional required information shall be submitted in writing.
- f. After an applicant responds to an incomplete notice and submits additional information, the Community Development Department will notify the applicant within ten (10) days of the Community Development Department's receipt of the supplemental submission if the additional information failed to complete the application. The applicable timeframe for the City's review and action on the application shall be tolled until the applicant makes a supplemental submission, responding to the Community Development Department's request for additional information.

6. **Project Evaluation and Staff Report.**

- a. The Community Development Department shall review all applications to determine if they comply with this chapter, the Zoning Code, the General Plan, and other applicable federal and state laws and City policies and regulations.

- b. For all applications requiring review by the Planning Commission, the Community Development Department shall prepare a staff report describing the proposed project and including, where appropriate, a recommendation to approve, approve with conditions, or deny the application.

7. **Applications Deemed Withdrawn.**

- a. If an applicant does not pay required supplemental fees or provide information requested in writing by the Community Development Department within nine (9) months following the date of the letter requesting such fees and/or information, the application shall expire and be deemed withdrawn without any further action by the City.
- b. After the expiration of an application, future City consideration shall require the submittal of a new complete application and associated filing fees.

H. Public Notice and Hearing.

- 1. **All Facilities.** Public notice of pending decision or hearing for all facilities shall contain the following:
 - a. A description of the proposed facility, collocation, or modification.
 - b. The location of the subject property.
 - c. Required permits and approvals.
 - d. How the public can obtain additional information on the proposed project.
- 2. **Tier 1 Facilities (Section 6409(a) Permit) and Tier 2 Facilities (Administrative Permit).**
 - a. City approval or denial of a Tier 1 or Tier 2 facility is a ministerial action which does not require a public hearing.
 - b. The applicant shall post notice of pending action on a Tier 1 or Tier 2 facility application on the subject property at least ten (10) calendar days prior to the City taking action on the application.
 - c. In addition to the information identified in Subsection H.1 (All Facilities) above, the notice of a pending action for Tier 1 facilities shall contain the following statement: “Federal law may require approval of this application. Further, Federal Communications Commission Regulations may deem this application granted by the operation of law unless the City timely approves or denies the application, or the City and applicant reach a mutual tolling agreement.”
 - (1) ~~For Tier 1 facilities, the following statement: “Federal law may require approval of this application. Further, Federal Communications Commission Regulations may deem this application granted by the~~

~~operation of law unless the City timely approves or denies the application, or the City and applicant reach a mutual tolling agreement.”~~

~~(2) For Tier 2 facilities, the following statement: “The proposed wireless communication facility is allowed with an Administrative Permit and will be approved by the Community Development Director if the project complies with all applicable standards and regulations.”~~

3. **Tier 3 Facilities (Minor Use Permit).**

- a. A public hearing for a Tier 3 facility is required only if the Community Development Director receives a written request for a public hearing from the public.
- b. The City shall mail public notice of a pending action on a Tier 3 facility to the owners of the real property located within a radius of 100 feet from the exterior boundaries of the subject property at least ten (10) calendar days prior to the City taking action on the application.
- c. In addition to the information identified in Subsection H.1 (All Facilities) above, the notice of a pending action shall contain a statement that the City is considering the application and that the Community Development Director will hold a public hearing for the application only upon receiving by a specified date written request for a hearing.
- d. If the City receives a request for a public hearing by the specified date, the Community Development Director shall hold a noticed public hearing on the application or refer the application to the Planning Commission for review and final decision. Public notice of the requested public hearing will be mailed to the owners of real property located within a radius of 100 feet from the exterior boundaries of the subject property.
- e. If no written request for a public hearing is received by the specified date, the Community Development Director shall act on the application without a public hearing.

4. **Tier 4 Facilities. (Conditional Use Permit)**

- a. The Planning Commission shall review and take action on Tier 4 facility applications at a noticed public hearing in conformance with this chapter and Chapter 17.60 (Conditional Use Permits), as may be amended from time to time.
- b. At least ten (10) calendar days prior to the scheduled hearing date, the City shall provide public notice of the hearing by:
 - (1) Mailing public notice of the hearing to the following recipients:
 - a) The owners of the subject property or the owner’s authorized agent and the applicant;

- b) The owners of the real property located within a radius of 600 feet from the exterior boundaries of the subject property;
- c) Each local agency expected to provide essential facilities or services to the subject property;
- d) Any person who has filed a written request for notice with the Community Development Department; and
- e) Any other person, whose property, in the judgment of the Community Development Department, might be affected by the proposed project; and

(2) Posting a printed notice at the project site.

- c. If the number of property owners to whom notice would be mailed in compliance with Subsection 4.b.1 above is more than 1,000, the Community Development Department may choose to provide notice by placing a display advertisement of at least one-eight page in one or more local newspapers of general circulation at least ten (10) calendar days prior to the scheduled hearing date.
- d. In addition to the types of notice required above, the Community Development Department may provide additional notice as determined necessary or desirable.
- e. The validity of the hearing shall not be affected by the failure of any resident, property owner, or community member to receive a mailed notice.
- f. In addition to the information identified in Subsection H.1 (All Facilities) above, the notice of a public hearing shall identify the date, location, and time of the hearing.

I. Applicant Notifications for Deemed Granted Remedies. Under state and/or federal law, the City's failure to act on a wireless communications facility permit application within a reasonable period of time in accordance with the time periods and procedures established by applicable FCC decisions, accounting for tolling, may result in the permit being deemed granted by operation of law. To the extent federal or state law provides a "deemed granted" remedy for wireless communications facility applications not timely acted upon by the City, no such application shall be deemed granted unless and until the applicant satisfies the following requirements:

- 1. For all Tier 2, Tier 3 and Tier 4 Facility applications:
 - a. Completes all public noticing required pursuant to Section 17.98.040.H (Public Notice and Hearings) and California Government Code Section 65091 to the Community Development Director's satisfaction.
 - b. No more than 30 days before the date by which the City must take final action on the application (as determined in accordance with the time periods and procedures established by applicable FCC decisions and accounting for tolling),

the applicant must provide the following written notice to the City and other specified recipients as follows:

- (1) For Tier 2 Facilities, the written notice shall be delivered to the City and posted on the subject property.
 - (2) For Tier 3 Facilities, the written notice shall be delivered to the City and mailed to the owners of the subject property (or the owner's authorized agent), and the owners of the real property located within a radius of 100 feet from the exterior boundaries of the subject property and any person who has filed a written request for notice with the Community Development Department.
 - (3) For Tier 4 Facilities, the written notice shall be delivered to the City and mailed to the owners of the subject property (or the owner's authorized agent), the owners of the real property located within a radius of 600 feet from the exterior boundaries of the subject property, each local agency expected to provide essential facilities or services to the subject property, any person who has filed a written request for notice with the Community Development Department, and any other person identified by the Community Development Department as a person whose property might be affected by the proposed project.
 - (4) The notice shall be delivered to the City in person or by certified United States mail.
 - (5) The notice must state that the applicant has submitted an application to the City, describe the location and general characteristics of the proposed facility, and include the following statement: "Pursuant to California Government Code Section 65964.1, state law may deem the application approved in 30 days unless the City approves or denies the application, or the City and applicant reach a mutual tolling agreement."
2. For all facility applications:
- a. Submits a complete application package consistent with the application procedures specified in this chapter and applicable federal and state laws and regulations.
 - b. Following the date by which the City must take final action on the application (as determined in accordance with the time periods and procedures established by applicable FCC decisions and accounting for tolling), the applicant must provide notice to the City that the application is deemed granted by operation of law.

J. Basis for Approval – Tier 1 Facilities.

1. This subsection shall be interpreted and applied so as to be consistent with the Telecommunications Act of 1996, Section 6409(a), and the applicable FCC and court decisions and determinations relating to the same. In the event that a court of

competent jurisdiction invalidates all or any portion of Section 6409(a) or a FCC rule or regulation that interprets Section 6409(a), such that federal law would not mandate approval for any eligible facilities request, then all proposed modifications to existing facilities subject to this section must be approved by an Administrative Permit, Minor Use Permit, or Conditional Use Permit, as applicable, and subject to the discretion of the Community Development Director.

2. To the extent required by applicable state and/or federal law, the Community Development Director shall approve a Section 6409(a) Permit for a Tier 1 facility upon finding that the proposed facility qualifies as an eligible facilities request and does not cause a substantial change as defined in Section 17.98.020 (Definitions).
3. In addition to any other alternative recourse permitted under federal law, the Community Development Director may deny a Section 6409(a) Permit upon finding that the proposed facility:
 - a. Defeats the effect of existing concealment elements of the support structure;
 - b. Violates any legally enforceable standard or permit condition related to compliance with generally applicable building, structural, electrical and/or safety codes;
 - c. Violates any legally enforceable standard or permit condition reasonably related to public health and/or safety; or
 - d. Otherwise does not qualify for mandatory approval under Section 6409(a) for any lawful reason.

K. Basis for Approval – Tier 2 Facilities. To approve an Administrative Permit for a Tier 2 facility, the Community Development Director must find that the proposed facility complies with the requirements of this chapter and all other applicable requirements of the Zoning Code.

L. Basis for Approval – Tier 3 and 4 Facilities. To approve a Minor Use Permit or Conditional Use Permit for a proposed Tier 3 or Tier 4 facility, the review authority must make all of the following findings:

1. The facility is consistent with the requirements of this chapter.
2. The facility is allowed in the applicable zoning district.
3. The facility is consistent with the General Plan, Local Coastal Program, Zoning Code, and any applicable specific plan or area plan adopted by the City Council.
4. The location, size, design, and operating characteristics of the facility will be compatible with the existing and planned land uses in the vicinity of the property.
5. The facility will not be detrimental to the public health, safety, and welfare.

6. The facility is properly located within the city and adequately served by existing or planned services and infrastructure.

M. Appeals.

1. **Tier 1 Facilities:** Community Development Director decisions on a Section 6409(a) Permit are final and may not be appealed.
2. **Tier 2 and 3 Facilities.** Community Development Director decisions on an Administrative Permit for a Tier 2 Facility and a Minor Use Permit for a Tier 3 Facility may be appealed to the Planning Commission in a manner consistent with the process described in Chapter 2.52 (Appeals to City Council). Planning Commission decisions on such an appeal may be appealed to the City Council.
3. **Tier 4 Facilities.** Planning Commission decisions on a Conditional Use Permit for a Tier 4 facility may be appealed to the City Council in accordance with Chapter 2.52 (Appeals to City Council).

N. Permit Revocation.

1. **Basis for Revocation.** The City may revoke a permit for a wireless communications facility for noncompliance with any enforceable permit, permit condition, or law applicable to the facility.
2. **Revocation Procedures.**
 - a. When the Community Development Director finds reason to believe that grounds for permit revocation exist, the Director shall send written notice to the permit holder that states the nature of the violation or non-compliance and a means to correct the violation or non-compliance. The permit holder shall have a reasonable time from the date of the notice (not to exceed 60 calendar days from the date of the notice or a lesser period if warranted by a public emergency) to correct the violation or cure the noncompliance, or show that the violation has not occurred or the facility is in full compliance.
 - b. If after receipt of the notice and opportunity to cure described in Section 17.98.040.N.2.a above, the permit holder does not correct the violation or cure the noncompliance (or demonstrate full compliance), the Community Development Director may schedule a public hearing before the Planning Commission at which the Planning Commission may modify or revoke the permit.
 - c. For permits issued by the Community Development Director, the Community Development Director may revoke the permit without such public hearing. The Community Development Director decision to revoke may be appealed to the Planning Commission.
 - d. The Planning Commission may revoke the permit upon making one or more of the following findings:

- (1) The permit holder has not complied with any enforceable permit, permit condition, or law applicable to the facility.
 - (2) The wireless communications provider has failed to comply with the conditions of approval imposed.
 - (3) The permit holder and/or wireless communications provider has failed to submit evidence that the wireless communications facility complies with the current FCC radio frequency standards.
 - (4) The wireless communications facility fails to comply with the requirements of this chapter.
- e. The Planning Commission's decision may be appealed to the City Council in accordance with Chapter 2.52 (Appeals to City Council).
 - f. Upon revocation, the City may take any legally permissible action or combination of actions necessary to protect public health, safety and welfare.

O. Cessation of Operations

1. **Notice to City.** Wireless communications providers shall provide the City with a notice of intent to vacate a site a minimum of 30 days prior to the vacation.
2. **New Permit Required.** A new permit shall be required if a site is to be used again for the same purpose as permitted under the original permit if a consecutive period of six months have lapsed since cessation of operations.
3. **Removal of Equipment.** The service provider or property owner shall remove all obsolete and/or unused facilities and associated equipment from the site within 180 days of the earlier of:
 - a. Termination of the lease with the property owner; or
 - b. Cessation of operations.

P. Abandonment

1. To promote the public health, safety and welfare, the Community Development Director may declare a facility abandoned or discontinued when:
 - a. The permit holder or service provider abandoned or discontinued the use of a facility for a continuous period of 90 days; or
 - b. The permit holder or service provider fails to respond within 30 days to a written notice from the Community Development Director that states the basis for the Community Development Director's belief that the facility has been abandoned or discontinued for a continuous period of 90 days; or
 - c. The permit expires and the permit holder or service provider has failed to file a timely application for renewal.

2. After the Community Development Director declares a facility abandoned or discontinued, the permit holder or service provider shall have 60 days from the date of the declaration (or longer time as the Community Development Director may approve in writing as reasonably necessary) to:
 - a. Reactivate the use of the abandoned or discontinued facility subject to the provisions of this chapter and all conditions of approval; or
 - b. Remove the facility and all improvements installed in connection with the facility (unless directed otherwise by the Community Development Director), and restore the site to its original pre-construction condition in compliance with all applicable codes and consistent with the previously-existing surrounding area.
3. If the permit holder and/or service provider fail to act as required in Section 17.98.040.P.2 within the prescribed time period, the following shall apply:
 - a. City may but is not obligated to remove the abandoned facility, restore the site to its original pre-construction condition, and repair any and all damages that occurred in connection with such removal and restoration work.
 - b. The City may but is not obligated to store the removed facility or any part thereof, and may use, sell or otherwise dispose of it in any manner the City deems appropriate.
 - c. The last-known permit holder (or its successor-in-interest), the service provider (or its successor-in-interest), and, if on private property, the real property owner shall be jointly liable for all costs and expenses incurred by the City in connection with its removal, restoration, repair and storage, and shall promptly reimburse the City upon receipt of a written demand, including, without limitation, any interest on the balance owing at the maximum lawful rate.
 - d. The City may but is not obligated to use any financial security required in connection with the granting of the facility permit to recover its costs and interest.
 - e. Until the costs are paid in full, a lien shall be placed on the facility, all related personal property in connection with the facility and, if applicable, the real private property on which the facility was located for the full amount of all costs for removal, restoration, repair and storage (plus applicable interest). The City Clerk shall cause the lien to be recorded with the County of Santa Cruz Recorder's Office. Within 60 days after the lien amount is fully satisfied including costs and interest, the City Clerk shall cause the lien to be released with the County of Santa Cruz Recorder's Office.
4. If a permit holder, service provider, and/or private property owner fails to comply with any provisions of this Section 17.98.040.P (Abandonment), the City may elect to treat the facility as a nuisance to be abated as provided in Municipal Code Title 4 (General Municipal Code Enforcement).

Q. Relocation for Facilities in the Right-of-Way.

1. The Public Works Director may require a permit holder to relocate and/or remove a facility in the public right-of-way as the City deems necessary to:
 - a. Change, maintain, repair, protect, operate, improve, use, and/or reconfigure the right-of-way for other public projects; or
 - b. Take any actions necessary to protect the public health, safety and welfare.
2. The Public Works Director shall provide the permit holder with adequate written notice identifying a specified date by which the facility must be relocated and/or removed.
3. The relocation and/or removal of the facility shall be at the permit holder's sole cost and expense and in accordance with the standards in this chapter applicable to the facility.

R. Transfer of Ownership.

1. **Notice.** Any wireless communications provider that is buying, leasing, or is considering a transfer of ownership of a previously approved facility shall submit a letter of notification of intent to the Community Development Director a minimum of 30 days prior to the transfer.
2. **Responsibilities.** In the event that the original permit holder sells its interest in a wireless communications facility, the succeeding carrier shall assume all facility responsibilities and liabilities and shall be held responsible for maintaining consistency with all permit requirements and conditions of approval.
3. **Contact Information.** A new contact name for the facility shall be provided by the succeeding provider to the Community Development Department within 30 days of transfer of interest of the facility.

17.98.050 Standard Conditions of Approval

All wireless communications facilities approved through a City permit or deemed granted by operation of law shall comply with the following standard conditions of approval. Standard conditions of approval shall apply in addition to other conditions of approval attached to the project by the review authority in compliance with the Zoning Code and as allowed by state and federal law.

- A. All Facilities.** The following standard conditions of approval apply to all facilities and shall be included in all Administrative Permits, Minor Use Permits, and Conditional Use Permits:
 1. **Compliance with Chapter.** The facility shall comply with the requirements of this chapter, including but not limited to requirements in Section 17.98.070 (Development Standards) and Section 17.98.080 (Operation and Maintenance Requirements).

2. **Compliance with Applicable Laws.** The permit holder and service provider shall at all times comply with all applicable provisions of the Zoning Code, any permit issued under the Zoning Code, and all other applicable federal, state and local laws, rules and regulations. Failure by the City to enforce compliance with applicable laws shall not relieve any applicant of its obligations under the Municipal Code (including, but not limited to, the Zoning Code), any permit issued under the Zoning Code, or any other applicable laws, rules, and regulations.
3. **Compliance with Approved Plans.** The facility shall be built in compliance with the approved plans on file with the Community Development Department.
4. **Approval Term.** The validly issued Administrative Permit, Minor Use Permit, or Conditional Use Permit for the wireless communications facility shall be valid for an initial maximum term of ten years, except when California Government Code Section 65964(b), as may be amended, authorizes the City to issue a permit with a shorter term. The approval may be administratively extended by the Community Development Director from the initial approval date for a subsequent five years and may be extended by the Director every five years thereafter upon verification that the facility continues to comply with this chapter and conditions of approval under which the facility was originally approved. Costs associated with the review process shall be borne by the service provider, permit holder, and/or property owner.
5. **Inspections; Emergencies.** The City or its designee may enter onto the facility area to inspect the facility upon reasonable notice to the permit holder. The permit holder and service provider shall cooperate with all inspections. The City reserves the right to enter or direct its designee the facility and support, repair, disable, or remove any elements of the facility in emergencies or when the facility threatens imminent harm to persons or property.
6. **Contact Information for Responsible Parties.** The permit holder and service provider shall at all times maintain accurate contact information for all parties responsible for the facility, which shall include a phone number, street mailing address, and email address for at least one person. All such contact information for responsible parties shall be provided to the Community Development Director upon request.
7. **Graffiti Removal.** All graffiti on facilities must be removed at the sole expense of the permit holder within 48 hours after notification from the City.
8. **FCC (including, but not limited to, RF Exposure) Compliance.** All facilities must comply with all standards and regulations (including, but not limited to, those relating to RF exposure) of the FCC and any other state or federal government agency with the authority to regulate such facilities. The City may require submission on an ongoing basis of documentation evidencing that the facility and any collocated facilities complies with applicable RF exposure standards and exposure limits and affirmations, under penalty of perjury, that the subject facilities are FCC compliant

and will not cause members of the general public to be exposed to RF levels that exceed the maximum permissible exposure (MPE) levels deemed safe by the FCC.

9. **Implementation and Monitoring Costs.** The permit holder and service provider (or their respective successors) shall be responsible for the payment of all reasonable costs associated with the monitoring of the conditions of approval, including, without limitation, costs incurred by the Community Development Department, the Public Works Department, the City Manager's Department, the office of the City Attorney and/or any other appropriate City department or agency. The Community Development Department shall collect costs on behalf of the City
10. **Indemnities.** The permit holder, service provider, and, if applicable, the non-government owner of the private property upon which the facility, tower and/or base station is installed (or is to be installed) shall defend (with counsel satisfactory to the City), indemnify and hold harmless the City of Capitola, its officers, officials, directors, agents, representatives, and employees (i) from and against any and all damages, liabilities, injuries, losses, costs and expenses and from and against any and all claims, demands, lawsuits, judgments, writs of mandamus and other actions or proceedings brought against the City or its officers, officials, directors, agents, representatives, or employees to challenge, attack, seek to modify, set aside, void or annul the City's approval of the permit, and (ii) from and against any and all damages, liabilities, injuries, losses, costs and expenses and any and all claims, demands, lawsuits, judgments, or causes of action and other actions or proceedings of any kind or form, whether for personal injury, death or property damage, arising out of, in connection with or relating to the acts, omissions, negligence, or performance of the permit holder, the service provider, and/or, if applicable, the private property owner, or any of each one's agents, representatives, employees, officers, directors, licensees, contractors, subcontractors or independent contractors. It is expressly agreed that the City shall have the right to approve (which approval shall not be unreasonably withheld) the legal counsel providing the City's defense, and the property owner, service provider, and/or permit holder (as applicable) shall reimburse City for any and all costs and expenses incurred by the City in the course of the defense.

B. Tier 1 Facilities. In addition to the applicable conditions in Subsection A (All Facilities), all Tier 1 facilities shall comply with and all Section 6409(a) Permits shall include the following standard conditions of approval:

1. **No Permit Term Extension.** The City's grant or grant by operation of law of a Section 6409(a) Permit constitutes a federally-mandated modification to the underlying permit or approval for the subject tower or base station. The City's grant or grant by operation of law of a Section 6409(a) Permit will not extend the permit term for any Conditional Use Permit, Minor Use Permit, Administrative Permit or other underlying regulatory approval and its term shall be coterminous with the underlying permit or other regulatory approval for the subject tower or base station. If requested in writing by the applicant at the time of application submittal, the permit term for the underlying Conditional Use Permit, Minor Use Permit, Administrative

Permit or other underlying regulatory approval may be administratively extended by the Community Development Director (at his/her discretion) from the initial approval date upon verification that the facility continues to comply with this chapter and conditions of approval under which the facility was originally approved.

2. **No Waiver of Standing.** The approval of a Section 6409(a) Permit (either by express approval or grant by operation of law) does not waive, and shall not be construed to waive, any standing by the City to challenge Section 6409(a), any FCC rules that interpret Section 6409(a), or any eligible facilities request.

17.98.060 Preferred Siting and Location

The following siting and location preferences apply to all proposed new facilities and substantial changes to existing facilities.

- A. **Preferred Siting.** To the extent feasible, all proposed facilities should be sited according to the following preferences, ordered from most preferred to least preferred:
 1. Sites on a City owned or controlled parcel (excluding public parks and/or open spaces); then
 2. Collocations on eligible support structures in the public right-of-way; then
 3. Collocations on eligible support structures outside of the public right-of-way; then
 4. New base stations in the public right-of-way; then
 5. New base stations outside of the public right-of-way; then
 6. New towers in the public right-of-way, then
 7. New towers outside the public right-of-way.
- B. **Discouraged Siting – Utility Poles in Planned Utility Undergrounding Project Areas.** The City discourages the placement of new facilities on utility poles within the public right-of-way in areas where there is a planned utility undergrounding project. In such cases, new facilities should be placed on utility poles within the planned utility undergrounding project area only if an alternative placement is infeasible or undesirable based on the standards and/or criteria contained in this chapter. If a utility undergrounding project is initiated, the City may require the removal of any facilities on utility poles in the public right-of-way in accordance with Section 17.98.040.Q (Relocation for Facilities in the Right-of-Way).
- C. **Preferred Locations – General.** All applicants should, to the extent feasible, locate proposed facilities in non-residential zoning districts.
- D. **Preferred Locations – Non-Residential Zoning Districts.** To the extent feasible, all proposed facilities in non-residential zoning districts should be located according to the following preferences, ordered from most preferred to least preferred:
 1. Parcels in the industrial park (I-P) zoning district; then

2. Parcels in the commercial (C-N, C-R, and C-C) zoning districts; then
 3. Parcels in all other non-residential zoning districts.
- E. Preferred Locations – Residential Zoning Districts.** If a facility is proposed in a residential (R-1, R-M, MHE) zoning district, all facilities should be located according to the following preferences, ordered from most preferred to least preferred:
1. Parcels that contain approved non-residential uses and do not contain residential uses; then
 2. Parcels that contain approved non-residential uses and also contain residential uses; then
 3. All other parcels.
- F. Coastal Zone Siting.** In addition to the preferred and discouraged siting considerations described in subsections A through E above, new wireless communications facilities in the coastal zone shall avoid being sited between the sea and the first road paralleling the sea, within 100 feet of Soquel Creek, within New Brighton State Beach, or within any environmentally sensitive habitat area to the extent feasible and consistent with federal and state law.
- G. Additional Alternative Sites Analysis.** If an applicant proposes to locate a new facility or substantial change to an existing facility on a parcel that contains a single-family or multi-family residence, or a site located in the City’s coastal zone on the seaward side of the first through public road parallel to the sea, the applicant shall provide an additional alternative sites analysis that at a minimum shall include a meaningful comparative analysis of all the alternative sites in the more preferred locations that the applicant considered and states the underlying factual basis for concluding why each alternative in a more preferred location was (i) technically infeasible, (ii) not potentially available and/or (iii) more intrusive.

17.98.070 Development Standards

- A. General Design Standards.** All new facilities and substantial changes to existing facilities shall conform to the following design standards:
1. **Concealment.** To the maximum extent feasible, all facilities shall incorporate concealment measures and/or techniques appropriate for the proposed location and design. All ground-mounted equipment on private property shall be completely concealed to the maximum extent feasible according to the following preferences, ordered from most preferred to least preferred:
 - a. Within an existing structure including, but not limited to, an interior equipment room, mechanical penthouse or dumpster corral; then
 - b. Within a new structure designed to integrate with or mimic the adjacent existing structure; then

- c. Within an underground equipment vault if no other feasible above-ground design that complies with subsections (a) or (b) exists.
2. **Underground Equipment.** To the extent feasible, power and telecommunication lines servicing wireless communications facilities must be placed underground. Additional expense to install and maintain such lines underground does not exempt an applicant from this requirement, except where the applicant demonstrates by clear and convincing evidence that this requirement will effectively prohibit the provision of personal wireless services.
3. **Height.**
- a. All facilities may not exceed the height limit in the applicable zoning district except as allowed in subsections (b) or (c) below.
- b. The review authority may approve a height exception up to 8 feet above the height limit when a proposed facility is:
- (1) Mounted on the rooftop of an existing building;
 - (2) Completely concealed; and
 - (3) Architecturally integrated into the underlying building; and
 - (4) If located (or proposed to be located) in the City's coastal zone, does not impact public views to and along the ocean and scenic coastal areas.
- c. The review authority may approve a height exception for towers or utility poles when:
- (1) The proposed facility is no taller than the minimum necessary to meet service objectives;
 - (2) The height exception is necessary to address a significant gap in the applicant's existing service coverage;
 - (3) The applicant has demonstrated to the satisfaction of the Planning Commission through a detailed alternatives analysis, that there are no viable, technically feasible, and environmentally (e.g., visually) equivalent or superior potential alternatives (i.e., sites, facility types, siting techniques, and/or designs) that comply with the height standard and meet service objectives that no alternative location, siting technique, or type of facility is feasible to meet service objectives; and
 - (4) The proposed facility complies with design standards and preferences in Section B (Tower-Mounted Facilities) below to the maximum extent feasible.
4. **Setbacks.** All facilities shall comply with all setback requirements in the applicable zoning district.

5. **Collocation.** Facilities shall be designed, installed, and maintained to accommodate future collocated facilities to the extent feasible.
6. **Landscaping.** Landscaping shall be installed and maintained as necessary to conceal or screen the facility from public view.
7. **Lights.** Security lighting shall be down-shielded and controlled to minimize glare or light levels directed at adjacent properties.
8. **Noise.** All transmission equipment and other equipment (including but not limited to air conditioners, generators, and sump pumps) associated with the facility must not emit sound that exceeds the applicable limit established in Municipal Code Chapter 8.28 (Noise).
9. **Public Right-of-Way.** ~~Facilities located within or extending over the public right-of-way require City approval of an encroachment permit.~~
 - a. Facilities located within or extending over the public right-of-way require City approval of an encroachment permit.
 - b. To conceal the non-antenna equipment, applicants shall install all non-antenna equipment underground to the extent feasible and appropriate for the proposed location. Additional expense to install and maintain equipment underground does not exempt an applicant from these requirements, except where the applicant demonstrates by clear and convincing evidence that the requirement will effectively prohibit the provision of personal wireless services.
 - c. Applicants must install ground-mounted equipment so that it does not obstruct pedestrian or vehicular traffic or incommode the public use of the right-of-way.
10. **Signage.**
 - a. A facility may not display any signage or advertisements unless expressly allowed by the City in a written approval, recommended under FCC regulations, or required by law or permit condition.
 - b. Every facility shall at all times display signage that accurately identifies the facility owner and provides the facility owner's unique site number, and also provides a local or toll-free telephone number to contact the facility owner's operations center.
11. **Advertising.** No advertising signage or identifying logos shall be displayed on wireless communications facilities, except for small identification plates used for emergency notification or hazardous or toxic materials warning, unless expressly allowed by the City in a written approval, recommended under FCC regulations, or required by law or permit condition.
12. **Historic Features.** A facility which modifies the exterior of a historic feature as defined in Chapter 17.87 (Historic Features) shall comply with the requirements of Chapter 17.87.

13. **Coastal Zone Considerations.** Facilities in any portion of the City's coastal zone shall be consistent with applicable policies of the City's Local Coastal Program (LCP) and the California Coastal Act. To the extent technically feasible and legally permissible, all facilities located in the City's coastal zone must be designed, installed, mounted, and maintained so that no portion of a facility extends onto or impedes access to a publicly used beach.

B. Tower-Mounted Facilities.

1. **General Design Preferences.** To the extent feasible and appropriate for the proposed location, all new towers should be designed according to the following preferences, ordered from most preferred to least preferred:
 - a. Faux architectural features (examples include, but are not limited to, bell towers, clock towers, lighthouses, obelisks and water tanks); then
 - b. Faux trees; then
 - c. Monopoles that do not conceal the antennas within a concealment device.
2. **Tower-mounted Equipment.** All tower-mounted equipment shall be mounted as close to the vertical support structure as possible to reduce its visual profile. Applicants should mount non-antenna, tower-mounted equipment (including, but not limited to, remote radio units/heads, surge suppressors, and utility demarcation boxes) directly behind the antennas to the maximum extent feasible.
3. **Ground-mounted Equipment.** Ground-mounted equipment shall be concealed with opaque fences or other opaque enclosures. The City may require additional design and/or landscape features to blend the equipment or enclosure into the surrounding environment.
4. **Concealment Standards for Faux Trees.** All faux tree facilities shall comply with the following standards:
 - a. The canopy shall completely envelop all tower-mounted equipment and extend beyond the tower-mounted equipment at least 18 inches.
 - b. The canopy shall be naturally tapered to mimic the particular tree species.
 - c. All tower-mounted equipment, including antennas, equipment cabinets, cables, mounts and brackets, shall be painted flat natural colors to mimic the particular tree species.
 - d. All antennas and other tower-mounted equipment cabinets shall be covered with broadleaf or pine needle "socks" to blend in with the faux foliage.
 - e. The entire vertical structure shall be covered with permanently-affixed three-dimensional faux bark cladding to mimic the particular tree species.

C. Building and Facade Mounted Facilities.

1. **General Design Preferences.** To the extent feasible and appropriate for the proposed location, all new building and facade mounted facilities should be designed according to the following preferences, ordered from most preferred to least preferred:
 - a. Completely concealed and architecturally integrated facade or rooftop mounted base stations which are not visible from any publicly accessible areas at ground level (examples include, but are not limited to, antennas behind existing parapet walls or facades replaced with RF-transparent material and finished to mimic the replaced materials); then
 - b. Completely concealed new structures or appurtenances designed to mimic the support structure's original architecture and proportions (examples include, but are not limited to, cupolas, steeples, and chimneys); then
 - c. Facade-mounted facilities incorporated into "pop-out" screen boxes designed to be architecturally consistent with the original support structure.
2. **Ground-mounted Equipment.** Outdoor ground-mounted equipment associated with base stations must be avoided whenever feasible. In locations visible or accessible to the public, outdoor ground-mounted equipment shall be concealed with opaque fences or landscape features that mimic the adjacent structures (including, but not limited to, dumpster corrals and other accessory structures).

D. Pole-Mounted Facilities in the Public Right-of-Way.

1. **All Facilities.** All facilities mounted to steel light poles and wood utility poles in the public right-of-way shall comply with the following design standards:
 - a. Antennas, brackets, and cabling shall all be painted a single color that matches the pole color.
 - b. Unnecessary equipment manufacturer decals shall be removed or painted over.
 - c. The facility shall not alter vehicular circulation or parking within the public right-of-way or impede vehicular or pedestrian access or visibility along the public right-of-way.
 - d. All pole-mounted transmission equipment (including, but not limited to, antennas) shall be installed as close to the pole as technically and legally feasible to minimize impacts to the visual profile.
 - e. Colors and materials for facilities shall be chosen to minimize visibility. All visible exterior surfaces shall be constructed with non-reflective materials and painted and/or textured to match the support pole. All conduits, conduit attachments, cables, wires and other connectors must be concealed from public view to the maximum extent feasible.
 - f. An applicant may request an exemption from one or more standards in this Section 17.98.070.D (Pole-Mounted Facilities in the Public Right-of-Way) on

the basis that such exemption is necessary to comply with Public Utilities Commission General Order 95. The applicant bears the burden to demonstrate why such exemption should be granted.

2. **Steel Pole Facilities.** Facilities mounted to a steel light pole in the public right-of-way shall comply with the following design standards:
 - a. All equipment and cabling shall be located in the pole and concealed from view.
 - b. Antennas shall be located on the top of the pole as a vertical extension of the pole. Antennas and equipment may not be mounted onto the side of the pole.
 - c. To the extent technically feasible, antennas shall be contained within a maximum 14-inch wide enclosure on the top of the pole.
3. **Wood Pole Facilities.** Facilities mounted to a wood utility pole in the public right-of-way shall comply with the following design standards:
 - a. Equipment enclosures shall be as narrow as feasible with a vertical orientation to minimize its visibility when attached to the pole. The equipment mounting base plates may be no wider than the pole.
 - b. Side-mounted equipment may extend no more than five feet horizontally from the side of the pole.
 - c. Equipment shall be stacked close together on the same side of the pole.
 - d. A line drop (no electric meter enclosure) shall be used if allowed by the utility company.
 - e. Shrouds, risers, or conduit shall be used to reduce the appearance of cluttered or tangled cabling.
 - f. Side-mounted antennas shall be attached to the pole using an arm with flanges/channels that reduces the visibility of cabling and passive RF gear.
 - g. To the extent technically feasible, top-mounted antennas may be no wider than the width of the pole top.
4. **Undergrounding of Cabling between Pole Mounted Facilities in the Coastal Zone.** For new pole mounted facilities located in the City's coastal zone, any proposed cable between such facilities shall be placed underground to the extent feasible.

17.98.080 **Operation and Maintenance Requirements**

All wireless communications facilities approved through a City permit or deemed granted by operation of law shall comply with the following operation and maintenance requirements.

- A. **General Compliance.** All facilities shall comply with all applicable goals, objectives and policies of the General Plan/Local Coastal Program, area plans, zoning regulations and

development standards; the California Coastal Act; and the California Environmental Quality Act (CEQA).

- B. Access Control.** All facilities shall be designed to be resistant to and minimize opportunities for unauthorized access, climbing, vandalism, graffiti, and other conditions that would result in hazardous conditions, visual blight, or attractive nuisances. The Community Development Director may require the provision of warning signs, fencing, anti-climbing devices, or other techniques to prevent unauthorized access and vandalism when, because of their location and/or accessibility, antenna facilities have the potential to become an attractive nuisance.
- C. Noise.** All facilities shall be constructed and operated in such a manner as to minimize the amount of noise impacts to adjacent uses and activities. At any time, noise attenuation measures may be required by the Community Development Director when deemed necessary. Facilities shall comply with all applicable noise standards in the General Plan and Municipal Code. Testing and maintenance activities of wireless communications facilities which generate audible noise shall occur between the hours of eight a.m. and five p.m., weekdays (Monday through Friday, non-holiday) excluding emergency repairs, unless allowed at other times by the Community Development Director.
- D. General Maintenance.** The site and the facility, including but not limited to all landscaping, fencing, transmission equipment, antennas, towers, equipment, cabinets, structures, accessory structures, signs, and concealment and/or stealth features and standards shall be maintained in a state of good repair, in a neat and clean manner, and in accordance with all approved permits and conditions of approval. Damage to the site and the facility shall be repaired promptly. This shall include keeping all wireless communications facilities graffiti free and maintaining security fences in good condition.
- E. Change in Federal or State Regulations.** All facilities shall meet the current standards and regulations of the FCC, the California Public Utilities Commission, and any other agency of the federal or state government with the authority to regulate wireless communications providers. If such standards and/or regulations are changed, the wireless communications provider shall bring its facilities into compliance with such revised standards and regulations within 90 days of the effective date of such standards and regulations, unless a more stringent compliance schedule is mandated by the controlling federal or state agency. Failure to bring wireless communications facility into compliance with revised standards and regulations shall constitute grounds for the immediate removal of the facility at the wireless communications provider's expense.
- F. Service after Natural Disaster.** All wireless communications facilities providing service to the government or general public shall be designed to survive a natural disaster without interruption in operation.

17.98.090 Temporary Wireless Communications Facilities.

- A.** A temporary wireless communications facility, such as a "cell-on-wheels" (COW), may be used to replace wireless communications facility services during the relocation or

rebuilding process of an existing facility, during festivals or other temporary events and activities that otherwise require a permit under this chapter, and during public emergencies.

- B.** A temporary wireless communications facility shall be processed as an administrative use permit under a proposed or existing permit when used during the relocation or rebuilding process of an existing wireless communications facility, or when used for a festival or other temporary event or activity.
- C.** A temporary wireless communications facility to protect public health, safety or welfare during an emergency shall be processed as a Tier 2 Administrative Permit. The applicant shall submit an application for a temporary emergency use permit before installation of such temporary wireless communications facility.
- D.** The Community Development Director may approve a temporary wireless communications facility for no more than ninety (90) days.
- E.** A temporary wireless facility may be approved for a period of up to one year if the following requirements are met:
 1. The Planning Commission determines that the temporary wireless communications facility shall be sited and constructed so as to:
 - a. Avoid proximity to residential dwellings to the maximum extent feasible;
 - b. Be no taller than needed;
 - c. Be screened to the maximum extent feasible; and
 - d. Be erected for no longer than reasonably required, based on the specific circumstances.
 2. Permits and/or authorizations in excess of ninety (90) days for temporary wireless communications facilities shall be subject to the notice and review procedures required by Section 17.98.040.H (Public Notice and Hearing).
- F.** The property owner and service provider of the temporary wireless communications facility installed pursuant to this section 17.98.090 (Temporary Wireless Communications Facilities) shall immediately remove such facility from the site at the end of the specified term or the conclusion of the relocation or rebuilding process, temporary event, or emergency, whichever occurs first. The property owner and service provider of the temporary wireless communications facility shall be jointly and severally liable for timely removal of such temporary facility. The City may (but is not obligated to) remove any temporary wireless communications facility installed pursuant to this section 17.98.090 (Temporary Wireless Communications Facilities) at the owner and provider's cost immediately at the end of the specified term or conclusion of the relocation or rebuilding process, temporary event, or emergency, whichever occurs first.

17.98.100 Limited Exemption from Standards

- A. Request for Exemption.** An applicant may request an exemption from one or more requirements in this chapter on the basis that a permit denial would effectively prohibit personal wireless services in City of Capitola.
- B. Basis for Approval.** For the City to approve such an exemption, the applicant must demonstrate with clear and convincing evidence all of the following:
1. A significant gap in the applicant's service coverage exists;
 2. All alternative sites identified in the application review process are either technically infeasible or not potentially available; and
 3. Permit denial would effectively prohibit personal wireless services in the City of Capitola.
- C. Applicant Must Demonstrate Basis for Approval.** The applicant always bears the burden to demonstrate why an exemption should be granted.

17.98.110 Severability

If any section or portion of this chapter is found to be invalid by a court of competent jurisdiction, such finding shall not affect the validity of the remainder of the chapter, which shall continue in full force and effect.

COASTAL COMMISSION REVISIONS TO WIRELESS COMMUNICATIONS FACILITIES ORDINANCE

Page	Section Number	Description
98-1	17.98.010(A)	Deleted the word 'development' (was listed twice) and added 'City of' before Capitola
98-4	17.98.020(A)(17)	Added legal detail regarding 'substantial change' pursuant to FCC regulations
98-8	Table 17.98-1	Added a footnote to clarify that wireless facilities in the coastal zone may require a CDP
98-8	17.98.040(D)	Adds a section to clarify that a CDP may be required for wireless facilities located in the coastal zone
98-8	17.98.040(E)	Adds a section to clarify that wireless facilities may require other City permits such as an encroachment permit or a building permit
98-12 & 98-13	17.98.040(H)(2)(c)	Clarified that only public notices for Tier I Facilities (§6409 permits) require a statement that federal law may require approval of the application. Previous reference to the statement for Tier II facilities deleted.
98-13	17.98.040(H)(4)	Added 'conditional use permit' in parentheses after Tier 4 Facilities to note the required permit type.
98-16	17.98.040(J)(2)	Added 'to the extent required by applicable state and/or federal law' to qualify the approval of Tier I applications (§6409 permits).
98-24	17.98.060(F)	Added a section to discourage the siting of wireless facilities in the coastal appeal zone or within 100' of Soquel Creek, New Brighton State Beach, or within any environmentally sensitive habitat areas.
98-24	17.98.060(G)	Added that applications for wireless facilities located in the coastal appeal zone would require an alternative analysis. (note: this requirement also applies to facilities on parcels with residential uses.)
98-25	17.98.070(A)(2)	Added a section to require that equipment boxes for wireless facilities be placed underground unless the requirement would prohibit the provision of service.

98-25	17.98.070(A)(3)	Added a height exception for a wireless facility must include a finding that the facility would not impact public views of the coast.
98-25	17.98.070(A)(3)(c)(3)	Reworded section regarding the standard for the Planning Commission to approve a height exception for a wireless facility based on an alternative analysis.
98-26	17.98.070(A)(9)	Added detail to the standards for placing wireless facilities within or above public-rights-of-way. Requires equipment to be placed underground and to prevent obstructions with pedestrian and vehicular traffic.
98-27	17.98.070(A)(13)	Added coastal zone considerations. Notes requirements for LCP consistency and prohibits facilities from extending onto public beaches or impeding coastal access
98-29	17.98.070(D)(4)	Added section to require cables for wireless facilities in the coastal zone to be placed underground
98-32	17.98.100(A)	Added 'City of' before Capitola.
98-32	17.98.100(B)(3)	Added 'City of' before Capitola.



**ADDENDUM TO PROGRAM ENVIRONMENTAL IMPACT REPORT
CITY OF CAPITOLA GENERAL PLAN UPDATE (SCH #2013072002)
For the
CITY OF CAPITOLA ZONING CODE UPDATE**

INTRODUCTION

This addendum has been prepared to document compliance with the California Environmental Quality Act (CEQA) for the City of Capitola's proposed Zoning Code update. The proposed Zoning Code update would implement the City of Capitola's 2014 General Plan Update and includes both text and map amendments to reflect the goals, policies, and implementation measures in the 2014 General Plan.

This addendum provides an analysis of whether the adoption of the Zoning Code update would result in any new or more severe adverse environmental effects which were not previously analyzed in the 2014 General Plan Update Program EIR pursuant to CEQA Guidelines Sections 15162, 15164, and 15168.

PROJECT DESCRIPTION

The City of Capitola proposes a comprehensive update to its Zoning Code (Municipal Code Chapter 17) which includes both text and map amendments to reflect the goals, policies, and implementation measures in the 2014 General Plan update. The existing Zoning Code has not been comprehensively updated since 1975.

The Zoning Code update would establish new and modified land use regulations which will guide future development and design throughout the City of Capitola. The proposed Zoning Code update includes new and revised zoning districts, permitting procedures, and development standards throughout the City of Capitola. Development standards and uses in the Zoning Code update have been modified from the existing code to be consistent with current federal and state regulations, better reflect current conditions, desired development trends, and best planning practices.

The proposed Zoning Code update would also move the City's Green Building and Floodplain District Ordinances from Municipal Code Chapter 17 (Zoning Code) to Chapter 15 (Buildings and Construction). No changes are currently proposed to the Green Building or Floodplain Ordinances other than moving it to another chapter of the Municipal Code.

Changes to the Zoning Code are primarily administrative in nature, including a new and more user-friendly format, improved organization and clarity, revised nomenclature and naming conventions, and previously uncodified procedural requirements. The updated Code presents information and standards in table formats and relies more heavily on graphics to illustrate the meaning and intent of various regulations.

ADDENDUM TO THE CITY OF CAPITOLA GENERAL PLAN UPDATE EIR – ZONING CODE UPDATE

A summary of notable changes included in the proposed Zoning Code update are outlined below:

- Improved organization and format to improve clarity and usability;
- A new user guide to help citizens access, understand, and apply the Zoning Code;
- Revised regulations to comply with federal and state law;
- Streamlined permitting process for routine permits including signs, design permits, rooftop solar systems, and tenant improvements;
- Combined the current Commercial-Residential and Neighborhood-Commercial zoning districts into a new Neighborhood Mixed-Use zoning district to be consistent with the General Plan land use designation;
- Consolidated/eliminated 6 overlay zones which were redundant with other zoning and/or CEQA regulations to simplify the zoning map;
- Updated coastal overlay chapter with significantly improved organization and clarity;
- Improved historic preservation chapter which codifies process to review and modify historic structures and provides incentives and exceptions to promote preservation;
- Simplified legal non-conforming standards which eliminates the existing 80% valuation standard and adds a new replication allowance;
- Revised parking standards for take-out restaurants in the Village to replace the current 6-seat rule with a square-footage allowance;
- Relaxed development standards for secondary dwelling units;
- Planned Developments would no longer be allowed in R-1 zones;
- Better defined community benefits to qualify for a Planned Development or General Plan allowances for increased floor area ratio;
- Simplified formula to calculate Floor Area Ratio;
- New lighting standards to prevent light trespass;
- New regulations to control unattended donation boxes;
- Improved guidance on when post-approval changes to a project trigger review by the Planning Commission;
- New standards to limit the allowable area of outdoor commercial displays;
- Incentives to encourage non-conforming multi-family uses in single-family zones to make needed property improvements. Also reduced allowable extensions from 50 to 25 years.
- New standards to allow parklets and sidewalk dining areas;
- New minor modification process to allow the Planning Commission to authorize minor deviations to certain development standards which don't meet variance findings;
- New standards to regulate the placement of outdoor decks in residential zones;
- Modified Design Review process to allow a second architect to review major projects;

ADDENDUM TO THE CITY OF CAPITOLA GENERAL PLAN UPDATE EIR – ZONING CODE UPDATE

- New requirements for large commercial and residential projects to provide bike and electric vehicle parking.

While some of the above-listed revisions will result in modest changes to existing development standards, none of the revisions would allow increased density, reduced lot size requirements, or substantial changes to lot coverage, floor area ratio, height, or requirements for on-site parking.

Use regulations have also been revised in the proposed code to account for modern use types not contemplated in the current code and to remove outdated and inapplicable use classifications. Like the current code, the updated code would require a discretionary use permit for use types which have the potential to adversely affect existing community character.

CEQA ADDENDUM PROCEDURES

This document has been prepared in accordance with CEQA Guidelines sections 15164 and 15168 to explain the rationale for determining that the proposed Capitola Zoning Code update would not create any new or substantially more severe significant effects on the environmental that were not analyzed in the General Plan Update EIR.

In determining whether an Addendum is the appropriate document to analyze modifications to the General Plan EIR, State CEQA Guidelines Section 15164 states:

- (a) *The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.*
- (b) *An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.*
- (c) *An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.*
- (d) *The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.*
- (e) *A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.*

Since the General Plan EIR has been certified, the environmental impacts of subsequent activities proposed under the General Plan must be examined in light of the impact analysis in the certified EIR to determine if additional CEQA documentation must be prepared. One of the standards that applies is whether, under Public Resources Code Section 21166 and State CEQA Guidelines Sections 15162 and 15163, there are new significant effects or other grounds that require preparation of a subsequent EIR or supplemental EIR in support of further agency action on the project. Under these guidelines, a subsequent or supplemental EIR shall be prepared if any of the following criteria are met:

ADDENDUM TO THE CITY OF CAPITOLA GENERAL PLAN UPDATE EIR – ZONING CODE UPDATE

(a) *When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:*

- 1) *Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
- 2) *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*
- 3) *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:*
 - A. *The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*
 - B. *Significant effects previously examined will be substantially more severe than shown in the previous EIR;*
 - C. *Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*
 - D. *Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

As demonstrated in the environmental analysis contained herein, none of the conditions that had been analyzed in the General Plan EIR would change with adoption of the proposed Zoning Code update. Furthermore, no new information of substantial importance meeting the criteria listed in State CEQA Guidelines Section 15162 has been identified.

PRIOR ENVIRONMENTAL DOCUMENT

The Capitola City Council adopted the General Plan Update and certified the associated EIR on June 26, 2014. The certified EIR found that adoption of the GPU would have significant, unavoidable effects to air quality, hydrology and water quality, traffic, utilities and service systems, and greenhouse gas emissions. In accordance with CEQA section 15091, the Capitola City Council adopted findings of overriding considerations to certify the EIR.

ENVIRONMENTAL REVIEW UPDATE CHECKLIST

I. AESTHETICS

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to aesthetic resources including: scenic vistas; scenic resources including, but not limited to, trees, rock outcroppings, or historic buildings.; existing visual character or quality of the site and its surroundings; or day or nighttime views in the area?

Response: The proposed Zoning Code update would not result in new or increased severity of significant visual and light/glare impacts beyond what was addressed in the General Plan EIR. The amendments to the Zoning Code are consistent with the development assumptions under the adopted General Plan. Housing and commercial uses would be developed in the same locations and within prescribed densities and intensities as contemplated in the General Plan EIR. All future development projects would be subject to applicable City requirements pertaining to visual resources, as well as to further CEQA analyses of project specific impacts.

II. AGRICULTURAL AND FORESTRY RESOURCES

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to agricultural resources including: conflict with zoning for or result in rezoning of forest land; result in the loss of forest land or conversion of forest land to non-forest use; convert Important Farmland and/or conflict with existing zoning for agricultural use or Williamson Act contract?

Response: There are no forest lands, farmlands of state or local importance, or agriculturally zoned properties in the City of Capitola. Consequently, the GP EIR concluded that there would be no significant impacts to agriculture or forestry resources. The proposed Zoning Code update would not result in any new impacts not previously considered by the GP EIR.

III. AIR QUALITY

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to air quality including: conflicts with or obstruction of implementation of the Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP); violation of any air quality standard or substantial contribution to an existing or projected air quality violation; a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; exposure of sensitive receptors to

substantial pollutant concentrations; or creation of objectionable odors affecting a substantial number of people?

Response: The General Plan EIR found that implementation of the Plan could result in significant, unavoidable impacts to air quality through an increase in mobile and stationary source emissions and cumulative contributions to regional air quality standards. The proposed Zoning Code update would not increase any residential densities or commercial intensities nor does it include new allowances which could facilitate development which could result in direct or indirect air quality impacts. Therefore, there are no project changes or any new information of substantial importance which indicate that the proposed Zoning Code update would exacerbate air quality impacts beyond the analysis and conclusions in the General Plan EIR.

IV. BIOLOGICAL RESOURCES

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to biological resources including: adverse effects on any sensitive natural community (including riparian habitat) or species identified as a candidate, sensitive, or special status species in a local or regional plan, policy, or regulation, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; adverse effects to federally protected wetlands as defined by Section 404 of the Clean Water Act; interference with the movement of any native resident or migratory fish or wildlife species or with wildlife corridors, or impeding the use of native wildlife nursery sites; and/or conflicts with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional or state habitat conservation plan, policies or ordinances?

Response: The General Plan EIR found that implementation of the Plan would not result in any significant impacts to biological resources. The proposed Zoning Code update does not include any policies or actions which would involve new or altered physical changes to the environment which have the potential to adversely affect biological resources. There have been no changes in the project or is there any new information of substantial importance to indicate that the proposed Zoning Code update would result in new or more severe impacts to biological resources.

V. CULTURAL RESOURCES

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to cultural resources including: causing a change in the significance of a historical or archaeological resource as defined in State CEQA Guidelines Section 15064.5; destroying a unique paleontological resource or site or unique geologic feature; and/or disturbing any human remains, including those interred outside of formal cemeteries?

Response: The General Plan EIR found that implementation of the Plan could result in significant impacts to cultural resources, but that mitigation measures could be applied to reduce the impact to a less than significant level. The proposed Zoning Code update does not include any residential density or commercial intensity increases which could result in additional housing development above what was evaluated in the General Plan EIR. Therefore, there have been no changes to the project or new information of substantial importance which indicate that the proposed Zoning Code update could result in new or more severe impacts to cultural resources.

VI. GEOLOGY AND SOILS

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from geology and soils including: exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic-related ground failure, including liquefaction, strong seismic ground shaking, or landslides; result in substantial soil erosion or the loss of topsoil; produce unstable geological conditions that will result in adverse impacts resulting from landslides, lateral spreading, subsidence, liquefaction or collapse; being located on expansive soil creating substantial risks to life or property; and/or having soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Response: The General Plan EIR found that implementation of the Plan would have no potential to result in significant impacts to/from geology and soils. There have been no changes to the project or new information of substantial importance which indicate that the proposed Zoning Code update could result in new or more severe impacts to/from geology and soils.

VII. GREENHOUSE GASES

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that show the project may generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or would conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?

Response: The General Plan EIR found that implementation of the Plan would result in significant, unavoidable impacts to greenhouse gases and climate change. The proposed Zoning Code update includes the same residential densities and commercial intensities as what was evaluated by the General Plan EIR, therefore, there have not been any changes to

the project or new information of substantial importance which indicate that the proposed Zoning Code update could result in new or more severe impacts to greenhouse gas emissions.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from hazards and hazardous materials including: creation of a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes; creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; production of hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; location on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 creating a hazard to the public or the environment; location within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport; within the vicinity of a private airstrip resulting in a safety hazard for people residing or working in the project area; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or exposure of people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Response: The General Plan EIR found that implementation of the Plan would not result in any significant impacts to/from hazards and hazardous materials. There have been no changes to the project, or new information of substantial importance which indicate that the proposed Zoning Code update would result in a new or more severe impact to hazards and hazardous materials.

X. HYDROLOGY AND WATER QUALITY

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to hydrology and water quality including: violation of any waste discharge requirements; an increase in any listed pollutant to an impaired water body listed under section 303(d) of the Clean Water Act ; cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses; substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level; substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion, siltation or flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems; provide substantial additional sources of polluted runoff;

place housing or other structures which would impede or redirect flood flows within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including City Floodplain Maps; expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; and/or inundation by seiche, tsunami, or mudflow?

Response: The General Plan EIR found that the implementation of the Plan could result in significant unavoidable impacts to groundwater supply, but found no significant impacts to water quality, drainage, erosion, or flooding. The proposed Zoning code update would not increase residential densities or commercial intensities which would facilitate new water-dependent development. Therefore, there have been no changes to the project or any new information of substantial importance which indicate that the proposed Zoning code update would result in new or more severe impacts to hydrology or water quality.

XI. LAND USE AND PLANNING

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to land use and planning including: physically dividing an established community; and/or conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?

Response: The General Plan EIR found that implementation of the Plan would not result in any significant impacts to land use and planning. There have been no changes in the project or information of substantial importance which indicate that the proposed Zoning code update would result in any new or more severe impacts to land use and planning.

XII. MINERAL RESOURCES

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to mineral resources including: the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; and/or loss of locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Response: There are no mineral resource deposits in the City of Capitola which could be reasonably extracted given existing non-compatible land uses. Accordingly, the General Plan EIR found that implementation of the Plan would not result in any impacts to mineral resources. There have been no changes to the project or new information of substantial

importance which indicate that the proposed Zoning code update would result in new or more severe impacts to mineral resources.

XIII. NOISE

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from noise including: exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; for projects located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or for projects within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Response: The General Plan EIR found that implementation of the Plan could result in significant impacts from noise resulting from construction of future projects authorized by the Plan. Consequently, the General Plan EIR included mitigation measures to reduce impacts from noise to a less than significant level. However, there have been no changes in the project or new information of substantial importance which indicate that the proposed Zoning code update would result in new or more severe impacts to/from noise.

XIV. POPULATION AND HOUSING

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects to population and housing including displacing substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?

Response: The General Plan EIR found that implementation of the Plan would not result in any significant impacts to population and housing. There have been no changes to the project or information of substantial importance which indicate that the proposed Zoning code update would result in any new or more severe impacts to population and housing.

XV. PUBLIC SERVICES

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services: fire protection, police protection, schools, parks, or other public facilities?

Response: The General Plan EIR found that implementation of the Plan would not result in any significant impacts to public services. There have been no changes to the project or information of substantial importance which indicate that the proposed Zoning code update would result in any new or more severe impacts to public services.

XVI. RECREATION

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or that include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Response: The General Plan EIR found that implementation of the Plan would not result in any significant impacts to recreation. There have been no changes to the project or information of substantial importance which indicate that the proposed Zoning code update would result in any new or more severe impacts to recreation.

XVII. TRANSPORTATION/TRAFFIC

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to transportation/traffic including: conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit; conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways; cause a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in

substantial safety risks; substantial increase in hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); inadequate emergency access; and/or a conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Response: The General Plan EIR found that implementation of the Plan could result in significant, unavoidable impacts to transportation. The proposed Zoning code update does not include any increased residential densities or commercial intensities which would facilitate new development, which could result in additional traffic. Therefore, there have been no changes to the project or information of substantial importance which indicate that the proposed Zoning code update would result in any new or more severe impacts to transportation.

XVIII. UTILITIES AND SERVICE SYSTEMS

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to utilities and service systems including: exceedance of wastewater treatment requirements of the applicable Regional Water Quality Control Board; require or result in the construction of new water or wastewater treatment facilities, new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; require new or expanded entitlements to water supplies or new water resources to serve the project; result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and/or noncompliance with federal, state, and local statutes and regulations related to solid waste?

Response: The General Plan EIR found that implementation of the Plan could result in significant unavoidable impacts to utilities and service systems due to the potential for groundwater overdraft. The proposed Zoning code update would not increase residential densities or commercial intensities which would facilitate new water-dependent development or the need for new or expanded wastewater treatment facilities or landfills. There have been no changes to the project or information of substantial importance which indicate that the proposed Zoning code update would result in any new or more severe impacts to utilities and service systems.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE:

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new

information of substantial importance" that result in any mandatory finding of significance listed below?

Does the project degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

Response: There have been no changes to the project or any new information of substantial importance which indicate that the proposed Zoning code update would result in any new or more severe impacts to the quality of the environment, including adverse impacts to habitat for sensitive species, cumulative environmental impacts, or adverse direct or cumulative effects on human beings.

RESOLUTION NO. _____

**RESOLUTION OF THE CAPITOLA CITY COUNCIL
AUTHORIZING SUBMITTAL TO THE CALIFORNIA COASTAL COMMISSION FOR THE
CERTIFICATION OF AN AMENDMENT TO THE LOCAL COASTAL PROGRAM
AMENDING CHAPTER 17.98 (WIRELESS COMMUNICATIONS FACILITIES) OF THE
CAPITOLA MUNICIPAL CODE**

WHEREAS, the City of Capitola’s Local Coastal Program (LCP) was certified by the California Coastal Commission in December of 1981 and has since been amended from time to time; and

WHEREAS, the Capitola City Council conducted a duly noticed public hearing on January 26, 2017, and at this meeting the City Council passed the proposed Ordinance to a second reading, and on February 9, 2017, adopted an Ordinance of the City Council of the City of Capitola amending Chapter 17.98, Wireless Communications Facilities; and

WHEREAS, the Capitola City Council subsequently conducted a duly noticed public hearing on October 26, 2017 to consider additional revisions to the proposed Ordinance as requested by Coastal Commission staff and passed the proposed Ordinance to a second reading, and on November 9, 2017, adopted an Ordinance of the City Council of the City of Capitola amending Chapter 17.98, Wireless Communications Facilities, and

WHEREAS, the City Council approved an Addendum to the General Plan Update Environmental Impact report which found that the proposed ordinance and LCP amendment would not have a significant effect on the environment; and

WHEREAS, Public Notice was provided as required under Coastal Act 30514 et seq.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the City Council of the City of Capitola that this Resolution declares and reflects the City’s intent to amend the LCP Implementation Plan as it pertains to wireless telecommunications facilities within the City of Capitola, as drafted, if certified by the California Coastal Commission, in full conformity with the City of Capitola LCP and provisions of the California Coastal Act.

BE IT FURTHER RESOLVED, that the City Manager or his designee is directed to submit the said Coastal Commission LCP Amendments to the California Coastal Commission for its review and certification. If the Coastal Commission approves the amendment package, it will take effect automatically upon Coastal Commission approval. If the Coastal Commission modifies the amendment package, only the modifications will require formal action by the City of Capitola.

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 November, 2017, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Stephanie Harlan, Mayor

ATTEST:

Linda Fridy, City Clerk

Attachment: Local Coastal Program Amendment Resolution (Wireless Ordinance Amendment)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF OCTOBER 26, 2017

FROM: Community Development

SUBJECT: Consider Membership in the Central Coast Climate Collaborative

RECOMMENDED ACTION: Council discretion to authorize the City Manager to join the Central Coast Climate Collaborative.

BACKGROUND/DISCUSSION: This item is on the agenda at the request of Council Member Bertrand. The Central Coast Climate Collaborative (CCCC) is a recently formed organization that promotes networking of local and regional leaders throughout six central coast counties to address climate change mitigation and adaptation. A more detailed description of the organization's mission, goals, and participating agencies can be found in Attachment 1.

Council Member Bertrand has participated in several meetings with the organization and has served on its organizing committee since its inception. Council Member Bertrand has requested that the City Council consider joining the organization as a permanent member agency.

While membership in the organization does not require staff attendance at specific meetings, the expectation of the organization is that member-jurisdictions will generally send representatives to relevant meetings. In the past the group has held most meetings in San Luis Obispo. The annual membership fee for Capitola would be \$500.

FISCAL IMPACT: Adequate funds for the annual membership fee are available in the Community Development Department's membership budget. To the extent that staff attends CCCC meetings this will have minor impacts on other CDD priorities.

ATTACHMENTS:

1. Central Coast Climate Collaborative Mission and Goals
2. Central Coast Climate Collaborative Application

Report Prepared By: Rich Grunow
Community Development Director

Central Coast Climate Collaborative Membership
October 26, 2017

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

10/19/2017

CENTRAL COAST CLIMATE COLLABORATIVE

MISSION

The Central Coast Climate Collaborative is a membership organization fostering a network of local and regional community leaders throughout six Central Coast counties to address climate change mitigation and adaptation. The Collaborative involves representatives from local and regional government, business and agriculture, academia, and diverse community groups to share information and best practices, leverage efforts and resources and identify critical issues and needs. The Collaborative will engage all communities throughout the region to help ensure a resilient and low-carbon Central Coast prepared for the impacts of climate change. Collaborative will engage with other collaboratives throughout the state.

GOALS

1. Identify opportunities for regional action and serve as a clearinghouse for information and innovative solutions.
2. Coordinate grants development and funding for regional and local plans and projects.
3. Provide a voice to communicate a consistent message about the importance of resilient, low-carbon communities. Provide a voice at the state and federal level for issues specific to the Central Coast.
4. Inform and empower organizations, communities, leaders and public officials to take action.
5. Educate the next generation of climate professionals and identify research needs for the region's universities.

PARTICIPATING ORGANIZATIONS

[Alliance for Regional Climate Collaboratives for Climate Adaptation](#)

[Association of Monterey Bay Area Governments](#)

[Beach Erosion Authority for Clean Oceans and Nourishment](#)

[Cachuma Resource Conservation District](#)

[Cal Poly State University](#)

[California Office of Planning & Research](#)

[California State University – Monterey Bay](#)

[CalTrans](#)

[City of Arroyo Grande](#)

[City of Capitola](#)

[City of Carmel-by-the-Sea](#)

[City of Monterey](#)

[City of San Luis Obispo](#)

City of Santa Cruz
Coastal Resource Conservation District
Community Environmental Council
Environmental Center of San Luis Obispo
Local Government Commission
Monterey Bay Air Resources District
Monterey County
Romero Institute
San Luis Obispo County
San Luis Obispo County Air Pollution Control District
San Luis Obispo County Public Health
Santa Barbara County
Santa Barbara County Air Pollution Control District
Santa Barbara County Public Health
Santa Ynez Band of Chumash
Sierra Club – Santa Lucia Chapter
State Coastal Conservancy
The Nature Conservancy
The Offset Project
Ventura County
Ventura County Air Pollution Control District
Ventura River Watershed Council



CentralCoastClimate.org

CENTRAL COAST CLIMATE COLLABORATIVE MEMBERSHIP APPLICATION

Please submit this application to **Rubi Rajbanshi**
(email: rrajbanshi@co.slo.ca.us / fax 805-781-1002)

▼ Primary Contact Name and Title

▼ Organization

▼ Phone

▼ Email

▼ Mailing Address

▼ City ▼ State ▼ Zip

MEMBERSHIP OPTIONS

- FOUNDATIONAL SPONSORS
- NON-PROFIT ORGANIZATIONS
Number of Employees: _____
- LOCAL/REGIONAL AGENCIES & UNIVERSITIES
Number of Employees: _____
- PRIVATE ORGANIZATIONS
Number of Employees: _____

- I have read and agree to 4C's organizational structure and purpose.

Date: _____

MEMBERSHIP DUES

FOUNDATIONAL SPONSORS

Dues

\$5,000

NON-PROFIT ORGANIZATIONS*

Number of Employees	Dues
1 - 10	\$100
11-25	\$250
26-75	\$350
76+	\$500

LOCAL AND REGIONAL AGENCIES & UNIVERSITIES*

Number of Employees	Dues
1-25	\$250
26-99	\$500
100 +	\$1,000

PRIVATE ORGANIZATIONS*

Number of Employees	Dues
1-99	\$500
100+	\$1,000

*First year dues can be based on sliding scale. Contact us for more information.

**Dues based on July 1-June 30 fiscal year. Dues outside this cycle can be pro rated.

Attachment: Central Coast Climate Collaborative Application (Central Coast Climate Collaborative Membership)