

City of Capitola Agenda

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



REVISED

CAPITOLA CITY COUNCIL REGULAR MEETING

THURSDAY, NOVEMBER 10, 2016

7:00 PM

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

**CLOSED SESSION - 6:15 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 REAL PROPERTY NEGOTIATOR

[Govt. Code § 54956.8]

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

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

[Govt. Code § 54956.9(d)(1)]

(One case)
City of Capitola v. Water Rock Construction, Inc.
Santa Clara Superior Court Case No. 16CV295795

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

[Govt. Code § 54957(b)]

City Council's Performance Evaluation of the City Manager

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

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

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council Members Dennis Norton, Stephanie Harlan, Jacques Bertrand, Michael Termini and Mayor Ed Bottorff

2. PRESENTATIONS

A. Presentation Regarding New Brighton Middle School Art

3. REPORT ON CLOSED SESSION

4. ADDITIONAL MATERIALS

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

A. Item 8.H. Public Communication regarding Installation of Blue Curbed Parking Spaces

B. Item 9.B. Public Communication regarding the Capitola Library Branch Location

5. ADDITIONS AND DELETIONS TO AGENDA

6. PUBLIC COMMENTS

Oral Communications allows time for members of the Public to address the City Council on any item not on the Agenda. Presentations will be limited to three minutes per speaker. Individuals may not speak more than once during Oral Communications. All speakers must address the entire legislative body and will not be permitted to engage in dialogue. All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the minutes. A MAXIMUM of 30 MINUTES is set aside for Oral Communications at this time.

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

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

8. 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 13, 2016, Regular City Council Minutes
RECOMMENDED ACTION: Approve Minutes.
- B. Receive Planning Commission Action Minutes for the Special and Regular Meetings of November 3, 2016
RECOMMENDED ACTION: Receive Minutes.
- C. Suspend Village Parking Meter and Pay Station Operation for Holiday Season
RECOMMENDED ACTION: Authorize suspending parking meter and pay station operation to allow free three-hour parking in the Village Parking Meter Zone A(1) from November 24, 2016, through December 25, 2016.
- D. Consider a Resolution Establishing Days for Closure of City Offices during the 2017 Calendar Year
RECOMMENDED ACTION: Adopt the proposed Resolution establishing days for closure of City Offices during the 2017 Calendar Year.
- E. Consider the 2017 Meeting Schedules for the City Council/Successor Agency and the Planning Commission/Architectural and Site Review Committee
RECOMMENDED ACTION: Approve the 2017 City meeting schedules and direct staff to post this information at City Hall, the Capitola Branch Library, on the City's website, and distribute to department heads, newspapers, and various groups that regularly submit items to the City.
- F. Consider a Resolution Amending the City's Bail Schedule to Add Fines Pursuant to Adopted Ordinances
RECOMMENDED ACTION: Adopt the proposed Resolution repealing Resolution No. 4029 and amending the City's Bail Schedule, and direct staff to forward the new Schedule to the Santa Cruz County Court.
- G. Consider a Contract with SZS Consulting Inc. for the Review and Update of the Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan
RECOMMENDED ACTION: Award a contract to SZS Consulting Inc. for the review and update of the City of Capitola ADA Self-Evaluation and Transition Plan in the amount of \$74,955.

- H. Consider Adopting an Administrative Policy Establishing Standards for Installation of Blue Curbed Parking Spaces on Public Streets within Residential Zones
RECOMMENDED ACTION: Adopt Administrative Policy regarding requests for blue curbs on public streets.

9. 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. Update on the Groundwater Replenishment Project
RECOMMENDED ACTION: Consider Soquel Creek Water District request to support:
1. The Community Water Plan, and
 2. Ongoing Water District efforts to evaluate the *Pure Water Soquel* project.
- B. Consider Appointing Noll and Tam Architects for the Capitola Branch Library and Authorizing the City Manager to Negotiate a Final Contract with Noll and Tam in an amount not to exceed \$800,000
RECOMMENDED ACTION: Take the following actions:
1. Award a contract to Noll and Tam for architectural services for the new Capitola Branch Library in an amount not to exceed \$800,000;
 2. Authorize the City Manager to negotiate the final scope of the contract;
 3. Approve the formation of an Ad Hoc Library Design Advisory Committee and appoint one City Councilmember to sit on the Committee.
- C. Introduction of an Ordinance Amending Chapter 15.04 of the Capitola Municipal Code Pertaining to Building and Fire Model Codes
RECOMMENDED ACTION: Introduction of an Ordinance amending Municipal Code Chapter 15.04 pertaining to building and fire codes.

10. 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.

CAPITOLA CITY COUNCIL REGULAR MEETING AGENDA
November 10, 2016

Agenda and Agenda Packet Materials: The City Council Agenda and the complete Agenda Packet are available for review on the City's website: www.cityofcapitola.org and at Capitola City Hall and at the Capitola Branch Library, 2005 Wharf Road, Capitola, prior to the meeting. Agendas are also available at the Capitola Post Office located at 826 Bay Avenue, Capitola. Need more information? Contact the City Clerk's office at 831-475-7300.

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

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

Televised Meetings: City Council meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be 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 NOVEMBER 10, 2016

FROM: City Manager Department

SUBJECT: Presentation Regarding New Brighton Middle School Art

DISCUSSION: The City of Capitola Art and Cultural Commission administers an Art in Public Places Program for City Facilities.

We are pleased to have on display in the City Council Chambers and the Police Department lobby, student art from New Brighton Middle School. Art teacher Roy Segura has put together a display of graphite drawings of still life subjects in the Council Chambers and watercolors of Capitola landscapes in the Police Department lobby.

ATTACHMENTS:

1. New Brighton Middle School Art

Report Prepared By: Larry Laurent
Assistant to the City Manager

Reviewed and Forwarded by:

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

Jamie Goldstein, City Manager

11/3/2016

New Brighton Middle School Student Art



Attachment: New Brighton Middle School Art (1649 : New Brighton Middle School Art)

New Brighton Middle School Student Art



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New Brighton Middle School Student Art



Attachment: New Brighton Middle School Art (1649 : New Brighton Middle School Art)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: michael routh <qwakwak@gmail.com>
Sent: Saturday, November 05, 2016 2:48 PM
To: City Council
Subject: Item 8h - handicap parking in residential zones

Council members,

I encourage you to adopt this policy to meet the needs of our disabled residents. The proposed policy is fair and makes our community more livable for our handicapped residents.

Thank you.

Mick Routh

Sent from my iPad

Communication: Item 8.H. Public Communication regarding Installation of Blue Curbed Parking Spaces (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Bob Edgren <agren7@yahoo.com>
Sent: Thursday, November 10, 2016 10:25 AM
To: City Council
Subject: Re Library location from Bob Edgren
Attachments: Council prop 3 of 3 for library 911 Council Proposal alternateto build new Capitola library on Capitola Ave (Autosaved)-1.docx

Dear Mayor and Council,

A heads up, I plan to propose this at tonights meeting.

Communication: Item 9.B. Public Communication regarding the Capitola Library Branch Location (ADDITIONAL MATERIALS)

Proposal to build a new Capitola library on Capitola Ave. or other locations instead of selected current location. This is a request to create a task force to find another location for the new library.

Overview

1. Capitola is about to make a decision that will effect it for decades and will be detrimental for future projects and needs. As Capitola Village moves into an era of hopefully less vehicle village traffic, additional parking will be needed to offset current village parking per Coastal Commission requirements. There are no existing large parcels in Capitola owned by the City to provide parking except the current library location parcel. Utilizing this parcel as parking would be significantly less money than building a second story parking lot on Pacific Cove. I don't believe the people of Capitola were made fully aware of the downside in this vote or location selection for the new library.. This parcel will determine many of other future feasible uses for Capitola. For instance, this parcel could be used for a future location of City Hall and/or the police department. These uses were discussed in the original acquisition of the property. There is also the need for the future development of the Rispin Mansion. By building the new library, the future of the Rispin may be seriously limited. This parcel can also be considered for a boutique hotel. This use would address and help solve the tourist hotel room shortage and generate TOT tax. Nevertheless, the highest and best use would not be a library. The property location and size should be saved for other use(s), perhaps even unknown at this time. If this parcel is used for a library, it will tie the hands of Capitola and their taxpayers for future needs. Capitola would be sacrificing a very precious land area that only small minor percentage of citizen use. I can almost gauranty, in ten yea's time, we will be saying, "What were we thinking?"
2. Public access. The current library location is located at a hazardous T interseccion, very unfriendly to pedestrians, older people, children etc. The entry and exit for vehicle traffic presents challenges as there is a blind curve approaching the Wharf Rd./Clares intersection from the north. Intensification of the current library site by up to tripling the size will create

more traffic on 41st Ave., Clares, Wharf Road, Soquel Wharf Road, Soquel Ave., Capitola Road and 49th.

A look at some options.

In contrast the location on Capitola Avenue below, has easy access from Soquel Ave., Bay Ave., and the freeway.

Current library location parcel size: Approx. 47,505 sq. ft.

Proposed site: Located at 911 Capitola Ave.
Currently the Caress Day Spa, parcel 22,869
Listed at \$1,749,000
with other buildings totaling 5,512 sq. ft.

Concerned about parking at the Caress Day Spa location? Parking is an issue. There are 22 spaces on site spaces. With some creativity I believe an additional 10 spaces could be added. The cluster of buildings have an inner courtyard that can be reduced or used for building area. There is leverage on this site. For more building and parking.

The Caress Day Spa site is easy to access from the freeway, Bay Ave. and Monterey Ave. It is surrounded by high density apartments and mobile home parks, including Capitola Mansion Apartments, Turner Lane Park and Brookdale Terrace to name a few, affording many residents a short walk to enjoy the library.

Currently for sale:

Link: <http://www.mlslistings.com/property/ml81576916/911-capitola-ave-capitola-ca-95010/>

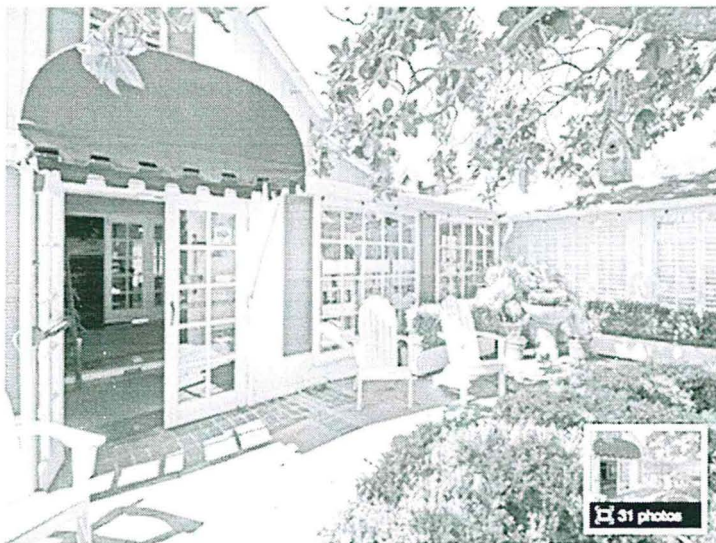
\$1,749,000 911 Capitola AVE CAPITOLA CA 95010

Get Your Three Credit Scores Now!

M.S. #: ML61576916
Status: Active
Type & Year: Comm. For Sale (1934)
MLS Source: MSL

Beds:
Baths:
Age: 82

Sq. Ft: 5,212
Lot Size: 22059 SqFt.
[Check Mortgage Rates](#)



Robert Deacon
 Monterey Bay Properties
 License #: 00176042
 Mobile: (831) 464-2049



Request More Information

Name

Phone Number

Email Address

Please send me more information about 911 Capitola AVE, CAPITOLA, CA, 95010. Thank you.

Send to Agent

Add Home to Favorites



BuildFax Print Flyer

Property Details Map Walk Score

Description

The value is in the potential! This is an opportunity to own over half an acre or 4 lots with separate APNs that offer the perfect location for high-density building (Condominiums or Apartments) in one of the most sought after areas to live in the county. Currently, the property has a front building that is a historical home that has been converted into two retail spaces and a back building that is Goddess Day Spa, a successful Spa business.

Features



Other location options.

1. Monterey Ave. Park. Instead of building a skate park, how about a library? How ideal next to New Brighton Middle School. One of the new trendy uses of transformed libraries is offering an after school rendezvous place. Much easier to walk to than across the

Communication: Item 9.B. Public Communication regarding the Capitola Library Branch Location (ADDITIONAL MATERIALS)

busy streets, the creek and parking lots to the current library location, especially on bad weather days.

2. Bay Avenue Senior Center area. This spot is centrally located with easy access from several roads and Highway 1. The Senior Center and library would complement each other. This seems to be an ideal location if enough property can be acquired there, a location almost begging for a library.



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF NOVEMBER 10, 2016

FROM: City Manager Department

SUBJECT: Consider the October 13, 2016, Regular City Council Minutes

RECOMMENDED ACTION: Approve Minutes.

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

ATTACHMENTS:

1. Draft October 13, 2016, Minutes

Report Prepared By: Susan Sneddon
City Clerk

Reviewed and Forwarded by:

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

Jamie Goldstein, City Manager

11/3/2016

**CAPITOLA CITY COUNCIL
REGULAR MEETING ACTION MINUTES
THURSDAY, OCTOBER 13, 2016 - 7:00 PM**

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

Mayor Bottorff called the meeting to order at 6:15 PM. He announced the item to be discussed in Closed Session, as follows:

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION [Gov’t Code § 54957(b)]
City Council’s Performance Evaluation of the City Manager**

Mayor Bottorff noted that there was no one in the audience; therefore, the City Council recessed at 6:15 p.m. to the Closed Session.

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

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

City Treasurer Christine McBroom was present.

2. PRESENTATIONS

A. Introduction of New Police Officers Aron Quolas and Scott Newton

3. REPORT ON CLOSED SESSION

City Attorney Condotti stated that the Council discussed one case regarding existing litigation; and discussed the City Manager's performance evaluation; there was no reportable action.

5. ADDITIONAL MATERIALS

City Clerk Sneddon stated that ten additional materials were received regarding **Item 9.B.**

6. ADDITIONS AND DELETIONS TO AGENDA (None provided)

7. PUBLIC COMMENTS

Gary Richard Arnold provided public comments.

Marylin Garrett, local resident, spoke against wireless radiation.

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES
October 13, 2016

8. CONSENT CALENDAR

RESULT:	ADOPTED <u>ITEMS 8.A.</u>, AND <u>ITEM 8.B.</u> [UNANIMOUS]
MOVER:	Michael Termini, Council Member
SECONDER:	Dennis Norton, Council Member
AYES:	Bottorff, Bertrand, Norton, Termini
ABSENT:	Harlan

- A. Consider the September 22, 2016, Regular City Council Minutes
RECOMMENDED ACTION: Approve Minutes.
- B. Receive Planning Commission Action Minutes for the Regular Meeting of October 6, 2016
RECOMMENDED ACTION: Receive Minutes.

9. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Consider Options for Paving Repairs Along Stockton Avenue Near the Esplanade
RECOMMENDED ACTION: Consider options for repairing the paving along Stockton Avenue between the Stockton Avenue Bridge and Capitola Avenue. Provide direction and authorization to the Public Works Director to issue a change order for the selected amount.

RESULT:	APPROVED OPTIONS FOR PAVING REPAIRS ALONG STOCKTON AVENUE NEAR THE ESPLANADE, AND AUTHORIZED THE PUBLIC WORKS DIRECTOR TO ISSUE A CHANGE ORDER FOR THE SELECTED AMOUNT [UNANIMOUS]
MOVER:	Dennis Norton, Council Member
SECONDER:	Michael Termini, Council Member
AYES:	Bottorff, Bertrand, Norton, Termini
ABSENT:	Harlan

- B. Zoning Code Update – Additional Discussion on Small Mobile Vending Carts in Mixed Use Village, Drive-Through Facilities in Regional Commercial Zone, and Expansion of the Vacation Rental Overlay along Capitola Avenue. Followed by review of Part 3: Chapter 17.96.180 Temporary Use and Structures and Continuing with Subsequent Chapters
RECOMMENDED ACTION: Receive the staff presentation on the proposed Zoning Code Update and continue the public hearing to the Thursday, October 27, 2016, City Council meeting.

There was Council consensus to send the Draft Zoning Code edits of the coastal chapters back to the Planning Commisison for review.

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES
October 13, 2016

Zoning Code Section	Page Reference ¹	City Council consensus on the following:
17.20.020.A	Page 20-2	Discussion on allowing small human powered carts for popsicles and popcorn in the Village. City Council decided not to add the use and keep mobile vending in the Village prohibited.

Carin Hanna, Capitola Village and Wharf Business Improvement Area (CVWBIA) Representative, stated that the CVWBIA was unanimous in prohibiting mobile vending carts in the Village.

Sam Storey, local resident, urged the City Council to consider the consequences of having mobile vending carts and suggested that the Planning Commission have the opportunity to discuss this item.

RESULT: APPROVED TO CONTINUE PROHIBITING MOBILE VENDING CARTS IN THE VILLAGE WITH THE FOLLOWING ROLL CALL VOTE:

MOVER: Jacques Bertrand, Council Member

SECONDER: Ed Bottorff, Mayor

AYES: Bottorff, Bertrand, Termini

NOES: Norton

ABSENT: Harlan

Zoning Code Section	Page Reference	City Council consensus on the following:
17.24.020.A	Page 24-3	Require city council approval of all drive-throughs. Make sure 100-foot setback is from all residential, including properties located over the City boundary.

Sam Storey, local resident, stated that the City Council should have the ability to review any application for a drive-through establishment prior to approval.

RESULT: APPROVED REQUIRING THE PLANNING COMMISSION AND THE CITY COUNCIL TO REVIEW PROPOSED DRIVE-THROUGH ESTABLISHMENTS IN THE COMMERCIAL-RESIDENTIAL ZONE; REQUIRING A 100-FOOT SETBACK FROM ALL RESIDENTIAL PROPERTIES, INCLUDING PROPERTIES LOCATED OVER THE CITY BOUNDARY. FOLLOWING ROLL CALL VOTE:

MOVER: Michael Termini, Council Member

SECONDER: Jacques Bertrand, Council Member

AYES: Bottorff, Bertrand, Termini

NOES: Norton

ABSENT: Harlan

¹ Draft Zoning Code Update.

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES
October 13, 2016

Zoning Code Section **Page Reference²** **City Council consensus on the following:**

Z-Map Zoning Map Continue the discussion on Transient Rental Overlay along Capitola Avenue and upheld Planning Commission recommendation for El Camino Medio boundary with no changes.

Bob Edgren, local resident, suggested extending the Capitola Avenue Zone Vacation Rental Boundary.

Connie Smith stated that she is trying to retain their home located at 502 Beulah and would like to include it in the Vacation Rental Boundary.

Council Members Norton and Termini stated that they reside within 500 feet of the Capitola Avenue Zone Vacation Rental Boundary therefore requested that the discussion for this item be continued to a future Council meeting when a full Council is present.

There was Council consensus to continue the discussion regarding Transient Rental Overlay along Capitola Avenue to a future City Council meeting.

RESULT:	APPROVED THE PLANNING COMMISSION'S RECOMMENDATION FOR EL CAMINO MEDIO BOUNDARY WITH THE FOLLOWING UNANIMOUS VOTE:
MOVER:	Michael Termini, Council Member
SECONDER:	Ed Bottorff, Mayor
AYES:	Bottorff, Bertrand, Norton, Termini
ABSENT:	Harlan

Zoning Code Section	Page Reference	City Council consensus on the following:
17.114.070	Page 114-2	Add "Community Development" Director has received an application.
17.120.030	Page 120-2	Staff edit: Update table based on prior changes (second story secondary dwelling units) and "other projects" for wireless.
17.120.030	Page 120-3	Staff edit: Add secondary dwelling units to single-family exceptions.

² Draft Zoning Code Update.

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES
October 13, 2016

Zoning Code Section	Page Reference³	City Council consensus on the following:
17.136.020.A (previous 3)	Page 136-1	Keep minimum and maximum setbacks from property lines (previously removed by Planning Commission).
17.136.020.A.1	Page 136-1	Move "minimum required on-site open space and landscaping" down to excluded modifications.
17.148.040	Page 148-4	Staff Edit: Input reference to wireless chapter and remove regulations.

RESULT: APPROVED TO PROVIDE THE DRAFT ZONING CODE UPDATE FOR PUBLIC REVIEW FOR 60 DAYS WITH THE FOLLOWING UNANIMOUS VOTE:

MOVER: Michael Termini, Council Member

SECONDER: Ed Bottorff, Mayor

AYES: Bottorff, Bertrand, Norton, Termini

ABSENT: Harlan

10. **ADJOURNMENT**

The meeting was closed at 9:30 PM.

Ed Bottorff, Mayor

ATTEST:

_____, CMC
Susan Sneddon, City Clerk

³ Draft Zoning Code Update.

Attachment: Draft October 13, 2016, Minutes (1314 : Approval of City Council Minutes)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF NOVEMBER 10, 2016

FROM: Community Development

SUBJECT: Receive Planning Commission Action Minutes for the Special and Regular Meetings of November 3, 2016

RECOMMENDED ACTION: Receive Minutes

ATTACHMENTS:

1. Planning Commission Regular Meeting Action Minutes 11/3/16
2. Planning Commission Special Meeting Action Minutes 11/3/16

Report Prepared By: Linda Fridy
Planning Commission Minutes Clerk

Reviewed and Forwarded by:



**ACTION MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, NOVEMBER 3, 2016
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

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

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

B. Public Comments

C. Commission Comments

D. Staff Comments

3. APPROVAL OF MINUTES

A. Planning Commission Minutes for the Regular Meeting of October 6, 2016

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Gayle Ortiz, Commissioner
SECONDER:	Susan Westman, Commissioner
AYES:	Ortiz, Newman, Welch, Westman
ABSENT:	Smith

4. CONSENT CALENDAR

A. 154 Cortez Street #15-110 APN: 036-222-12

One-year update on Conditional Use Permit for large community care residential facility located in the R-1 (Single-Family Residential) Zoning District.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Edward Newman, Commissioner
SECONDER:	Gayle Ortiz, Commissioner
AYES:	Ortiz, Newman, Welch, Westman
ABSENT:	Smith

B. 231 Esplanade #16-186 APN: 035-21-101

Sign Permit application for a wall sign, projecting sign, and menu box sign for the new Sotola Bar and Grill restaurant (previously Stockton Bridge Grill) located in the CV (Central Village) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Steve Yates

Representative: Ashley Bernardi, filed: 10/4/16

MOTION: Approve sign permits

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Susan Westman, Commissioner
SECONDER:	Gayle Ortiz, Commissioner
AYES:	Ortiz, Newman, Welch, Westman
ABSENT:	Smith

5. PUBLIC HEARINGS**A. 407 El Salto Drive #16-178 036-133-18**

Major Revocable Encroachment Permit and Fence Permit with a height exception for a new front-yard fence and gate to be located within the public right-of-way of a residence located in the R-1 (Single Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Rebecca Peters

Representative: Rebecca Peters, filed: 9/26/16

NOTE: Request for Continuance to December 1, 2016 Planning Commission Meeting

RESULT:	CONTINUED [UNANIMOUS]	Next: 12/1/2016 7:00 PM
MOVER:	Susan Westman, Commissioner	
SECONDER:	Gayle Ortiz, Commissioner	
AYES:	Ortiz, Newman, Welch, Westman	
ABSENT:	Smith	

B. 4025 Brommer Street #16-177 APN: 034-164-08

Conceptual Review to demolish an existing office building and to construct a new three-story mixed-use building with office space on the first floor and two residences on the second and third floors, located in the CC (Community Commercial) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Stuart Family Trust

Representative: Lot C Architecture, filed: 9/26/16

Guidance provided.

C. 226 Monterey Avenue #16-125 036-111-15

Design Permit for an addition to an existing two-story single-family home and construction of a new secondary dwelling unit with a variance to the maximum 80% valuation for improvements to a non-conforming structure, located in the R-1 (Single-Family Residential) Zoning District.

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

Environmental Determination: Categorical Exemption

Property Owner: Nancy and Mark Nicholson

Representative: Derek Van Alstine, filed 6/16/2016

MOTION: Approve a Design Permit, Variance and Coastal Development Permit

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

D. 105 Sacramento Avenue #16-133 036-144-05

Design Permit to demolish an existing residence and secondary dwelling unit and construction of a new two-story residence with variance requests for height, setbacks, and driveway landscaping, located in the R-1 (Single-Family Residential) Zoning District.

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

Environmental Determination: Categorical Exemption

Property Owner: Lani and Tim Holdener

Representative: Derek Van Alstine, filed: 6/28/16

MOTION: Approve a Design Permit, Variances to the parking landscaping, garage location, and height, and Coastal Development Permit, and deny the Variance to side-yard setbacks.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Susan Westman, Commissioner
SECONDER:	Edward Newman, Commissioner
AYES:	Ortiz, Newman, Welch, Westman
ABSENT:	Smith

6. DIRECTOR'S REPORT**7. COMMISSION COMMUNICATIONS****8. ADJOURNMENT**



**ACTION MINUTES
CAPITOLA PLANNING COMMISSION
SPECIAL MEETING
THURSDAY, NOVEMBER 3, 2016
6 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

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

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

3. APPROVAL OF MINUTES

A. Planning Commission Minutes for the Special Meeting of October 6, 2016

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Susan Westman, Commissioner
SECONDER:	Gayle Ortiz, Commissioner
AYES:	Ortiz, Newman, Welch, Westman
ABSENT:	Smith

4. PUBLIC HEARINGS

A. Wireless Telecommunications Ordinance Update

Amendment to the City of Capitola Municipal Code Chapter 17.98 Wireless Communication Facilities updating the regulations, development standards, and permit procedures in compliance with state and federal law.

The amended wireless ordinance requires Coastal Commission certification of a Local Coastal Program amendment.

Environmental Determination: Addendum to the General Plan Update EIR

Property: The update to Municipal Code Chapter 17.98 affects all properties within the City of Capitola.

Representative: City of Capitola

RESULT:	CONTINUED [UNANIMOUS]	Next: 12/1/2016 6:00 PM
MOVER:	Susan Westman, Commissioner	
SECONDER:	Edward Newman, Commissioner	
AYES:	Ortiz, Newman, Welch, Westman	
ABSENT:	Smith	

5. ADJOURNMENT



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF NOVEMBER 10, 2016

FROM: Capitola Police Department

SUBJECT: Suspend Village Parking Meter and Pay Station Operation for Holiday Season

RECOMMENDED ACTION: Authorize suspending parking meter and pay station operation to allow free three-hour parking in the Village Parking Meter Zone A(1) from November 24, 2016, through December 25, 2016.

BACKGROUND: The Capitola-Soquel Chamber of Commerce has submitted their annual request to the Council to offer free three-hour parking in the Village. The Council has been authorizing this program since 2001, with the exception of 2003.

DISCUSSION: The purpose of the parking meters has been to encourage parking rotation for the Village business community. Although the late fall through early winter is not as congested as the early spring through early fall season, the need for the parking meters still prevails.

The Capitola-Soquel Chamber of Commerce has submitted a letter requesting that the Council authorize suspending parking meter and pay station operation to allow free three-hour parking in the Village from Thursday, November 24, 2016, through Friday, December 25, 2016, to encourage holiday shopping (Attachment 1).

FISCAL IMPACT: It is estimated that last year's suspension of the Village parking meters and pay stations cost the City between \$35,000 and \$45,000. The Fiscal Year 2016/2017 budget accounts for suspending Village meter and pay station operation for the holiday shopping period. Therefore, there is no budget impact.

ATTACHMENTS:

1. 2016 Chamber Holiday Parking Letter

Report Prepared By: Deince Pearson
Administrative Records Analyst

Suspend Village Parking Meter Operation
November 10, 2016

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

11/3/2016



capitola soquel
CHAMBER of COMMERCE

716-G Capitola Avenue
Capitola, CA 95010
Phone: (831) 475-6522
Fax: (831) 475-6530

October 6, 2016

City of Capitola
420 Capitola Avenue
Capitola, Ca. 95010

Council Members:

The Capitola-Soquel Chamber of Commerce is requesting that Parking in the Capitola Village be free from Thanksgiving to Christmas. This will help the Capitola Village Businesses encourage shoppers to come and shop.

The Chamber will have a banner hanging on Capitola Avenue advertising free parking.

Thank you!


Toni Castro
CEO



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF NOVEMBER 10, 2016

FROM: City Manager Department

SUBJECT: Consider a Resolution Establishing Days for Closure of City Offices during the 2017 Calendar Year

RECOMMENDED ACTION: Adopt the proposed Resolution establishing days for closure of City Offices during the 2017 Calendar Year.

DISCUSSION: Ordinance No. 497 provides that the City Council may by Resolution designate holidays upon which the City offices shall be closed. In November of each year staff reviews the calendar for the following year as it relates to holidays and prepares a Resolution for adoption by the City Council.

A draft Resolution for the 2017 Calendar Year is attached for your consideration. As has been done for the past several years and is consistent with employee Memoranda of Understanding, the proposed Resolution identifies the holiday closure of City Hall offices during the Christmas holidays.

FISCAL IMPACT: None

ATTACHMENTS:

1. Closure Dates Resolution (DOC)

Report Prepared By: Susan Sneddon
City Clerk

Reviewed and Forwarded by:

Jamie Goldstein, City Manager

11/3/2016

2017 City Hall Closure Schedule
November 10, 2016

DRAFT RESOLUTION

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
ESTABLISHING DAYS FOR CLOSURE OF CITY OFFICES
DURING THE 2017 CALENDAR YEAR**

WHEREAS, Ordinance No. 497 provides that days for closure of City offices may, from time to time, be set by Council Resolution; and

WHEREAS, it is the desire of the City Council of the City of Capitola to establish days for closure of City offices during the 2017 calendar year.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Capitola as follows: City Offices, except for essential City services such as the Police Department, shall be closed on the following days occurring in calendar year 2017, unless otherwise noted:

January 2 (Monday)	New Year's Day Observed
January 16 (Monday)	Martin Luther King, Jr. Birthday
February 13 (Monday)	Lincoln's Birthday Observed
February 20 (Monday)	Presidents' Day
May 29 (Monday)	Memorial Day
July 4 (Tuesday)	Independence Day
September 4 (Monday)	Labor Day
October 9 (Monday)	Columbus Day
November 10 (Friday)	Veterans Day Observed
November 23 & 24 (Thursday & Friday)	Thanksgiving Holiday
December 25 (Monday)	Christmas Holiday
December 26, 27, 28, & 29 (Tuesday, Wednesday Thursday & Friday)	Holiday Closure

The foregoing does not preclude the scheduling of any City Council or Planning Commission meetings on such days. For purposes of Government Code Section 6704, Saturdays and Sundays are also days for closure of the City business office.

The foregoing is not in any sense intended to define holidays, for which employees do or do not receive additional compensation. Employees paid holidays are defined in relevant Memoranda of Understanding.

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 10th day of November, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ed Bottorff, Mayor

ATTEST: _____, CMC
Susan Sneddon, City Clerk

DRAFT RESOLUTION
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
ESTABLISHING DAYS FOR CLOSURE OF CITY OFFICES
DURING THE 2017 CALENDAR YEAR

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The foregoing is not in any sense intended to define holidays, for which employees do or do not receive additional compensation. Employees paid holidays are defined in relevant Memoranda of Understanding.

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 10th day of November, 2016, by the following vote:

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

Dennis Norton, Mayor

ATTEST: _____, CMC
Susan Sneddon, City Clerk

Attachment: Closure Dates Resolution (1491 : 2017 City Hall Closure Schedule)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF NOVEMBER 10, 2016

FROM: City Manager Department

SUBJECT: Consider the 2017 Meeting Schedules for the City Council/Successor Agency and the Planning Commission/Architectural and Site Review Committee

RECOMMENDED ACTION: Approve the 2017 City meeting schedules and direct staff to post this information at City Hall, the Capitola Branch Library, on the City's website, and distribute to department heads, newspapers, and various groups that regularly submit items to the City.

DISCUSSION: At the end of each calendar year staff prepares the meeting schedules for the following year. Attached are the proposed schedules for City Council/Successor Agency and Planning Commission/Architectural and Site Review Committee for 2017.

City Council/Successor Agency Meetings: Regular meetings of the City Council are held on the second and fourth Thursday of the month at 7:00 p.m., with the exception of Tuesday, November 21st due to the November 23rd Thanksgiving holiday.

There is no second meeting held in December due to the Christmas holiday.

Last year the City Council approved the 2016 City Council/Successor Agency Schedule to hold only one meeting in August and one in July (both on fourth Thursdays) to align the City's schedule with the schedule of local school districts, which begins instruction in late August. Staff recommends to continue this practice to provide Council members and staff with increased flexibility in summer scheduling. The Successor Agency meetings are held on an as needed basis.

Planning Commission/Architectural and Site Review Committee Meetings: Regular meetings of the Planning Commission are held on the first Thursday of the month at 7:00 p.m. in the City Hall Council Chambers. The regular meeting of the Planning Commission for January has been scheduled for Thursday, January 19, 2017. In addition, the July Planning Commission meeting is scheduled for Thursday, July 20, 2017, due to the week the July 4th holiday.

Regular meetings of the Architectural & Site Review Committee are generally held on the second and fourth Wednesday of each month at 3:30 p.m. In the event there are no items for review by the Committee, meetings would be cancelled and noticed accordingly.

Public Accessing Meeting Videos: All regular meetings of the City Council, Successor Agency, and Planning Commission are televised "Live" on Charter Communications Cable Channel 8, and rebroadcast by Community Television of Santa Cruz County following the

2017 Meeting Schedules
November 10, 2016

meetings on Charter Cable Channel 71 and Comcast Cable Channel 25. In addition, "Live Streaming" and "On Demand" replay of the meetings can be viewed via the Internet from the City's website at: www.cityofcapitola.org.

FISCAL IMPACT: None

ATTACHMENTS:

1. 2017 City Council/Successor Agency Meeting Schedule
2. 2017 Planning Commission/Architectural & Site Review Meeting Schedules

Report Prepared By: Susan Sneddon
City Clerk

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

11/4/2016

2017 CITY OF CAPITOLA
City Council and Successor Agency Meeting Dates
and Deadline for Submittal of Agenda Items

SUBMITTAL DATE ¹	MEETING DATE ²
JANUARY 3	JANUARY 12
JANUARY 17	JANUARY 26
JANUARY 30	FEBRUARY 9
FEBRUARY 14	FEBRUARY 23
FEBRUARY 27	MARCH 9
MARCH 13	MARCH 23
APRIL 3	APRIL 13
APRIL 17	APRIL 27
MAY 1	MAY 11
MAY 15	MAY 25
MAY 30	JUNE 8
JUNE 12	JUNE 22
JULY 17	JULY 27
AUGUST 14	AUGUST 24
SEPTEMBER 5	SEPTEMBER 14
SEPTEMBER 18	SEPTEMBER 28
OCTOBER 2	OCTOBER 12
OCTOBER 16	OCTOBER 26
OCTOBER 30	NOVEMBER 9
NOVEMBER 13	TUESDAY, NOVEMBER 21▲▲
DECEMBER 4	DECEMBER 14

Items to be included on a particular agenda must be submitted to the City Manager's Office NO LATER than 5 p.m. on the submittal date so that a staff report may be prepared. Items received after that date may be scheduled for the next available agenda.

NOTE: ▲▲ Due to Thanksgiving Holiday, the meeting will be held on Tuesday.

(This schedule was approved at the November 10, 2016, City Council meeting)

¹ Submittal dates are typically on Mondays; if a City holiday falls on a Monday the submittal date is on a Tuesday.

² Regular Meetings of the City Council/Successor Agency are held on the 2nd & 4th Thursdays of each month. The Regular City Council meetings begin at 7:00 p.m. (or in no event earlier than 6:00 p.m.) in the Capitola City Hall Council Chambers, 420 Capitola Avenue, Capitola, CA.

CITY OF CAPITOLA
2017 REGULAR MEETING SCHEDULES
ARCHITECTURAL & SITE REVIEW COMMITTEE AND PLANNING COMMISSION

●SUBMITTAL	■ARCH & SITE REVIEW	◆PLANNING COMMISSION
NOVEMBER 23, 2016	DECEMBER 14, 2016	JANUARY 19**
DECEMBER 16, 2016	JANUARY 11	FEBRUARY 2
JANUARY 6	JANUARY 25	
	FEBRUARY 8	MARCH 2
FEBRUARY 3	FEBRUARY 22	
	MARCH 8	APRIL 6
MARCH 3	MARCH 22	
	APRIL 12	MAY 4
APRIL 7	APRIL 26	
	MAY 10	JUNE 1
	MAY 24	
MAY 19	JUNE 7	
JUNE 2	JUNE 21	JULY 20**
	JULY 12	AUGUST 3
JULY 7	JULY 26	
	AUGUST 9	SEPTEMBER 7
AUGUST 4	AUGUST 23	
	SEPTEMBER 13	OCTOBER 5
SEPTEMBER 8	SEPTEMBER 27	
	OCTOBER 11	NOVEMBER 2
OCTOBER 6	OCTOBER 25	
	NOVEMBER 8	DECEMBER 7
	DECEMBER 13	

Meetings are held at Capitola City Hall, 420 Capitola Avenue, and are generally scheduled as follows:

- **Submittal Date:** Submitting an application by the deadline does **not** guarantee a hearing date. Application completeness, staff review, and analysis shall be completed prior to scheduling an application for a meeting date.
- **Architectural and Site Review Meetings:** Second and fourth Wednesday of each month at 3:30 p.m. in the City Hall Community Room. November and December have only one meeting a month.
- ◆ **Planning Commission Meetings:** First Thursday** of each month at 7 p.m. (or in no event earlier than 6 p.m.) in the City Hall Council Chambers.

NOTE: **The January and July Planning Commission meetings will be held on the third Thursday due to holiday schedules.



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF NOVEMBER 10, 2016

FROM: City Manager Department

SUBJECT: Consider a Resolution Amending the City's Bail Schedule to Add Fines Pursuant to Adopted Ordinances

RECOMMENDED ACTION: Adopt the proposed Resolution repealing Resolution No. 4029 and amending the City's Bail Schedule, and direct staff to forward the new Schedule to the Santa Cruz County Court.

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

DISCUSSION: Below is a list of Ordinances adopting or amending sections of the City's Municipal Code that need to be included in the Schedule.¹ These Ordinances can be viewed online at <http://www.codepublishing.com/ca/capitola>. The City Attorney and Chief of Police have recommended the proposed base bail amounts indicated in red where the amounts were previously missing, corrected, or deleted and/or newly adopted on the Schedule.

1. ORDINANCE NO. 186

<u>5.12.020</u>	<u>VALID CARDROOM OWNER/DEALER PERMIT REQUIRED</u>	<u>\$ 40.00</u>
<u>5.12.040</u>	<u>USE OF HOUSE PLAYERS PROHIBITED</u>	<u>\$ 40.00</u>
<u>5.12.050</u>	<u>ALCOHOLIC BEVERAGES PROHIBITED</u>	<u>\$ 40.00</u>
<u>5.12.060</u>	<u>LOITERING PROHIBITED</u>	<u>\$ 40.00</u>
<u>5.12.080</u>	<u>VALID CARDROOM LICENSE REQUIRED</u>	<u>\$ 40.00</u>
<u>5.12.140</u>	<u>MINORS IN CARDROOMS PROHIBITED</u>	<u>\$ 40.00</u>

2. ORDINANCE NO. 420

<u>5.16.040</u>	<u>ALLOWING MINOR AT BINGO GAME</u>	<u>\$ 40.00</u>
<u>5.16.150</u>	<u>SERVING ALCOHOL AT BINGO GAME</u>	<u>\$ 40.00</u>

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

Bail Schedule
November 10, 2016

	<u>5.16.180</u>	<u>CONDUCTING BINGO GAME WITHOUT PERMIT</u>	<u>\$ 40.00</u>
	<u>5.16.280</u>	<u>BINGO PERMIT POSTING REQUIRED</u>	<u>\$ 40.00</u>
3.	<u>ORDINANCE NO. 274</u>		
	<u>5.20.020</u>	<u>OPERATING KENNEL OR PET SHOP WITHOUT PERMIT</u>	<u>\$500.00</u>
4.	<u>ORDINANCE NO. 316</u>		
	<u>8.04.030</u>	<u>ACCUMULATION OF GARBAGE – CONTAINER OR RECEPTACLE</u>	<u>\$ 30.00</u>
5.	<u>ORDINANCE NO. 907</u>		
	<u>8.04.068</u>	<u>MANDATORY GARBAGE SERVICE</u>	<u>\$ 50.00</u>
6.	<u>ORDINANCE NO. 316</u>		
	<u>8.04.100</u>	<u>COLLECTION—INTERFERENCE PROHIBITED</u>	<u>\$250.00</u>
	<u>8.04.110</u>	<u>BURNING PROHIBITED</u>	<u>\$100.00</u>
6.	<u>ORDINANCE NO. 780</u>		
	<u>8.08.100A</u>	<u>WILLFULLY OBSTRUCTING, HINDERING OR DELAYING EMERGENCY RESPONSE DURING DECLARED EMERGENCY</u>	<u>\$500.00</u>
	<u>8.08.100B</u>	<u>VIOLATING ANY RULE OR REGULATION DURING DECLARED EMERGENCY OR DISASTER</u>	<u>\$500.00</u>
	<u>8.08.100C</u>	<u>UNAUTHORIZED WEARING OR DISPLAYING OF EMERGENCY IDENTIFICATION DURING DECLARED EMERGENCY OR DISASTER</u>	<u>\$500.00</u>
7.	<u>ORDINANCE NO. 136</u>		
	<u>8.12.010</u>	<u>FOOD ESTABLISHMENTS—PERMIT REQUIRED</u>	<u>\$100.00</u>
	<u>8.12.070</u>	<u>FOOD HANDLER—PERMIT REQUIRED</u>	<u>\$100.00</u>
8.	<u>ORDINANCE NO. 467</u>		
	<u>8.14.010</u>	<u>UNIT PRICING OF COMMODITIES REQUIRED</u>	<u>\$100.00</u>
9.	<u>ORDINANCE NO. 688</u>		
	<u>8.24.030290</u>	<u>WATER WELL PERMIT REQUIRED VIOLATION</u>	<u>\$100.00</u>
10.	<u>ORDINANCE NO. 600</u>		
	<u>8.38.06055</u>	<u>PROHIBITION OF SMOKING IN OUTDOOR PUBLIC PLACES</u>	<u>\$ 30.00</u>
	<u>8.38.070</u>	<u>PROHIBITING OF SMOKING IN CERTAIN PLACES</u>	<u>\$ 30.00</u>
	<u>8.38.090</u>	<u>SMOKING POLICY IN PLACES OF EMPLOYMENT REQUIREMENT</u>	<u>\$ 30.00</u>

Bail Schedule
November 10, 2016

8.38. 412 <u>120</u>	REGULATING THE SALE OF TOBACCO PRODUCTS REQUIRED POSTINGS OF SIGNS	\$ 50.00
8.38.130A	OWNER/MANAGER FAILURE TO COMPLY WITH SMOKING PROVISIONS REQUESTING AND EXAMINING IDENTIFICATION TO ESTABLISH PURCHASER'S AGE REQUIRED	\$ 50.00
8.38.130B	SMOKING IN AREA WHERE SMOKING PROHIBITED SELLING TOBACCO PRODUCTS NEAR SCHOOLS OR PUBLIC LIBRARIES PROHIBITED	\$ 30 <u>50.00</u>
<u>8.38.150</u>	<u>FAILURE TO COMPLY WITH SMOKING REGULATIONS/SMOKING IN PROHIBITED AREAS</u>	<u>\$ 50.00</u>
<u>8.40.130A</u>	<u>FAILURE TO COMPLY WITH SAFE DRUG AND SHARPS DISPOSAL PROGRAM REQUIREMENT</u>	<u>\$ 50.00</u>
<u>8.40.140H</u>	<u>KNOWING AND WILLFUL FAILURE TO COMPLY WITH SAFE DRUG AND SHARPS DISPOSAL PROGRAM REQUIREMENTS</u>	<u>\$500.00</u>
11. <u>ORDINANCE NO. 174</u>		
<u>9.08.010</u>	<u>UNLAWFUL OPERATION OF TATTOO BUSINESS</u>	<u>\$100.00</u>
12. <u>ORDINANCE NO. 332</u>		
<u>9.28.040</u>	<u>UNLAWFUL SALES ON BEACHES</u>	<u>\$ 50.00</u>
13. <u>ORDINANCE NO. 1005</u>		
<u>9.30.020</u>	<u>VIOLATION OF SURF SCHOOL REGULATIONS</u>	<u>\$ 50.00</u>
9.30.030	OPERATION OF SURF SCHOOL WITHOUT PERMIT VIOLATION OF SURF SCHOOL REGULATIONS:	
	1ST OFFENSE	\$ 50.00
	2ND OFFENSE	\$100.00
	3RD OFFENSE	\$250.00
14. <u>ORDINANCE NO. 865</u>		
<u>9.32.020</u>	<u>CONSUMING INTOXICATING LIQUOR IN PUBLIC PLACE, WAY OR SCHOOL GROUNDS</u>	<u>\$ 50.00</u>
9.32.030	OPEN CONTAINERS PROHIBITED ON STREET, PARK, SCHOOL GROUNDS, BEACH ALCOHOL CONSUMPTION/OPEN CONTAINERS PROHIBITED ON STREET, PARK, SCHOOL GROUNDS, BEACH	\$ 50.00
15. <u>ORDINANCE NO. 785</u>		

Bail Schedule
November 10, 2016

<u>9.40.010</u>	<u>UNAUTHORIZED DISPLAY OF SIGNS ON PUBLIC STREETS, PATHS OR RIGHTS OF WAY PROHIBITED</u>	<u>\$ 50.00</u>
<u>9.44.050</u>	<u>UNLAWFUL DISPLAY OF DRUG PARAPHERNALIA</u>	<u>\$ 50.00</u>
<u>9.44.060</u>	<u>UNLAWFUL DISTRIBUTION OF DRUG PARAPHERNALIA</u>	<u>\$ 50.00</u>
16. <u>ORDINANCE NO. 546</u>		
<u>9.52.010</u>	<u>UNENCLOSED STORAGE IN RESIDENTIAL ZONES PROHIBITED</u>	<u>\$100.00</u>
17. <u>ORDINANCE NO. 989</u>		
9.61.0 40 49	MEDICAL MARIJUANA PROCESSING AND CULTIVATION	\$1,000.00
18. <u>ORDINANCE NO. 204</u>		
<u>10.28.110</u>	<u>FUNERAL ZONE VIOLATION</u>	<u>\$ 50.00</u>
19. <u>ORDINANCE NO. 222</u>		
<u>12.04.020</u>	<u>PERMITS ARE REQUIRED TO CONSTRUCT CURBS, GUTTERS AND SIDEWALKS</u>	<u>\$100.00</u>
20. <u>ORDINANCE NO. 462</u>		
<u>12.08.010</u>	<u>PERMIT TO OPEN, EXCAVATE OR TRENCH IN PUBLIC STREET REQUIRED</u>	<u>\$100.00</u>
21. <u>ORDINANCE NO. 900</u>		
<u>12.40.015</u>	<u>UNLAWFUL USE OF PUBLIC PARKS</u>	<u>\$100.00</u>
22. <u>ORDINANCE NO. 997</u>		
<u>12.54.020</u>	<u>UNLAWFUL USE OF SKATEBOARD PARK</u>	<u>\$ 30.00</u>
23. <u>ORDINANCE NO. 653</u>		
<u>12.60.010</u>	<u>TRESPASS ON PUBLIC TRANSIT FACILITIES</u>	<u>\$100/\$500</u>
24. <u>ORDINANCE NO. 985</u>		
<u>13.16.070</u>	<u>UNLAWFUL DISCHARGE TO STORM DRAIN SYSTEM</u>	<u>\$500.00</u>

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

ATTACHMENTS:

1. Exhibit A (PDF)

Report Prepared By: Susan Sneddon
City Clerk

Bail Schedule
November 10, 2016

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

11/4/2016

Bail Schedule
November 10, 2016

DRAFT RESOLUTION

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA REPEALING
RESOLUTION NO. 4029 AND ADOPTING A NEW BAIL SCHEDULE
FOR THE CITY OF CAPITOLA**

WHEREAS, the City Council of the City of Capitola adopted Resolution No. 4029 amending the City's Bail Schedule on September 24, 2015; and

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

WHEREAS, the City Council has adopted Ordinances which require inclusion of fines and changes to existing fines from its last adoption of the City's Bail Schedule in 2015; and

WHEREAS, staff has conducted a thorough review of the City's Bail Schedule and has determined and recommends City Council approval of the proposed additions, deletions and corrections presented to the City Council at its meeting of November 10, 2016.

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

1. Resolution No. 4029 is hereby repealed in its entirety.
2. The City of Capitola Bail Schedule, attached hereto as Exhibit A, is hereby approved.

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the City Council of the City of Capitola on the 10th day of November, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ed Bottorff, Mayor

ATTEST:

_____, CMC
Susan Sneddon, City Clerk

DRAFT RESOLUTION NO. _____

EXHIBIT A
CITY OF CAPITOLA BAIL SCHEDULE
2016

<u>Code Section</u>	<u>Violation Description</u>	<u>Base Bail</u>
1.40.020	CAMPAIGN CONTRIBUTION LIMITATIONS VIOLATION	\$ 250.00
3.34.040	FAILURE BY MOBILEHOME PARK OWNER TO SUBMIT RESIDENT LIST	\$ 50.00
4.04.010	VIOLATION OR FAILURE TO COMPLY WITH CODE PROVISIONS:	\$ 1,000.00
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD OFFENSE	\$ 500.00
5.06.030	PEDDLING OR SOLICITING WITHOUT A BUSINESS LICENSE IS PROHIBITED	\$ 75.00
5.06.040	PEDDLING, SOLICITING, OR CANVASSING UPON PREMISES WHERE "NO SOLICITORS" ARE INDICATED IS PROHIBITED	\$ 75.00
5.06.050	PEDDLING, SOLICITING, OR CANVASSING OUTSIDE OF DESIGNATED HOURS ARE PROHIBITED	\$ 75.00
5.08.230A	VALID TAXICAB OWNER'S PERMIT REQUIRED	\$ 40.00
5.08.230B	VALID TAXICAB OWNER'S DRIVER'S PERMIT REQUIRED	\$ 40.00
<u>5.12.020</u>	<u>VALID CARDROOM OWNER/DEALER PERMIT REQUIRED</u>	<u>\$ 40.00</u>
<u>5.12.040</u>	<u>USE OF HOUSE PLAYERS PROHIBITED</u>	<u>\$ 40.00</u>
<u>5.12.050</u>	<u>ALCOHOLIC BEVERAGES PROHIBITED</u>	<u>\$ 40.00</u>
<u>5.12.060</u>	<u>LOITERING PROHIBITED</u>	<u>\$ 40.00</u>
<u>5.12.080</u>	<u>VALID CARDROOM LICENSE REQUIRED</u>	<u>\$ 40.00</u>
<u>5.12.140</u>	<u>MINORS IN CARDROOMS PROHIBITED</u>	<u>\$ 40.00</u>
5.14.040	FAILURE TO REGISTER SECURITY ALARM SYSTEM	\$ 100.00
5.14.090	FALSE ALARM FINES:	
	THREE (3) OR FOUR (4) FALSE ALARMS IN ANY CALENDAR YR	\$ 100.00
	FIVE (5) FALSE ALARMS IN ANY CALENDAR YEAR	\$ 150.00
	SIX (6) OR MORE FALSE ALARMS IN ANY CALENDAR YEAR	\$ 200.00
<u>5.16.040</u>	<u>ALLOWING MINOR AT BINGO GAME</u>	<u>\$ 40.00</u>
<u>5.16.150</u>	<u>SERVING ALCOHOL AT BINGO GAME</u>	<u>\$ 40.00</u>
<u>5.16.180</u>	<u>CONDUCTING BINGO GAME WITHOUT PERMIT</u>	<u>\$ 40.00</u>
<u>5.16.280</u>	<u>BINGO PERMIT POSTING REQUIRED</u>	<u>\$ 40.00</u>
<u>5.20.020</u>	<u>OPERATING KENNEL OR PET SHOP WITHOUT PERMIT</u>	<u>\$ 500.00</u>
5.24.020	ENTERTAINMENT PERMIT REQUIRED	\$ 110.00
5.24.090	ENTERTAINMENT PERMITS - VIOLATION OF PERMIT CONDITIONS	\$ 110.00
5.32.030	FIREARMS LICENSE REQUIRED	\$ 500.00
5.40.020	VENDING MACHINE SALES OF TOBACCO PRODUCTS ARE PROHIBITED	\$ 75.00
5.40.030	VENDING MACHINE SALES OF TOBACCO PRODUCTS ARE ALLOWED ONLY IF MACHINES ARE TOKEN OPERATED	\$ 250.00
5.40.040	VENDOR-ASSISTED SALE OF TOBACCO PRODUCTS IS REQUIRED	\$ 250.00
6.08.020	INTERFERENCE WITH POUNDMASTER	\$ 100.00
6.08.120	FAILURE OR REFUSAL TO STATE TRUE NAME/EVIDENCE OF RABIES VACCINATION/LICENSE	\$ 50.00
6.12.030	VICIOUS/DANGEROUS ANIMALS	\$ 50.00
6.14.010	DOG LICENSE REQUIRED	\$ 30.00
6.14.020	DISPLAY DOG LICENSE REQUIRED	\$ 25.00
6.14.040	VACCINATION REQUIRED	\$ 40.00

Attachment: Exhibit A (1614 : Bail Schedule)

DRAFT RESOLUTION NO. _____

6.14.130	NUMBER OF FEMALE DOG KEPT IN ONE PLACE	\$ 20.00
6.14.200	DOGS IN PUBLIC PLACES - PROHIBITED LOCATIONS	\$ 40.00
6.14.215	FAILURE OF OWNER TO PICK UP AFTER DOG DEFECATING	\$ 25.00
6.14.380	ANIMALS DOGS DEFECATING IN PUBLIC PROHIBITED	\$ 30.00
6.14.310	DOGS AT LARGE PROHIBITED	\$ 35.00
6.14.320	LEASH REQUIRED FOR DOGS OFF PREMISES	\$ 30.00
6.14.330	SAFETY OF ANIMALS IN MOTOR VEHICLES REQUIRED	\$ 60.00
6.14.340	SAFETY OF ANIMALS IN PARKED VEHICLES REQUIRED	\$ 60.00
6.14.380	ANIMALS DEFECATING ON PUBLIC/PRIVATE PROPERTY PROHIBITED	\$ 30.00
6.14.390	ANIMAL NOISE NUISANCE	\$ 30.00
6.14.400	DOGS THREATENING OR INJURING PERSONS PROHIBITED	\$ 100.00
6.14.410	DOMESTICATED ANIMAL KILLING OR INJURING OTHER DOMESTICATED ANIMALS	\$ 100.00
6.14.420	PROHIBITION OF LIVESTOCK OR WILD ANIMALS TO BE AT LARGE	\$ 30.00
6.14.430	PROHIBITION AGAINST DOGS THREATENING OR INJURING WILD GAME OR LIVESTOCK	\$ 100.00
6.14.440	DOGS THREATENING OR INJURING PERSONS PROHIBITED	\$ 100.00
6.14.445	POSSESSION OF WILD ANIMAL SPECIES PROHIBITED	\$ 110.00
6.14.455	USE OF STEEL-JAWED LEG-HOLD TRAPS PROHIBITED	\$ 110.00
6.14.590	DUTY TO REPORT ANIMAL BITES REQUIRED	\$ 50.00
6.16.030	MANDATORY SPAYING/NEUTERING	\$ 110.00
6.16.040	CARE OF FERAL CATS PROHIBITED WITHOUT SIGNED STATEMENT	\$ 50.00
6.18.060	PERMIT FOR WILD ANIMALS REQUIRED	\$ 110.00
6.18.070	KEEPING DISEASED ANIMALS PROHIBITED	\$ 50.00
6.18.100	PLACEMENT OF DEAD ANIMALS IN PUBLIC PLACES PROHIBITED	\$ 20.00
6.18.120	WILLFUL INJURY TO WILDLIFE PROHIBITED	\$ 30.00
6.20.020	FEEDING WATERFOWL/PIGEONS IN RESTRICTED AREA PROHIBITED	\$ 60.00
6.20.030	SELLING WATERFOWL/PIGEONS PROHIBITED	\$ 60.00
6.20.040	RELEASING WATERFOWL/PIGEONS IN RESTRICTED AREA PROHIBITED	\$ 30.00
6.24.010	FEEDING WILD RODENTS AND VERMIN PROHIBITED	\$ 30.00
8.04.020	ACCUMULATION OF REFUSE - PUBLIC/PRIVATE PROPERTY	\$ 30.00
<u>8.04.030</u>	<u>ACCUMULATION OF GARBAGE – CONTAINER OR RECEPTACLE</u>	<u>\$ 30.00</u>
8.04.040	ACCUMULATION OF COMMERCIAL GARBAGE	\$ 100.00
8.04.050	PLACE, DEPOSIT, KEEP, BURY ANY GARBAGE ON, IN, OR UNDER ANY PREMISES	\$ 100.00
8.04.060	ACCUMULATION OF GARBAGE IN PUBLIC	\$ 50.00
<u>8.04.068</u>	<u>MANDATORY GARBAGE SERVICE</u>	<u>\$ 50.00</u>
8.04.070	GARBAGE CONTAINERS OUT OF PUBLIC VIEW ON NON-COLLECTION DAYS	\$ 50.00
8.04.068	MANDATORY GARBAGE SERVICE	\$ 50.00
8.04.080	HAULING OF TRASH BY ANY PERSON, FIRM, OR CORPORATION BESIDES THOSE DESIGNATED BY THE CITY TO BE EXCEPTIONS IS PROHIBITED.	\$ 250.00
<u>8.04.100</u>	<u>COLLECTION—INTERFERENCE PROHIBITED</u>	<u>\$ 250.00</u>
8.04.120	UNAUTHORIZED USE OF DUMPSTER	\$ 100.00
<u>8.04.110</u>	<u>BURNING PROHIBITED</u>	<u>\$ 100.00</u>
8.06.035	RECYCLING REQUIRED	\$ 50.00
8.06.050	RECYCLABLE WASTE MATERIAL - UNAUTHORIZED COLLECTION	\$ 50.00

DRAFT RESOLUTION NO. _____

8.07.070	REDUCTION OF SINGLE-USE PLASTIC AND PAPER CARRYOUT BAGS	
	1ST OFFENSE (30 days or more after first warning)	\$ 100.00
	2ND OFFENSE (60 days or more after first warning)	\$ 200.00
	3RD OFFENSE (90 days or more after first warning)	\$ 500.00
<u>8.08.100A</u>	<u>WILLFULLY OBSTRUCTING, HINDERING OR DELAYING EMERGENCY RESPONSE DURING DECLARED EMERGENCY</u>	<u>\$ 500.00</u>
<u>8.08.100B</u>	<u>VIOLATING ANY RULE OR REGULATION DURING DECLARED EMERGENCY OR DISASTER</u>	<u>\$ 500.00</u>
<u>8.08.100C</u>	<u>UNAUTHORIZED WEARING OR DISPLAYING OF EMERGENCY IDENTIFICATION DURING DECLARED EMERGENCY OR DISASTER</u>	<u>\$ 500.00</u>
<u>8.12.010</u>	<u>FOOD ESTABLISHMENTS—PERMIT REQUIRED</u>	<u>\$ 100.00</u>
<u>8.12.070</u>	<u>FOOD HANDLER—PERMIT REQUIRED</u>	<u>\$ 100.00</u>
<u>8.14.010</u>	<u>UNIT PRICING OF COMMODITIES REQUIRED</u>	<u>\$ 100.00</u>
8.20.010	POWER BOATS PROHIBITED ON SOQUEL CREEK	\$ 100.00
8.24.030 <u>290</u>	<u>WATER WELL PERMIT REQUIRED VIOLATION</u>	\$ 100.00
8.36.030	PROHIBITED FOOD SERVICE WARE:	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD/FUTURE OFFENSE	\$ 300.00
8.36.035	PROHIBITED RETAIL SALES OF POLYSTYRENE FOAM PRODUCTS:	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD/FUTURE OFFENSE	\$ 300.00
8.36.040	REQUIRED BIODEGRADABLE AND COMPOSTABLE DISPOSABLE FOOD SERVICE WARE:	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD/FUTURE OFFENSE	\$ 300.00
8.38.050	PROHIBITION OF SMOKING IN INDOOR PUBLIC PLACES	\$ 30.00
8.38.060 <u>55</u>	PROHIBITION OF SMOKING IN OUTDOOR PUBLIC PLACES	\$ 30.00
<u>8.38.070</u>	<u>PROHIBITING OF SMOKING IN CERTAIN PLACES</u>	<u>\$ 30.00</u>
<u>8.38.090</u>	<u>SMOKING POLICY IN PLACES OF EMPLOYMENT REQUIREMENT</u>	<u>\$ 30.00</u>
8.38.14 <u>20</u>	<u>BUSINESSES' POSTINGS OF SIGNS THAT SELL TOBACCO PRODUCTS REQUIRED</u>	\$ 50.00
8.38.112	REGULATING THE SALE OF TOBACCO PRODUCTS REQUIRED	\$ 50.00
8.38.120	BUYING TOBACCO OR E-CIGARETTES FOR ANYONE UNDER 18	\$ 200.00
8.38.130A	<u>REQUESTING AND EXAMINING IDENTIFICATION TO ESTABLISH PURCHASER'S AGE REQUIRED</u> <u>OWNER/MANAGER FAILURE TO COMPLY WITH SMOKING PROVISIONS</u>	\$ 50.00
8.38.130B	<u>SELLING TOBACCO PRODUCTS NEAR SCHOOLS OR PUBLIC LIBRARIES PROHIBITED</u> <u>SMOKING IN AREA WHERE SMOKING PROHIBITED</u>	\$ <u>530.00</u>
<u>8.38.150</u>	<u>FAILURE TO COMPLY WITH SMOKING REGULATIONS/SMOKING IN PROHIBITED AREAS</u>	<u>\$ 50.00</u>
<u>8.40.130A</u>	<u>FAILURE TO COMPLY WITH SAFE DRUG AND SHARPS DISPOSAL PROGRAM REQUIREMENTS</u>	<u>\$ 50.00</u>
<u>8.40.140H</u>	<u>KNOWING AND WILLFUL FAILURE TO COMPLY WITH SAFE DRUG AND SHARPS DISPOSAL PROGRAM REQUIREMENTS</u>	<u>\$ 500.00</u>
8.46.030	BOAT MOORING	\$ 60.00
8.60.020	GRAFFITI PROHIBITED	\$ 500.00

DRAFT RESOLUTION NO. _____

8.60.050	DISPLAYING AEROSOL SPRAY PAINT CONTAINERS AND MARKER PENS IN ANY AREA ACCESSIBLE TO THE PUBLIC WITHOUT EMPLOYEE ASSISTANCE IS PROHIBITED.	\$ 250.00
8.64.060	ANY VIOLATION OF ORDERS OR DIRECTIVES FOR WATER SPORTS AND EQUIPMENT IS PROHIBITED.	\$ 100.00
8.68.010	ANY TRANSFERRING OF OWNERSHIP OF A FIREARM WITHOUT AN EFFECTIVE TRIGGER LOCK AND PRINTED MATERIAL ADVISING SAFE STORAGE PRACTICES IS PROHIBITED	\$ 250.00
9.04.030	PUBLIC NUDITY	\$ 75.00
<u>9.08.010</u>	<u>UNLAWFUL OPERATION OF TATTOO BUSINESS</u>	<u>\$ 100.00</u>
9.10.010	REMAINING ON BUSINESS PROPERTY AFTER REQUESTED TO LEAVE	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 250.00
9.12.010	NOISE PROHIBITED, 10PM TO 8AM	\$ 110.00
9.12.015A	MECHANICAL SWEEPERS, PARKING LOT VACUUM MACHINES, AND LEAF BLOWERS ON NON-RESIDENTIAL PRIVATE PROPERTY PROHIBITED BETWEEN 11 PM TO 7 AM	\$ 50.00
9.12.015B	MECHANICAL SWEEPERS, PARKING LOT VACUUM MACHINES, AND LEAF BLOWERS ON RESIDENTIAL PRIVATE PROPERTY PROHIBITED WEEKDAYS BETWEEN 5 PM AND 8 AM AND WEEKENDS BETWEEN 4 PM AND 10 AM	\$ 50.00
9.12.015C	LEAF BLOWERS IN EXCESS OF 65 dBA PROHIBITED	\$ 50.00
9.12.015D	UNLAWFUL TO CAUSE LEAVES OR DEBRIS FROM LEAF BLOWER OPERATIONS TO BE BLOWN OR DEPOSITED ON OTHER PROPERTY	\$ 50.00
9.12.040	AMPLIFIED SOUND WITHOUT A PERMIT	\$ 100.00
-9.12.070	SOUND AMPLIFICATION PERMITS - VIOLATION OF PERMIT CONDITIONS	\$ 100.00
-9.20.010	DISCHARGING FIREARMS	\$ 250.00
-9.20.015	POSSESSION OF FIREARMS ON CITY PROPERTY OR PUBLIC PROPERTY IN THE VICINITY OF A SCHOOL PROHIBITED	\$ 500.00
-9.22.050	ANY DISPLAY OR TRANSFER OF OWNERSHIP OF A FIREARM ON THE SATURDAY NIGHT SPECIALS LIST IS PROHIBITED	\$ 250.00
-9.24.010	UNLAWFUL SALE OF FIREWORKS	\$ 500.00
-9.24.020	UNLAWFUL DISCHARGE OF FIREWORKS	\$ 500.00
-9.28.010	NO VEHICLES ON BEACH	\$ 100.00
-9.28.020	ILLEGAL CAMPING ON BEACHES	\$ 50.00
-9.28.030	NO OPEN FIRES ON BEACHES	\$ 50.00
<u>9.28.040</u>	<u>UNLAWFUL SALES ON BEACHES</u>	<u>\$ 50.00</u>
<u>9.30.020</u>	<u>VIOLATION OF SURF SCHOOL REGULATIONS</u>	<u>\$ 50.00</u>
-9.30.030	<u>VIOLATION OF SURF SCHOOL REGULATIONS</u> OPERATION OF SURF SCHOOL WITHOUT PERMIT:	
	1ST OFFENSE	\$ 50.00
	2ND OFFENSE	\$ 100.00
	3RD OFFENSE	\$ 250.00
<u>9.32.020</u>	<u>CONSUMING INTOXICATING LIQUOR IN PUBLIC PLACE, WAY OR SCHOOL GROUNDS</u>	<u>\$ 50.00</u>
-9.32.030	<u>ALCOHOL CONSUMPTION</u> /OPEN CONTAINERS PROHIBITED ON STREET, PARK, SCHOOL GROUNDS, BEACH	\$ 50.00
-9.34.010	PUBLIC URINATION / DEFECATION PROHIBITED	\$ 50.00
<u>9.40.010</u>	<u>UNAUTHORIZED DISPLAY OF SIGNS ON PUBLIC STREETS, PATHS OR RIGHTS OF WAY PROHIBITED</u>	<u>\$ 50.00</u>

DRAFT RESOLUTION NO. _____

<u>9.44.050</u>	<u>UNLAWFUL DISPLAY OF DRUG PARAPHERNALIA</u>	<u>\$ 50.00</u>
<u>9.44.060</u>	<u>UNLAWFUL DISTRIBUTION OF DRUG PARAPHERNALIA</u>	<u>\$ 50.00</u>
-9.48.020	CAMPING PROHIBITED	\$ 50.00
<u>9.52.010</u>	<u>UNENCLOSED STORAGE IN RESIDENTIAL ZONES PROHIBITED</u>	<u>\$ 100.00</u>
9.61.04 <u>040</u>	MEDICAL MARIJUANA PROCESSING AND CULTIVATION	\$ 1,000.00
10.04.030	PERSONS OTHER THAN OFFICIALS NOT TO DIRECT TRAFFIC	\$ 50.00
10.04.040	OBEDIENCE TO POLICE OR OTHER AUTHORIZED OFFICERS	\$ 100.00
10.04.070	BICYCLES PROHIBITED ON SIDEWALKS	\$ 30.00
10.04.080	OPERATION OF DEVICES ON SIDEWALKS	\$ 30.00
10.04.100	OBSTRUCTION OR INTERFERENCE/ERASED CHALK MARKS	\$ 70.00
10.28.010	DRIVING THROUGH FUNERAL PROCESSION	\$ 50.00
10.28.020	CLINGING TO MOVING VEHICLES	\$ 50.00
10.28.030	COMMERCIAL VEHICLES USING PRIVATE DRIVEWAYS	\$ 50.00
10.28.040	RIDING OR DRIVING ON SIDEWALK	\$ 50.00
10.28.050	NEW PAVEMENT MARKINGS	\$ 30.00
10.28.060	LIMITED ACCESS	\$ 30.00
10.28.070	RESTRICTIONS ON USE OF FREEWAYS	\$ 30.00
10.28.080	OBEDIENCE TO BARRIERS AND SIGNS	\$ 50.00
10.28.090	OBSTRUCTING INTERSECTION OR CROSSWALK	\$ 50.00
10.28.100	TRAFFIC BARRIERS	\$ 50.00
<u>10.28.110</u>	<u>FUNERAL ZONE VIOLATION</u>	<u>\$ 50.00</u>
10.32.020	PEDESTRIANS MUST USE CROSSWALKS BUSINESS DISTRICT	\$ 30.00
10.32.030C	REMAINING ON MEDIANS PROHIBITED	\$ 20.00
10.32.030D	ENTERING A ROUNDABOUT IS PROHIBITED	\$ 20.00
10.32.030E	SUBSEQUENT OFFENSE WITHIN 6 MONTHS	\$ 100.00
10.36.010	PARKING PERMIT REQUIRED	\$ 48.00
10.36.020	STOPPING OR STANDING IN PARKWAYS	\$ 23.00
10.36.040	NO PARKING AREAS AS POSTED	\$ 41.00
10.36.045	EXPIRED METER ZONE	\$ 36.00
10.36.060	CITY HALL PARKING LOT USE: ONE-HOUR AND PERMIT PARKING	\$ 23.00
10.36.065	PARKING METER TAMPERING PROHIBITED	\$ 100.00
10.36.070	STORAGE OF VEHICLE ON STREET +72 HOURS:	
	1ST OFFENSE	\$ 73.00
	2ND OFFENSE	\$ 98.00
	3RD OFFENSE	\$ 128.00
10.36.070A	PARKING A VEHICLE ON A STREET OR ALLEY FOR MORE THAN 72 CONSECUTIVE HOURS IS PROHIBITED	\$ 65.00
10.36.070B	STORAGE OF COMMERCIAL VEHICLE ON PUBLIC STREET	
10.36.070B	1ST OFFENSE	\$ 50.00
10.36.070B	2ND OFFENSE	\$ 100.00
10.36.090	REPAIRING VEHICLE ON PUBLIC STREET	\$ 50.00
10.36.110	PARKING ADJACENT TO SCHOOLS	\$ 23.00
10.36.120	PARKING ON NARROW STREET: ON OR BETWEEN WHITE LINES	\$ 38.00
10.36.130	PARKING ON GRADES: WHEELS NOT CURBED	\$ 38.00
10.36.140	PEDDLER AND VENDOR PARKING	\$ 23.00
10.36.140B	VENDOR LICENSE REQUIRED	\$ 50.00
10.36.150	EMERGENCY PARKING SIGNS	\$ 30.00
10.36.160	DISABLED COMMERCIAL VEHICLES: WARNING SIGNALS	\$ 20.00
10.36.170A	RED ZONE	\$ 43.00
10.36.170B	YELLOW ZONE	\$ 41.00
10.36.170C	PASSENGER ZONE WHITE CURB	\$ 41.00

Attachment: Exhibit A (1614 : Bail Schedule)

DRAFT RESOLUTION NO. _____

10.36.170D	GREEN CURB - 24 MINUTES	\$ 41.00
10.36.180	PARKING OF TALL VEHICLES WITHIN 100 FT OF AN INTERSECTION:	
10.36.180	1ST OFFENSE	\$ 50.00
10.36.180	2ND OFFENSE	\$ 100.00
10.36.195	NO PARKING WEEKENDS AND HOLIDAYS WITHOUT PERMIT	\$ 48.00
10.36.210	PARALLEL PARKING 18 INCHES FROM CURB: ONE-WAY STREETS	\$ 38.00
10.36.220	DIAGONAL PARKING	\$ 31.00
10.36.230	PARKED OUT OF SPACE	\$ 31.00
10.36.240	NO STOPPING ZONES	\$ 23.00
10.36.250	TAXICAB STANDS	\$ 23.00
10.36.270	HEAVY VEHICLES - USE OF STREETS	\$ 30.00
10.36.280	HEAVY VEHICLES - PARKING	\$ 53.00
10.36.290	PARKING RESTRICTIONS AUTHORIZED: TWO-HOUR PARKING	\$ 39.00
10.36.360	STOPPING OR STANDING OR PARKING IN ALLEYS	\$ 38.00
10.36.380	PARKING RESTRICTIONS CITY-CONTROLLED OFF-STREET PARKING	\$ 30.00
10.44.010	BICYCLE LICENSE REQUIRED	\$ 25.00
10.44.040	BICYCLE SECONDHAND DEALER REPORT REQUIRED	\$ 100.00
10.44.050	BICYCLE SALE REPORT REQUIRED	\$ 100.00
10.44.060	BICYCLE LICENSE PLATE OR SERIAL NUMBER DESTRUCTION	\$ 100.00
10.48.010	TRUCK ROUTES	\$ 50.00
10.48.020	ADVERTISING VEHICLES WITH SOUND AMPLIFYING LOUDSPEAKER	\$ 50.00
10.48.040	COMMERCIAL VEHICLES PROHIBITED FROM STREETS	\$ 50.00
10.56.010	MAXIMUM VEHICLE LENGTH	\$ 73.00
<u>12.04.020</u>	<u>PERMITS ARE REQUIRED TO CONSTRUCT CURBS, GUTTERS AND SIDEWALKS</u>	<u>\$ 100.00</u>
<u>12.08.010</u>	<u>PERMIT TO OPEN, EXCAVATE OR TRENCH IN PUBLIC STREET REQUIRED</u>	<u>\$ 100.00</u>
12.12.110	PERMITS ARE REQUIRED FOR ANY WORK DONE TO A HERITAGE TREE, DISREGARDING MAINTENANCE TRIMMING	\$250 / \$1,000
12.12.120	ANY DESTRUCTION VISITED UPON ANY PUBLIC TREE, OR DESTRUCTION TO A PRIVATE TREE THAT COULD SUBSEQUENTLY HARM A PUBLIC TREE WITHOUT FIRST OBTAINING A PERMIT IS PROHIBITED	\$250 / \$1,000
12.12.130	FAILURE TO PROTECT OR MAINTAIN TREES ON CONSTRUCTION/DEMOLITION SITES IS A VIOLATION	\$250 / \$1,000
12.12.160	CUTTING OR REMOVAL OF TREES IN THE CITY WITHOUT A TREE REMOVAL PERMIT IS PROHIBITED	\$250 / \$1,000
12.12.270	VIOLATION OF COMMUNITY TREE / FOREST MANAGEMENT ORDINANCE	TREE REPLACE- MENT VALUE
<u>12.40.015</u>	<u>UNLAWFUL USE OF PUBLIC PARKS</u>	<u>\$ 100.00</u>
12.42.010	DEPOT HILL BLUFF - PROHIBITION AGAINST GRADING, DISTURBING, ERECTING ANY STRUCTURE, MINING OR EXTRACTING MATERIALS:	
	1ST OFFENSE IN A 12-MONTH PERIOD	\$ 100.00
	2ND OFFENSE IN A 12-MONTH PERIOD	\$ 250.00
	3RD OFFENSE IN A 12-MONTH PERIOD	\$ 500.00
12.44.010	PROHIBITION LIMITING BOATS ON CAPITOLA BEACH DURING WORKING HOURS	\$ 50.00

DRAFT RESOLUTION NO. _____

12.48.010	DOGS PROHIBITED ON WHARF	\$ 50.00
12.48.020	DIVING AND JUMPING FROM WHARF PROHIBITED	\$ 50.00
12.48.030	TYING BOATS TO WHARF PROHIBITED	\$ 50.00
12.48.040	OVERHEAD CASTING FROM WHARF PROHIBITED	\$ 30.00
12.48.050	UNAUTHORIZED VEHICLES PROHIBITED ON WHARF	\$ 108.00
12.48.060	BURNING ON WHARF PROHIBITED	\$ 50.00
12.48.070	TRESPASSING ON WHARF WHILE CLOSED PROHIBITED	\$ 50.00
12.48.090	JET SKIING, CAPITOLA BEACH	\$ 50.00
12.48.110	POWER BOAT, CAPITOLA BEACH	\$ 50.00
12.48.120	30 MINUTE FLOATING DOCK LIMIT	\$ 30.00
12.48.130	PRIVATE VOLLEYBALL NETS ON BEACH PROHIBITED DURING THE SUMMER PERIOD	\$ 30.00
12.48.140	GLASS CONTAINERS AND ALCOHOLIC BEVERAGE CONTAINERS LARGER THAN ONE GALLON PROHIBITED ON PUBLIC BEACH	\$ 30.00
12.52.010	SKATEBOARDING IS PROHIBITED IN (NEARLY ALL OF) ESPLANADE /CAPITOLA VILLAGE AREA	\$ 30.00
12.52.010A	SKATEBOARDING PROHIBITED ON SIDEWALKS OR CURBS	\$ 30.00
12.52.010B	SKATEBOARDING PROHIBITED - ESPLANADE PARK/RESTROOMS	\$ 30.00
12.52.010C	SKATEBOARDING PROHIBITED - PACIFIC COVE MOBILEHOME PARK AND PACIFIC COVE PARKING LOT	\$ 30.00
12.52.010D	SKATEBOARDING PROHIBITED - SIDEWALKS OF CERTAIN STREETS LOCATED IN CAPITOLA VILLAGE	\$ 30.00
12.52.010E	SKATEBOARDING PROHIBITED - SIDEWALKS OF CERTAIN STREETS LOCATED IN CAPITOLA VILLAGE	\$ 30.00
12.52.020	SKATEBOARDING PROHIBITED IN ANY AREAS NOT INCLUDED IN SECTION 12.52.010 IF ONE OR MORE SIGNS IS POSTED PROHIBITING SKATEBOARDING	\$ 30.00
12.52.030A	SKATEBOARDING - STOP AT ALL STOP SIGNS/RED LIGHTS	\$ 30.00
12.52.030B	SKATEBOARDING - YIELD TO VEHICLES AT YIELD SIGNS	\$ 30.00
12.52.030C	SKATEBOARDING - YIELD TO PEDESTRIANS AT CROSSWALKS	\$ 30.00
12.52.030D	SKATEBOARDING - DO NOT IMPEDE TRAFFIC OR INTERFERE WITH THE FLOW OF VEHICULAR TRAFFIC	\$ 30.00
12.52.030E	SKATEBOARDING - YIELD TO APPROACHING VEHICLES WHEN ENTERING ANY ROADWAY	\$ 30.00
12.52.030F	SKATEBOARDING - DO NOT BE TOWED BY A MOTOR VEHICLE OF ANY SPEED OR A BICYCLE AT ANY UNSAFE SPEED	\$ 50.00
12.52.030G	SKATEBOARDING - YIELD BICYCLE LANES TO BICYCLES	\$ 30.00
12.52.030H	SKATEBOARDING - DO NOT TRAVEL INTO PATH OF A CLOSE VEHICLE CONSTITUTING AN IMMEDIATE HAZARD	\$ 30.00
12.52.030I	SKATEBOARDING WITH DUE CARE AT A SAFE SPEED VIOLATION	\$ 50.00
12.52.040	WHEN SKATEBOARDING ON SIDEWALKS THAT ARE NOT PROHIBITED, SKATEBOARDERS MUST YIELD TO ALL PEDESTRIANS AND PROCEED WITH CARE WHEN NEAR PEDESTRIANS	\$ 30.00
<u>12.54.020</u>	<u>UNLAWFUL USE OF SKATEBOARD PARK</u>	<u>\$ 30.00</u>
12.56.010	ENCROACHMENT WITHOUT PERMIT	\$ 100.00
12.56.090	INSTALLING PRIVATE IMPROVEMENTS OR OBSTRUCTIONS IN ANY PUBLIC RIGHT-OF-WAY IS PROHIBITED, BARRING THE SPECIFIED EXCEPTIONS	\$ 100.00
12.58.030	ENTERING OR REMAINING ON POSTED PROPERTY WITHOUT WRITTEN PERMISSION OF CITY MANAGER	
	1ST OFFENSE IN A 12-MONTH PERIOD	\$ 100.00

DRAFT RESOLUTION NO. _____

	2ND OFFENSE IN A 12-MONTH PERIOD	\$ 200.00
	3RD OFFENSE IN A 12-MONTH PERIOD	\$ 500.00
<u>12.60.010</u>	<u>TRESPASS ON PUBLIC TRANSIT FACILITIES</u>	<u>\$100/\$500</u>
12.64.020	DISPLAY OR SALE OF MERCHANDISE PROHIBITED	\$ 50.00
13.02.090	FAILURE TO COMPLY WITH PLUMBING FIXTURE RETROFIT REQUIREMENTS IS PROHIBITED	\$ 100.00
13.04.050	PUBLIC SEWAGE CONNECTION REQUIRED FOR BUILDINGS INTENDED FOR HUMAN HABITATION	\$ 500.00
<u>13.16.070</u>	<u>UNLAWFUL DISCHARGE TO STORM DRAIN SYSTEM</u>	<u>\$ 500.00</u>
13.16.180	VIOLATION OR FAILURE TO COMPLY WITH STORM WATER POLLUTION PREVENTION AND PROTECTION ORDINANCE MAY BE SUBJECT TO ENFORCEMENT ACTIONS OUTLINED IN TITLE 4	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD OFFENSE	\$ 500.00
15.04.020	BUILDING CODE VIOLATIONS	\$ 100.00
15.12.010	ILLEGAL USE OF MOBILEHOME	\$ 50.00
15.14.010	TRANSPORTING A MOBILEHOME ACROSS PUBLIC STREETS/ALLEYS WITHOUT A PERMIT IS PROHIBITED	\$ 250.00
15.14.020	APPLICATION TO TRANSPORT A MOBILEHOME, FILED 3 DAYS PRIOR TO ANTICIPATED TRANSPORTATION IS REQUIRED	\$ 250.00
15.14.030	MOBILEHOME: A FIFTY DOLLAR PERMIT FEE IS REQUIRED	\$ 250.00
15.14.040	ALLOWING A MOBILEHOME TO STAND ON A PUBLIC STREET/ALLEY FOR MORE THAN 12 HOURS IS PROHIBITED	\$ 250.00
17.54.070	ERECTING FENCE WITHOUT A PERMIT	\$ 100.00
17.57.020	PERMIT REQUIRED FOR SIGN	\$ 100.00
17.57.040	SIGN PROHIBITED VIOLATION	\$ 100.00
17.57.050	TEMPORARY SIGN VIOLATION	\$ 100.00
17.57.060	CENTRAL VILLAGE SIGN VIOLATION	\$ 100.00
17.57.070	PERMANENT SIGN VIOLATION	\$ 100.00
17.60.020	FAILURE TO OBTAIN CONDITIONAL USE PERMIT	\$ 100.00
17.81.060	ANIMAL OFFENSIVE OR ENDANGER TO NEIGHBORS	\$ 100.00
17.81.060B	NUMBER OF ANIMALS ALLOWED IN SINGLE-FAMILY DWELLING	\$ 100.00
17.81.110	ACCESSORY STRUCTURE WITHOUT A PERMIT	\$ 100.00
17.81.140	DISH ANTENNAE PROHIBITED	\$ 80.00
17.98.080	WIRELESS COMMUNICATION FACILITIES ARE PROHIBITED WITHIN 500 FEET OF SPECIFIED ZONING DISTRICTS (FAMILY RESIDENCE, SCHOOLS, PARKS AND OPEN SPACE, PUBLIC FACILITIES, ETC.) AND WITHIN 3,000 FEET OF COASTLINE	\$ 250.00

Attachment: Exhibit A (1614 : Bail Schedule)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF NOVEMBER 10, 2016

FROM: Building Department

SUBJECT: Consider a Contract with SZS Consulting Inc. for the Review and Update of the Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan

RECOMMENDED ACTION: Award a contract to SZS Consulting Inc. for the review and update of the City of Capitola ADA Self-Evaluation and Transition Plan in the amount of \$74,955.

BACKGROUND: On May 23, 2016, the City of Capitola issued a request for proposals (RFP) for the review and update of the City's Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan (Plan). The City's original Plan was adopted on March 24, 1994, and has yet to be updated or revised. In accordance with California Code of Regulations Title II and the Department of Justice ADA regulations, the City is required to update the Plan to reflect current conditions and any state and federal regulatory changes which have occurred since the Plan's original adoption.

DISCUSSION: The City received four responses to the RFP. All four firms were interviewed on August 29, 2016, by a panel consisting of Public Works Director Steve Jesberg, Assistant to the City Manager Larry Laurent, Parking Enforcement Officer Ben Irao, and Building Official Brian Van Son. The unanimous recommendation of this panel is to award the contract to SZS Consultant Group LLC. SZS Consulting has completed ADA Self-Evaluation and Transition Plan updates for the City of Rocklin, City of Palo Alto, and Sacramento State University, and had excellent recommendations from these agencies. Of the four proposals received, SZS Consulting provided the lowest bid at \$74,955 and a scope of services which will best meets the City's needs. The other three proposals ranged in cost from \$91,400 to \$170,000.

Staff recommends the contract with SZS be issued in phases to accommodate the work flow, budget, and project decisions that will be required to be made as the project progresses. The first phase will consist of public outreach; assessments of all City buildings, parking facilities, parks, and recreational areas; identification of accessible compliance standards for the City's public right-of-ways (PROW); staff training; and a review and update of the City's ADA Self-Evaluation and Transition Plan. The scope of services and a fee breakdown have been included as Attachment 1.

The initial contract will be priced at \$74,955.00 and has a timeframe of eight months. Work will commence within four weeks of the contract being finalized. The following phase (Phase II) will consist of additional public outreach, a complete assessment and evaluation of all the City's PROW's; additional staff training; and the final revision and update of the City's Plan. Ultimately staff anticipates the SZS contract to be a two-year, two-phase project. Changes or alterations to

Americans with Disabilities Act Contract
November 10, 2016

this contract will be brought to the City Council for approval. With approval of this contract, SZS Consulting is prepared to attend the November 10th Council meeting.

FISCAL IMPACT: The initial phase work will be funded from \$75,000 allocated in this year's Capital Improvement Program Fund. Staff anticipates Phase II work funding availability will be allocated in the following fiscal year's CIP.

ATTACHMENTS:

1. Fee Proposal Phase 1
2. Scope of Work

Report Prepared By: Brian VanSon
Building Official

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

11/4/2016

6. REVISED MONETARY BID PHASE 1

CAPITOLA CITY ADA SELF-EVALUATION AND TRANSITION PLAN

HOURLY RATES

Project Management	\$200
GIS Mapping and Analysis	\$160
Field Investigator Data Collection	\$140
Technical Assistant	\$110

Fees indicated below shall be considered not to exceed amounts.

SCOPE	LABOR CATAGORIES	ESTIMATED HOURS	HOURLY RATE	EXTENDED RATE
TASK 1 - FEASIBILITY STUDY - PEDESTRIAN FACILITY	Project Manager	24	\$ 200.00	\$ 4,800.00
	Field Investigators	0	\$ 140.00	\$ -
	Technical Staff	11	\$ 110.00	\$ 1,210.00
TOTAL NOT TO EXCEED AMOUNT				\$ 6,010.00
TASK 2 - PRE-ASSESSMENT PUBLIC OUTREACH	Project Manager	18	\$ 200.00	\$ 3,600.00
	Field Investigators	11	\$ 140.00	\$ 1,540.00
	Technical Staff	26	\$ 110.00	\$ 2,860.00
TOTAL NOT TO EXCEED AMOUNT				\$ 8,000.00
TASK 3 - SELF-EVALUATION	Project Manager	23	\$ 200.00	\$ 4,600.00
	Technical Staff	39	\$ 110.00	\$ 4,290.00
TOTAL NOT TO EXCEED AMOUNT				\$ 8,890.00
TASK 4A - BUILDING ASSESSMENTS	Project Manager	7	\$ 200.00	\$ 1,400.00
	Field Investigators	60	\$ 140.00	\$ 8,400.00
	Technical Staff	32	\$ 110.00	\$ 3,520.00
TOTAL NOT TO EXCEED AMOUNT				\$ 13,320.00
TASK 4B - PARKS & RECREATION ASSESSMENTS	Project Manager	10	\$ 200.00	\$ 2,000.00
	Field Investigators	65	\$ 140.00	\$ 9,100.00
	GIS Analyst	10.5	\$ 160.00	\$ 1,680.00
	Technical Staff	27	\$ 110.00	\$ 2,970.00
TOTAL NOT TO EXCEED AMOUNT				\$ 15,750.00
TASK 4C - PARKING FACILITY ASSESSMENTS	Project Manager	3	\$ 200.00	\$ 600.00
	Field Investigators	11	\$ 140.00	\$ 1,540.00
	GIS Analyst	3	\$ 160.00	\$ 480.00
	Technical Staff	5.5	\$ 110.00	\$ 605.00
TOTAL NOT TO EXCEED AMOUNT				\$ 3,225.00
TASK 5 - STAFF TRAINING	Project Manager	24	\$ 200.00	\$ 4,800.00
	Field Investigators	5	\$ 140.00	\$ 700.00
	Technical Staff	10	\$ 110.00	\$ 1,100.00
TOTAL NOT TO EXCEED TASK 4				\$ 6,600.00
TASK 6 - ADA TRANSITION PLAN	Project Manager	16	\$ 200.00	\$ 3,200.00
	Field Investigators	40	\$ 140.00	\$ 5,600.00
	GIS Analyst	8	\$ 160.00	\$ 1,280.00
	Technical Staff	28	\$ 110.00	\$ 3,080.00
TOTAL NOT TO EXCEED AMOUNT				\$ 13,160.00
GRAND TOTAL				\$ 74,955.00

Attachment: Fee Proposal Phase 1 (1625 : Americans with Disabilities Act Contract)



1. SCOPE OF SERVICES – PHASE 1

A. FEASIBILITY STUDY – PEDESTRIAN FACILITY

In consultation with the City, SZS is proposing to perform a feasibility study of the pedestrian facility throughout the City. The intent of this process is to gather information and report on the existing conditions, and provide recommendations on how to move forward with the pedestrian facility assessment in phase 2 of this project.

One of the outcomes from this report is a clear and concise description of the requirements that exist in the public rights-of-way regarding pedestrian facilities. While the California Building Code (CBC) and the California edition of the Federal Highway Administration’s (FHWA) Manual on Uniform Traffic Control Devices (MUTCD) are accepted as model code in California, other statutes and requirements exist. In fact, case law has had a significant effect on the way in which access is provided within pedestrian facilities and those precedents that come from those legal decisions have a significant role to play in this process.

This process will result in a Feasibility Assessment Report that the City can use when moving into the next step in this process to talk with people who live in the City and use the programs, services and activities that the City provides. Case law and the FHWA have determined that city sidewalks are a service provided by the City.

B. PRE-ASSESSMENT PUBLIC OUTREACH – PROJECT KICK-OFF

The importance of gaining input from the people that actually use City facilities is significant. Not only can they help in prioritizing barrier removal in ways that are meaningful, but informing them of financial constraints and future plans can help to obtain buy-in and reduce the likelihood of future complaints and litigation. SZS proposes to work with the City to develop and hold an outreach program to gain input from the public on what areas of the pedestrian facility they use before the project starts to enable our team to schedule assessments in a way that will allow us to address immediate or urgent needs first. SZS proposes to provide the following services:

- a. Prepare Public Outreach questionnaires and assist the City in eliciting public input into the ADA Transition Plan process, as necessary.
- b. SZS shall assist the City with organizing a Project Kick-Off Workshops to inform the community of the project and seek input on the scope of the project and receive initial input on the final plan. At the start of the process, the public notice should be posted at City facilities informing the public of the process.
- c. SZS shall attend the workshops, maintain a record of the proceedings and comments and be prepared to answer questions within our area of expertise.

Attachment: Scope of Work (1625 : Americans with Disabilities Act Contract)



SZS has conducted training and public outreach for many groups included as part of the ADA Transition Plan process. Facility usage can be better measured when the actual users are part of the input process and administrators gain useful input on what areas or facility improvements matter the most. In fact, it is required by the US DOJ as a part of any ADA Transition Plan process. We often explain the value of obtaining input from the public for projects, as it constitutes buy-in, brings understanding about usage to administrators and provides for smoother implementation processes. When the community members are included in the decision making process, both sides benefit.

C. SELF-EVALUATION PROCESS

Determining *program accessibility* is an essential part of our analysis for ADA Title II entities. The US DOJ allows public entities to use program accessibility to ensure that programs, activities and services are accessible rather than basing accessibility requirements on physical access and buildings alone. This concept means that the City must look at the way that they provide programs, services and activities to ensure that when they are viewed in their entirety, they are accessible to and usable by persons with disabilities¹. That process includes not only an analysis of physical barriers to access, but an evaluation of policies and practices that govern programs, services and activities that the City provides in their facilities. This concept is very useful for public entities in reducing the amount of barrier removal required, but a consultant must have proven expertise in evaluating programs, activities and services as part of their facility assessments process in order to make use of program access when producing an ADA Transition Plan and Self-evaluation.

Many architects believe that the only solution to barrier removal is design and construction. Although our staff includes highly trained design professionals who are more than capable of designing alterations to existing facilities or new facilities, that process is often the most costly solution to barrier removal and not always the best solution. Past that, there are cases where physical barrier removal is technically infeasible. We always tell our clients that options still exist to improve access, especially when the simple solutions like physical barrier removal appear to have failed.

In working with the City of Rocklin, we were able to provide an ADA Transition Plan for more than 50 facilities including ACAR reports for more than 25 Kid’s Junction and Pre-school facilities. Each was located at an elementary school in a city with many topographical challenges in the pedestrian facilities that could hinder or prevent access for people with disabilities. Almost all of the facilities were post-ADA and no accessible route existed while the architects claimed it was impossible. That is where program access comes into play.

¹ Department of Justice, Office of the Attorney General 28 CFR PART 35 Nondiscrimination on the Basis of Disability in State and Local Government Services {35.150 Existing Facilities. See <http://www.ada.gov/reg2.html>



Program accessibility was a significant factor in that plan as it allows an ADA Title II public entity to determine where the current need exists, and relocate those programs and services to a location that is physically accessible along with providing physical alterations in locations where it was technically feasible to do so. Through our comprehensive approach, we have been able to assist clients in creating and applying policies and practices to ensure that their programs, services and activities are accessible, rather than relying solely on physical barrier removal, which often means simply giving up on improving access for people with disabilities.

As described above, our principal has served as the disability compliance officer for one of the largest state agencies in the US and Mitch Pomerantz, who assists with the training and Self-evaluation portion of the project, served as the ADA coordinator for the City of Los Angeles for decades. That depth of experience gives SZS an unparalleled expertise in developing and evaluating policies and practices within ADA title II entities that an ADA Transition Plan development depends on.

This project is based not only on expertise in physical access, but on an in-depth understanding of the affect that operational policies have on disabled access in City facilities. A successful ADA Consultant must have expertise in coupling the know-how to analyze physical access requirements while ensuring that policies and practices are not discriminatory.



Normally, a public entity's policies and practices are reflected in its laws, ordinances, regulations, administrative manuals or guides, policy directives, and memoranda. Other practices, however, may not be recorded or documented and may be based on local custom. Our work product will document and review existing City policies and procedures to create standard operating procedures for City staff to use and to facilitate equal treatment of all individuals. This process is an opportunity to educate City staff, demystify access, and create respect among the stakeholders involved. SZS can help to create a process to allow for discussion of the obstacles that stakeholders see and plan for how those barriers (physical and procedural) can be addressed.

We begin the process by talking to key stakeholders to identify issues that are common ground and other issues that may be barriers to the process. The biggest challenge is often the fact that issues surrounding disabled access elicit intense reactions. For civic leaders, disabled access can seem like a *grey area*, or just another liability. In basic terms, it may seem like another matter of extra work on their part. The ADA describes specific rules and requirements, but many ADA requirements, such as program access, are more conceptual and need to take into account the specifics of each situation or specific program. Disability types and needs vary widely in the general population and persons with disabilities do not always

Attachment: Scope of Work (1625 : Americans with Disabilities Act Contract)



interact easily with the typical way that cities do business. Keep in mind that people with disabilities are the only group that can be discriminated against by the built environment.

While the various stakeholders groups may not agree, each group should be given a chance to give input and create specific objectives that will move the City toward full compliance. The public comment period is also a great opportunity to build bridges among the various stakeholders that can elicit a new level of pride in the community as a whole.

SZS believes that it is important to incorporate the significant elements of effective compliance identified by those stakeholders who have gone through the process. Effective compliance requires the commitment of City leadership, coordination of compliance activities, involvement of the disabled community, and institutionalized compliance procedures. Our projects with current and former clients have been successful in doing just that.

Oftentimes, the policies and practices that cities have in place appear harmless, but have the end result of denying individuals with disabilities the full participation of its programs, activities, or services.

According to the US Department of Justice, the ADA Self-evaluation portion of this proposal is required, at a minimum, to carefully examine the following areas:

1. Each City program must be examined to determine whether any physical barriers to access exist. Steps to be taken will be identified to enable these programs to become accessible when viewed in their entirety.
2. City policies and practices will be evaluated to determine whether any exclude or limit the participation of individuals with disabilities in its programs, activities, or services. Such policies or practices must be modified, unless they are necessary for the operation or provision of the program, activity or service.
3. City policies will be reviewed to ensure that they communicate with applicants, participants, and members of the public with disabilities in a manner that is as effective as its communications with others. If the facilities communicate with applicants and beneficiaries by telephone, they should ensure that TTY's or equally effective telecommunication systems are used to communicate with individuals with impaired hearing or speech.
4. City policies will be reviewed to ensure that they include provisions for readers for individuals with visual impairments; interpreters or other alternative communication measures, as appropriate, for individuals with hearing impairments; and amanuenses for individuals with manual impairments. Methods for securing these services will be developed, including guidance on when and where these services will be provided.
5. City policies and procedures will be reviewed for the evacuation of individuals with disabilities during an emergency. Where no policy or procedure is in place, SZS will assist in formulating policies and procedures.

Attachment: Scope of Work (1625 : Americans with Disabilities Act Contract)



6. Written and audio-visual materials used by the City will be reviewed to ensure that individuals with disabilities are not portrayed in an offensive or demeaning manner.
7. Where the City operates historic preservation programs, a review of those policies governing that use will be made to ensure that it gives priority to methods that provide physical access to individuals with disabilities.
8. City facility policies will be reviewed to ensure that its decisions concerning a fundamental alteration in the nature of a program, activity, service, or decision that an undue financial and administrative burden will be imposed, are made properly and expeditiously.
9. City policies and procedures will be reviewed to ensure that individuals with mobility impairments are provided access to public meetings. This will involve correlation with ADA Transition Plan data.
10. City policies will be reviewed to ascertain whether measures have been taken to ensure that Facility employees are familiar with the policies and practices for the full participation of individuals with disabilities. A training program can be provided to employees, as an addition to the scope of work for this proposed project.
11. City policies will be reviewed to evaluate the current level of ADA Accessibility, including participation requirements, facilities used, staffing, transportation, communications and emergency procedures

Where this Self-evaluation process identifies City policies and practices that deny or limit the participation of individuals with disabilities in its programs, activities, and services, City staff should take immediate remedial action to eliminate the impediments to full and equivalent participation. Structural modifications identified in the ADA Transition Plan that are required for program accessibility should also be made as expeditiously as possible. The US DOJ does not require public hearings for an ADA Self-Evaluation, but the department strongly encourages public entities to consult with individuals with disabilities and organizations that represent them to assist in the Self-evaluation process.

Administrative policies and procedures are an internal matter, yet they have serious implications in terms of public use and public opinion. In our experience, we have found that bringing a diverse group of staff members together to discuss the requirements of the ADA in conjunction with current policies and procedures serves an important function. We refer to this as the *learning group effect*, because it creates an environment through which staff members from a variety of areas can come together to share their knowledge and learn from each other. After all, City staff is service-oriented in nature. City staff members share the common goal of providing service to all persons who visit the City facilities and generally welcome the opportunity to improve their skills.

When City staff have a better understanding of both the diverse needs of persons with disabilities and the legal requirements to provide for those needs, they are better able

Attachment: Scope of Work (1625 : Americans with Disabilities Act Contract)



to devise the most useful ways to provide accessible programs, activities and services that benefit the entire group as a whole. City staff knows how to best perform their jobs and they have a wealth of knowledge to share. This process intends to make use of that knowledge to improve policies and procedures for the universal benefit of all.

During the Self-evaluation process, it is often valuable to interview key members of the staff of a public entity to gain their input, one-on-one. Generally, discrimination is not intentional; it frequently occurs by accident and the examination of those instances often generates innovative approaches, which can lead to changes in the way programs, services and activities are provided.

SZS will identify City programs, services and activities with assistance from City staff and provide staff/public questionnaires derived from the US DOJ ADA Toolkit and adapted to include California statutes and regulations to gather information on the current use and function of City facilities. The toolkit functions to gather information that, when combined with the physical access data, paints a picture of how a facility functions and how well staff understands the needs of persons with disabilities. It is often an eye-opening experience to see in writing what the basic policies and procedures are that will provide access to people with disabilities within City programs, services and activities. Staff questionnaires can help to demonstrate areas that require improvement or clarification.

The inclusion of individuals with disabilities in this process adds a new dimension. Persons with disabilities have unique perspectives on a public entity's programs, activities, and services. For example, individuals with mobility impairments can readily identify barriers that prevent them from obtaining full access to and use of the public entity's programs, activities, and services. Similarly, individuals with hearing impairments can identify the communication barriers that hamper participation in a public entity's programs, activities, and services.

Please note that this project does not propose to include a review of employment practices or procedures of any kind.

This step is the initial process of correlating that allows the application of Program Accessibility to ensure that PSAs are accessible when seen in their entirety, rather than focusing on physical barrier removal as the primary solution for removing barriers. Focus on determining *what happens where* is the key to this process, then taking that information and correlating it with the field investigation data is essential.

- 2) SZS shall provide assistance in developing a Public Notice to post in each facility informing the public of this on-going process. This step marks the start of the *safe harbor* provision.
- 3) SZS will compile a list of Programs, Services and Activities that take place is City owned and leased facilities
 - Correlation of the locations for PSAs with field investigation findings will be used to determine Transition Plan components and priorities for barrier removal plan

Attachment: Scope of Work (1625 : Americans with Disabilities Act Contract)



- 4) SZS will conduct an intensive review of all written policies rules and regulations of the City and of all its departments to determine which policy areas, if any, have language or processes that may be discriminatory and not in compliance with the ADA.
- 5) SZS shall provide assistance in developing or amending grievance procedures and all public notices required by the ADA.
- 6) SZS shall provide the US DOJ ADA Toolkit questionnaires to the City and compile the results for inclusion into the policy and practice review process (Self-evaluation).
- 7) SZS shall evaluate the responses to the Toolkit and provide recommendations for improving existing policies and practice, where necessary.
- 8) SZS will provide questionnaires for use with City staff to determine areas where input or improvements are needed with existing policies or practices
- 9) Final Self-evaluation documents will be provided to the City for review and adoption.

D. BARRIER ASSESSMENT – BUILDINGS, PARKS, AND PARKING

SZS proposes to use our existing staff as survey teams to conduct surveys using off-the-shelf software including a proprietary SZS database using the Microsoft Access® platform that we use to collect field data and will provide to the City, at no cost, for as long as the remediation process takes place, including updates with code changes over time.

Many ADA consultants have put a great deal of time and effort into their proprietary software and databases, which they market as the ultimate tool that anyone can use. We often hear them tout their speed in the field at collecting data, because they believe that virtually anyone can be hired and trained in a day to use their sophisticated databases and obtain the same result as an expert. Our experience proves that while such a sales tactic may sound good, the end product does not work for their clients. Any database is only as good as the person is who enters the data, so we not only provide the database but the training necessary to use it properly.

The methods used by our field investigators have been developed during tens of thousands of hours of field surveying. Data entry takes place in the field using our proprietary database that is configured with pull-down menus and auto-prompting cues that provide efficient yet consistent data collection for our staff now and for yours, as you continue to use it into the future. Digital photographs taken by staff in the building investigation or using the SSI Accessibility Profiler will be imbedded into the database for seamless integration.

SZS offers far more than a data dump. Analysis provides actionable data.

Our field survey teams are generally comprised of 2-person teams. Each team uses our proprietary checklists and synchronized SZS database with Garmin® GPS

Attachment: Scope of Work (1625 : Americans with Disabilities Act Contract)



technology to collect GIS data points at each location where barriers to access are identified in exterior City facilities such as parking at buildings or the signalized intersections included as part of this scope of work. City facilities to be assessed will be provided with reference drawings that indicate the physical location of each barrier to access on a floor plan or similar plan (to be provided by the client) to facilitate the review and use of the ACAR reports and final ADA Transition Plan reports.

SZS teams work a standard 8-hour day including 6 full field hours and 2 hours of Quality Assurance/Quality Control. Data collected daily is uploaded to our secure FTP site at the end of each work day. On the following morning, project managers and technical staff review the data for accuracy, completeness and send it to the GIS department for mapping in ArcGIS or reference drawing creation process.

Our field investigation team members are civil engineering graduates with EIT certification and are all certified as ICC Accessibility Inspectors/Plan Reviewers. Project managers (CAsp certified inspectors) are responsible for final data review and development of standard construction details and design documents for specific locations. Our Caltrans-certified cost estimator will also provide final review of all cost estimates contained in our reports. Technical staff reviews data for clerical errors such as typos, etc. and oversees printing and report production for the report compilation process as well as prepare technical data provided as part of reports to the City and other entities, as requested.

Each of our Access Compliance Assessment Reports (ACAR) will contain the following details:

- Executive summary that identifies discusses barriers to access and illustrates reasoning behind recommended solutions in clear and concise terms.
- Location and number of each non-compliant element
- Physical description of each non-compliant element (e.g. City Museum – Floor 1)
- X, Y and Z coordinates for each exterior barrier identified in parking lots, connecting accessible routes into associated buildings or at the signalized intersection included in this scope of work to enable production of a City-wide GIS map
- As-Built dimensions of compliant and non-compliant elements, where applicable (e.g. 30" clear width)
- Quantity and type of compliant and non-compliant elements (e.g. 120 SF, 1 each)
- Code reference and text from the 2010 ADA Design Standards, California Code Requirements (CCR), Title 24), Public Rights-of-Way Accessibility Guidelines (PROWAG), the 2010 California Manual on Uniform Traffic Control Devices (CA MUTCD), case law precedent or performance standards where applicable
- Barrier severity rating using our proprietary system with following (5) five rating tiers:



- Tier 1 (Necessary)
- Tier 2 (Recommended)
- Tier 3 (Hindrance)
- Tier 4 (Low Severity)
- Tier 5 (Technically Infeasible)
- Recommended solution for each barrier to achieve barrier removal in not more than one (1) sentence
- Construction Cost Estimate to remove each barrier provided on each individual barrier record and within a project cost estimate summary
- GIS map including each bus stop
- Digital photo documentation for each barrier to access
- Priority for barrier removal within implementation phase, which is determined per City input and based on findings. Generally, 4 or 5 priorities are set and each stretches out over a number of years of implementation (e.g. Priority 1 barriers are scheduled for removal in the first annual phases of the transition plan)
- Implementation phase and date
- Barrier status – open or closed to allow for reports that indicate the number of barriers removed or still awaiting implementation
- Notes field allowing additional information in the database and reports to add pertinent information regarding field findings or barrier removal implementation

This is proven off-the-shelf technology that the City can use independently or add to other GIS layers or data points to over time. Other consultants using their own proprietary or patented technology may not allow the City to reproduce or add to their data without licensing fees or annual use fees.

Building Assessment Process Flow

- a. SZS shall review the list of City facilities as contained in Attachment 7 and determine the locations of public use areas from the Self-evaluation process that collected data on each program, service or activity that takes place in City buildings.
- b. SZS shall compile plans (if available) for all City buildings requiring assessment.
 - For facilities that are deemed non-compliant and require upgrades, the Transition Plan will address priorities, timelines, and budget estimates of the upgrades needed for compliance or provide alternative methods to achieve compliance.

Attachment: Scope of Work (1625 : Americans with Disabilities Act Contract)



- c. SZS shall perform field investigations and compile Access Compliance Assessment Reports (ACAR) identifying each physical element within the public areas of City buildings and associated PROW that constitutes a code violation or otherwise hinders or prevents access to persons with disabilities using the ADA, California Code of Regulations/Title 2 (CBC), MUTCD, recommendations from the PROWAG, case law and best practices.
 - SZS shall set goals and priorities to create a phasing plan for evaluating each City facility.
- d. SZS will provide guidance to the City on determining which facilities may pose the most urgent need for ADA compliance as a first step.
- e. Facilities will be defined to include paths of travel from parking lots, sidewalks and transit facilities to destination buildings or structures, and building ingress/egress, as well as the building interior spaces.
 - SZS shall prepare recommendations for remediation including recommended design standards.
 - Revisions to existing City standards will be provided, where needed.

E. PROJECT DATABASE AND MAPPING

This project intends to create a significant amount of data and that data should be stored in a tool that allows the City to not only access it without paying annual licensing fees, but in a way that is simple and intuitive. The SZS database is designed for use by both the layman and expert. Although it contains advanced data management tools, it does not contain proprietary source code and can our data can be exported to virtually any other software platform, including SQL which is commonly used by our clients.

The aspect of cost is significant to this project. Often, projects are awarded solely upon cost constraints although consultants are not required to disclose their costs for the software licensing fees that only come up after a project is completed. We recently completed a project for a university that had previously worked with one of the consultants whose business model is based on these recurring software costs. When they requested bids for this new project, all consultants were required to disclose all costs, for the actual services provided and software costs over time. While that client had prior experience with that consultant, they were forced to disclose that their software costs were more than the total project cost, making their bid cost more than double what they would have claimed in any other proposal.

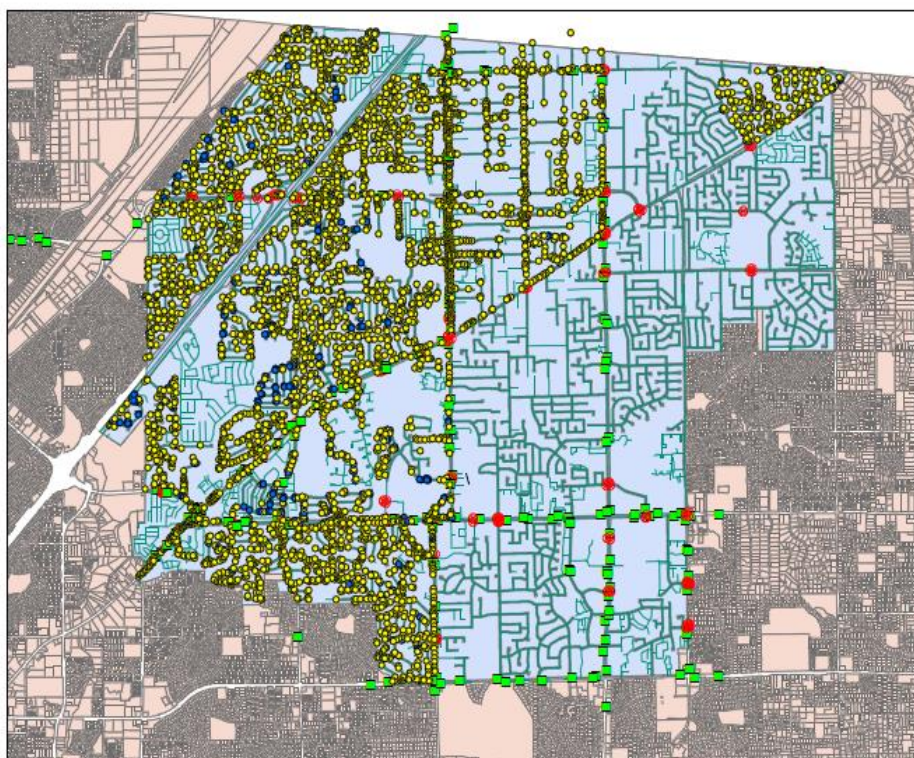
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We only want to be fair and we expect others to do the same. Please be aware that this practice is a business model used but more than one local consulting firm. Ask yourselves this:

If a firm conceals something that important to your long term implementation plan, what else could they be holding back?

With SZS, you will know exactly what we propose and what it will cost today and into the future for the entire length of your implementation phasing. Our team has civil engineers who work with ArcGIS to provide these services on a daily basis so that no lapses occur between consultants or sub-consultants and no hidden fees or markups are necessary. We understand how our clients depend on the broad-based use of GIS mapping for planning, maintenance and CIP projects and our Microsoft® Access database and geo-databases are designed to accommodate these multiple layers of data seamlessly. We understand that the implementation of an ADA Transition Plan will be successful only if it becomes an integral part of the maintenance process and future design and construction.



The SZS database currently contains 26 fields which allows for far more data to be correlated for implementation than with the average ADA consultant. An open notes field is a standard in our database to allow both our staff to enter any special notes or anomalies while in the field and later, for the City to use during the implementation phases to describe remediation action. SZS can add also new fields and queries to

Attachment: Scope of Work (1625 : Americans with Disabilities Act Contract)



customize our database to suit the needs of our clients as our database was designed to be flexible to meet our client's needs.

F. COMPREHENSIVE ADA TRANSITION PLAN

The comprehensive ADA Transition plan is a process through which the results of the Self-evaluation and Barrier Assessment results are analyzed and combined into an actionable plan. The US DOJ determined under the Rehabilitation Act of 1973 that assessing buildings and pedestrian facilities for physical barrier identification and removal was not enough. Under the ADA, they also held that many barriers to access were due to policies and practices, not non-compliant physical facilities. In fact, a majority of our work is based on litigation and most of those cases are situations where a policy or practice has caused discrimination.

Physical barrier removal is fairly simple; analyzing policies and practices and applying that knowledge to barrier assessment data is far more complex. But, that is what is required.

SZS believes that a comprehensive plan must perform these basic steps:

1. Identify policies and practices that may cause discrimination and recommend changes.
2. Identify physical barriers to access that may prevent participation in programs, services and activities by people with disabilities
3. Determine which location(s) where programs, services and activities take place that must be remediated
4. Institute a physical barrier remediation plan that includes only those barriers that hinder or prevent access at programs, services and activities
5. Create a schedule for remediation that is achievable from a financial standpoint.
6. Seek public participation by performing public outreach
7. Include public input into final ADA Transition Plan

SZS shall develop the comprehensive ADA Self-Evaluation and Transition Plan for Buildings and Public Rights-of-Way based upon guidance from City staff and public input, and guidance from the US DOJ while analyzing the application of past case law and Project Civil Access cases settled by the DOJ with similar public entities to the City of Capitola.

The same level of detail presented in the ACAR shall be provided in the ADA Transition Plan reports, as described above. The ADA Transition Plan shall include, but is not limited to, the following components:

Attachment: Scope of Work (1625 : Americans with Disabilities Act Contract)



- Correlation of programs, services and activities identified with physical barrier locations to apply Program Access and ensure that barrier removal is actually necessary
- Recommend changes to existing policies and practices that may cause discrimination through the Self-evaluation process, or recommend new policies and practices, where needed
- Methodology for evaluation of barriers and a written description of findings
- Methodology for prioritization of barrier remediation
- A summary of costs remediation in 3 forms as described above
- Implementation phasing schedule
- MS Access Database tool to enable implementation over annual phases, as determined by City budgetary constraints.
- Procedures and forms for monitoring implementation including the SZS database
- Procedures and forms for performing evaluations of additional barriers (field checklists)
- Procedures and forms for filing Requests for Accommodation
- Recommended Grievance Procedure
- Standard construction drawings for remediation the standardization of methods (parallel and perpendicular curb ramps, etc.)
- Information on local references and contacts information for ADA and accessibility related resources
- Written summary of Public Participation and Outreach Process
- GIS City Map containing barriers to access in the PROW and exterior locations (parking lots, parks and recreation areas, etc.) to correlate all exterior barriers
- ArcGIS custom geo-database containing all PROW barriers with implementation tools



G. CITY STAFF TRAINING

The only constant in the field of ADA Access Consulting is *change*. Our staff is constantly performing research on case law, new developments in the field of technology and design and we attend annual national ADA symposiums provided by the Great Plains ADA Center, the American Institute of Architects, the National Institute of Building Standards and training through the California Division of State Architect for DSA plan review and CASp related matters. In fact, our principal was involved in the first training seminars held by the California Division of State Architect (DSA) to standardize training for consultants that provide plan review services to DSA in 2001.

SZS has provided training seminars to CSU campuses across the state and this element within the process is fundamental to the success of the project. As we have stated earlier, our perspective is unique. In order for our reports and Transition Plans to affect change, our clients need to understand our perspective and background in how to best serve people with disabilities, how to avoid litigation, errors in design and construction. This knowledge will serve the City into the future to help avoid creating the same barriers over and over again.

If our clients have not learned from our process, we have not succeeded. Training is essential because it allows us to impart our expertise and know-how to your staff to ensure that the issues we identify will not become part of your future. An important aspect of the training process is the review existing City standard construction details and specifications including intersection improvements. Some of the training topics we have developed seminars on include:

- ADA Customer Service Training
- Applicable government code, statutes and regulations
- Performing field investigations and inspections
- Using and maintaining the database to monitor and update the ADA Transition Plan
- Using and maintaining the project map in ArcGIS to monitor and update the ADA Transition Plan
- Tools and methodology to update the ADA Transition Plan, change report format, etc.
- Curb Ramp Design and Inspection – The Do's and Don'ts
- Plan Review Pitfalls
- PROW Design Pitfalls
- Role of the ADA Coordinator
- Alternate Formats
- Signage and Tactile Information
- Designing for the Disabled

Until 2013, the CBC contained diagrams and requirements for only one type of curb ramp (perpendicular) which is can only be constructed to comply in locations where the sidewalk is at least 10 feet wide. This is not the case in most residential areas that



make up most of the City of Capitola PROW. Due to this kind of lapse in the model code most engineers and architects rely on, millions of curb ramps in our state do not comply. Another error in CBC in bus stop dimensions where the depth and length of the boarding and alighting space was corrected in 2013, but caused barriers at bus stops across the state for more than a decade. The strange thing about these issues is that no one submitted complaints to the Building Standards Commission or to DSA, which speaks volumes about the status quo in our industry.

These issues are common with architects, but our engineering staff understand this well because it is the basis for much of the litigation cases we work on. Our training expertise is driven by our experience in the field and with litigation and complaint resolution. We can impart that knowledge to your staff to ensure that future roadway projects comply fully and are usable for people with disabilities.

A valuable training process is carried out after the field investigations are complete. It allows our team to compile findings on issues identified in the field that City of Capitola staff can learn from and use to reduce future barriers and streamline implementation plans. This training seminar is aptly titled:

- Where things go wrong, why and how to fix them

This training is very useful for the maintenance staff in the City as it allows them to see first-hand how their efforts can make a big difference in helping the City to meet their implementation goals. We also compile a list of policy and practice recommendations while we perform field investigations that are used in the analysis process to apply program access.

Attachment: Scope of Work (1625 : Americans with Disabilities Act Contract)



2. SCOPE OF SERVICES – PHASE 2

A. BARRIER ASSESSMENT – PUBLIC RIGHT OF WAY

SZS proposes to use our existing staff as survey teams to conduct surveys using off-the-shelf software including a proprietary SZS database using the Microsoft Access® platform that we use to collect field data and will provide to the City, at no cost, for as long as the remediation process takes place, including updates with code changes over time.

Many ADA consultants have put a great deal of time and effort into their proprietary software and databases, which they market as the ultimate tool that anyone can use. We often hear them tout their speed in the field at collecting data, because they believe that virtually anyone can be hired and trained in a day to use their sophisticated databases and obtain the same result as an expert. Our experience proves that while such a sales tactic may sound good, the end product does not work for their clients. Any database is only as good as the person is who enters the data, so we not only provide the database but the training necessary to use it properly.

The methods used by our field investigators have been developed during tens of thousands of hours of field surveying. Data entry takes place in the field using our proprietary database that is configured with pull-down menus and auto-prompting cues that provide efficient yet consistent data collection for our staff now and for yours, as you continue to use it into the future. Digital photographs taken by staff in the building investigation or using the SSI Accessibility Profiler will be imbedded into the database for seamless integration.

SZS offers far more than a data dump. Analysis provides actionable data.

Our field survey teams are comprised of 2 people per team. Each team uses our proprietary checklists and synchronized SZS database with Garmin® GPS technology to collect GIS data points at each location where barriers to access are identified in exterior City facilities such as parking at buildings or the signalized intersections included as part of this scope of work. City facilities to be assessed will be provided with reference drawings that indicate the physical location of each barrier to access on a floor plan or similar plan (to be provided by the client) to facilitate the review and use of the ACAR reports and final ADA Transition Plan reports.

SZS teams work a standard 8-hour day including 6 full field hours and 2 hours of Quality Assurance/Quality Control. Data collected daily is uploaded to our secure FTP site at the end of each work day. On the following morning, project managers and technical staff review the data for accuracy, completeness and send it to the GIS department for mapping in ArcGIS or reference drawing creation process.

Attachment: Scope of Work (1625 : Americans with Disabilities Act Contract)



Our field investigation team members are civil engineering graduates with EIT certification and are all certified as ICC Accessibility Inspectors/Plan Reviewers. Project managers (CASp certified inspectors) are responsible for final data review and development of standard construction details and design documents for specific locations. Our Caltrans-certified cost estimator will also provide final review of all cost estimates contained in our reports. Technical staff reviews data for clerical errors such as typos, etc. and oversees printing and report production for the report compilation process as well as prepare technical data provided as part of reports to the City and other entities, as requested.



For PROW assessments, our field survey teams now use state-of-the-art laser surface profiling technology to quickly and accurately record measurements within the pedestrian facility. While our staff members travel through the City, the SSI Accessibility Surface Profiler (see photo above) takes more than 400 readings per second using multiple sensors combined for optimized profile, slope and GPS outputs with SSI proprietary instrumentation and filtering algorithms.

The device is equipped with a military specification Panasonic Toughbook® 19 notebook computer with a daylight readable touchscreen that allows our staff to monitor the data collection in real-time and augment the collection with digital photographs and notations. It represents the best of both worlds; expert staff and state-of-the-art technology together for your benefit.

With this technology, manual measurements are a thing of the past in the PROW. This technology allows our teams to collect data in a fraction of the time it took in the past, making it possible for SZS to pass on cost savings to you.

Each of our Access Compliance Assessment Reports (ACAR) will contain the following details:

- Executive summary that identifies discusses barriers to access and illustrates reasoning behind recommended solutions in clear and concise terms.
- Location and number of each non-compliant element
- Physical description of each non-compliant element (e.g. City Museum – Floor 1)
- X, Y and Z coordinates for each exterior barrier identified in parking lots, connecting accessible routes into associated buildings or at the signalized

Attachment: Scope of Work (1625 : Americans with Disabilities Act Contract)



intersection included in this scope of work to enable production of a City-wide GIS map

- As-Built dimensions of compliant and non-compliant elements, where applicable (e.g. 30” clear width)
- Quantity and type of compliant and non-compliant elements (e.g. 120 SF, 1 each)
- Code reference and text from the 2010 ADA Design Standards, California Code Requirements (CCR), Title 24), Public Rights-of-Way Accessibility Guidelines (PROWAG), the 2010 California Manual on Uniform Traffic Control Devices (CA MUTCD), case law precedent or performance standards where applicable
- Barrier severity rating using our proprietary system with following (5) five rating tiers:
 - Tier 1 (Necessary)
 - Tier 2 (Recommended)
 - Tier 3 (Hindrance)
 - Tier 4 (Low Severity)
 - Tier 5 (Technically Infeasible)
- Recommended solution for each barrier to achieve barrier removal in not more than one (1) sentence
- Construction Cost Estimate to remove each barrier provided on each individual barrier record and within a project cost estimate summary
- GIS map including each bus stop
- Digital photo documentation for each barrier to access
- Priority for barrier removal within implementation phase, which is determined per City input and based on findings. Generally, 4 or 5 priorities are set and each stretches out over a number of years of implementation (e.g. Priority 1 barriers are scheduled for removal in the first annual phases of the transition plan)
- Implementation phase and date
- Barrier status – open or closed to allow for reports that indicate the number of barriers removed or still awaiting implementation
- Notes field allowing additional information in the database and reports to add pertinent information regarding field findings or barrier removal implementation

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Public Right-of-Way (PROW) Assessment Process Flow

SZS shall evaluate the sidewalk of the City's entire PROW for pedestrian facilities including non-ADA, non-California Code of Regulations/Title 2 and non-MUTCD compliant sidewalks to determine which roadways to include in the process. Findings shall be formatted into the City ESRI GIS system as a customized geodatabase with all information and fields provided in the SZS Database for Facilities to ensure data correlation.

a. Comprehensive Assessment: Each street will be evaluated and information will be collected. When actual field investigations are performed, the sidewalk evaluations shall include identification of the following in addition to the data points listed in the deliverables section:

- Ride Quality
- Profile quality
- Localized roughness (surface quality)
- Vertical displacement of the sidewalk by category below.
 - 1/4 inch to 1/2 inch with no bevel
 - Greater than 1/2 inch
- For areas where the displacement is greater than 1/2 inch, barrier with recommendations for removal will be noted (tree root removal at tree heaves, sidewalk replacement, area of replacement, etc.) as follows:
 - Sensitive sidewalk locations – in the vicinity of schools, senior housing, high-use pedestrian areas;
 - Sidewalks with longitudinal slopes exceeding the prevailing longitudinal street slope by more than 5% (primarily due to sidewalk uplift at tree heaves);
 - Cracks of 1/2 inch or larger;
 - Holes of 1/2 inch or larger in depth and diameter;
 - Damage around traffic signals, utility poles and boxes and regulatory sign posts;
 - Brick or concrete improvements (tree wells, decorative walkways, etc.) that is not level with the adjacent sidewalk.
 - ADA/ California Code of Regulations/Title 2 (CBC) deficiencies of all types including type - lack of truncated domes, non-compliant existing domes, ramps that are too steep, etc.

b. Cost Estimating: In conjunction with the recommendations identified above, SZS shall develop preliminary cost estimates on 3 levels:

1. Budgetary cost estimates for each barrier identified

Attachment: Scope of Work (1625 : Americans with Disabilities Act Contract)



- 2. Budgetary cost estimate per facility (building or street, per client request)
- 3. Budgetary cost estimate for each ADA Transition Plan implementation phase

B. PROJECT DATABASE AND MAPPING

This project intends to create a significant amount of data and that data should be stored in a tool that allows the City to not only access it without paying annual licensing fees, but in a way that is simple and intuitive. The SZS database is designed for use by both the layman and expert. Although it contains advanced data management tools, it does not contain proprietary source code and can our data can be exported to virtually any other software platform, including SQL which is commonly used by our clients.

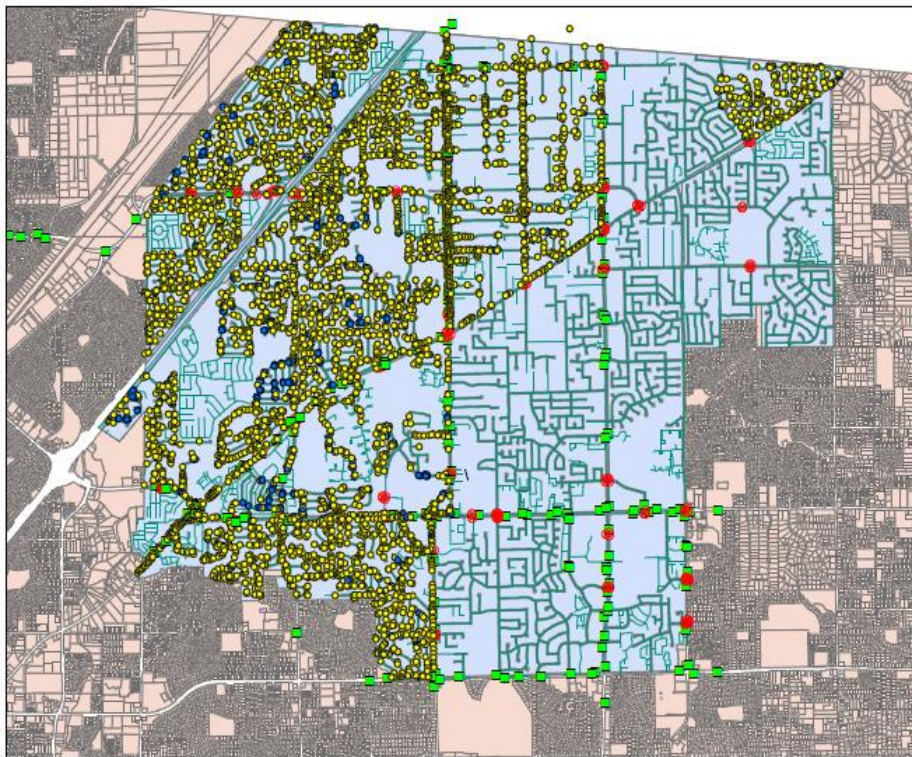
The aspect of cost is significant to this project. Often, projects are awarded solely upon cost constraints although consultants are not required to disclose their costs for the software licensing fees that only come up after a project is completed. We recently completed a project for a university that had previously worked with one of the consultants whose business model is based on these recurring software costs. When they requested bids for this new project, all consultants were required to disclose all costs, for the actual services provided and software costs over time. While that client had prior experience with that consultant, they were forced to disclose that their software costs were more than the total project cost, making their bid cost more than double what they would have claimed in any other proposal.

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The SZS database currently contains 26 fields which allows for far more data to be correlated for implementation than with the average ADA consultant. An open notes field is a standard in our database to allow both our staff to enter any special notes or anomalies while in the field and later, for the City to use during the implementation phases to describe remediation action. SZS can add also new fields and queries to customize our database to suit the needs of our clients as our database was designed to be flexible to meet our client's needs.

C. COMPREHENSIVE ADA TRANSITION PLAN

The comprehensive ADA Transition plan is a process through which the results of the Self-evaluation and Barrier Assessment results are analyzed and combined into an actionable plan. The US DOJ determined under the Rehabilitation Act of 1973 that assessing buildings and pedestrian facilities for physical barrier identification and removal was not enough. Under the ADA, they also held that many barriers to access were due to policies and practices, not non-compliant physical facilities. In fact, a majority of our work is based on litigation and most of those cases are situations where a policy or practice has caused discrimination.

Physical barrier removal is fairly simple; analyzing policies and practices and applying that knowledge to barrier assessment data is far more complex. But, that is what is required.

SZS believes that a comprehensive plan must perform these basic steps:

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8. Identify policies and practices that may cause discrimination and recommend changes.
9. Identify physical barriers to access that may prevent participation in programs, services and activities by people with disabilities
10. Determine which location(s) where programs, services and activities take place that must be remediated
11. Institute a physical barrier remediation plan that includes only those barriers that hinder or prevent access at programs, services and activities
12. Create a schedule for remediation that is achievable from a financial standpoint.
13. Seek public participation by performing public outreach
14. Include public input into final ADA Transition Plan

SZS shall develop the comprehensive ADA Self-Evaluation and Transition Plan for Buildings and Public Rights-of-Way based upon guidance from City staff and public input, and guidance from the US DOJ while analyzing the application of past case law and Project Civil Access cases settled by the DOJ with similar public entities to the City of Capitola.

The same level of detail presented in the ACAR shall be provided in the ADA Transition Plan reports, as described above. The ADA Transition Plan shall include, but is not limited to, the following components:

- Correlation of programs, services and activities identified with physical barrier locations to apply Program Access and ensure that barrier removal is actually necessary
- Recommend changes to existing policies and practices that may cause discrimination through the Self-evaluation process, or recommend new policies and practices, where needed
- Methodology for evaluation of barriers and a written description of findings
- Methodology for prioritization of barrier remediation
- A summary of costs remediation in 3 forms as described above
- Implementation phasing schedule
- MS Access Database tool to enable implementation over annual phases, as determined by City budgetary constraints.
- Procedures and forms for monitoring implementation including the SZS database

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- Procedures and forms for performing evaluations of additional barriers (field checklists)
- Procedures and forms for filing Requests for Accommodation
- Recommended Grievance Procedure
- Standard construction drawings for remediation the standardization of methods (parallel and perpendicular curb ramps, etc.)
- Information on local references and contacts information for ADA and accessibility related resources
- Written summary of Public Participation and Outreach Process
- GIS City Map containing barriers to access in the PROW and exterior locations (parking lots, parks and recreation areas, etc.) to correlate all exterior barriers
- ArcGIS custom geo-database containing all PROW barriers with implementation tools

D. POST-ASSESSMENT PUBLIC OUTREACH

The importance of gaining input from the people that actually use City facilities is significant. Not only can they help in prioritizing barrier removal in ways that are meaningful, but informing them of financial constraints and future plans can help to obtain buy-in and reduce the likelihood of future complaints and litigation. SZS proposes to work with the City to develop an outreach program to advise the public of the ADA Self-Assessment and Transition Plan project and to provide an opportunity for interested persons, individuals with disabilities or organizations representing persons with disabilities to participate in the development of the plan. SZS proposes to provide the following services:

- a. Prepare program materials including preparation and compilation of responses to Public Outreach questionnaires and assist the City in eliciting public input into the ADA Transition Plan process, as necessary.
- b. SZS shall assist the City with organizing a Project Kick-Off Workshops to inform the community of the project and seek input on the scope of the project and receive initial input on the final plan. At the start of the process, the public notice should be posted at City facilities informing the public of the process.
- c. SZS shall attend the workshops, maintain a record of the proceedings and comments and be prepared to answer questions within our area of expertise.

Attachment: Scope of Work (1625 : Americans with Disabilities Act Contract)



- d. SZS shall attend the Plan Review Workshops, maintain a record of the proceedings and comments and be prepared to answer questions within their area of expertise.
- e. SZS shall attend the City of Capitola Council meeting in which the updated Transition Plan is presented for approval. SZS will be present to answer any technical questions that arise during the Council Meeting.

SZS has conducted training and public outreach for many groups included as part of the ADA Transition Plan process. In fact, it is required by the US DOJ as a part of any ADA Transition Plan process. We often explain the value of obtaining input from the public for projects, as it constitutes buy-in, brings understanding about usage to administrators and provides for smoother implementation processes. When the community members are included in the decision making process, both sides benefit. Facility usage can be better measured when the actual users are part of the input process and administrators gain useful input on what areas or facility improvements matter the most.

We have also shown that a cooperative learning group produces many benefits. Even in contentious settings, taking the time to discuss the concerns of different groups has been shown to aid the process. At times, the general public may have expectations that are not realistic. Some believe that aesthetics dictate that any design concept can be constructed, but there are elements for which compliance is technically infeasible.

A demonstration on constructability was very useful for a situation in a historic theatre where wheelchair accessible seating could not be provided in the front row of the theatre. A compromise was found through public input that created a policy in the seating section to provide a “no-standing” area, enforced through the ticket sales process that would allow wheelchair accessible seating in the back row to have a proper line of sight. Such discussions have served to defuse many of the contentious exchanges during public meetings we have held for our Transition Plan projects.

Another instance where public meetings were especially helpful was at a university where a number of complaints had been lodged, but had remained unresolved. We were able to use the public meeting to discuss the complaints with all of the stakeholders present and provide some resolution of the concerns simply by assuring the complainants that the ADA Transition Plan process we were starting at that point would address their concerns on a campus-wide basis. Essentially, the kick-off meeting was the start of the resolution process and it helped to allay the fears that the community had expressed for some time. Transparency can go a long way in creating a feeling of trust and providing a level of comfort that may not have been present. Our experience in this role has been very productive for our clients in the past and we look forward to working with the City to make their public outreach efforts successful.

With some clients, a disability advisory committee has worked well and with other clients, neighborhood groups worked better. Each client has a unique culture that we strive to understand and respect through our work. Since we have many clients in northern California and our principal has lived in the City of Capitola, we are familiar with the local dynamics and can anticipate the expectations of community members.

Attachment: Scope of Work (1625 : Americans with Disabilities Act Contract)



3. SCOPE OF SERVICES – PHASE 1 & 2 DELIVERABLES

SZS will be responsible at a minimum for the deliverables noted below. SZS will be expected to provide, at a minimum:

- 1) Schedule/timeline for inspections, reviews, updates, and drafts of the Transition Plan.
- 2) Weekly updates on the status of all inspections, reviews, updates, and draft revisions of the Transition Plan.
- 3) All public meeting noticing materials such as flyers, posters, and any other associated paperwork.
- 4) Transition Plan and self-evaluation forms for the City’s use in complying with ADA requirements.
 - Five (5) hard copies of the Administrative Draft Transition Plan and associated forms and drawings.
 - One (1) electronic copy of the Administrative Draft Transition Plan and associated forms and drawings.
 - Ten (10) hard copies of the Draft Transition Plan and associated forms and drawings.
 - One (1) electronic copy of the Draft Transition Plan and associated forms and drawings.
 - Ten (10) hard copies of the final Transition Plan and all associated forms and drawings, and one
 - (1) digital version of the final Transition Plan Draft in a comprehensive plan addressing priorities, timelines, and budget estimates of the upgrades needed or recommendations for alternative methods to achieve compliance
- 5) Public Notice, Request for Accommodation and Grievance procedure that is compliant under current ADA requirements
- 6) A written Self-evaluation report identifying recommended policy, rules and regulation changes.
- 7) A Microsoft Access® database that tracks proposed modifications with the ability for the City to adjust the timeframes, priorities and costs
- 8) A customized Geo-database in ArcGIS with identical PROW data for Transition Plan implementation including all shape files and data
- 9) Analysis of City website and Information Technology that affects the provision of programs, services and activities to people with disabilities
- 10) All documentation shall be provided to client in native files

Attachment: Scope of Work (1625 : Americans with Disabilities Act Contract)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF NOVEMBER 10, 2016

FROM: Public Works Department

SUBJECT: Consider Adopting an Administrative Policy Establishing Standards for Installation of Blue Curbed Parking Spaces on Public Streets within Residential Zones

RECOMMENDED ACTION: Adopt Administrative Policy regarding requests for blue curbs on public streets.

BACKGROUND: Over the last several years the City has received several requests for designated handicap spaces in front of residential properties to provide improved access to disabled residents. Public Works staff has routinely denied these requests due the difficulty of constructing a fully ADA compliant accessible space on a residential street. Recent information regarding this topic has shown that the City may by policy establish guidelines for the installation of blue curbed parking in residential zones.

DISCUSSION: Staff has prepared the attached policy for the Council's review. This policy sets standards for the Public Works Department, in consultation with the Building Department, to paint a blue curb parking space and install a sign to designate the space for disabled people only.

If the policy is approved, Public Works and Building Department staff will evaluate each application to determine if it is feasible to provide accessible parking on-site rather than on-street parking, and if the proposed blue curbed parking spaces is located immediately in front of an applicant's primary residence, in a residential zone, and not on an arterial street.

As stated in the policy, residential blue curbed parking spaces will not be required to meet full access standards as defined by various regulatory agencies. All approved residential blue curbed parking spaces must be renewed annually by the applicant. Spaces not renewed will be removed by Public Works staff.

The draft policy includes establishing an initial fee and annual renewal fee. Staff would recommend the following initial fees for the program.

Initial application fee: \$200 – will be refunded if the application is denied

Annual renewal fee: \$50

FISCAL IMPACT: Staff estimates the City's full cost of processing the initial application would be \$600, including paint installation. The estimated full cost of the annual review, including sending out notices, would be approximately \$120. As proposed, the fee is set at less than the full cost-recovery level.

Residential Blue Curb Policy
November 10, 2016

The program would be included as a Minor Encroachment Permit on the Fee Schedule, with a fee of \$200. Staff will evaluate the level of the fee for six months and potentially recommend changes as part of the annual fee update in July 2017.

ATTACHMENTS:

1. Residential Blue Curb Policy DRAFT
2. Residential Blue Curb Application Form

Report Prepared By: Steve Jesberg
Public Works Director

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

11/4/2016



ADMINISTRATIVE POLICY

Number: _____

Issued: _____

Jurisdiction: City Council

STANDARDS FOR INSTALLATION OF RESIDENTIAL BLUE CURBED PARKING SPACES ON PUBLIC STREETS WITHIN RESIDENTIAL ZONES

I. PURPOSE

The purpose of this policy is to establish standards to process applications by local residents (Applicants) for a residential blue curbed parking spaces on a public street within the City of Capitola.

II. POLICY

The Department of Public Works may designate public on-street parking spaces for the exclusive use of vehicles displaying a disabled placard or license plate when requested by disabled residents of Capitola and the following findings can be made based on a complete application:

- Applicant must be a resident of the property adjacent to the on-street space, and use the property as their primary residence. The applicant shall provide proof of primary residency (i.e. utility bill, State or Federal issued picture identification, rental agreement or other form of proof acceptable to the Department of Public Works).
- Applicant has a validly issued permanent disabled persons placard or license plate from the DMV. Applicants issued a temporary disability placard or plate by DMV for less than one calendar year are not eligible for installation of a blue curbed space, unless extenuating circumstances are demonstrated.
- The proposed residential blue curbed space should meet the accessibility needs of the primary vehicle owned and operated by the Applicant.
- Applicant shall demonstrate there is no viable access to off-street parking or no accessible route of travel is available from existing off-street parking to residence. The following specifications are examples of access issues the City may consider:
 - Garage, Carport, and Driveway Specifications. Applicants with a garage, carport, or driveway that is not accessible due to the width of the space. In general, vehicles employing lift devices require a width of at least 17 feet and non-lift vehicles at least 14 feet.
 - Driveway is too steep to allow for entry or exit from a vehicle onto a mobility device, driveway slope larger than 5%.

- If the Applicant meets the above criteria, approval of the residential blue curbed parking includes the following conditions:
 - The residential blue curbed parking space is not a private parking space and must be shared with other vehicles licensed to park in a designated disabled parking space on a first come, first served basis. All vehicles, which display disabled license plates or placards, may park without limit in restricted time parking spaces.
 - Users of this blue curbed space must comply with all sections of the California Vehicle Code including parking in the direction of travel.
 - The designation of a residential blue curbed parking space under this program shall be effective on an annual basis from January 1st – December 31st. The applicant shall be required to renew the blue curb designation by providing proof of disability, residency and vehicle ownership each year.

III. APPLICABILITY

Blue curbs under this policy may only be provided as follows:

- In residential neighborhoods as designated by the current zoning map of the City;
- On streets designated as “local” or “collector streets” in the current General Plan of the City.

IV. DISCLAIMER

It is not the intent of this policy to provide fully compliant disabled parking spaces as specified by the US Department of Justice, State Access Board, State Department of Transportation or other agencies. Residential blue curbed spaces approved under this policy shall consist solely of a blue painted curb and accompanying sign designating the space for disabled parking. In installing a blue curb and sign the City does not assure a compliant path of travel from the parking space to a sidewalk or any adjoining properties.

V. PROCEDURE

A complete application must be filed with the Department of Public Works and will be evaluated as follows:

1. A residential blue curb parking space shall be located in front of the residence of the person making the request. If the parking space cannot be located in front of the applicant's the application will be denied.
2. The City Engineer and the City Access Coordinator shall consult to evaluate both the on-site and street parking regarding the application.
3. If the City approves the application, the City shall install appropriate blue curbing and signage for such a space. In no event shall the City consider any other modifications to the street or right-of-way in order to create an on-street disabled parking space.
4. The City Engineer shall send a copy of the decision to the applicant. If the application is denied, the City Engineer shall state the reasons for the denial. Any denial may be appealed to the City Council. An administrative appeal fee will be charged.

All approved residential blue curbed parking spaces will be issued on an annual basis from January 1st to December 31st. The applicant shall be responsible for renewing their application by January 1st of each year. The City will remove any approved blue curbs installed under this policy that are not renewed. Once removed, an applicant may reapply for a new blue curb, but it will be considered as a new application.

VI. FEES

Fees shall be established as follows:

- A onetime application fee to cover the installation of the blue curb including signage. This fee will be due with the initial application and will be returned if the blue curb is not approved. This fee shall cover the installation and first year, or portion remaining. This fee will not be pro-rated for partial years.
- An annual renewal due by January 1st of each year to maintain the blue curb designation.

This policy is approved and authorized by:

Jamie Goldstein
City Manager

Attachment:

1. Application form



420 Capitola Avenue
 Capitola, California 95010
 Telephone: (831) 475-7300
 FAX: (831) 479-8879
 Website: <http://www.cityofcapitola.org>

RESIDENTIAL BLUE CURB APPLICATION

Applicant Name: _____

Property Address _____

City/State/Zip: _____

Telephone: _____

1. Does your property have onsite parking? Yes / No (Circle one) If no, skip to 6.

2. Existing garage or carport size: (example: 1 car garage (10x20))

3. Driveway dimensions:

4. Driveway slope: steep/mild/flat (circle one)

5. Why is onsite parking infeasible?

6. Proof of Primary Residency:

- Utility Bill
- Driver 's License
- Rental Agreement
- Property Tax Bill
- Other: _____

7. Proof of Mobility Impairment:

- Current Blue Permanent Placard w/corresponding I.D. form from DMV
- CA DMV Disabled Veteran License Plate w/current registration form
- CA DMV Disabled License Plate w/current Registration form

8. Proof of vehicle ownership:

- Current DMV Registration/Title of Vehicle
- If applicant does not own car explain what vehicle will be using this space.

9. What is your reason for requesting blue-curb marking?

10. Is the curb currently posted for "no parking"? Yes / No (Circle one)

I understand that the City shall endeavor to act on the application within 30 days of when the application is deemed complete. In deciding whether or not to create a disabled parking space at the requested location, the City shall apply the following criteria:

- 1. An on-street disabled parking space shall be located in front of the residence of the person making the request. If the parking space cannot be located in front of the applicant's the application will be denied.*
- 2. The City Engineer and the City Access Coordinator shall consult to evaluate both the on-site and street parking regarding the application.*
- 3. If the City approves the application, the City shall install appropriate blue curbing and signage for such a space. In no event shall the City consider any other modifications to the street or right-of-way in order to create an on-street disabled parking space.*
- 4. The City Engineer shall send a copy of their decision to the applicant. If the application is denied, the City Engineer shall state the reasons for the denial. Any denial may be appealed to the City Council. An administrative appeal fee will be charged.*
- 5. The designation of an accessible parking space under this program shall be effective on an annual basis from January 1st – December 31st. The applicant shall be required to renew the blue curb designation by providing proof of disability and vehicle ownership each year.*

The City of Capitola is not making any representations regarding the safety or suitability of parking space for disabled parking. The applicant shall use the disabled parking space at his or her own risk. The City shall not be responsible for any damages or injuries to the applicant or any other person resulting from the use of the parking space for disabled parking.

I have read the Administrative Policy stipulating the guidelines for installation of Residential Blue Curbed Parking Spaces on Public Streets within Residential Zones and understand and agree to the terms and conditions specified.

Applicant Signature

Date



Approved

Denied

Reason for Denial: Attach detailed description

Public Works Director Signature

Date

Copy to: City Council

Attachment: Residential Blue Curb Application Form (1631 : Residential Blue Curb Policy)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF NOVEMBER 10, 2016

FROM: City Manager Department

SUBJECT: Update on the Groundwater Replenishment Project

RECOMMENDED ACTION: Consider Soquel Creek Water District request to support:

1. The Community Water Plan, and
2. Ongoing Water District efforts to evaluate the *Pure Water Soquel* project.

DISCUSSION: Representatives from Soquel Creek Water District will give an overview on the Community Water Plan, the District's long range plan to provide a reliable water supply, and also give an update on current activities related to its *Pure Water Soquel Project*, the District's preferred supplemental water supply project.

Despite extensive conservation efforts, the Santa Cruz Mid-County Groundwater Basin is in a state of critical overdraft because more water has been pumped out annually than has naturally been recharged through rainfall. Groundwater is Soquel Creek Water District's only source of water and is also relied upon by over a thousand private well pumpers, as well as other agencies and small water systems in the region. Overdraft of the groundwater basin is not sustainable and seawater intrusion is present in the Pleasure Point, Aptos, Seascape, and La Selva Beach areas.

The District developed an action oriented, multi-faceted Community Water Plan in 2015. This long-range plan is based on community input and serves as the District's roadmap to meet our goal of sustainability by 2040. The Community Water Plan's key components include: water conservation, groundwater management, and securing supplemental supplies. Supplemental water supply options include water transfers, desalination, and groundwater replenishment using purified water.

The District's preferred supplemental supply project is *Pure Water Soquel*, which includes taking municipal wastewater from the Santa Cruz County Sanitation District or the City of Santa Cruz to produce high-quality water using advanced water purification methods. The purified water would then be injected into the groundwater basin to replenish it and provide a barrier against seawater intrusion.

Orange County Water District has been using this proven technology for over 40 years and other utilities in Monterey, Los Angeles, Silicon Valley, San Diego, and San Francisco are considering purified water to diversity their water portfolios. The District is currently conducting several technical studies and preparing an Environmental Impact Report (EIR) on the *Pure Water Soquel Project*.

Update on the Groundwater Replenishment Project
November 10, 2016

The District would like to formally request the support of the Capitola Council on its Community Water Plan and its efforts in evaluating and pursuing the *Pure Water Soquel* project.

ATTACHMENTS:

1. Pure Water Soquel Project Overview

Report Prepared By: Susan Sneddon
City Clerk

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

11/3/2016

How to Learn More and Participate

The District welcomes input and wants to ensure that information on the Pure Water Soquel project is available and accessible for its customers and community members. Community informational meetings will be held throughout the environmental review period for the community to learn about the technical studies being conducted, the project study process, upcoming milestones, and to provide input.

The District is preparing an environmental impact report (EIR) on its Pure Water Soquel Project.

The first step in the EIR process is called scoping, which will help the District define the environmental issues to be evaluated in the EIR. Release of a Notice of Preparation/Initial Study (NOP/IS) is expected to occur in late November and will initiate the start of the scoping period and public comments on the environmental topics, potential effects, mitigation measures, and range of alternatives to be analyzed in the project EIR will be welcome during that period.

Two meetings are being held at different times (daytime and evening) to accommodate as much public participation as possible. Attend whichever is most convenient for you, or both, as the same information will be provided at each meeting.

Scoping Meetings

Date: Wednesday, December 7, 2016

Times: 2pm and 6pm

Location: Twin Lakes Church, Building 700, 2701 Cabrillo College Dr, Aptos, CA 95003

Meeting facilities are accessible to persons with disabilities. Requests for special accommodations or translation services should be directed to Melanie Mow Schumacher no later than five days before the meeting by calling 831-475-8501x153 or emailing melanies@soquelcreekwater.org

To access information on the District's website, visit www.soquelcreekwater.org/purewatersoquel.



CONSIDERING OPTIONS: Diversifying with river water transfers and/or desalination

Like the Pure Water Soquel Project, river water transfers and desalination are other options to diversify the District's water supply portfolio.

River Water Transfers: The District has embarked on a pilot project of purchasing excess treated river water from the City of Santa Cruz and is addressing water quality issues with blending river water with groundwater. The District recognizes river water is not a guaranteed, reliable source of supply. Limits due to future drought conditions, habitat protection, and the City's own water

supply needs may impact the availability and timeliness of this source for the District.



Desalination: The District has signed a non-binding, non-financial agreement to potentially purchase desalinated water from the proposed Deep Water Desal Project in Moss Landing. The project is undergoing environmental review. The District recognizes this project is a back-up option for Cal-Am in Monterey and is being co-located with data centers which may impact the availability and timeliness of this source for the District.

For more information contact:

Melanie Mow Schumacher, PE | Associate Manager-Special Projects
Phone: 831-475-8501x 153 | Email: melanies@soquelcreekwater.org



5180 Soquel Drive
Soquel, CA 95073
www.soquelcreekwater.org

printed on recycled paper

PUREWater Soquel

Replenishing Mid-County Groundwater

PROJECT OVERVIEW

November 2016

Our Water Supply Challenges

The groundwater basin that Soquel Creek Water District (District) relies on for 100% of its water supply is not sustainable and seawater intrusion is present in the Pleasure Point, Aptos, Seascapes, and La Selva Beach areas. The basin also provides water for over a thousand private well users, small mutual water systems, and municipal pumpers.

The main challenges we face include:

- Critically overdrafted groundwater basin
- Seawater intrusion and contamination
- Meeting the State mandate of basin sustainability by 2040
- Addressing stricter water quality standards
- Future climate change impacts such as seawater rise and reduced recharge

In order to address these challenges and ensure a reliable water supply for current and future generations, the District needs a new water supply.

Our Community Water Plan and Pure Water Soquel Project



The District has developed an action oriented, multi-faceted Community Water Plan. This long-range plan is based on community input and serves as the District's

roadmap to meet our goal of long-term sustainability by 2040. The Community Water Plan's key components include: water conservation, groundwater management, and securing supplemental supplies.



Furthering Water Conservation and Zero Impact Development: Our customers are helping to protect our limited groundwater supply by making conservation a way of life,

when rain is plentiful and in times of drought. We offer many tools and programs to help customers use water efficiently at home and at work. We're proud of the work our customers have done to conserve water and we're committed to supporting these efforts.

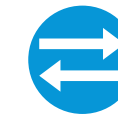


Pro-Active Groundwater Management: Our network of monitoring wells helps us understand how much water is in the underground aquifers we pump from and where seawater intrusion is occurring. We closely measure how much water we pump, monitor water quality, and are shifting well pumping away

from the coast. We're also working together with other local agencies and private well owners who pump water from the same groundwater basin to find regional solutions to protect our shared water supply.



Securing Supplemental Water Supplies: Conservation and groundwater management are helpful, but not sufficient to protect the groundwater basin from being contaminated by seawater intrusion. A new source of supply is still needed. Through phone and on-line surveys, we are asking the three qualities that are most important to our customers for a new water supply project: timeliness, water quality, and reliability.



The District has been evaluating three different supply options with **Pure Water Soquel, a groundwater replenishment project using purified water, as its preferred project.** The District continues to carry forward two other options, river water transfers with the City of Santa Cruz and desalination from Moss Landing, since the solution may involve a combination of supplemental water supply options.

WHAT'S INSIDE?

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What are the Project Benefits?	2
Understanding the Water Purification Process	3
Technical Studies	3
Project Timeline and Proposed Milestones	3
How to Learn More and Participate	4
Considering Options: River Water Transfers and Desalination	4

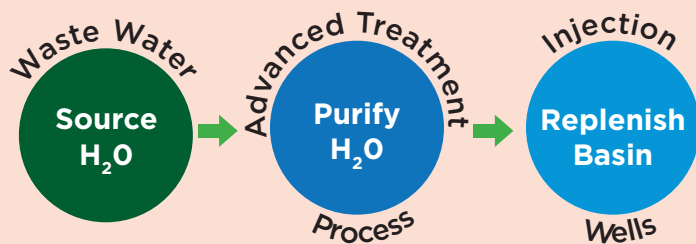
Attachment: Pure Water Soquel Project Overview (1613 : Update on the Groundwater Replenishment Project)

PUREWater Soquel

Replenishing Mid-County Groundwater

What is Pure Water Soquel?

Pure Water Soquel has been selected by the District Board as its preferred project for a new source of water. It involves taking municipal wastewater from the Santa Cruz County Sanitation District or the City of Santa Cruz and uses advanced water purification methods to produce 1,500 acre-feet per year (488 million gallons per year) of high-quality water. The purified water would then be injected into the ground to replenish the groundwater basin and provide a seawater barrier. The project is currently undergoing environmental review (see project timeline on page 3).



Cost estimates of the proposed Pure Water Soquel Project are preliminary since numerous component alternatives are being evaluated. Total preliminary project cost estimates range from \$50–70 million. The District is actively seeking state grant funding to help offset these costs.



Orange County Water District's Groundwater Replenishment System has produced over 200 billion gallons of purified water and has been in operation for 40 years. (photo credit: Orange County Water District)

Why Purified Water?

Many communities with long-term water shortages have either implemented or are currently evaluating purified water projects. Orange County Water District has been purifying recycled water to use as groundwater replenishment for over 40 years. Utilities in San Diego, Los Angeles, the San Francisco Bay Area, Monterey, and Silicon Valley are all seriously considering purified water as a part of their water supply portfolios.

What are the Project Benefits?

PROVIDES A BARRIER AGAINST SEAWATER INTRUSION — Helps prevent seawater intrusion from moving farther inland and contaminating drinking water wells. Southern Santa Cruz County, Monterey County, and many other coastal communities around the world are challenged with seawater intrusion.

RELIABLE AND DROUGHT-PROOF WATER SUPPLY — Provides a diversified water portfolio that is available year-round and is drought-proof to supplement our currently overdrafted groundwater supply.

HIGH-QUALITY WATER — Using proven technology with multiple treatment processes, provides purified water that meets all state and federal water quality criteria and is cleaner than most bottled water.

BENEFICIAL REUSE OF EXISTING SOURCE — Eliminates one-quarter of the 8 million gallons a day (average) of treated wastewater that goes out into the Pacific Ocean. This water can be diverted from being wasted, discharged to the ocean, and instead be put to beneficial uses. Once recycled and purified the water could be stored underground for environmental protection and to meet future community needs.

TIMELINESS — Purifying recycled water has been successfully implemented in other California communities. Water rights, that are typical of surface water projects, and marine issues, that are typical of desalination projects, will not apply to the District's purified water project, thus potentially reducing the time to acquire permits.

Understanding the Water Purification Process

Currently, most advanced water purification processes involve a multi-stage process of micro-filtration, reverse osmosis, and ultraviolet light with advanced oxidation.

STEP 1: To purify recycled water, the first step is to pretreat the water through micro-filtration. Water is pumped through tubes filled with tiny membranes. Each membrane, made up of hollow fibers, is perforated with holes 1/300th the width of a human hair. Through this process, solids and bacteria are caught in the fibers and removed from the water.

STEP 2: The water is treated through reverse osmosis, a process that again forces the water through membranes, removing salt, micro-organisms and chemicals.

STEP 3: At this point the water is purified, but will go through one more step to ensure safety. The treated water is exposed to ultraviolet light with advanced oxidation causing any remaining organic chemicals to break down into simple elements such as oxygen, nitrogen and carbon.

Images by Deguchi Design

Technical Studies

Technical studies have been conducted or are currently underway that will help inform the environmental review. These include:

- **Feasibility Study** — draft completed March 2016
- **Water Quality/Constituents of Emerging Concern (CEC) Testing** — currently being conducted with a technical advisory panel
- **Geochemical Characterization** — currently being conducted
- **Groundwater Modeling and Particle Tracking** — currently being conducted

Pure Water Soquel Timeline and Proposed Milestones

2014	2014-2016	2016-2018	2018-2022
Soquel Creek Water District Board selects Purified Water for Groundwater Replenishment as its preferred water supply option and directs staff to further evaluate.	District receives State Water Resources Control Board grant and prepares a Feasibility Study.	District conducts environmental review to prepare Environmental Impact Report (EIR). District seeks additional grant funding.	District to conduct permitting, design, and construction

Attachment: Pure Water Soquel Project Overview (1613 : Update on the Groundwater Replenishment Project)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF NOVEMBER 10, 2016

FROM: Public Works Department

SUBJECT: Consider Appointing Noll and Tam Architects for the Capitola Branch Library and Authorizing the City Manager to Negotiate a Final Contract with Noll and Tam in an amount not to exceed \$800,000

RECOMMENDED ACTION: Take the following actions:

1. Award a contract to Noll and Tam for architectural services for the new Capitola Branch Library in an amount not to exceed \$800,000;
2. Authorize the City Manager to negotiate the final scope of the contract;
3. Approve the formation of an Ad Hoc Library Design Advisory Committee and appoint one City Councilmember to sit on the Committee.

BACKGROUND: On September 8, 2016, the City issued a request for qualifications for architectural services for the Capitola Branch Library. The City received responses from six well qualified firms. The responses were reviewed and rated by a panel of City staff, library staff and the Library Advisory Committee. Based on this evaluation, three were invited to interview on October 20, 2016.

DISCUSSION: The three top firms interviewed were: Siegel and Strain, Noll and Tam, and Anderson-Brule. The interview panel consisted of County Library Director Nemitz, Council Member Termini, Barbara Gorson and Toni Campbell from the Library Advisory Committee, and the City Manager, Public Works Director, and consulting Project Manager David Tanza. The unanimous recommendation of this panel was the firm of Noll and Tam out of Berkeley. Noll and Tam have designed nine new libraries throughout the area including the Marina Library, Los Gatos Library, and Half Moon Bay Library which is currently out for bid. In addition to their new design efforts, Noll and Tam have been involved in many library renovation, expansion, and master plan projects. While the final recommendation of the panel was difficult and close, Noll and Tam eventually was the top choice based on their excellent design work, economical use of materials, and proven track record in completing a public design process.

Contract negotiations have begun with Noll and Tam, and staff is close to finalizing the final scope and fees for the basic scope of services that are outlined in Attachment 1. Staff is confident the final scope and fee terms can be finalized in the near future and recommends the Council authorize the City Manager to complete these negotiations and sign a contract that will not exceed \$800,000.

With approval of the contract, Noll and Tam will begin work immediately on the project and will

Library Architect Selection
November 10, 2016

be attending the next Library Advisory Committee meeting on November 16, 2016.

Another item for the Council's consideration is the formation of an Ad Hoc Library Design Review Committee to meet regularly with the architect and review and comment on design issues. Staff recommends this committee meet every two weeks during the active design phase and monthly during construction. All final design decisions such as building size and layout, conceptual site and building design, and architectural elements will remain the decision of the City Council. Staff anticipates providing monthly updates to the City Council. Staff is recommending the following makeup of the Library Design Review Committee:

1. One City Council member – appointed by the City Council
2. City Public Works Director (with City Manager on an as-needed basis)
3. Consulting Project Manager
4. Library staff – appointed by the Library District
5. Member of the Library Advisory Committee - appointed by the LAC

During the design and construction phases, the Library Advisory Committee will continue to provide oversight of public process for the project and liaison with the Friends of the Library.

FISCAL IMPACT: This contract, and all other expenses for the Library Project, will be paid out of the Library Fund which will include the \$8 million in Measure S funds and \$2.6 million in RDA Successor Agency funds.

Currently the Fund balance is \$363,578, which represents the balance of funds from the total amount of funding allocated for the design process in the 2004 City-County Library agreement (15% of the \$2.6 m)


Currently the Library Facilities Financing Authority (LFFA) anticipates disbursing the City's \$8 million during summer 2017, which will provide the revenue to fully fund this contract. If necessary, funds can be loaned from the CIP project fund to offset cash flow issues in the event the LFFA debt issuance is delayed.

ATTACHMENTS:

1. Library Architect Basic Scope of Work

Report Prepared By: Steve Jesberg
Public Works Director

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

11/4/2016

Capitola Library
Scope of Services Summary

Schematic Design Phase/Program Validation

General
Provide a written preliminary evaluation of the current needs assessment, scope and the construction budget
Conduct a Schematic Design/Scope Validation kick-off workshop
Conduct an integrated design workshop
Submit three alternative building designs that meet the program needs
For each of the three alternative designs, update the Detailed Project Program cost model
Prepare Schematic Design studies consistent with the Project Program requirements
Code Analysis
Estimated Project Construction Cost
Update the Project Program cost model
Provide an estimated project construction cost base on the Preliminary Scope
Area Tabulation: space-by-space comparison
Design Intent Narrative
Provide a narrative description of the Project's scope
Short narrative description of the Project's sustainable design goals and features.
Describe the type of construction; include waterproofing, exterior & interior finishes, etc.
Submit documentation supporting the design criteria for the structural, HVAC, & other systems
Describe the recommended structural system repairs and include special conditions
Provide the basis of design and an analysis of the principles of operation for the various systems
Describe the mechanical system repairs conceptually and performance requirements of new systems
Describe special systems
Describe the proposed new electrical systems
Include applicable code references where not covered by the code outline
Material Board - provide a 20" x 30" display board with samples of exterior materials proposed
Civil Drawings
Site Demolition Plan
Grading Plan
Utility Plan
Landscape Drawings
Architectural Drawings
Site Plan
Site Sections
Floor Plans
Demolition Plan
Sections
Elevations
Presentation Materials
Structural Drawings
Plumbing Drawings
HVAC Drawings
Electrical Drawings
Energy Efficiency Program Support

Attachment: Library Architect Basic Scope of Work (1628 : Library Architect Selection)

Design Development Phase

General
Update versions of all Schematic Design phase submittal items in addition to items below
Code Analysis
Estimated Project Construction Cost
Update the Area Tabulation
Update the Repair Scope and Design Intent Narrative
Update the Material Board(s)
Civil Drawings
Grading Plan
Utility Plan
Conceptual Staging Vehicle and Bicycle Routing Plan
Landscape Drawings
Architectural Drawings
Floor Plans
Roof Plan
Elevations
Sections
Large Scale Drawings
Schedules - Window, Finish, etc.
Structural Drawings
Plumbing Drawings
HVAC Drawings
Electrical Drawings
Outline Specifications
Schedule a meeting to discuss specifications guidelines
Outline Specifications - include index and technical sections
Energy Analysis - computer simulation demonstrating Title 24 energy compliance
Sole Source Listing
Submit a list of each item to be sole sourced (no known equal), cost, and justification
EMS/HVAC Automatic Temperature Controls - specify systems

Construction Document Phase

General
Submit updated versions of all the required items for DD in addition to the items below
Recommend changes to documents based on a review of the City's Bidding Documents
Drawings and Specifications to be consistent with City's General Conditions & Division 1
Code Analysis
Update the Estimated Project Construction Cost
Update Area Tabulation
Update the Design Intent Narrative
Update the Material Board(s)
Drawings and Specifications
Include Index and Regulatory Compliance Drawings
Civil Drawings

Attachment: Library Architect Basic Scope of Work (1628 : Library Architect Selection)

Landscape Drawings
Architectural Drawings
Structural Drawings
Plumbing Drawings
HVAC Drawings
Electrical Drawings
Specifications
Energy Analysis
Structural, Mechanical, and Electrical Calculations
Clearly list all design criteria, assumptions, and references used
Utility Shut Down Plan
Update the Sole Source List
95% Construction Documents
Update the documents & provide additional drawings, details, & all complete spec. sections
100% Complete Construction Documents
Update the documents & provide additional drawings, details, & specs deemed complete/buildable
Submit a Letter of Assurance attesting that the documents are complete and ready to bid
List of Rooms and Spaces
Final Back check Construction Documents
Incorporate any changes or corrections required by City or review agencies
When all required changes have been incorporated, CD's will be deemed final & ready for bid
Final Construction Drawings are to be signed and stamped by each Design Professional

Bidding Phase

General
Design Professional review and comment on prequalification criteria provided by City
Assist City in the review and evaluation of bids if requested by City
City Administration
City will administer reproduction of all documents, advertisement for bids, pre-bid conference, receipt of questions from bidders, addenda documents, bids, contract award & execution.
City's Representative shall conduct, Design Professionals and consultants shall attend, pre-bid conferences and pre-bid site visits with potential bidders.
Bidders Inquiries
City's Rep. will receive RFI's and forward to Design Professional to answer general questions.
City's Representative sets the deadline for receiving RFI's
Addenda
Modification of the Contract Documents shall be issued by Addendum to the Contract Documents.
Design Professional is responsible for compiling items from consultants into an Addendum.
Design Professional shall provide to the City changes to the specifications in bold and cloud changes to the drawings at the end of the bidding phase.
If requested by City, the Design Professional shall participate in a pre-award meeting.
Design Professional shall submit, prior to bid date, a complete list of all submittals required.

Attachment: Library Architect Basic Scope of Work (1628 : Library Architect Selection)

Construction Phase

General
Design Professional's responsibilities include interpretation of Contract Documents, periodic site observations, review of submittals, preparation of documents for proposed changes, and general consolation to the City on design matters.
All written communications with Contractor shall be sent and received by City's Representative. Design Professional shall advise and consult with City's Representative and shall keep City's Representative informed of the observed progress of the work.
The Design Professional shall perform all Construction phase services in a timely manner.
Design Professional shall correct all errors, omissions, etc. at no cost to City.
Contract Documents Compliance
Periodic on-site observations during and after construction, as well as off-site observations of material and equipment if specified in Contract Documents. Observations shall be deliberately and thoroughly.
Observations shall be for the purpose of ascertaining: the progress of work, quality, and detail comply with the Contract Documents, City's Representative's directives, etc.
Design Professional shall have the authority to recommend (in writing to City's Rep.) rejection of Work that does not conform to the Contract Documents, code requirements, etc.
Recommend special inspection of testing of Work in accordance to provisions in Contract Documents.
Review inspection reports, laboratory reports, and test data to determine conformity.
Recommend to City's Rep. in writing about actions to be taken by City's Rep. as determined by site visits, inspection reports, laboratory reports, and test data.
Interpretation of the Contract Documents
The Design Professional shall be the interpreter of the design requirements of the Contract Documents and the judge of performance thereunder.
Design Professional's decisions regarding Contract Documents is based upon independent judgment.
Changes To The Contract Documents shall be incorporated on a monthly basis during construction.
Construction Meetings
Design Professional and consultants shall attend and participate in the pre-construction meeting.
Design Professional shall attend regular construction meetings on site and special meetings as needed.
Inspection
Design Professional to provide technical direction and interpretation of Contract Documents for inspectors.
<i>Identifies Inspector's Responsibilities</i>
City will contract with soils and materials testing laboratories upon Design Professional's recommendations and as required by the specifications. City's Representative will coordinate the activities of Contractor with testing consultants.
Design Professional shall revise and update the materials/color schedule and materials boards as necessary to reflect the actual products approved for use on the project.
Design Professional shall review the Commissioning Plan for accurate incorporations of the design intent.
Design Professional shall compile a punch list indicating any lack of compliance with the Contract Documents & submit to City's Rep. when construction is substantially complete & when fully complete.
Final Approval and Inspection Acceptance
The Design Professional and its consultants shall: assist City's Rep. to review contractor's guarantees operating data to assess compliance with the Contract Document requirements; assist City's Rep. to assemble written guarantees, O&M instruction books, diagrams, and charts required of Contractor; recommend final acceptance of the construction and shall advise City of the acceptability of the work performed by Contractor; attend a final inspection and sign a Final Completion form.
Design Professional shall review Contractor's As-Built Documents at each Contractor pay request submitted to verify Contractor's work is in compliance with the Contract Documents, and final As-Built drawings prior to Design Professional's preparation of the final Record Documents.
Any changes that have been made during construction shall be incorporated in the Record Documents to show the As-Built condition of the Project. The final Record Drawings shall be submitted to the City within 30 days of receiving the Contractor's As-Built drawings and shall be labeled "RECORD DRAWING" with the appropriate date.

Attachment: Library Architect Basic Scope of Work (1628 : Library Architect Selection)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF NOVEMBER 10, 2016

FROM: Building Department

SUBJECT: Introduction of an Ordinance Amending Chapter 15.04 of the Capitola Municipal Code Pertaining to Building and Fire Model Codes

RECOMMENDED ACTION: Introduction of an Ordinance amending Municipal Code Chapter 15.04 pertaining to building and fire codes.

BACKGROUND: The State of California has adopted new editions of the California Building Codes, which take effect throughout the state on January 1, 2017. The proposed Ordinance would amend Title 15 of the Municipal Code to adopt the most current version of the California Building Codes as required by California Health and Safety Code Section 18541.5.

DISCUSSION: The City of Capitola must amend Title 15 of the Capitola Municipal Code approximately every three years to incorporate the most recent editions of building codes which have been adopted by the California Building Standards Commission. The California Building Standards Commission adopted new model codes which will go into effect on January 1, 2017.

Additionally, the Municipal Code will be amended to allow for the use of the International Building Codes as an alternative to the California Building Codes, if reviewed and approved by the City's Building Official.

Unlike previous Building Code cycle amendments, there are no significant changes from the 2013 California Building Codes. Notable code changes are shown below and a detailed list of changes are provided in Attachment 2.

- Amendments to the Plumbing Code affecting water flow rates for fixtures;
- Concrete construction standards were rewritten and reorganized;
- The 2015 International Existing Building Code was adopted as the California Existing Building Code;
- Codes regulating existing structures were relocated and conditions triggering rehabilitation were clarified;
- Structural safety application fees for DSA (Division of State Architects) review were increased as of February 2016.

Staff recommends the City Council adopt the State Codes as the governing Code to construct a structure during this cycle due to the City's obligation to apply State Building and Fire Codes

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and because the State's standards are tailored to the geographic, climatic, and topographic conditions found in California. Staff also recommends the City Council adopt any and all amendments and erratas to the State Codes to retain regional code consistency and long-standing seismic construction standards which were not included in the most recent state code update.

FISCAL IMPACT: None

ATTACHMENTS:

1. 2016 Central Fire Code (DOC)
2. DSA 2016 California Building Code Changes (PDF)
3. 2016 Central Fire Ordinance Changes (PDF)

Report Prepared By: Michele Deiter
Records Coordinator

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

11/4/2016

ORDINANCE NO. 987

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
AMENDING CHAPTER 15.04 OF THE CAPITOLA MUNICIPAL CODE
PERTAINING TO ADOPTION OF CALIFORNIA BUILDING CODES**

THE CITY COUNCIL OF THE CITY OF CAPITOLA HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Chapter 15.04 is amended to be titled BUILDING CONSTRUCTION AND FIRE CODES

SECTION 2. Section 15.04.010 of the Capitola Municipal Code is amended to read as follows:

15.04.010 Adoption of California Building Codes. The City of Capitola adopts the following Codes or designated portions thereof:

A. The California Building Code and appendices, 20163 edition, which edition incorporates the International Building Code, 20152 edition as published by the International Code Council and includes the Historic, Existing Building, and International Property Maintenance Codes.

B. The California Electrical Code, 20163 edition, which incorporates the 20144 National Electrical Code as published by the National Fire Protection Association, NFPA 70.

C. The California Mechanical Code, 20163 edition, which incorporates the 20152 Uniform Mechanical Code as published by the Association of Plumbing and Mechanical Officials.

D. The California Plumbing Code, 20163 edition, which incorporates the 20152 edition of the Uniform Plumbing Code.

E. The California Fire ~~e~~Code, 2016 edition as amended by the Central Fire Protection District Fire Code, 20153 edition.

F. The California Residential Code, 20163 edition, which incorporates the International Residential Code, 20152 edition.

G. The 20163 California Referenced Standards Code.

H. The California Energy Code, 20163 edition.

I. The California Green Building Standards Code, 20163 edition.

J. The California Administrative Code, 2016 edition.

K. The California Historical Building Code, 2016 edition.

L. The California Existing Building Code, 2016 edition, which incorporates the International Existing Building Code, 2015 edition.

The International Building Codes may be used as an alternative to the California Codes, when submitted, reviewed, and approved by the City's Building Official.

SECTION 3. Section 15.04.050 Modifications to the California Building Code.

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- A. The following local geologic conditions justify modifications to California Building Standards Code as detailed in subsection B:

Geological – The region is located in an area of high seismic activities as indicated by United States Geological Survey and California Division of Mines and Geology. Recent earthquake activities have indicated the lack of flexibility of materials and/or building systems has been a contributing factor to damages that reduced the usability of buildings, degraded the life-safety of building occupants, and increased the cost of rehabilitation of the structures.

- B. The following modifications apply to the California Building Code:

1805.3.1. Concrete floors in all residential occupancies shall be protected from moisture penetration by a bed of at least three inches of clean rock, not less than 3/8 inch nor more than 1 inch in diameter. Dampproofing consisting of not less than 10-mil polyethylene with joints lapped not less than 12 inches, a vapor barrier that meets or exceeds ASTM E-1745 Standards, or other approved methods or materials shall be installed beneath the slab. Joints in the membrane shall be lapped and sealed in accordance with the manufacturer's installation instructions.

Section 1905.1.8. Amends ACI 318 section 22.10.1 of ACI 318 that allows the use of plain concrete in residential structures assigned to seismic design category D, E or F to read:

22.10. Plain concrete in structures assigned to seismic design category C, D, E or F.

22.10.1. Structures assigned to Seismic Design Category C, D, E or F shall not have elements of structural plain concrete, except as follows:

- (a) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

Exception: In detached one and two-family dwelling three stories or less in height, the projection of the footing beyond the face of the supported member is permitted to exceed the footing thickness.

- (b) Plain concrete footing supporting walls are permitted, provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

Exception: In detached one and two-family dwellings three stores or less in height and constructed with stud bearing walls, plain concrete footings with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross-sectional area of the footing.

SECTION 4. The following changes and modifications are hereby made to the California Residential Code as referenced below:

R506.2.3. Concrete floors in all residential occupancies shall be protected from moisture penetration by a bed of at least three inches of clean rock, not less than 3/8 inch nor more than 1 inch in diameter. Dampproofing consisting of not less than 10-mil polyethylene with joints lapped not less than 12 inches, a vapor

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barrier that meets or exceeds ASTM E-1745 Standards, or other approved methods or materials shall be installed beneath the slab. Joints in the membrane shall be lapped and sealed in accordance with the manufacturer's installation instructions.

R403.1.3. Seismic reinforcing.

- a) Concrete footings located in Seismic Design Categories D0, D1 and D2, as established in Table R301.2 (1), shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars not smaller than No. 4 bars. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing.
- b) In Seismic Design Categories D0, D1 and D2 where a construction joint is created between a concrete footing and a stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing, have a standard hook and extend a minimum of 14 inches (357 mm) into the stem wall.
- c) In Seismic Design Categories D0, D1 and D2 where a grouted masonry stem wall is supported on a concrete footing and stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing and have a standard hook.
- d) In Seismic Design Categories D0, D1 and D2 masonry stem walls without solid grout and vertical reinforcing are not permitted.

Exception: In detached one- and two-family dwellings which are three stories or less in height and constructed with stud bearing walls, isolated plain concrete footings supporting columns or pedestals are permitted.

In Seismic Design Categories D₀, D₁, and D₂, Method GB is not permitted and the use of Method PCP is limited to one-story single family dwellings and accessory structures.

Add the "e" footnote notation in the title of Table R602.10., after the four footnotes currently shown, to read:

TABLE R602.10.1.3(3)^{a,b,c,d,e}

- e) R602.10.4.4. Limits on methods GB and PCP. In Seismic Design Categories D₀, D₁, and D₂, Method GB is not permitted for use as intermittent braced wall panels, but gypsum board is permitted to be installed when required by this Section to be placed on the opposite side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories D₀, D₁, and D₂, the use of Method PCP is limited to one-story single family dwellings and accessory structures.

SECTION 5. This Ordinance shall take effect and be in full force thirty (30) days after its final adoption by the City Council.

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

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AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

Ed Bottorff, Mayor

ATTEST:

_____, CMC
Susan Sneddon, City Clerk

**CENTRAL FIRE PROTECTION DISTRICT
OF SANTA CRUZ COUNTY**

ORDINANCE NO. 2016-01

An ordinance of the Central Fire Protection District adopting the 2015 edition of the International Fire Code, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the Central Fire Protection District providing for the issuance of permits and collection of fees therefore; repealing Ordinance 2016-01 of the Central Fire Protection District and all other ordinances and parts of the ordinances in conflict therewith.

PART 1

The Board of Directors of the Central Fire Protection District does ordain as follows:

That portion of the 2016 California Fire Code that imposes substantially the same requirements as are contained in the International Fire Code, 2015 Edition published by the International Code Council and the California Building Standards Commission with Errata, together with those portions of the International Fire Code, 2015 Edition, including Appendices B, BB, C, CC, I and N as published by the International Code Council not included in the California Fire Code, as modified and amended by this ordinance, are adopted by this reference into this code, and are hereby collectively declared to be the Fire Code of the Central Fire Protection District, in the State of California regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees for same; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Central Fire Protection District are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Part 2 of this ordinance.

PART 2

Chapter 34 of the Central Fire Protection District is hereby repealed and replaced with Title 34 to read as follows:

International Fire Code Adopted.

That portion of the 2016 California Fire Code that imposes substantially the same requirements as are contained in the International Fire Code, 2015 Edition published by the International Code Council and the California Building Standards Commission with errata, together with those portions of the International Fire Code, 2015 Edition, including Appendices B, BB, C, CC, I and N published by the International Code Council not included in the 2016 California Fire Code, as modified and amended by this ordinance, are adopted by this reference into code, and are hereby collectively declared to be the Fire Code of the Central Fire Protection District for the purpose of regulating and governing the safeguarding of life, property and public welfare to a reasonable degree from the hazards of fire, hazardous materials release and explosion arising from the storage, use and handling of dangerous and hazardous materials, substances and devices, conditions hazardous to life or property in the occupancy and use of buildings and premises, the operation, installation, construction, location, safeguarding and maintenance of attendant equipment, the installation and maintenance of adequate means of egress not provided for by the building code, and providing for the issuance of permits and collection of fees for same.

Section 101.1 is amended – Title.

Section 101.1 of Chapter 1 of the Fire Code of the Central Fire Protection District is amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the Central Fire Protection District, hereinafter referred to as “this code.”

Section 102.1 amended – Construction and design provisions.

Section 102.1 of Chapter 1 of the Fire Code of the Central Fire Protection District is amended to read as follows:

102.1 – Construction and design provisions. The construction and design provisions of this code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this code.
2. Existing structures, facilities and conditions not legally in existence at the time of adoption of this code.
3. Existing structures, facilities and conditions where required in Chapter 11.
4. Existing structures, facilities and conditions that, in the opinion of the fire code official, constitute a distinct hazard to life or property.
5. Existing Structures, Alterations and Repairs. All new work performed in alterations and/or repairs to existing structures shall comply with the current provisions of this Chapter. When alterations and/or repairs result in the removal, alteration, modification, replacement and/or repair of fifty percent or more of the external walls of a building, or result in the removal, modification, replacement and/or repair of fifty percent or more of the existing internal structural and/or non-structural framework, independently or in combination thereof, within a five year period, the entire building shall be made to conform to the current provisions of this chapter. The determination under this section of the requirement for upgrading any existing structure to full conformance with current provisions of this Chapter shall be at the sole discretion of the Fire Code Official.

Section 102.9 amended - Matters Not Provided For.

Section 102.9 of Chapter 1 of the Fire Code of the Central Fire Protection District is amended to read as follows:

102.9 - Matters Not Provided For. Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof, which are not specifically provided for by this code shall be determined by the fire code official.

The fire chief is authorized to render interpretations of this code and to make and enforce rules, supplemental regulations and standards in order to carry out the application and intent of its provisions. Such interpretations, rules, regulations and standards shall be in conformance with the intent and purpose of this code and shall be available to the public during normal business hours. Those standards promulgated by the Santa Cruz County Fire Chiefs Association shall be deemed as prima facie evidence of compliance with this code.

Section 103.5 Added – Police Powers.

Section 103.5 is added to Chapter 1 of the Fire Code of the Central Fire Protection District is amended to read as follows:

103.5 Police Powers. The fire code official and his/her deputies shall have the powers of police officers in performing their duties under this code. When requested to do so by the fire code official, the chief of police of the jurisdiction is authorized to assign such available police officers as necessary to assist the fire code official with enforcing the provisions of this code.

Section 105.1 amended – General.

Section 105 of Chapter 1 of the Fire Code of the Central Fire Protection District is amended to read as follows:

105.1 - General. Permits shall be in accordance with Sections 105.1.1. through 105.7.18 or other provisions of this code as required by the jurisdiction having authority.

Section 108.1 amended - Board of Appeals Established.

Section 108.1 of Chapter 1 of the Fire Code of the Central Fire Protection District is amended to read as follows:

108.1 – Board of Appeals Established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a Board of Appeals. The Board of Appeals shall be the Board of Directors of the Central Fire Protection District or a sub-committee as appointed by the Board of Directors of the Central Fire Protection District. The fire code official shall be an ex-officio member of said board but shall have no vote on any matter before the board. The board may adopt additional rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

Section 108.3 deleted – Qualifications

Section 108.3 of Chapter 1 of the Fire Code of the Central Fire Protection District is deleted.

Section 108.4 added – Appeals Process

Section 108.4 of Chapter 1 of the Fire Code of the Central Fire Protection District is added to read as follows:

Section 108.4.1 - Initiating Appeal. Any beneficially interested party has the right to appeal the order served by the fire code official by filing a written "NOTICE OF APPEAL" with the office of the fire code official within fourteen (14) days after service of such order. The notice shall state the order appealed from, the identity and mailing address of the appellant, and the specific grounds upon which the appeal is made.

108.4.2 - Stay of Order. The filing of a properly completed notice of appeal shall have the effect of staying the implementation of the order appealed from, until the final decision of appeal.

EXCEPTION: Orders affecting acts or conditions which in the opinion of the fire code official, pose an immediate threat to life, property, or the environment as a result of panic, fire, explosion, or release.

108.4.3 - Hearing of Appeal. Following is the process for establishing and hearing appeals:

1. The Board of Appeals, or the secretary thereof, shall set the matter to be heard at a date within thirty days of receipt of such notice of appeal. Written notice of the time and place set for hearing shall be served on the appellant by first class mail to the mailing address given in the notice of appeal at least five days prior to the date set for the hearing. The fire code official shall transmit to the Board of Appeals all records related to the appeal.

2. At the hearing on the appeal, the appellant shall, in the first instance present evidence in support of the grounds enumerated in her/his notice of appeal. The fire code official shall next present evidence in support of her/his order. The appellant and the fire code official shall each have one opportunity to rebut the evidence presented by the other. The hearing shall be de novo in all respects.

108.4.4 - Decision of the Board of Appeals. Upon hearing the appeal, the Board of Appeals may issue a decision affirming, modifying or vacating the order of the fire code official. The decision shall be in writing and shall be served upon the appellant by first class mail to the mailing address given in the notice of appeal.

108.4.5 - Time of Decision. The Board of Appeals shall have the power to continue any hearing and may, in its discretion, take the appeal under submission. The Board of Appeals shall render a decision not later than the seventh day following the date the matter was taken under submission, and forthwith notify the interested parties as previously set forth.

Section 109.4 is amended – Violation penalties.

Section 109.4 of Chapter 1 of the Fire Code of the Central Fire Protection District is amended to read as follows:

109.4 – Violation Penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents, or of a permit or certificate used under provisions of this code, shall be guilty of an infraction.

Acts denominated as infractions shall not be punishable by imprisonment. Every violation determined to be an infraction is punishable by:

1. A fine not exceeding one hundred dollars for a first violation;
2. A fine not exceeding two hundred dollars for a second violation of the same provision of this code within one year;
3. A fine not exceeding five hundred dollars for each additional violation of the same provision of this code within one year.

A person charged with an infraction shall not be entitled to a trial by jury. A judgment that a person convicted of an infraction be punished by fine may also provide for the payment to be made within a specified time or in specified installments, contingent upon the person giving his written promise to either pay the fine as provided or to appear in court on the due date. Any person who willfully violates any such written promise is guilty of a misdemeanor.

Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 109.4.1 is amended – Abatement of violation.

Section 109.4.1 of Chapter 1 of the Fire Code of the Central Fire Protection District is amended to read as follows:

109.4.1 – Abatement of violation. In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises. Any violation of this code shall be deemed a public nuisance pursuant to Santa Cruz County Code Section 1.12.050 and/or the Central Fire Protection District's Fire Code. In the event that a public nuisance is not abated in accordance with the fire code official's order or the order of the Board of Appeals, if any, the fire code official may, upon securing approval of the Board of Directors of the Central Fire Protection District, proceed to abate the nuisance by force account, contract, or any other method deemed most expedient by the Board. The cost of such abatement may be charged to the owner of record, or assessed to the property in a manner provided in Sections 1.14.040 through 1.14.080 of the County of Santa Cruz Code.

Section 109.4.2 is added – Enforcement.

Section 109.4.2 of Chapter 1 of the Fire Code of the Central Fire Protection District is added to read as follows:

109.4.2 - Enforcement. The fire code official and her/his delegated subordinates, pursuant to the provisions of Section 836.5 of the Penal Code of the State of California, are hereby authorized to arrest a person without a warrant whenever they have reasonable cause to believe that the person has committed a violation of any of the provisions of this Code in their presence. Upon making such an arrest, the fire

code official or her/his delegated subordinate shall prepare a citation and release the person arrested pursuant to Section 853.6 of the Penal Code of the State of California, the provisions of which are hereby adopted by reference as part of this Section.

Section 111.4 is amended – Failure to comply.

Section 111.4 of Chapter 1 of the Fire Code of the Central Fire Protection District is amended to read as follows:

111.4 Failure to comply. It is unlawful for any person, firm or corporation to violate or fail to comply with any lawful order of the fire code official; fail to comply with an order by the Board of Appeals; or, fail to comply with an order of the court of competent jurisdiction within the time fixed therein. Every such violation shall be deemed a misdemeanor and shall be punishable by a fine of not more than \$500.00 plus court assigned fees or by imprisonment not exceeding 1 year in the county jail, or both such fine and imprisonment.

Section 202 is amended – Definition of All Weather Surface.

Definition of All Weather Surface in Section 202 of Chapter 2 of the Fire Code of the Central Fire Protection District is added after Alcohol-Blended Fuels to read as follows:

ALL WEATHER SURFACE. An all weather surface shall be a minimum of 6" of compacted Class II base rock for grades up to and including 5%, oil and screened for grades up to and including 15%, and asphaltic concrete for grades exceeding 15%. No grade shall be allowed to exceed 16% in State Responsibility Area (SRA) or 20% in Local Responsibility Area (LRA).

Section 202 is amended – Definition of Bridge.

Definition of Bridge in Section 202 of Chapter 2 of the Fire Code of the Central Fire Protection District is added after Bonfire to read as follows:

BRIDGE. A bridge shall be defined as a structure designed to carry a roadway over a depression or obstacle.

Section 202 is amended – Definition of De Novo.

Definition of De Novo in Section 202 of Chapter 2 of the Fire Code of the Central Fire Protection District is added after Deluge System to read as follows:

DE NOVO. adj. Latin for "anew," which means starting over, as in a trial de novo. For example, a decision in a small claims case may be appealed to a local trial court, which may try the case again, de novo.

Section 202 is amended – Definition of Fire Chief.

Definition of Fire Chief in Section 202 of Chapter 2 of the Fire Code of the Central Fire Protection District is amended to read as follows:

FIRE CHIEF. The Chief of the Central Fire Protection District.

Section 202 is amended – Definition of Local Responsibility Area (LRA).

Definition of Local Responsibility Area (LRA) in Section 202 of Chapter 2 of the Fire Code of the Central Fire Protection District is added after Listed to read as follows:

LOCAL RESPONSIBILITY AREA (LRA). Shall mean lands on which neither the state nor the federal government has any legal responsibility for providing fire protection. Local responsibility areas include incorporated cities and cultivated agriculture lands. Local responsibility area fire protection is typically provided by city fire departments, fire protection districts, special districts, counties, and by CAL FIRE under contract to local government.

Section 202 is amended – Definition of Stage.

Definition of Stage in Section 202 of Chapter 2 of the Fire Code of the Central Fire Protection District is added after Spraying Space to read as follows:

STAGE. A space within a building utilized for entertainment or presentations, which includes overhead hanging curtains, drops, scenery or stage effects other than lighting and sound. Stage area shall be measured to include the entire performance area and adjacent backstage and support areas not separated from the performance area by fire-resistance rated construction. Stage height shall be measured from the lowest point on the stage floor to the highest point of the roof or floor deck above the stage.

Section 202 is amended – Definition of State Responsibility Area (SRA).

Definition of State Responsibility Area (SRA) in Section 202 of Chapter 2 of the Fire Code of the Central Fire Protection District is added after Standpipe, Types of to read as follows:

STATE RESPONSIBILITY AREA (SRA). Shall mean lands that are classified by the Board of Forestry pursuant to Public Resources Code Section 4125-4127; and the California Code of Regulations, Title 14, Division 1.5, Chapter 7, Article 1, Sections 1220-1220.5 where the financial responsibility of preventing and suppressing forest fires is primarily the responsibility of the State of California.

Section 202 is amended – Definition of Turnaround.

Definition of Turnaround in Section 202 of Chapter 2 of the Fire Code of the Central Fire Protection District is added after Tube Trailer to read as follows:

TURNAROUND. A roadway, unobstructed by parking, which allows for a safe opposite change of direction for emergency equipment. Design of such area may be found in Santa Cruz County Fire Prevention Officers Standards.

Section 202 is amended – Definition of Turnout.

Definition of Turnout in Section 202 of Chapter 2 of the Fire Code of the Central Fire Protection District is added after Turnaround to read as follows:

TURNOUT. A widening in a roadway to allow vehicles to pass. Design of such area may be found in Santa Cruz County Fire Prevention Officers Standards.

Section 304.1.2 is amended – Vegetation.

Section 304.1.2 of Chapter 3 of the Fire Code of the Central Fire Protection District is amended to read as follows:

304.1.2 – Vegetation. Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises. Vegetation clearance requirements in urban-wildland interface areas shall be maintained around and adjacent to buildings and structures. A firebreak shall be made by removing and clearing away, for a distance of not less than 30 feet on each side of the building or structure or to the property line, whichever is nearer, all flammable vegetation or other combustible growth. This does not apply to single specimens of trees or other vegetation that is well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to any building or structure.

When required by state law, or local ordinance, rule or regulation, an additional fire protection zone or firebreak may be made by removing all brush, flammable vegetation, or combustible growth that is located within 100 feet from the building or structure or to the property line. This section does not prevent an insurance company that insures a building or structure from requiring the owner of the building or structure to maintain a firebreak of more than 100 feet around the building or structure. Grass and other vegetation located more than 30 feet from the building or structure and less than 18 inches in height above the ground may be maintained where necessary to stabilize the soil and prevent erosion. This

does not apply to single specimens of trees or other vegetation that is well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a dwelling or structure.

Section 307.2 - Open Burning and Recreational Fires.

Section 307.2 of Chapter 3 of the Fire Code of the Central Fire Protection District is amended to read as follows:

307.2 Permit required.

When required by the fire chief, a permit shall be obtained in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such permit shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

The open burn season for Santa Cruz County unless otherwise declared shall be December 1st through April 30th of the calendar year. The dates may only be changed by the Monterey Bay Area Unified Air Pollution Control District.

Exceptions:

1. During the “declared open burn season” (as declared by the Monterey Bay Area Unified Air Pollution Control District) pile burning is allowed, at the discretion of the fire chief, when the “Guidelines for Pile Burning” (published by the California Department of Forestry and Fire Protection or Monterey Bay Area Unified Air Pollution Control District) are strictly adhered to.

Section 308.1.4 is deleted – Open-Flame cooking devices.

Section 308.1.4 of Chapter 3 of the Fire Code of the Central Fire Protection District is hereby deleted:

Section 311.5 is amended – Placards.

Section 311.5 of Chapter 3 of the Fire Code of the Central Fire Protection District is amended to read as follows:

311.5 – Placards. When required by the fire code official, any building or structure determined to be unsafe pursuant to Section 110 of this code relating to structural or interior hazards shall be marked as required by Sections 311.5 through 311.5.5.

Section 501.3 is amended – Construction Documents.

Section 501.3 of Chapter 5 of the Fire Code of the Central Fire Protection District is amended to read as follows:

501.3 – Construction Documents. Construction documents for proposed fire apparatus access, location of fire lanes, security gates across fire apparatus access roads and construction documents and hydraulic calculations for fire hydrant systems shall be submitted to the fire department for review and approval prior to construction. When grading work is needed for the access road(s) within the jurisdiction of Santa Cruz County, application for a grading permit shall be made with the Santa Cruz County Planning Department pursuant to the Santa Cruz County Grading Ordinance. Such Permits shall be reviewed by the Santa Cruz County Environmental Coordinator as required.

Section 503.2.1 is amended – Dimensions.

Section 503.2.1 of Chapter 5 of the Fire Code of the Central Fire Protection District is amended to read as follows:

503.2.1 – Dimensions. Fire Apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 15 feet (4572 mm).

Exceptions:

1. Within the State Responsibility Area (SRA) of Santa Cruz County, all driveways serving two or fewer habitable structures shall have an unobstructed width of not less than 12 feet (3658 mm) and an unobstructed vertical clearance of not less than 15 feet (4572 mm).
2. Within the Local Responsibility Area (LRA) of Santa Cruz County, access roads shall be a minimum of 18 feet (5486 mm) wide for all access roads or driveways serving more than two habitable structures, and 12 feet (3658 mm) for an access road or driveway serving two or fewer habitable structures. Where it is environmentally inadvisable to meet these criteria (due to excessive grading, tree removal or other environmental impacts), a 12-foot wide all-weather surface access road with 12-foot wide by 35-foot long turnouts located approximately every 500 feet may be provided with the approval of the fire code official.
3. Vertical clearance may be reduced; provided such reduction does not impair access by fire apparatus and approved signs are installed and maintained indicating the established vertical clearance when approved by the fire code official.

Section 503.2.1.1 is added – Vegetation clearance along access roads.

Section 503.2.1.1 of Chapter 5 of the Fire Code of the Central Fire Protection District is added to read as follows:

503.2.1.1 – Vegetation Clearance along access roads. Areas within 10 feet (3048 mm) horizontal and 15 feet (4572 mm) vertical on each side of portions of highways, public and private streets, roads and driveways which are ordinarily used for vehicular traffic shall be cleared of flammable vegetation and other combustible growth. Design of such area may be found in Santa Cruz County Fire Prevention Officers Standards.

Exception: Single specimens of trees, ornamental shrubbery or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, are exempt provided that they do not form a means of readily transmitting fire.

Section 503.2.3 is amended – Surface.

Section 503.2.3 of Chapter 5 of the Fire Code of the Central Fire Protection District is amended to read as follows:

503.2.3 - Surface. An all weather surface shall be a minimum of 6" of compacted Class II base rock for grades up to and including 5%, oil and screened for grades up to and including 15%, and asphaltic concrete for grades exceeding 15%. No grade shall be allowed to exceed 16% in State Responsibility Area (SRA) or 20% in Local Responsibility Area (LRA).

Section 503.2.4 is amended – Turning radius.

Section 503.2.4 of Chapter 5 of the Fire Code of the Central Fire Protection District is amended to read as follows:

503.2.4 – Turning radius. In the State Responsibility Area (SRA) no roadway shall have a horizontal inside radius of curvature of less than 50 feet and additional surface width of 4 feet shall be added to curves of 50-100 feet radius; 2 feet to those from 100-200 feet. In the Local Responsibility Area (LRA) the minimum centerline radius shall be 35 feet.

Section 503.2.5.1 is added – New dead end access roads.

Section 503.2.5 of Chapter 5 of the Fire Code of the Central Fire Protection District is added to read as follows:

503.2.5.1 – Dead end access roads. New dead-end roads are prohibited, without secondary access, serving more than one parcel in new minor land divisions or subdivisions which exceed the following distances from an adequate through road unless approved by the applicable fire protection agency, the

Department of Public Works, and by the Planning Commission; in no case shall a new dead-end road exceed ½ mile in length.

Urban & Suburban General Plan and LCP Land Use Plan designation	500'
Rural General Plan and LCP Land Use Plan designation	1000'
Mountain General Plan and LCP Land Use Plan designation	1500'

Section 503.2.6.1 is added – Width.

Section 503.2.6.1 of Chapter 5 of the Fire Code of the Central Fire Protection District is added to read as follows:

503.2.6.1 - Width. All bridges shall be a minimum of 20 feet of clear width. The fire code official may allow the width to be reduced for access to U-1, U-2 or R-3 occupancies in accordance with Objective 6.5 – Fire Hazards of the Santa Cruz County General Plan.

Section 503.2.6.2 is added – Certification.

Section 503.2.6.2 of Chapter 5 of the Fire Code of the Central Fire Protection District is added to read as follows:

503.2.6.2 - Certification. Every private bridge hereafter constructed shall be engineered by a licensed civil or structural engineer and approved by the fire code official. Certification shall be provided by the licensed engineer in writing that the bridge complies with the design standard required by this section to the fire code official.

Section 503.2.6.3 is added – Recertification.

Section 503.2.6.3 of Chapter 5 of the Fire Code of the Central Fire Protection District is added to read as follows:

503.2.6.3 - Recertification. Every private bridge shall be recertified every ten years or whenever deemed necessary by the fire code official. Such recertification shall be in accordance with the requirements of 503.2.6.2.

Section 503.2.6.4 is added – Existing Private Bridges.

Section 503.2.6.4 of Chapter 5 of the Fire Code of the Central Fire Protection District is added to read as follows:

503.2.6.4 - Existing Private Bridges. An existing private bridge not conforming to these regulations may be required to conform when in the opinion of the fire code official, such repairs are necessary for public safety.

Section 503.2.6.5 is added – Fees.

Section 503.2.6.5 of Chapter 5 of the Fire Code of the Central Fire Protection District is added to read as follows:

503.2.6.5 - Fees. All fees charged for the purpose of certification or recertification shall be at the owner's expense.

Section 503.2.7 is amended – Grade.

Section 503.2.7 of Chapter 5 of the Fire Code of the Central Fire Protection District is amended to read as follows:

503.2.7 – Grade. The grade for all roads, streets, private lanes and driveways shall not exceed 16% in State Responsibility Area (SRA) and 20% in Local Responsibility Area (LRA).

Section 503.7 is added – Gate.

Section 503.7 of Chapter 5 of the Fire Code of the Central Fire Protection District is added to read as follows:

503.7 – Gates. All Gates providing access from a road to a driveway, or within any access road, shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least 2 (two) feet wider than the access road being secured, but in no case shall the width be less than 14 (fourteen) feet unobstructed horizontal clearance and unobstructed vertical clearance of 15 (fifteen) feet. When gates are to be locked, the installation of a key box or other acceptable means for immediate access may be required as in Section 503.6.

Section 505.2 is amended – Street and Road Signs.

Section 505.2 of Chapter 5 of the Fire Code of the Central Fire Protection District is amended to read as follows:

505.2 - Street and Road Signs. Streets and roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs. Posting of any road names and numbers not authorized by the Office of Street Naming and Numbering of the County of Santa Cruz, and the fire code official is prohibited.

507.3 is amended – Fire Flow.

Section 507.3 of Chapter 5 of the Fire Code of the Central Fire Protection District is amended to read as follows:

Fire flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method, *Appendix B*, or Appendix BB (for school buildings as scoped in BB101.1)

Parcels not within the boundaries of a public or private water purveyor shall have a minimum water supply capable of supplying a flow of 500 gallons per minute for 20 minutes (10,000 gallons) for all new dwellings, residential additions in excess of 500 square feet, and other structures classified as a residential accessory uses such as garages, storage buildings, barns, etc..

Privately owned water that is not supplied by a licensed water purveyor shall:

- (1) serve no more than two dwellings and no more than 10,000 square feet of habitable dwelling space, and;
- (2) be provided pursuant to a recorded covenant that runs with the land if the water supply originates from another parcel. If a water purveyor supplies the water, the applicant must submit with the building plan written verification from the licensed purveyor that the water supply meets the flow requirement.

Exceptions:

1. A 2% reduction will be allowed for flow supplied by approved stationary water tanks, to account for the nominal standardized capacity of such tanks.

Section 507.5.7 is added – Painting.

Section 507.5.7 of Chapter 5 of the Fire Code of the Central Fire Protection District is added to read as follows:

507.5.7 – Painting. When required by the fire code official, fire hydrants shall be painted in accordance with NFPA 291 and Santa Cruz County Fire Prevention Officers Standards.

Section 605.13 is added – Alternate Power Sources.

Section 605.13 of Chapter 6 of the Fire Code of the Central Fire Protection District is added to read as follows:

Section 605.13 - Alternate Power Sources. All permanent installations of electrical generators, wind generators, solar photovoltaic cells, or other power sources shall be approved by the building code official. In addition to all applicable provisions of Title 24 CCR for any such installation, a sign reading:

**“WARNING – This premise is provided with an Alternate Power Source.
Disconnection of commercial power may not disable the electrical power source”**

shall be permanently affixed. Sign shall be red in color with a minimum of ½” tall contrasting lettering and shall be permanently affixed on each electrical panel subject to back-feed from alternate power sources. Any and all power disabling switches shall be clearly labeled.

IFC Sections 903.1 through 903.2.7.1 are Deleted – Automatic Sprinkler Systems

Sections 903.1 through 903.2.7.1 of Chapter 9 of the Fire Code of the Central Fire Protection District are deleted and replaced to read as follows:

903.1 General. Automatic sprinkler systems shall comply with this section.

903.1.1 Alternative Protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in lieu of automatic sprinkler protection where recognized by the applicable standard and approved by the fire code official.

903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section.

903.2.1 New Structures. An automatic fire sprinkler system shall be provided in all new occupancies as defined in Chapter 3 of the California Building Code, regardless of type of construction and/or floor area, unless otherwise pre-empted by the California Health and Safety Code. Any occupancy not specifically mentioned shall be included in the group that it most nearly resembles based on the proposed life and fire hazard;

EXCEPTIONS:

1. Private garages, carports, sheds not more than 1,000 square feet (93 m²) of total floor area shall not require fire sprinklers where they are detached and separate from other structures and provided with exterior wall and opening protection as per the California Building Code.

2. Sheds exceeding 1,000 square feet, (93 m²) but not exceeding 3,000 square feet (278 m²) shall not require fire sprinklers at the discretion of the fire chief when the applicant demonstrates that the applicant’s proposal does not increase the fire hazard or fire load.

3. Agricultural buildings as defined in Appendix Chapter C, of the California Building Code not exceeding 2,000 square feet (186 m²), not exceeding 25 feet (7620 mm) in height, having a clear unobstructed side yard exceeding 60 feet (18,280 mm) in all directions, and located within an Agricultural zoned district, as defined in the Santa Cruz County Planning Code, or as exempted by the fire chief, shall not require fire sprinklers.

Additionally, agricultural buildings exceeding 2,000 square feet (186 m²) but not exceeding 5,000 square feet, not exceeding 25 feet (7620 mm) in height, having a clear unobstructed side yard exceeding 60 feet (18,280 mm) in all directions, and located within an Agricultural zoned district, as defined in the Santa Cruz County Planning Code, shall not require fire sprinklers at the discretion of the fire chief when the applicant demonstrates the applicant’s proposal does not increase the fire hazard or fire load.

4. Group B and Group M Occupancies not more than 500 square feet (46.5 m²) shall not require fire sprinklers where they are detached and separate from other structures and provided with exterior wall and opening protection as per the California Building Code, Table 508.3.3.

5. Greenhouses of non-combustible construction shall not require fire sprinklers.

6. For public school state-funded construction projects see CFC Section 903.2.19.

903.2.1.4 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exception:

1. Existing Group R-3 occupancies converted to Group R-3.1 occupancies not housing bedridden clients, not housing nonambulatory clients above the first floor, and not housing clients above the second floor.
2. Existing Group R-3 occupancies converted to Group R-3.1 occupancies housing only one bedridden client and complying with section 425.8.3.3 of the California Building Code.
3. Pursuant to Health and Safety Code Section 13113 occupancies housing ambulatory children only, none of whom are mentally ill or mentally retarded, and the buildings or portions thereof in which such children are housed are not more than two stories in height, and buildings or portions thereof housing such children have a automatic fire alarm system activated by approved smoke detectors.
4. Pursuant to Health and Safety Code Section 13143.6 occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).

When not used in accordance with Section 504.2 or 506.3 of the California Building Code an automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be allowed in Group R-2.1 occupancies.

903.2.1.5 Group R-3 congregate residences. An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted in Group R-3 congregate living facilities with 16 or fewer residents.

903.2.1.6 Care facilities. An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted in care facilities with 5 or fewer individuals in a single-family dwelling.

903.2.2 Existing Buildings and Structures except for One and Two Family Dwellings. An automatic sprinkler system shall be installed in existing buildings and structures, except One and Two Family Dwellings, after the effective date of this code, when a building permit is issued to allow additions to be made, as follows:

1. For existing buildings less than 6,000 square feet in gross floor area when an addition to the building causes the structure to exceed 6,000 square feet, the entire structure shall be provided with an automatic sprinkler system.
2. For existing buildings larger than 6,000 square feet in gross floor area when an addition is equal to or greater than 10% of the existing square footage or when extensive renovation or remodeling is done to more than 50% of the gross floor area, the entire structure shall be provided with an automatic sprinkler system.

For the purposes of this section, extensive renovation or remodeling shall be defined as any change, addition or modification in construction or occupancy or structural repair or change in primary function to an existing structure made by, on behalf of or for the use of a public accommodation or commercial facility that affects or could affect the usability of the building or facility or part thereof. Alterations include, but are not limited to, remodeling, renovation, rehabilitation, reconstruction, historic restoration, changes or rearrangement of the structural parts or elements, and changes or rearrangement in the plan configuration of walls and full-height partitions.

All new work performed in alterations and/or repairs to existing structures shall comply with the current provisions of this Chapter. When alterations and/or repairs result in the removal, alteration, modification, replacement and/or repair of fifty percent or more of the external walls of a building, or result in the removal, modification, replacement and/or repair of fifty percent or more of the existing

internal structural and/or non-structural framework, independently or in combination thereof, within a five year period, the entire building shall be made to conform to the current provisions of this chapter. The determination under this section of the requirement for upgrading any existing structure to full conformance with current provisions of this Chapter shall be at the sole discretion of the Fire Code Official.

Exceptions to Section 903.2.2 (1 and 2)

- (a) Group A-2 occupancies exceeding 5,000 square feet shall have an automatic sprinkler system installed.
- (b) Group A-5 occupancies exceeding 1,000 square feet in the following areas: concession stands, retail areas, press boxes and other accessory use areas shall have an automatic sprinkler system installed.
- (c) Assembly occupancies on roofs. Where an occupied roof has an assembly occupancy with an occupant load exceeding 100 for Group A-2 and 300 for other Group A occupancies, all floors between the occupied roof and the level of exit discharge shall be equipped with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.
Exception: Open Parking garages of Type I or Type II construction.
- (d) Multiple fire areas of Group A-1, A-2, A-3 or A-4 occupancies share exit or exit access components and the combined occupant load of these fire areas is 300 or more.
- (e) Group F-1 occupancies exceeding 2,500 square feet used for the manufacture of upholstered furniture or mattresses shall have an automatic sprinkler system installed.
- (f) Woodworking operations exceeding 2,500 square feet in area that generate finely divided combustible waste or use finely divided combustible materials. *[SFM] A fire wall of less than 4-hour fire-resistance rating without openings, or any fire wall with openings, shall not be used to establish separate fire areas.*
- (g) Group H occupancies shall be provided with an automatic sprinkler system.
- (h) Group I fire areas shall be provided with an automatic sprinkler system.
Exceptions:
 - (1) Those areas exempted by Section 407.6 of the California Building Code.
 - (2) Group I-2 occupancies, or any alterations thereto, located in Type IA construction in existence on or before March 4, 1972 as required in California Health and Safety Code Section 13113(d).
- (i) *Group I-2 occupancies. An existing, unsprinklered Group I-2, nurses' stations open to fire-resistive exit access corridors shall be protected by an automatic sprinkler system located directly above the nurses' station. It shall be permitted to connect the automatic sprinkler system to the domestic water service.*
- (j) *Group I-3 Every building, or portion thereof, where inmates or persons are in custody or restrained shall be protected by an automatic sprinkler system conforming to NFPA 13. The main sprinkler control valve or valves and all other control valves in the system shall be locked in the open position and electrically supervised so that at least an audible and visual alarm will sound at a constantly attended location when valves are closed. The sprinkler branch piping serving cells may be embedded in the concrete construction.*
- (k) *Group M occupancy used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet.*
- (l) *Group S-1 occupancies used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet.*
- (m) Group S-1 occupancies exceeding 2,500 square feet used for the storage of upholstered furniture or mattresses shall have an automatic sprinkler system installed.
- (n) Group S-1 fire areas exceeding 5,000 square feet used for the repair of commercial motor vehicles.
- (o) Structures where the area for the storage of tires exceeds 20,000 cubic feet shall be equipped throughout with an automatic fire sprinkler system in accordance with Section 903.3.1.1.
- (p) Group U occupancies exceeding 1,000 square feet shall have an automatic sprinkler system installed. Group U occupancies not exceeding 1,000 square feet are exempt

where they are detached and separate from other structures and provided with exterior wall and opening protection as per the California Building Code.

- (q) Sheds exceeding 1,000 square feet but not exceeding 3,000 square feet shall not require fire sprinklers at the discretion of the fire chief when the applicant demonstrates that the applicant's proposal does not increase the fire hazard or fire load.
- (r) Agricultural buildings as defined in Appendix Chapter C, of the California Building Code not exceeding 2,000 square feet, not exceeding 25 feet in height, having a clear unobstructed side yard exceeding 60 feet in all directions, and located within an Agricultural zoned district, as defined in the Santa Cruz County Planning Code, or as exempted by the fire chief, shall not require fire sprinklers.

Additionally, agricultural buildings exceeding 2,000 square feet but not exceeding 5,000 square feet, not exceeding 25 feet in height, having a clear unobstructed side yard exceeding 60 feet in all directions, and located within an Agricultural zoned district, as defined in the Santa Cruz County Planning Code, shall not require fire sprinklers at the discretion of the fire chief when the applicant demonstrates the applicant's proposal does not increase the fire hazard or fire load.

- (s) Greenhouses of non-combustible construction shall not require fire sprinklers.
- 3 Any alteration and/or repair within a building that contains an automatic fire sprinkler system requires that the automatic fire sprinkler system be extended/modified to the area of proposed work, thus, creating fire sprinkler protection throughout the entire building.
 4. Any change in use or occupancy creating a more hazardous fire/life safety condition, as determined by the Fire Chief, requires that the entire structure be provided with an automatic sprinkler system.
 5. Any combination of addition, alteration, repair and/or change of use shall comply with Sections 903.2.11 through 903.6.

Exceptions to Section 903.2.2:

- (a) Seismic or Accessibility improvements.
- (b) Any exemption otherwise allowable under the Fire Code, if in the discretion of the Fire Chief, the safety of the public is not compromised.
- (c) Exterior improvements and work not requiring permits as provided in the Building Code.
- (d) Work requiring only a mechanical, electrical, plumbing and/or demolition permit.

903.2.3 Existing One and Two Family Dwellings. An automatic sprinkler system shall be installed in existing one and two family dwellings, after the effective date of this code, when a building permit is issued to allow additions to be made, as follows:

1. Any addition is made which increases the total existing square footage by 50% or more.
2. The proposed total floor area exceeds the available fire flow as specified in Section 507.1 or APPENDIX B.
3. Any addition to a one or two family dwelling that contains an automatic fire sprinkler system requires that the automatic fire sprinkler system be extended/modified to the area of proposed work, thus, creating fire sprinkler protection throughout the entire dwelling.

Exceptions to Section 903.2.3:

- (a) Additions of 500 square feet or less when the proposed total floor area does not exceed the available fire flow are exempt from fire sprinklers unless the dwelling is already protected by a fire sprinkler system.

Section 903.3.1.3 is amended – NFPA 13D Sprinkler Systems.

Section 903.3.1.3 of Chapter 9 of the Fire Code of the Central Fire Protection District is amended to read as follows:

903.3.1.3 NFPA 13D sprinkler systems. Automatic sprinkler systems installed in one and two-family dwellings, Group R-3 and R-4 congregate living facilities and townhouses, non-habitable structures classified as accessory to a residential use and not intended for commercial usage or mercantile, shall be permitted to be installed throughout in accordance with NFPA 13D and installation guidelines as promulgated by the Santa Cruz County Fire Chiefs Association.

Section 903.3.7 is amended – Fire Department Connections.

Section 903.3.7 of Chapter 9 of the Fire Code of the Central Fire Protection District is amended to read as follows:

903.3.7 Fire Department Connections. Fire Department connections for automatic sprinkler systems shall be installed in accordance with Section 912. Buildings equipped with a fire sprinkler system in accordance with this chapter shall have a fire department connection located within 100 feet (183m). The location of the fire department connections shall be approved by the fire code official.

EXCEPTION: Single and two family dwellings protected by a fire sprinkler system in accordance with Section 903.3.1.3.

Section 5303.5.3 is amended – Securing compressed gas containers, cylinders and tanks.

Section 5303.5.3 of Chapter 53 of the Fire Code of the Central Fire Protection District is amended to read as follows:

5303.5.3 Securing compressed gas containers, cylinders and tanks. Compressed gas containers, cylinders and tanks shall be secured to prevent falling caused by contact, vibration or seismic activity. Securing of compressed gas containers, cylinders and tanks shall be by one of the following methods:

1. Securing containers, cylinders and tanks to a fixed object with two or more non-combustible restraints. The object used to anchor the restraint to shall be capable of withstanding the anticipated load(s) imposed. Anchor(s) shall be attached to a structural framing member or similar.
2. Securing containers, cylinders and tanks on a cart or other mobile device designed for the movement of compressed gas containers, cylinders or tanks.
3. Nesting of compressed gas containers, cylinders and tanks at container filling or servicing facilities or in seller's warehouses not accessible to the public. Nesting shall be allowed provided the nested containers, cylinders or tanks, if dislodged, do not obstruct the required means of egress.
4. Securing of compressed gas containers, cylinders and tanks to or within a rack, framework, cabinet or similar assembly designed for such use.

Exception: Compressed gas containers, cylinders and tanks in the process of examination, filling, transport or servicing.

Chapter 56 – Explosives and Fireworks is amended

Chapter 56 of the Fire Code of the Central Fire Protection District is amended to read as follows:

5601.1.3 – Fireworks The possession, manufacture, storage, sale, handling and use of fireworks are prohibited within the Central Fire Protection District.

Exceptions:

1. The use of fireworks for fireworks displays, pyrotechnics before a proximate audience and pyrotechnic special effects in motion pictures, television, theatrical or group entertainment productions as allowed in Title 19, Division 1, Chapter 6 Fireworks reprinted in Section 5608 and Health and Safety Code Division 11.

5601.2 – Permit required. Permits shall be required as set forth in 105.6 and regulated in accordance with this Chapter. Permits for explosives as contained within this chapter, with the exception of display fireworks, shall be obtained by the Law Enforcement Agency of Jurisdiction.

5601.2.2 Sale and retail display. Persons shall not construct a retail display nor offer for sale explosives, explosive materials or fireworks

Chapter 90 is added – Suppression and Control of fire in Wildfire Risk Areas.

Chapter 90 of the Fire Code of the Central Fire Protection District is added to read as follows:

9001— SCOPE. The unrestricted use of grass-, grain-, brush- or forest-covered land in wildfire risk areas is a potential menace to life and property from fire and resulting erosion. Safeguards to prevent the occurrence of fires and to provide adequate fire-protection facilities to control the spread of fire which might be caused by recreational, residential, commercial, industrial or other activities shall be in accordance with Chapter 90.

9002 — RESTRICTED ENTRY. The fire code official shall determine and publicly announce when wildfire risk areas shall be closed to entry and when such areas shall again be opened to entry. Entry on and occupation of wildfire risk areas, except public roadways, inhabited areas or established trails and camp sites which have not been closed during such time when the wildfire risk area is closed to entry, is prohibited.

- EXCEPTIONS:**
1. Residents and owners of private property within wildfire risk areas and their invitees and guests going to or being upon their lands.
 2. Entry, in the course of duty, by peace or police officers, and other duly authorized public officers, members of a fire department and members of the United States Forest Service.

9003 — TRESPASSING ON POSTED PROPERTY.

9003.1 General. When the fire code official determines that a specific area within a wildfire risk area presents an exceptional and continuing fire danger because of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such areas shall be closed until changed conditions warrant termination of closure. Such areas shall be posted as hereinafter provided.

9003.2 Signs. Approved signs prohibiting entry by unauthorized persons and referring to §9002 shall be placed on every closed area.

9003.3 Trespassing. Entering and remaining within areas closed and posted is prohibited.

EXCEPTION: Owners and occupiers of private or public property within closed and posted areas, their guests or invitees, and local, state and federal public officers and their authorized agents acting in the course of duty.

9004 — USE OF FIRE ROADS AND FIREBREAKS. Motorcycles, motor scooters and motor vehicles shall not be driven or parked upon, and trespassing is prohibited upon, fire roads or firebreaks beyond the point where travel is restricted by a cable, gate or sign, without the permission of the property owners. Vehicles shall not be parked in a manner which obstructs the entrance to a fire road or firebreak.

EXCEPTION: Public officers acting within their scope of duty.

Radio and television aerials, guy wires thereto, and other obstructions shall not be installed or maintained on fire roads or firebreaks unless located 16 feet (4877 mm) or more above such fire road or firebreak.

9005 — USE OF MOTORCYCLES, MOTOR SCOOTERS AND MOTOR VEHICLES. Motorcycles, motor scooters and motor vehicles shall not be operated within wildfire risk areas, without a permit by the fire code official, except upon clearly established public or private roads. Permission from the property owner shall be presented when requesting a permit.

9006 — LIABILITY FOR DAMAGE. The expenses of fighting fires which result from a violation of this chapter shall be a charge against the person whose violation caused the fire. Damages caused by such

fires shall constitute a debt of such person and are collectable by the fire code official in the same manner as in the case of an obligation under a contract, expressed or implied.

PART 3

The geographic limits referred to in certain sections of the Fire Code of the Central Fire Protection District are hereby established as follows:

Establishment of limits of districts in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited. The limits referred to in Sections 5704.2.9.6.1 and 5706.2.4.4 of the Fire Code of the Central Fire Protection District in which the storage of Class I flammable liquids or Class II combustible liquids in aboveground tanks outside of buildings is restricted are hereby established as the incorporated area of the political boundary of the Central Fire Protection District.

Exceptions: Such use is allowed in the following zoning districts:

1. The storage of Class I flammable liquids or Class II combustible liquids in aboveground tanks outside of buildings is allowed in A or A-1 Zones;
2. The storage of Class I flammable liquids or Class II combustible liquids in aboveground tanks outside of buildings is allowed in M-1, M-2 or M-3 Zones;
3. The storage of Class I flammable liquids or Class II combustible liquids in aboveground tanks outside of buildings is allowed in NR Zones.

Establishment of limits of districts in which storage of flammable cryogenic fluids in stationary containers is to be prohibited. The limits referred to in Section 5806.2 of the Fire Code of the Central Fire Protection District in which storage of flammable cryogenic fluids in stationary containers is prohibited are hereby established as the political boundary of the Central Fire Protection District.

- Exceptions:**
1. The storage of flammable cryogenic fluids in stationary containers is allowed in an M-2 Zone with a Conditional Use Permit issued by the Planning Department.
 2. The storage of flammable cryogenic fluids in stationary containers is allowed in an M-3 Zone.

Establishment of limits for storage of Liquefied Petroleum Gas. The limits referred to in Section 6104.2 of the Fire Code of the Central Fire Protection District are hereby limited to a maximum of 2,000 gallons water capacity within the political boundary of the Central Fire Protection District.

PART 4

Ordinance No. 2016-01 of the Central Fire Protection District entitled "2013 Fire Code", and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

PART 5

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Directors of the Central Fire Protection District hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

PART 6

That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Part 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

PART 7

That the fire chief of the Central Fire Protection District is hereby ordered and directed to cause a notice of this ordinance to be published in a newspaper in general circulation in accordance with Section 6066 of the California Government Code.

PART 8

That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect on January 1, 2017 pursuant to Health and Safety Code Section 18941.5. This Ordinance shall remain in full force and effect until a subsequent superseding ordinance becomes effective.

PASSED AND ADOPTED this *10th* day of *August*, 2016, by the Board of Directors of the Central Fire Protection District by the following vote:

AYES: _____
NOES: _____
ABSENT: _____
ABSTAIN: _____

President of the Board of Directors

Attest:

Secretary of Said Board

APPROVED AS TO FORM:

District Counsel

DISTRIBUTION: Board of Supervisors

RATIFIED _____
DENIED _____
MODIFIED _____

this _____ day of _____, 2016, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: _____ SUPERVISORS
NOES: _____ SUPERVISORS
ABSENT: _____ SUPERVISORS
ABSTAIN: _____ SUPERVISORS

Chairperson of the Board of Supervisors

Attachment: 2016 Central Fire Code (1622 : Intro Ord Building and Fire Model Code Amendment)

Attest:

Clerk of the Board

DISTRIBUTION: County Administrative Office
County Counsel
Planning Department
General Services Department/O.E.S.
State of California Housing & Community Development
Office of the California State Fire Marshal

Attachment: 2016 Central Fire Code (1622 : Intro Ord Building and Fire Model Code Amendment)



Summary of 2016 California Building Code Changes

Changes in the 2016 California building codes (California Code of Regulations, Title 24) amended by the Division of the State Architect (DSA) that are effective January 1, 2017, provide enhanced clarity and consistency in application. The basis for the majority of these changes resulted from California amendments to the 2015 model building codes. Changes to the administrative code took effect in February 2016. The most significant changes are:

- Amendments to the plumbing code affecting maximum water flow rates for water faucets and showerheads.
- Structural safety application fees for DSA review increased effective February 2016.
- Certain concrete standards were reorganized and rewritten.
- Codes regulating existing structures were relocated and clarify conditions triggering rehabilitation.
- The 2015 International Existing Building Code was adopted as California Existing Building Code.

Changes reflected in the 2016 California building code (California Code of Regulations, Title 24) are as follows:

Part 1 – California Administrative Code (Effective February 2016.)

SECTION	NOTES
4-302	The use of commercial “trailer” coaches as emergency or temporary buildings sunset in September 2015. DSA-approved relocatable buildings are allowed for emergency use. Use of temporary relocatable buildings now falls under Chapter 9 requirements for Fire and Life Safety, up to 36 months.
4-309	Rehabilitation provisions were revised to clarify when retrofit of a complete building is required. Minimum retrofit requirements were provided for alterations to structural elements regardless of whether a complete retrofit is required.
4-310	Regulations exempting school-based health centers from DSA certification on public school campuses were added to clarify requirements for use.
4-316	The regulations repeal the requirement that observation of construction must be performed by the same person delegated responsibility for the preparation of plans and specifications for consistency with the Education Code.
4-321	The structural safety application filing fee for projects submitted to DSA was increased from 0.5 percent to 0.6 percent on the amount in excess of \$1,000,000 of the total project cost.
4-333.1	Requirements for project inspectors to qualify for certification examinations were expanded.
4-338	The definition of addenda was revised to require only addenda that affect changes to the structural, fire and life safety, and accessibility portions of the work to be submitted to DSA for approval.

**Part 2 – California Building Code (CBC, Effective January 2017)**

CHAPTER	SECTION	NOTES
16 & 16A	1616.10.14 & 1616A1.12	The maximum value for the spectral response acceleration parameter (S_{ds}) for determining seismic design forces was revised to be compatible with ASCE 7-16 criteria, eliminating an arbitrary lower limit in the model code and providing more realistic design forces in higher seismic regions. This change will affect a small percentage of low-rise, regular-shaped school buildings across the state.
17A	1705A.3.3	Revisions were made clarifying when continuous batch plant inspection is required or may be waived, reducing the amount of batch plant inspection on typical school building construction.
17A	1705A.13.2	Modifications were made clarifying requirements for special seismic certification of non-structural equipment and components in state-owned or state-leased essential services buildings.
18 & 18A		Requirements of Appendix J for grading and soil compaction in the 2013 CBC were relocated into Chapter 18A.
19 & 19A		For Chapter 19: Concrete, the reference standard ACI 318-14 was reorganized and in many places rewritten. Therefore, amendments for the 2016 CBC reflect the renumbered sections of the standard. Numerous DSA amendments were eliminated, resulting from alignment with revised reference standards.
21 & 21A		Numerous DSA amendments were eliminated, resulting from inclusion in revised masonry reference standards, TMS 402-16 and TMS 602-16.
21 & 21A	2114.5 & 2114A.5	The compression strength of masonry for routine design without special inspection was increased from 1500 psi to 2000 psi for consistency with masonry standards.
21 & 21A	2114.6.1 & 2114A.6.1	The frequency of mortar and grout sampling and testing were clarified, and an exception was added, indicating when mortar sampling and testing is not required.
21 & 21A	2114.6.2 & 2114A.6.2	The frequency of core testing of masonry walls was revised, relaxing the number of samples required. Alternative methods of non-destructive testing are now also allowed.
22 & 22A	2212.2.6, 2212.2.8, 2205A.3.5 & 205A.3.8	A new amendment providing general provisions for multi-tiered, ordinary concentric braced frames where diaphragms do not occur at each level, was adopted.
23	2301.1.4	Provisions allowing cross-laminated timber (CLT) for gravity loads were added to the code. CLT may not be used to resist lateral forces unless approved by DSA as an alternate system.
26	2603.11.1 & 2603.12.3	The model code added provisions for installing cladding over foam-insulating sheathing on various substrates. New amendments were added to the CBC, providing submittal requirements for DSA approval.
34		Chapter 34: Existing Structures regulations were eliminated from the CBC and relocated into the newly adopted Part 10: California Existing Building Code (CEBC). The DSA amendment sections from the previous codes were relocated into Chapter 3 of the CEBC.

**Part 3 – California Electrical Code (Effective January 2017)**

CHAPTER	SECTION	NOTES
		DSA adopted the 2014 National Electric Code as the 2016 California Electrical Code. DSA carried over previous administrative amendments, and did not add any new amendments.

Part 4 – California Mechanical Code (Effective January 2017)

CHAPTER	SECTION	NOTES
		DSA adopted the 2015 Uniform Mechanical Code as the 2016 California Mechanical Code. DSA carried over previous administrative amendments, and did not add any new amendments.

Part 5 – California Plumbing Code (Effective January 2017)

CHAPTER	SECTION	NOTES
		DSA adopted the 2015 Uniform Plumbing Code as the 2016 California Mechanical Code. DSA carried over previous administrative amendments.
4	407.2.2.1, 409.2.1, 408.2.2, 411.2.2.1, 408.2.3, 417.1.1, 417.1.2 & 420.2.1	Amendments were provided to reduce maximum water flow rates for metering faucets, showerheads, water closets wash fountains, and kitchen faucets to comply with the California Green Code, based on Governor's Executive Order (B-29-15), California Energy Commission – Appliance Efficiency Regulations (4/2015) and corresponding 2013 California Green Code – CALGreen (7/1/15 Supplement).
12	1210.18	Revised the previous amendment coordinating the reference standard, clarifying earthquake-actuated gas shutoff valve installation.

Part 10 – California Existing Building Code (Effective January 2017)

CHAPTER	SECTION	NOTES
		The 2015 International Existing Building Code was adopted and amended as Part 10 of the 2016 California Existing Building Code.
1	1.1.1 to 1.1.12 & 1.9	California administration language was added due to the new adoption of Part 10, using the same provisions as other parts in Title 24.
3	317 to 323	Provisions from 2013 CBC Sections 3417-3423 were relocated into sections 317 through 323 due to the model code eliminating Chapter 34: Existing Structures. Editorial changes were included due to the relocation of provisions and adoption of ASCE 41-13 as the reference standard.



STATE OF CALIFORNIA
GOVERNOR EDMUND G. BROWN JR.

3	317.5	Provisions were added to clarify that when a mandatory seismic rehabilitation is required, the Tier 3 Systematic Evaluation and Retrofit method in ASCE 41-13 is required.
4	403.3	Model code provisions were adopted for alterations to existing structural elements supporting gravity load.

Part 12 – California Reference Standards Code (CRSC, Effective January 2017)

CHAPTER	SECTION	NOTES
12-12		Chapter 12-12 was repealed from the 2016 CRSC to eliminate duplication with Chapter 12-16-1.
12-16-1	12-16-101	Chapter 12-6-1 was revised to adopt current industry standards for automatic gas shutoff valves.
12-16-2	12-16-201	Chapter 12-6-2 was revised to adopt current industry standards and flow rates for excess flow actuated automatic gas shutoff valves.



CENTRAL FIRE PROTECTION DISTRICT of Santa Cruz County

STAFF REPORT

Date: August 10, 2016
To: Board of Directors
From: Mike DeMars – Fire Marshal
Subject: **Adoption of 2016 Fire Code**

Background

Every three years, the California Building Standards Commission updates the Building Standards Code. What this means to the district is that during each code cycle the District is required to update their local codes and adopt the current model code with amendments and the California Fire Code as published by the California Building Standards Commission. The proposed ordinance adopts the 2015 International Fire Code and the 2016 California Fire Code with the enclosed amendments. The California Health and Safety Code identifies a specific process for adoption of the Fire Code with specific actions and timelines. A schedule is included in your Board packet that identifies the process components and timeline.

It is necessary for your Board to adopt a resolution finding that it is necessary to modify State Housing Law due to local conditions. This is due to the fact that the ordinance will modify the building standards that have been adopted for California. Those modifications are:

- The requirement of automatic fire sprinklers in all new buildings, the same as currently in place (since 1989).
- Required water storage for rural firefighting
- Alternate Power Sources
- Locations of Fire Department Connections, and
- Explosive & Fireworks

A resolution to make those findings is necessary whenever modifications are made to the Buildings Standards Code (Title 24 California Code of Regulations – Part 9 “Fire Code”).

Fire districts are required to solicit comments from the County after the first reading of the ordinance. Once the ordinance is adopted, it again must be forwarded to the County

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for ratification, modification, or denial. Based on the outcome of that action, the ordinance will go into effect thirty days after adoption by your Board. The ordinance however contains language from the California Health and Safety Code that aligns the actual effective date with the effective date of the California Fire Code (January 1, 2017). This is important to assure that there are no voids in the timing of the effective dates.

The ordinance text has been collectively prepared by members of the Santa Cruz County Fire Prevention Officers and representative of each fire agency in the county. By doing this, all agencies have a consistent code throughout all jurisdictions within the County.

Discussion

The following is a list of the significant changes from the previous Fire Code adopted by your Board (Ordinance 2013-01):

- **Section 102.1** – Added language to assist with determining when the provisions of you ordinance will trigger specific requirements when addressing existing structure, alterations and repairs to existing building stock
- **Section 102.9** – This is a carry-over from previous editions of your ordinance
- **Section 103.5** – This is a new section in your ordinance to address police powers associated with the enforcement of your ordinance. This section disappeared from the model code, and without it, the ability to ask for the assistance of law enforcement to enforce the provisions of the fire code disappeared also.
- **Section 105.1** – This is a carry-over from previous editions of your ordinance
- **Section 108 etal** – This is a carry-over from previous editions of your ordinance
- **Section 109.4 etal** – This is a carry-over from previous editions of your ordinance
- **Section 202** – The definition of ALL WEATHER SURFACE has been redefined to acknowledge the requirements contained within Title 14 CCR (Public Resources Code)
- **Section 202** – New Definition for LOCAL RESPONSIBILITY AREA (LRA)
- **Section 202** – Carried over definition for STAGE
- **Section 202** – New Definition for STATE RESPONSIBILITY AREA (SRA)
- **Section 202** – Carried over definition for TURNAROUND
- **Section 304.1.2** – Carried over from previous editions of your ordinance
- **Section 307.2** – Carried over from previous editions of your ordinance
- **Section 308.1** – Carried over from previous editions of your ordinance
- **Section 311.5** – Carried over from previous editions of your ordinance

- **Section 501.3** – Carried over from previous editions of your ordinance
- **Section 503.2.1** – Carried over from previous editions of your ordinance with additional language added to address SRA vs LRA road width requirements to satisfy Title 14 CCR (Public Resources Code)
- **Section 503.2.1.1** – Carried over from previous editions of your ordinance
- **Section 503.2.3** – Carried over from previous editions of your ordinance with additional language added to address SRA vs LRA road surface requirements to satisfy Title 14 CCR (Public Resources Code)
- **Section 503.2.4** – New language added to address the SRA turning radius requirements contained Title 14 CCR (Public Resources Code)
- **Section 503.2.5.1** – New language added to address the SRA dead end access road requirements contained Title 14 CCR (Public Resources Code)
- **Section 503.6.1** – Carried over from previous editions of your ordinance
- **Section 503.2.6.2** – Carried over from previous editions of your ordinance
- **Section 503.2.6.3** – Carried over from previous editions of your ordinance
- **Section 503.2.6.4** – Carried over from previous editions of your ordinance
- **Section 503.2.6.5** – Carried over from previous editions of your ordinance
- **Section 503.2.7** – Carried over from previous editions of your ordinance with additional language to meet the requirements of Title 14 (Public Resources Code)
- **Section 503.7** – Carried over from the previous editions of your ordinance
- **Section 505.2** – Carried over from the previous editions of your ordinance
- **Section 507.3** – Previously 507.1 of your ordinance with additional language to maintain compliance with the California Fire Code
- **Section 507.5.7** – Carried over from the previous editions of your ordinance
- **Section 605.13** – Carried over from the previous editions of your ordinance
- **Section 903.1 through 903.2.1.6** – Carried over from the previous editions of your ordinance
- **Section 903.2.2** – Carried over from the previous editions of your ordinance with additional language to better define when the provisions requiring fire sprinklers in existing structures to address what would be a significant alterations, modifications or replacement of internal and external framing in excess of 50%
- **Section 903.2.3** – Carried over from the previous editions of your ordinance
- **Section 903.3.1.3** – Carried over from the previous editions of your ordinance with additional language to allow for the use of a NFPA 13D fire

sprinkler system in specific non-habitable structures associated with a residential use

- **Section 903.3.7** – Carried over from the previous editions of your ordinance
- **Section 5303.5.3** – Carried over from the previous editions of your ordinance
- **Section 5601.1.3** – Carried over from the previous editions of your ordinance
- **Chapter 90** – Removed most of Chapter 90 of your current ordinance and renumbered as necessary. Many of the sections removed are either now covered in other parts of this code, or have been pre-empted by other state codes

Recommendation

1. A **motion** shall be entertained to adopt Resolution 2016-21, “Notice of Intent to Adopt the 2015 International Fire Code with Amendments” and the 2016 California Fire Code, and set a Public Hearing for no later than October 21, 2016, and direct Staff to post notice of such hearing.
2. A **motion** shall be entertained to adopt “Findings of Fact”, Resolution 2016-22, “Resolution Finding Modification of State Housing Law”, and direct staff to forward a copy of findings, along with a copy of the proposed ordinance to the Clerk of the Board for the Santa Cruz County Board of Supervisors.
3. A **motion** shall be entertained to suspense with the first reading of Ordinance 2016-01 due to time. Copies are available for review at the Administrative Office for those parties that are interested. Direct staff to forward a copy of the proposed ordinance to the Clerk of the Board for the Santa Cruz County Board of Supervisors with a letter stipulating that there is a public hearing set for no later than October 21, 2016, and any comments shall be returned to this board prior to your meeting of October 11, 2016.
4. A **motion** shall be entertained to adopt Resolution 2016-23, “Notice of Intent to Adopt a Negative Declaration at the public hearing of no later than October 21, 2016. Direct staff to prepare the Environmental Checklist as necessary for such declaration.