

City of Capitola Agenda

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



CAPITOLA CITY COUNCIL REGULAR MEETING

THURSDAY, FEBRUARY 27, 2020

7:00 PM

CITY COUNCIL CHAMBERS
420 CAPITOLA AVENUE, CAPITOLA, CA 95010

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

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

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

2. PRESENTATIONS

Presentations are limited to eight minutes.

A. Proclamation Honoring Toni Castro Upon Her Retirement

B. 2019 Officer of the Year - Herb Ross Award

C. Recognition of Local Government Academy Participants

3. ADDITIONAL MATERIALS

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

4. ADDITIONS AND DELETIONS TO AGENDA

5. PUBLIC COMMENTS

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

6. CITY COUNCIL / STAFF COMMENTS

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

7. CONSENT CALENDAR

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

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

- A. Consider the February 13, 2020, City Council Regular Meeting Minutes
RECOMMENDED ACTION: Approve minutes.
- B. February 6, 2020, Planning Commission Action Minutes
RECOMMENDED ACTION: Receive minutes.
- C. Approval of City Check Registers Dated January 3, January 10, January 17, January 24 and January 31, 2020
RECOMMENDED ACTION: Approve check registers.
- D. Update on the Emergency Repairs to the Wharf
RECOMMENDED ACTION:
 - 1. Accept this update report on the Emergency Repairs to the Wharf, and
 - 2. By 4/5 approval, make the determination that all hazards related to the failed Wharf pilings as detailed in Resolution No. 4166 adopted by the City Council on February 13, 2020, have not been eliminated and that there is a need to continue action.
- E. Update of Emergency Storm Drain Repairs
RECOMMENDED ACTION:
 - 1. Accept this update report on the Chittenden Lane Storm Drain Repairs, and
 - 2. By 4/5 approval, make the determination that all hazards related to the failed storm drain off of Chittenden Lane as detailed in Resolution No. 4167 adopted by the City Council on February 13, 2020, have not been eliminated and that there

is a need to continue action.

- F. Second Reading of an Ordinance Amending Portions of Municipal Code Title 2: Administration to Update and Clarify Various Sections

RECOMMENDED ACTION: Adopt an Ordinance amending and adding sections of Title 2: Administration of the Capitola Municipal Code, and waive reading of the text.

8. GENERAL GOVERNMENT / PUBLIC HEARINGS

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

- A. Mid-Year Budget Report

RECOMMENDED ACTION: Receive Mid-Year Budget Report and amend the Fiscal Year 19-20 Budget based on the attached budget amendment request.

- B. Introduce an Ordinance Amending Chapter 17.74 Accessory Dwelling Units and Chapter 17.15 (17.16 Outside Coastal Zone) for R-1 Zoning District

RECOMMENDED ACTION: Approve the first reading and waive reading of the text of the proposed Ordinance amending Title 17 to align with recent State requirements for Accessory Dwelling Units and Floor Area Ratio for Single Family Residences with an Accessory Dwelling Unit.

- C. Introduce an Ordinance Amending Chapter 17.80 Signs

RECOMMENDED ACTION: Approve the first reading and waive reading of the text of the proposed Ordinance amending Title 17 to align with recent legal decisions regarding non-commercial signs.

- D. Municipal Code Chapter 8.36: Environmentally Acceptable Packaging Materials Enforcement

RECOMMENDED ACTION: Receive report and give direction.

- E. Receive Report on Historic Carousel

RECOMMENDED ACTION: Receive report and give direction.

- F. Consider Approval of the Brommer Complete Street Project Documents and Authorize Advertising for Bids

RECOMMENDED ACTION: Approve the plans, specifications, and estimate for the Brommer Complete Street Improvement Project and authorize the Department of Public Works to advertise for construction bids, setting the bid opening for 11 a.m. on Wednesday, April 1, 2020.

9. ADJOURNMENT

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

CAPITOLA CITY COUNCIL REGULAR MEETING AGENDA
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court.

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

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

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

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

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



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF FEBRUARY 27, 2020

FROM: City Manager Department

SUBJECT: Proclamation Honoring Toni Castro Upon Her Retirement

BACKGROUND/DISCUSSION: Mayor Petersen will present a proclamation to Capitola resident Toni Castro in honor of her 32 years as Chief Executive Officer of the Capitola-Soquel Chamber of Commerce.

ATTACHMENTS:

1. Castro proclamation

Report Prepared By: Linda Fridy
City Clerk

Reviewed and Forwarded by:

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

Jamie Goldstein, City Manager

2/21/2020

City of Capitola

Mayor's Proclamation

Honoring Toni Castro Upon Her Retirement as Chief Executive Officer of the Capitola-Soquel Chamber of Commerce

WHEREAS, Capitola resident Toni Castro has served as the Chief Executive Officer of the Capitola-Soquel Chamber of Commerce for more than three decades and will retire on March 1, 2020; and

WHEREAS, she spent two years as president of the Chamber prior to her 32-year run as CEO, thereby serving the organization and community for much of her adult life; and

WHEREAS, Chamber membership has doubled under her leadership, in part due to the 2006 addition of Soquel to the group's jurisdiction; and

WHEREAS, Ms. Castro has helped the Chamber grow the popular Art & Wine Festival to an event with at least 160 artists, 22 wineries, 15 entertainers, and more than 300 volunteers. Proceeds from the event help support local schools; and

WHEREAS, she has been instrumental in the creation of numerous Chamber events including the Capitola Village Easter Egg Hunt and Halloween Parade, the Soquel Village Sip and Stroll, and Surfin' Santa; and

WHEREAS, she spearheaded a disaster fund to help displaced residents of the former Pacific Cove Mobile Home Park when a storm drainpipe running under the Park burst, flooding homes, and also aided impacted Capitola Village merchants.

NOW, THEREFORE, I, Kristen Petersen, Mayor of the City of Capitola, on behalf of the City Council, City staff and the greater Capitola community, do hereby commend and thank Toni Castro for her many years of service to Capitola.

Kristen Petersen, Mayor
Signed and sealed this 27th day of February, 2020



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF FEBRUARY 27, 2020

FROM: Capitola Police Department
SUBJECT: 2019 Officer of the Year - Herb Ross Award

BACKGROUND/DISCUSSION: Each year, several members of the Police Department are nominated for the prestigious Herb Ross Award, which honors and recognizes one individual for his/her work performance and contributions to the community. The supervisory group is tasked with reviewing all nominations and selecting the honoree. The 2019 recipient of the Officer of the Year/Herb Ross Award is Parking Enforcement Officer (PEO) Oscar Valdez.

Oscar Valdez began his career with the Capitola Police Department in 1987. Throughout his 32-years, Oscar has demonstrated his commitment to the City, the Police Department, and the residents of Capitola. His expertise related to parking management and the safe movement of vehicles and pedestrians has been instrumental to the success of the City's effective parking program and importantly, the safety of the Village and Esplanade.

In addition to Oscar's commitment to his role as a PEO, he devotes much of his off-duty time to community programs such as Special Olympics and the Law Enforcement Torch Run, to name a few. Earlier this year, PEO Valdez, in partnership with Santa Cruz Department of Rehabilitation, provided a life-changing opportunity to an individual who desired to learn more about Oscar's role with the Police Department in an effort to overcome his own challenges with disability. Through a modified ride-along program Oscar was able to share positive experiences and mentoring to a deserving individual and assist the Department of Rehabilitation with the formation of needed programs for an underserved population.

Report Prepared By: Terry McManus
Police Chief

Reviewed and Forwarded by:

Jamie Goldstein, City Manager

2/20/2020



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF FEBRUARY 27, 2020

FROM: City Manager Department

SUBJECT: Recognition of Local Government Academy Participants

BACKGROUND/DISCUSSION: In January and February, 11 Capitola residents and business representatives attended the Capitol Local Government Academy. The Capitola Local Government Academy is a series of informational presentations and discussions on the City's government, administration, programs, and partnerships with other local agencies.

The participants will receive their certificates of completion. They are:

Laura Alioto
 Carrie Arnone
 Elizabeth Conlan
 Pete Cullen
 Susan DeQuattro
 Tom Evans
 Katie Jertberg
 Gerry Jensen
 Linda Jordan
 Brian Kirk
 Sonia Leclerc

Report Prepared By: Larry Laurent
 Assistant to the City Manager

Reviewed and Forwarded by:

Jamie Goldstein, City Manager

2/21/2020



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF FEBRUARY 27, 2020

FROM: City Manager Department

SUBJECT: Consider the February 13, 2020, City Council Regular Meeting Minutes

RECOMMENDED ACTION: Approve minutes.

DISCUSSION: Attached for City Council review and approval are the minutes of the regular meeting of February 13, 2020.

ATTACHMENTS:

1. 2-13 draft minutes

Report Prepared By: Linda Fridy
City Clerk

Reviewed and Forwarded by:

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

Jamie Goldstein, City Manager

2/21/2020

**DRAFT
CAPITOLA CITY COUNCIL
REGULAR MEETING MINUTES
THURSDAY, FEBRUARY 13, 2020**

Mayor Petersen called the meeting to order at 6 p.m. with the following in attendance:

Council Member Jacques Bertrand: Absent (he joined the meeting at 7:05 p.m. during open session); Council Member Ed Bottorff: Present; Council Member Sam Storey: Present; Vice Mayor Yvette Brooks: Present; Mayor Kristen Petersen: Present.

There were no members of the public present and the Council adjourned to the City Manager's Office to discuss the following items in closed session:

CONFERENCE WITH LABOR NEGOTIATOR [Govt. Code § 54957.6]

Negotiators: Larry Laurent, Sally Nguyen

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

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Gov't Code § 54956.9(2)(d)

Existing facts and circumstances pursuant to Gov't Code § 54956.9(2)(e)

A storm drain failed near Chittenden Lane on or before December 1, 2019, resulting in the release of storm water into Brookvale Terrace during subsequent rain events.
(One potential case)

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

LIABILITY CLAIMS [Gov't Code § 54956.95]

Claimant: Bryn Caisse

Agency claimed against: City of Capitola

REGULAR MEETING OF THE CAPITOLA CITY COUNCIL – 7 PM

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council Member Ed Bottorff: Present, Council Member Jacques Bertrand: Present (7:05 p.m.), Council Member Sam Storey: Present, Mayor Kristen Petersen: Present, Vice Mayor Yvette Brooks: Present.

2. PRESENTATIONS

A. Update from Santa Cruz METRO

METRO Chief Executive Officer Alex Clifford provided statistics and an overview on the status of the county-wide bus and paratransit system.

- \$52 million budget
- 300 employees
- 98 buses
- 41 paratransit vehicles

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- 5 million trips annually
- 72,000 paratransit rides
- 60 percent of riders come from UC Santa Cruz and Cabrillo College
- 16 percent of riders boarding at the Capitola Mall are City residents

METRO continues working toward the real-time tracking application, expected to launch this year. It has replaced about 50 percent of its aging bus fleet. It ordered four electric buses and hope to have them by June and in service in the fall. It is working with the Regional Transportation Commission on rail coordination and bus-on-shoulder highway options to speed up service. Staff is holding ongoing discussions with Merlone Geier on relocating and improving the mall transfer station, and Mr. Clifford feels it is good match with the proposed housing.

3. REPORT ON CLOSED SESSION

City Attorney Sam Zutler reported the Council provided direction on labor negotiations and anticipated litigation, and noted there is a related general government item later on the agenda, as well as on consent calendar for the liability claim.

4. ADDITIONAL MATERIALS

- A. Item 10.A – One public comment email
- A. Items 10.B – Two public comment emails

5. ADDITIONS AND DELETIONS TO AGENDA - None

6. PUBLIC COMMENTS

Marilyn Garrett, bus rider, said she is uncomfortable with heavy wifi use on public transportation and spoke to health concerns about 5G service.

Becky Steinbrenner, supervisor candidate, comment on rail corridor use analysis. She also praised the City's government academy.

Jennifer Izant Gonzales spoke in support of Measure V, which would fund the Soquel Union School District. She encouraged the community to learn about it.

7. CITY COUNCIL / STAFF COMMENTS

Vice Mayor Brooks noted the City received an increase to grade of B+ on County Health rating for the flavored tobacco ban. At today's criminal Justice Council she learned about grant opportunities regarding cannabis and vaping.

Council Member Bertrand apologized for missing closed session and praised Vice Mayor Brooks' recent County Office of Education Strategic Plan presentation. He noted the Regional Transportation Commission recently extended investigation of bus-on-shoulder options to take it further south, which is beyond the scope of Measure D. He asked to place a presentation on a future agenda.

8. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS

- A. Appointment to the Finance Advisory Committee
RECOMMENDED ACTION: Council Member Bertrand appoint his representative

Council Member Bertrand said he had three highly qualified applicants and it was a

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES
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difficult choice. He appointed Laura Alioto.

9. CONSENT CALENDAR

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

- A. Consider the January 23, 2020, City Council Regular Meeting Minutes
RECOMMENDED ACTION: Approve minutes.
- B. Receive the Planning Commission Action Minutes for the Regular Meeting of January 16, 2020
RECOMMENDED ACTION: Receive minutes.
- C. Liability Claim of Bryn Caisse
RECOMMENDED ACTION: Reject liability claim.

10. GENERAL GOVERNMENT / PUBLIC HEARINGS

- A. Community Grants Strategic Plan
RECOMMENDED ACTION: Receive report and provide direction.

Council Member Storey recused himself since his wife is employed by one of the grantees.

Assistant to the City Manager Larry Laurent introduced Nicole Lezin to present Optimal Solutions' study results and recommendations. The plan offers three options:

- Maintain the status quo
- Make incremental change
- Eliminate the program

The recommended action is incremental change, such as revising the application, developing a data-driven process, review the allocation and reporting, and align priorities, perhaps working with other funders.

During public comment, several representatives of current grant recipients spoke in support of the program, with several calling out the two-year cycle and cost-of-living increases as especially appreciated. There was also support for retaining a question related to regarding the impact of not funding. The following spoke:

- Gabriella D’Mariano from Dientes
- Kirk Antz, Lifeline and Community Bridges,
- Helen Storey, Community Action Board
- Keisha Browder, United Way
- Leila Bratovic, Conflict Resolution Center
- Creighton A. Mendivil, Senior Citizens Legal Services
- Lisa Berkowitz, Meals on Wheels and Community Bridges
- Tim Bradden, Grey Bears
- Marilyn Garrett, community member

Vice Mayor Brooks supports the option for incremental change, with a focus on balance

Attachment: 2-13 draft minutes (Approval of City Council Minutes)

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES
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and prioritization, and the Council concurred. She also asked staff to develop a more detailed timeline and to look at how to handle the new children's fund. The fund use will be discussed during budget sessions.

Council Member Bottorff noted that near term there may not be much funding available for grants.

MOTION:	ADOPT THE STRATEGIC PLAN WITH THE GOAL OF MAKING INCREMENTAL CHANGES TO THE PROGRAM AND DIRECT STAFF TO DEVELOP A DETAILED TIMELINE
RESULT:	ADOPTED AS AMENDED [4 TO 0]
MOVER:	Yvette Brooks, Vice Mayor
SECONDER:	Ed Bottorff, Council Member
AYES:	Ed Bottorff, Jacques Bertrand, Kristen Petersen, Yvette Brooks
RECUSED:	Sam Storey

B. Consider Proposed Recreation Strategic Plan
RECOMMENDED ACTION: Adopt proposed five-year Recreation Strategic Plan.

Recreation Division Supervisor Nikki Bryant LeBlond presented the staff report, noting the consultant unfortunately is sick and cannot attend. The revised mission statement added "intergenerational" and specifies "support the health and well-being." The vision statement is new and reflects the revised mission statement. She walked the Council through the four goals of the plan:

- Become an efficient and effective umbrella organization
- Make programs affordable and accessible
- Maximize facilities
- Maintain and develop new partnerships

Council Member Storey asked if work was done on budgetary impacts, saying he has concerns about costs. Staff noted any changes will be addressed during the annual budget preparation.

In public comment, Michele Kennedy of Soquel Elementary Union School District praised the effort in developing the five-year plan. The school district fully supports the efforts to develop new programs and continuing its partnership.

Laurie Hill, Art and Cultural Commission, noted that she and other members of the commission have many questions about incorporating existing events.

Council Member Bottorff expressed his enthusiasm for having developed the plan and the recommendation to unite programs under one umbrella. He made a motion to adopt the plan, seconded by Council Member Bertrand. It was defeated by a substitute motion.

Council Member Storey expressed concern that the Art and Cultural Commission was not given the opportunity to review and comment and would like it to have that opportunity before a vote is taken. He also worries that adopting the plan has costs he is not sure the City can afford. Council Member Brooks concurred.

Attachment: 2-13 draft minutes (Approval of City Council Minutes)

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES
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MOTION:	DELAY ADOPTION UNTIL THE ART AND CULTURAL COMMISSION HAS RECEIVED A PRESENTATION ON THE PROPOSED CHANGES
RESULT:	ADOPTED [4 TO 1]
MOVER:	Yvette Brooks, Vice Mayor
SECONDER:	Sam Storey, Council Member
AYES:	Jacques Bertrand, Sam Storey, Kristen Petersen, Yvette Brooks
NAYS:	Ed Bottorff

C. Consider Approval of an Emergency Contract for Repairs to the Damaged Wharf Hoist Area

RECOMMENDED ACTION: Adopt a resolution declaring an emergency and authorizing procurement and services without giving notice for bids pursuant to Public Contract Code Section 22050, and authorizing staff to enter into an emergency contract to Power Engineering Construction Company to repair damaged piles on the wharf (requires 4/5 vote).

Public Works Director Steve Jesberg presented the staff report, including introducing three options with costs not included in the agenda packet:

- Sleeve the piles and insert steel rebar and concrete at cost of \$171,700 and five- to-six-weeks lead time.
- Drive new wood pikes at a cost of \$166,325 and eight- to 10-week time
- Sleeve piles with fiberglass for \$181,538 and six- to eight-week time

Motion: Authorize staff 3b and adopt resolution.

MOTION:	ADOPT THE EMERGENCY RESOLUTION AND DIRECT STAFF TO PURSUE SLEEVING PILES WITH FIBERGLASS FOR AT LEAST TWO AND PERHAPS THREE PILES AT A COST NOT TO EXCEED \$180,000
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sam Storey, Council Member
SECONDER:	Jacques Bertrand, Council Member
AYES:	Bottorff, Bertrand, Storey, Petersen, Brooks

D. Introduce an Ordinance Amending Portions of Municipal Code Title 2: Administration to Update and Clarify Various Sections

RECOMMENDED ACTION: Approve the first reading of an Ordinance amending and adding sections of Title 2: Administration of the Capitola Municipal Code, and waive reading of the text.

City Clerk Linda Fridy presented the staff report. Staff requested clarification on the majority number required for removing a planning commissioner and the mayor/vice mayor.

MOTION:	REQUIRE A MINIMUM 4-5 VOTE TO REMOVE A PLANNING COMMISSIONER AND A MINIMUM 3-5 VOTE FOR THE MAYOR AND VICE MAYOR.
RESULT:	FAILED [3 TO 2]
MOVER:	Yvette Brooks, Vice Mayor
SECONDER:	Sam Storey, Council Member
AYES:	Sam Storey, Yvette Brooks
NAYS:	Ed Bottorff, Jacques Bertrand, Kristen Petersen

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES
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MOTION:	REQUIRE A MINIMUM 3-5 VOTE TO REMOVE A PLANNING COMMISSIONER AND THE MAYOR AND VICE MAYOR.
RESULT:	ADOPTED [3 TO 2]
MOVER:	Ed Bottorff, Council Member
SECONDER:	Jacques Bertrand, Council Member
AYES:	Ed Bottorff, Jacques Bertrand, Kristen Petersen
NAYS:	Sam Storey, Yvette Brooks

MOTION:	APPROVE FIRST READING WITH A MAJORITY OF THREE VOTES FOR REMOVAL OF A PLANNING COMMISSIONER AND THE MAYOR/VICE MAYOR [UNANIMOUS]
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ed Bottorff, Council Member
SECONDER:	Sam Storey, Council Member
AYES:	Bottorff, Bertrand, Storey, Petersen, Brooks

E. Award a Contract for Emergency Repairs to a Storm Drain off of Chittenden Lane

RECOMMENDED ACTIONS:

1. Adopt a resolution declaring an emergency and authorizing procurement and services without giving notice for bids pursuant to Public Contract Code Section 22050 and authorizing staff to enter a contract for such services to Anderson Pacific for repairs to a storm drain between Chittenden Lane and Brookvale Terrace at an estimated cost of \$65,000 (requires 4/5 vote);
2. Approve a budget amendment in the amount of \$32,500 to accept Zone 5 funding; and
3. Authorize staff to sign an agreement with Santa Cruz County Flood Control District, Zone 5, to equally split payment of these repairs.

Director Jesberg presented the staff report. The recommended repair is to replace/reline the entire pipe. Staff is still negotiating with Zone 5 on a shared responsibility agreement.

Dennis Kirby, Brookvale Terrace, said he has been working with Director Jesberg. He described the effects of the pipe failure and residents' concerns. He supports the emergency action.

Council Member Storey expressed concern about negotiations stalling an emergency repair and asked that if they are not moving forward, a special Council meeting be called.

MOTION:	ADOPT THE RESOLUTION AND OTHER RECOMMENDATIONS, AND CALL A SPECIAL MEETING IF NEGOTIATIONS FAIL.
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sam Storey, Council Member
SECONDER:	Ed Bottorff, Council Member
AYES:	Bottorff, Bertrand, Storey, Petersen, Brooks

11. **ADJOURNMENT**

The meeting adjourned at 10:35 p.m.

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES
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Kristen Petersen Mayor

ATTEST:

Linda Fridy, City Clerk

DRAFT

Attachment: 2-13 draft minutes (Approval of City Council Minutes)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF FEBRUARY 27, 2020

FROM: City Manager Department

SUBJECT: Receive the Planning Commission Action Minutes for the Regular Meeting of February 6, 2020

RECOMMENDED ACTION: Receive minutes.

DISCUSSION: Attached for Council review are the action minutes of the February 6, 2020, Planning Commission regular meeting.

ATTACHMENTS:

1. 2-6-20 Action

Report Prepared By: Chloe Woodmansee
Records Coordinator

Reviewed and Forwarded by:

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

Jamie Goldstein, City Manager

2/20/2020



**ACTION MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, FEBRUARY 6, 2020
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioners Routh, Wilk, and Chair Newman were present. Commissioners Christiansen and Welch were absent.

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

B. Public Comments

C. Commission Comments

D. Staff Comments

3. CONSENT CALENDAR

A. 511 Escalona Drive #20-0002 APN: 036-125-02

Design Permit for a second-story addition to an existing single-family residence, an Accessory Dwelling Unit (ADU), and a Major Revocable Encroachment Permit for a wall in the public right of way located within the R-1 (Single-Family) zoning district. Permit is a revision to increase size of ADU from previous 2019 approval.

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: Christine Meserve

Representative: Valerie Hart, Filed: 01.02.2020

This item was pulled off the Consent Calendar and heard third, prior to Item 3.B.

MOTION: Approve the Design Permit, the Major Revocable Encroachment Permit, and the Coastal Development Permit.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mick Routh
SECONDER:	Peter Wilk
AYES:	Newman, Wilk, Routh
ABSENT:	Christiansen, Welch

B. 1500 Park Avenue #17-0097 APN: 036-201-01

Coastal Development Permit to replace an existing storm water drain culvert underneath New Brighton State Beach parking lot, located in the PF-P/VS (Public Facility-Parks/Visitor Serving) 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: California Department of Parks and Recreation
 Representative: Ryan Diller, filed: 06.22.16

This item was pulled off the Consent Calendar and heard fourth, prior to Item 4.B.

MOTION: Approve the Coastal Development Permit.

RESULT:	APPROVED [2 TO 0]
MOVER:	Mick Routh
SECONDER:	Peter Wilk
AYES:	Wilk, Routh
ABSTAIN:	Edward Newman
ABSENT:	Welch, Christiansen

- C. Grand Avenue Pathway Drainage Improvements #20-0014**
 Coastal Development Permit (CDP) for drainage improvements on Hollister Avenue near the Grand Avenue Pathway in the R-1 (Single-Family Residential) Zoning District. The improvements include a new drainage inlet on the west side of Hollister Avenue.
 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. Work was completed under an Emergency CDP.
 Environmental Determination: Categorical Exemption
 Property Owner: City of Capitola
 Representative: Steve Jesberg, Filed: 01.17.2020

This item was pulled off the Consent Calendar and heard first, prior to Item 4.A.

MOTION: Approve the Coastal Development Permit.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mick Routh
SECONDER:	Peter Wilk
AYES:	Newman, Wilk, Routh
ABSENT:	Christiansen, Welch

4. PUBLIC HEARINGS

- A. 3775 Capitola Road #19-0732 APN: 034-261-39**
 Conditional Use Permit for a Community Assembly use for a commercial structure located within the C-R (Regional Commercial) zoning district.
 This project is not located in the Coastal Zone and does not require a Coastal Development Permit.
 Environmental Determination: Categorical Exemption
 Owner: MGP XI Capitola, LLC
 Representative: Jesse West, Filed: 12.10.2019

This item was heard second, after the pulled item 3.C and before the pulled Item 3.A.

MOTION: Approve the Conditional Use Permit for Community Assembly Use within the C-R zoning district.

Attachment: 2-6-20 Action (PC Action Minutes)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Wilk
SECONDER:	Mick Routh
AYES:	Newman, Wilk, Routh,
ABSENT:	Christiansen, Welch

B. Update to Zoning Ordinance/Local Coastal Plan Implementation Plan

Update to the City of Capitola Zoning Code including Chapter 17.74 Accessory Dwelling Units, Chapter 17.15 Single-Family Residence District, Chapter 17.16 Residential Zoning Districts, and Chapter 17.80 Signs.

The Zoning Code serves as the Implementation Plan of the City’s Local Coastal Program and therefore must be certified by the Coastal Commission.

Environmental Determination: Addendum to the General Plan Update EIR

Property: The Zoning Code update affects all properties within the City of Capitola.

Representative: Matt Orbach, Associate Planner, City of Capitola

This item was heard last.

MOTION: Recommend for adoption by City Council.

RESULT:	RECOMMENDED TO CITY COUNCIL FOR ADOPTION WITH MINOR CHANGES AS DISCUSSED [UNANIMOUS]
MOVER:	Peter Wilk
SECONDER:	Mick Routh
AYES:	Newman, Wilk, Routh
ABSENT:	Christiansen, Welch

5. DIRECTOR'S REPORT

6. COMMISSION COMMUNICATIONS

7. ADJOURNMENT

The meeting was adjourned at 8:45p.m. to the next regular meeting of the Planning Commission on March 5, 2020.

Attachment: 2-6-20 Action (PC Action Minutes)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF FEBRUARY 27, 2020

FROM: Finance Department

SUBJECT: Approval of City Check Registers Dated January 3, January 10, January 17, January 24 and January 31, 2020

RECOMMENDED ACTION: Approve check registers.

Account: City Main				
Date	Starting Check #	Ending Check #	Payment Count	Amount
1/03/2020	94600	94628	32	\$ 88,623.66
1/10/2020	94629	94708	83	\$201,880.78
1/17/2020	94709	94757	51	\$130,074.42
1/24/2020	94758	94792	40	\$242,442.66
1/31/2020	94793	94859	67	\$120,234.93

The main account check register dated December 27, 2019, ended with check #94599.

Account: Library				
Date	Starting Check #	Ending Check #	Payment Count	Amount
1/10/2020	170	172	3	\$ 19,936.23
1/24/2020	173	174	2	\$723,190.42
1/31/2020	175	178	4	\$ 13,231.64

The library account check register dated December 20, 2019, ended with check #169.

Account: Payroll				
Date	Starting Check #	Ending Check #	Payment Count	Amount
12/31/2019	5645	5645	1	\$ 4,441.26
1/03/2020	5646	5647	92	\$169,729.26
1/17/2020	5648	5650	93	\$170,037.33
1/31/2020	5651	5652	96	\$176,080.64

The payroll account check register dated December 20, 2019, ended with check #5644.

Following is a list of payments issued for more than \$10,000 and descriptions of the expenditures:

Check/	Issued to	Dept	Description	Amount
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Approval of City Check Registers
February 27, 2020

EFT				
878	PERS Health Insurance	CM	January health insurance	\$ 65,262.00
94643	Burke Williams and Sorensen	CM	November city attorney services	\$ 32,733.28
94656	Eide Bailly LLP	FN	FY18/19 audit final billing	\$ 26,053.00
880	IRS	FN	Federal taxes & Medicare PPE 12/28/19	\$ 29,012.62
172	Noll and Tam Architects	PW	Library schematic design and construction documents	\$ 11,146.23
94711	Anderson Pacific Engineering Construction	PW	Hollister Avenue, El Camino Medio storm drain services	\$ 21,052.55
94753	US Bank	FN	Pac Cove facility lease	\$ 11,560.25
882	CalPERS Member Services	CM	PERS contributions PPE 12/28/19	\$ 52,329.35
94766	Donald W. Alley	PW	Soquel creek fish and wildlife monitoring	\$ 16,417.19
94767	Elk Grove Chevrolet	PD	2020 Chevy Tahoe	\$ 38,506.46
94778	Moffatt and Nichol	PW	Wharf design, permitting, flume specs, meeting and coordination	\$ 12,191.75
94788	Visit Santa Cruz County	FN	October – December tourism marketing district	\$ 54,866.11
885	IRS	FN	Federal taxes & Medicare PPE 1/11/20	\$ 29,692.96
886	CalPERS Member Services	CM	PERS contributions PPE 1/11/20	\$ 53,459.86
173	John F. Otto Inc. Escrow	PW	December library construction retainer	\$ 36,159.52
174	Otto Construction Inc.	PW	December library construction	\$687,030.90
94822	Kimley Horn and Associates	PW CD	LHMP update, Brommer St. construction documents, Park Ave. sidewalk improvements, Bay/Capitola Ave. roundabout design, Clares St. traffic calming	\$ 36,103.40
94835	PG&E	PW	January gas and electricity	\$ 13,218.51
94842	SCC Animal Shelter	PD	Quarterly animal services contribution	\$ 13,867.40
177	Noll and Tam Architects	PW	Library construction administration and public art fabrication	\$ 11,491.64

ATTACHMENTS:


1. 1/3/20 City Check Register
2. 1/10/20 City Check Register
3. 1/17/20 City Check Register
4. 1/24/20 City Check Register

Approval of City Check Registers
February 27, 2020

5. 1/31/20 City Check Register

Report Prepared By: Maura Herlihy
Accountant I

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

2/20/2020

City main account checks dated January 3, 2020, numbered 94600 to 94628, plus 3 EFTs, totaling \$88,623.66, and 3 payroll account checks plus 89 EFTs, totaling \$169,729.26, for a grand total of \$258,352.92, have been reviewed and authorized for distribution by the City Manager.

As of January 3, 2020, the unaudited cash balance is \$3,871,277.46.

CASH POSITION - CITY OF CAPITOLA
January 3, 2020

	<u>Net Balance</u>
General Fund	\$ (2,415,755.55)
Payroll Payables	\$ 149,081.00
Contingency Reserve Fund	\$ 2,048,845.66
Facilities Reserve Fund	\$ 488,485.06
Capital Improvement Fund	\$ 2,431,736.18
Stores Fund	\$ 55,427.34
Information Technology Fund	\$ 242,104.00
Equipment Replacement	\$ 407,130.16
Self-Insurance Liability Fund	\$ 133,261.13
Workers' Comp. Ins. Fund	\$ 286,663.29
Compensated Absences Fund	\$ 44,299.19
TOTAL UNASSIGNED GENERAL FUNDS	<u>\$ 3,871,277.46</u>

The Emergency Reserve Fund balance is \$1,359,205.54 (not included above).

The PERS Contingency Fund balance is \$894,355.72 (not included above).

The Library Fund balance is \$4,810,435.64 (not included above).


 _____ 1/7/20
 Jamie Goldstein, City Manager Date


 _____ 1/8/20
 Jim Malberg, City Treasurer Date

Attachment: 1/3/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 3, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94600	01/03/2020			ALLSAFE LOCK COMPANY	\$40.84
	Invoice	Date	Description		Amount
	52145	12/11/2019	Keys		\$29.98
	52117	11/06/2019	Keys		\$10.86
94601	01/03/2020			AMAZON CAPITAL SERVICES	\$64.25
	Invoice	Date	Description		Amount
	1VDH-Q4VQ-4QYG	12/28/2019	Batteries		\$47.91
	1QXV-9DML-DCRR	12/19/2019	Storage containers		\$16.34
94602	01/03/2020			AUTHENTIC APPROACH	\$2,525.00
	Invoice	Date	Description		Amount
	11012	01/01/2020	BIA communication & marketing management 1321 -Capitola Village BIA		\$2,525.00
94603	01/03/2020			BIOBAG AMERICAS INC.	\$2,740.00
	Invoice	Date	Description		Amount
	469107	12/23/2019	Dog waste bags		\$2,740.00
94604	01/03/2020			BOWMAN & WILLIAMS INC.	\$1,283.50
	Invoice	Date	Description		Amount
	14135	11/12/2019	Rispin/Peery park civil plan revisions 1200 - Capital Impr		\$1,283.50
94605	01/03/2020			CARIN HANNA	\$1,764.51
	Invoice	Date	Description		Amount
	CH122619	12/26/2019	BIA reimbursement for decorations, window paintings, music 1321 -Capitola Village BIA		\$1,764.51
94606	01/03/2020			CENTRAL HOME SUPPLY	\$63.55
	Invoice	Date	Description		Amount
	127084	11/18/2019	Base rock, concrete		\$63.55
94607	01/03/2020			COMPLETE MAILING SERVICE INC.	\$1,819.26
	Invoice	Date	Description		Amount
	4989	11/27/2019	Recreation winter brochure mailing		\$1,819.26
94608	01/03/2020			CRITICAL REACH	\$300.00
	Invoice	Date	Description		Amount
	20-83	12/10/2019	APBnet bulletin service renewal		\$300.00
94609	01/03/2020			FARWEST NURSERY	\$76.47
	Invoice	Date	Description		Amount
	942370	09/17/2019	HB kit, drain wand		\$76.47

Attachment: 1/3/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 3, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94610	01/03/2020			FERGUSON ENTERPRISES INC 795	\$288.85
	Invoice	Date	Description		Amount
	8195288	12/10/2019	Battery sensor retrofit kit		\$288.85
94611	01/03/2020			HOME DEPOT CREDIT SERVICES	\$15.59
	Invoice	Date	Description		Amount
	0615251	12/09/2019	Jade st. park paint, cleaner spray, mildew remover		\$15.59
94612	01/03/2020			INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE	\$190.00
	Invoice	Date	Description		Amount
	0095154	12/04/2019	Membership renewal		\$190.00
94613	01/03/2020			LABORMAX STAFFING	\$1,693.20
	Invoice	Date	Description		Amount
	26-116186	12/20/2019	Seasonal labor 12/14 - 12/16		\$616.90
	26-116482	12/27/2019	Seasonal labor 12/21 - 12/27		\$1,076.30
94614	01/03/2020			LUXLAUNDER	\$1,067.36
	Invoice	Date	Description		Amount
	LL11302019	11/25/2019	Uniform cleaning		\$1,067.36
94615	01/03/2020			MAR-KEN K-9 TRAINING CENTER	\$240.00
	Invoice	Date	Description		Amount
	0708-19	12/15/2019	December K-9 training		\$240.00
94616	01/03/2020			MISSION LINEN SUPPLY	\$263.89
	Invoice	Date	Description		Amount
	511432747	12/18/2019	Corp. yard linen service, mats, towels		\$90.95
	511481582	12/25/2019	Corp. yard linen service, mats, towels		\$87.65
	511513459	12/30/2019	Community Center mop and mat service		\$85.29
94617	01/03/2020			PALACE BUSINESS SOLUTIONS	\$192.96
	Invoice	Date	Description		Amount
	564195-0	12/20/2019	Tape dispenser, ink cartridge		\$53.26
	562933-0	12/13/2019	Office equipment stand		\$99.27
	9670099-0	12/20/2019	Tape, stickers, calendar		\$19.48
	559696-0	11/19/2019	Packing tape		\$20.95
			1000 - General Fund	\$172.01	
			2210 - ISF - Stores	\$20.95	
94618	01/03/2020			PHOENIX GROUP INFORMATION SYSTEMS	\$6,871.76
	Invoice	Date	Description		Amount
	112019070	12/16/2019	November citation processing		\$6,871.76

Attachment: 1/3/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 3, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94619	01/03/2020			SAN LORENZO LUMBER	\$7.06
	Invoice	Date	Description		Amount
	55-0511487	12/17/2019	Parking lot redwood fencing		\$7.06
94620	01/03/2020			STAPLES ADVANTAGE	\$237.64
	Invoice	Date	Description		Amount
	8056797290	12/14/2019	Break room supplies		\$156.73
	8056874858	12/21/2019	Packing tape, wipes, dust-off		\$80.91
94621	01/03/2020			THE HOME DEPOT PRO	\$92.55
	Invoice	Date	Description		Amount
	525613683	12/09/2019	Janitorial supplies		\$92.55
94622	01/03/2020			TYLER BUSINESS FORMS	\$39.96
	Invoice	Date	Description		Amount
	40815	12/18/2019	1095 forms		\$39.96
94623	01/03/2020			VON DER PFALZ	\$390.00
	Invoice	Date	Description		Amount
	12112019	12/11/2019	K-9 boarding		\$390.00
94624	01/03/2020			Albert C. Arredondo	\$48.00
	Invoice	Date	Description		Amount
	200124694	12/16/2019	Citation dismissed		\$48.00
94625	01/03/2020			Duane or Wendy Ridnour	\$36.00
	Invoice	Date	Description		Amount
	200125424	12/30/2019	Citation refund		\$36.00
94626	01/03/2020			Esther Lee	\$72.00
	Invoice	Date	Description		Amount
	702123647	12/16/2019	Citation refund		\$72.00
94627	01/03/2020			Jose Montoya	\$96.00
	Invoice	Date	Description		Amount
	248991	12/16/2019	Citation refund		\$96.00
94628	01/03/2020			Riitta Sheppard	\$82.80
	Invoice	Date	Description		Amount
	1036222.002	12/10/2019	Refund meditation class		\$82.80

Type Check Totals:

\$22,603.00

Attachment: 1/3/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 3, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
EFT					
876	01/02/2020			EMPLOYMENT DEVELOPMENT DEPT	\$211.88
	Invoice	Date	Description		Amount
	0-071-433-152	01/02/2020	State taxes employee final pay check		\$211.88
			1001 - Payroll		
877	01/02/2020			INTERNAL REVENUE SERVICE	\$546.78
	Invoice	Date	Description		Amount
	55465964	01/02/2020	Federal taxes & Medicare employee final pay check		\$546.78
			1001 - Payroll		
878	1/3/2020			PERS Health Insurance	\$65,262.00
	Invoice	Date	Description		Amount
	1001475324	1/3/2020	January health insurance		\$65,262.00
			1000 - General Fund	\$2,852.77	
			1001 - Payroll	\$62,409.23	
Type EFT Totals:					\$66,020.66

CITY - Main City Totals	Count	Total
Checks	29	\$22,603.00
EFTs	3	\$66,020.66
All	32	\$88,623.66
WELLS - Payroll Totals		
Checks	3	\$5,992.66
EFTs	89	\$163,736.60
All	92	\$169,729.26
Grand Totals:		
Checks	32	\$28,595.66
EFTs	92	\$229,757.26
All	123	\$258,352.92

Attachment: 1/3/20 City Check Register (Approval of City Check Registers)

City main account checks dated January 10, 2020, numbered 94629 to 94708, plus 3 EFTs, totaling \$201,880.78, and 3 library account checks, totaling \$19,936.23, for a grand total of \$221,817.01, have been reviewed and authorized for distribution by the City Manager.

As of January 10, 2020, the unaudited cash balance is \$3,787,068.61.

CASH POSITION - CITY OF CAPITOLA
January 10, 2020

	<u>Net Balance</u>
General Fund	\$ (2,432,059.68)
Payroll Payables	\$ 98,303.98
Contingency Reserve Fund	\$ 2,048,845.66
Facilities Reserve Fund	\$ 488,485.06
Capital Improvement Fund	\$ 2,430,512.43
Stores Fund	\$ 51,364.43
Information Technology Fund	\$ 234,289.31
Equipment Replacement	\$ 407,130.16
Self-Insurance Liability Fund	\$ 129,234.78
Workers' Comp. Ins. Fund	\$ 286,663.29
Compensated Absences Fund	\$ 44,299.19
TOTAL UNASSIGNED GENERAL FUNDS	<u>\$ 3,787,068.61</u>

The Emergency Reserve Fund balance is \$1,359,205.54 (not included above).
The PERS Contingency Fund balance is \$894,355.72 (not included above).
The Library Fund balance is \$4,790,499.41 (not included above).



Jamie Goldstein, City Manager 1/13/20
Date



Jim Malberg, City Treasurer 1/24/20
Date

Attachment: 1/10/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 10, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94629	01/08/2020			SOQUEL CREEK WATER DISTRICT	\$5,801.20
	Invoice	Date	Description		Amount
	08-15299-00.1119	11/18/2019	Monterey Ave water service		\$350.08
	09-15964-00.1119	11/18/2019	Monterey Ave irrigation		\$1,031.72
	10-16315-00.1119	11/19/2019	504 Beulah irrigation		\$62.85
	10-16317-00.1119	11/19/2019	420 Capitola Ave water service		\$230.78
	10-16316-00.1119	11/19/2019	426 Capitola Ave water service		\$83.60
	42-11090-01.1119	11/27/2019	Capitola Road irrigation		\$115.25
	42-15969-00.1119	11/27/2019	Lawn Way irrigation		\$344.29
	34-18508-00-1119	11/26/2019	1510 McGregor Drive water service		\$41.83
	13-10919-00-1119	11/20/2019	2000 Wharf Road water service		\$37.06
	42-16407-00.1119	11/27/2019	Bay Avenue irrigation		\$51.12
	42-16136-00.1119	11/27/2019	1400 Wharf Road irrigation		\$446.36
	42-16130-00.1119	11/27/2019	Wharf Road irrigation		\$55.22
	42-14404-00.1119	11/27/2019	Nobel Gulch Park Monterey Ave irrigation		\$257.86
	42-18238-00.1119	11/27/2019	Capitola Road irrigation		\$49.72
	42-10504-00.1119	11/27/2019	Cliff Drive irrigation		\$49.72
	42-16122-00.1119	11/27/2019	Esplanade fountain irrigation		\$61.16
	42-17688-00.1119	11/27/2019	Lawn Way irrigation		\$73.46
	42-15751-01.1119	11/27/2019	2005 Wharf Road irrigation		\$82.20
	42-15297-00.1119	11/27/2019	426 Capitola Ave irrigation		\$115.25
	42-14431-00.1119	11/27/2019	Monterey Ave irrigation		\$2,224.61
	08-15562-00.1119	11/18/2019	Cliff and Fair View water service		\$37.06
			1000 - General Fund	\$5,354.84	
			1311 - Wharf	\$446.36	
94630	01/10/2020			ADT SECURITY SERVICES INC.	\$175.27
	Invoice	Date	Description		Amount
	ADT122919	12/29/2019	Corp. yard & museum ADT monitoring		\$175.27
94631	01/10/2020			ALLSAFE LOCK COMPANY	\$2.50
	Invoice	Date	Description		Amount
	52203	12/19/2019	Key copy		\$2.50
94632	01/10/2020			AMAZON CAPITAL SERVICES	\$1,189.08
	Invoice	Date	Description		Amount
	16TH-C1HQ-R47V	12/20/2019	Wireless keyboard, mouse		\$53.40
	1YKT-FYMY-VWT9	12/18/2019	Hard drives		\$860.69
	1RMG-4W9P-WTQK	01/05/2020	Display to VGA adapters		\$17.98
	1NKQ-1XG1-DCWF	01/04/2020	Toner cartridge		\$109.38
	1JY1-RN69-9TXW	12/30/2019	Wireless keyboard, mouse		\$53.40
	1H3X-CT9N-LLVW	12/21/2019	Toner cartridge		\$76.25
	1DY9-FKLM-XJRT	01/05/2020	Display to VGA adapters		\$17.98
			2211 - ISF - Info Tech		

Attachment: 1/10/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 10, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94633	01/10/2020			AMSOIL INC.	\$153.94
	Invoice	Date	Description		Amount
	18779351 RI	12/16/2019	Synthetic grease (2 cases)		\$153.94
94634	01/10/2020			APPLIED CONCEPTS INC.	\$162.36
	Invoice	Date	Description		Amount
	359620	12/26/2019	Lidar X-Series (2)		\$162.36
94635	01/10/2020			ASCAP	\$363.00
	Invoice	Date	Description		Amount
	100005426745	12/20/2019	Annual music license fee		\$363.00
94636	01/10/2020			AT&T	\$9.12
	Invoice	Date	Description		Amount
	ATT120119	12/01/2019	December long distance charges		\$9.12
			1000 - General Fund	\$4.48	
			2211 - ISF - Info Tech	\$4.64	
94637	01/10/2020			AT&T/CALNET 3	\$639.28
	Invoice	Date	Description		Amount
	0014029795	12/13/2019	December telephone service		\$639.28
			1000 - General Fund	\$592.24	
			2211 - ISF - Info Tech	\$47.04	
94638	01/10/2020			AT&T/CALNET 3	\$889.28
	Invoice	Date	Description		Amount
	0014030463	12/13/2019	December T-1 access		\$889.28
94639	01/10/2020			AUTOMATION TEST ASSOCIATES	\$40.00
	Invoice	Date	Description		Amount
	48048	12/22/2019	December wharf meter reading		\$40.00
			1311 - Wharf		
94640	01/10/2020			AXCIENT	\$125.00
	Invoice	Date	Description		Amount
	FY19INEFI035852	12/31/2019	December AppAssure storage		\$125.00
			2211 - ISF - Info Tech		
94641	01/10/2020			BIG CREEK LUMBER	\$396.85
	Invoice	Date	Description		Amount
	1265899	01/02/2020	Lumber, drill bits, bolts, nuts, washers		\$396.85

Attachment: 1/10/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 10, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94642	01/10/2020			BOWMAN & WILLIAMS INC.	\$1,223.75
	Invoice	Date	Description		Amount
	14269	12/13/2019	Rispin/Peery park engineering services 1200 - Capital Impr		\$1,223.75
94643	01/10/2020			BURKE WILLIAMS AND SORENSEN LLP	\$32,733.28
	Invoice	Date	Description		Amount
	249129	12/27/2019	November city attorney police services		\$104.00
	249128	12/27/2019	November city attorney planning services		\$2,808.00
	249127	12/27/2019	November litigation services		\$1,520.50
	249126	12/27/2019	November code enforcement services		\$858.00
	249125	12/27/2019	November city attorney mail services		\$9,366.05
	249124	12/27/2019	November general city attorney services		\$14,856.73
	249123	12/27/2019	November labor & employment legal services		\$3,220.00
94644	01/10/2020			CA DEPT OF TAX AND FEE ADMINISTRATION	\$837.00
	Invoice	Date	Description		Amount
	0-009-981-885	01/06/2020	Quarterly use tax on out of state purchases 1000 - General Fund \$835.47 2211 - ISF - Info Tech \$1.53		\$837.00
94645	01/10/2020			CALE AMERICA INC.	\$1,829.00
	Invoice	Date	Description		Amount
	157629	12/31/2019	December active meters		\$1,829.00
94646	01/10/2020			CALIFORNIA CHAMBER OF COMMERCE	\$211.41
	Invoice	Date	Description		Amount
	11401700	12/23/2019	2020 Labor law posters (4) 2210 - ISF - Stores		\$211.41
94647	01/10/2020			CALIFORNIA COAST UNIFORM COMPANY	\$344.43
	Invoice	Date	Description		Amount
	7702	12/30/2019	531 uniform tailoring changes		\$72.00
	7703	12/30/2019	VIP uniform jacket		\$115.49
	7704	12/30/2019	525 uniform hat, tailoring changes		\$126.47
	7705	12/30/2019	524 uniform hat		\$30.47
94648	01/10/2020			CAPITOLA PEACE OFFICERS ASSOCIATION	\$1,769.00
	Invoice	Date	Description		Amount
	POA010320	01/03/2020	POA and gym dues PPE 12/28/19 1001 - Payroll		\$1,769.00

Attachment: 1/10/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 10, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94649	01/10/2020			CAPITOLA SELF STORAGE	\$8,112.00
	Invoice	Date	Description		Amount
	2829-CSS121919	12/19/2019	Museum annual storage rent unit #2829		\$2,880.00
	2810-CSS121919	12/19/2019	Museum annual rent unit #2810		\$5,232.00
94650	01/10/2020			CITY CLERKS ASSOCIATION OF CALIFORNIA	\$65.00
	Invoice	Date	Description		Amount
	4408	01/03/2020	Annual membership renewal - Records Coordinator		\$20.00
	4237	12/31/2019	Annual membership renewal - City Clerk		\$45.00
94651	01/10/2020			CLEAN BUILDING MAINTENANCE CO.	\$4,019.13
	Invoice	Date	Description		Amount
	24011	12/31/2019	December janitorial services		\$4,019.13
			1000 - General Fund	\$3,753.63	
			1311 - Wharf	\$265.50	
94652	01/10/2020			CODE PUBLISHING COMPANY INC	\$129.50
	Invoice	Date	Description		Amount
	65586	12/18/2019	Municipal code web update		\$129.50
94653	01/10/2020			COMMUNITY ACTION BOARD	\$723.97
	Invoice	Date	Description		Amount
	CAB12182019	12/18/2019	November emergency housing assistance program reimbursement		\$341.98
	CAB121819	12/18/2019	October emergency housing assistance program reimbursement		\$381.99
			5552 - Cap Hsg Succ- PI		
94654	01/10/2020			DELL COMPUTERS	\$5,199.35
	Invoice	Date	Description		Amount
	10363958387	12/23/2019	Dell Latitude 3500 BTX computers (4)		\$2,721.15
	10357487494	12/02/2019	Tech support services		\$2,478.20
			2211 - ISF - Info Tech		
94655	01/10/2020			DUDEK	\$4,516.30
	Invoice	Date	Description		Amount
	20199003	12/17/2019	Capitola mall environmental consulting		\$4,516.30
94656	01/10/2020			EIDE BAILLY LLP	\$26,053.00
	Invoice	Date	Description		Amount
	E100903336	12/30/2019	FY18/19 audit final billing		\$26,053.00
94657	01/10/2020			EMPLOYMENT DEVELOPMENT DEPT	\$150.00
	Invoice	Date	Description		Amount
	L1858684256-13	07/16/2019	Employee earnings withholding order PPE 12/28/19		\$150.00
			1001 - Payroll		

Attachment: 1/10/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 10, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94658	01/10/2020			FBINAA	\$125.00
	Invoice	Date	Description		Amount
	47705	01/06/2020	2020 membership for 515		\$125.00
94659	01/10/2020			FBINAA	\$495.00
	Invoice	Date	Description		Amount
	FBINAA123019	12/30/2019	FBI executive development seminar registration		\$495.00
94660	01/10/2020			FERGUSON ENTERPRISES INC 795	\$1,308.22
	Invoice	Date	Description		Amount
	8152339	01/02/2020	Monterey Park hardware, supplies		\$702.52
	8200496	01/02/2020	Auger cable, autofeed assemble, battery sensor retrofit kit		\$605.70
94661	01/10/2020			FLYERS ENERGY LLC	\$6,799.43
	Invoice	Date	Description		Amount
	19-042145	12/27/2019	275 gallons diesel		\$1,024.23
	19-042144	12/27/2019	421 gallons gasoline		\$1,533.94
	19-037257	12/18/2019	347 gallons gasoline		\$1,194.85
	19-032609	12/12/2019	369 gallons gasoline		\$1,279.24
	19-028678	12/05/2019	371 gallons gasoline		\$1,313.16
	19-028677	12/05/2019	124 gallons diesel		\$454.01
94662	01/10/2020			GALLS LLC	\$310.70
	Invoice	Date	Description		Amount
	014576985	12/20/2019	Safety vests, whistles for volunteers		\$310.70
	014391797	11/29/2019	Return boots		(\$174.35)
	014257100	11/14/2019	Boots		\$174.35
94663	01/10/2020			HANYA FOJACO	\$821.60
	Invoice	Date	Description		Amount
	HF010620	01/06/2020	Instructor Payment		\$821.60
94664	01/10/2020			HINDERLITER DELLAMAS AND ASSOCIATES	\$600.00
	Invoice	Date	Description		Amount
	0032749-IN	12/19/2019	District sales tax reports Q2 2019		\$300.00
	0032748-IN	12/19/2019	District sales tax reports Q2 2019		\$300.00

Attachment: 1/10/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 10, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94665	01/10/2020			HOME DEPOT CREDIT SERVICES	\$531.93
	Invoice	Date	Description		Amount
	9013151	12/10/2019	Paint		\$13.04
	4631462	01/04/2020	Wharf caution tape, cable ties		\$44.07
	9611209	12/30/2019	Joint compound		\$6.52
	0610242	12/19/2019	Hole saw, saw brush plate, splinter guard glow rod set		\$80.88
	0630527	12/29/2019	Graffiti paint		\$21.71
	6054334	01/02/2020	Surge protectors, cable ties, tape		\$73.67
	9630716	12/30/2019	Stops rust spray paint (10)		\$43.63
	8611316	12/31/2019	Sanding discs		\$43.27
	8611305	12/31/2019	Bead wheel, wire wheel, crimp brush		\$59.85
	5513920	01/03/2020	Paint trays, paint rollers, paint		\$43.47
	3640027	12/26/2019	Fiber discs, cutoff discs		\$75.92
	3610860	12/26/2019	Grinding discs		\$25.90
			1000 - General Fund	\$414.19	
			1300 -SLES - Supl Law	\$73.67	
			1311 - Wharf	\$44.07	
94666	01/10/2020			HUB INTERNATIONAL	\$164.16
	Invoice	Date	Description		Amount
	HUB010720	01/07/2020	December community center event insurance		\$164.16
94667	01/10/2020			ICMA RETIREMENT TRUST 457	\$7,336.12
	Invoice	Date	Description		Amount
	263025	01/03/2020	457 contributions PPE 12/28/19		\$7,336.12
			1001 - Payroll		
94668	01/10/2020			INTERSTATE BATTERY SYSTEM OF SAN JOSE INC	\$388.70
	Invoice	Date	Description		Amount
	50282527	12/19/2019	Car batteries (2)		\$259.13
	31004706	12/17/2019	Car battery		\$129.57
94669	01/10/2020			JAMES P ALLEN	\$495.00
	Invoice	Date	Description		Amount
	112519	11/25/2019	Balboa Drive arborist services		\$495.00
94670	01/10/2020			JHS CONSULTING LLC	\$2,643.75
	Invoice	Date	Description		Amount
	1151	01/06/2020	Mall project management & environmental consulting		\$2,643.75
94671	01/10/2020			KATHY D'ANGELO	\$400.00
	Invoice	Date	Description		Amount
	000V-0010142019	12/05/2019	Museum interview services		\$400.00

Attachment: 1/10/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 10, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94672	01/10/2020			KBA Document Solutions LLC	\$384.49
	Invoice	Date	Description		Amount
	55Y1051741	01/02/2020	December copier usage charges		\$270.87
	55Y1051740	01/02/2020	December copier usage charges		\$113.62
			1000 - General Fund	\$18.80	
			2211 - ISF - Info Tech	\$365.69	
94673	01/10/2020			KINGS PAINT AND PAPER INC.	\$10.85
	Invoice	Date	Description		Amount
	A0292911	12/23/2019	Urethane		\$10.85
94674	01/10/2020			LANGUAGE LINE SERVICES INC	\$30.08
	Invoice	Date	Description		Amount
	4729991	12/31/2019	Translation services		\$30.08
94675	01/10/2020			LAURIE HILL	\$544.36
	Invoice	Date	Description		Amount
	LH123019	12/30/2019	Plein Air supplies reimbursement		\$544.36
94676	01/10/2020			LUXLAUNDER	\$996.37
	Invoice	Date	Description		Amount
	LL123119	12/31/2019	December uniform cleaning		\$897.81
	LL010220	01/02/2020	December PD mat service		\$98.56
94677	01/10/2020			MAURA HERLIHY	\$514.82
	Invoice	Date	Description		Amount
	MH010719	01/07/2020	Education reimbursement		\$514.82
94678	01/10/2020			MAUREEN KANE AND ASSOCIATES INC	\$1,550.00
	Invoice	Date	Description		Amount
	TTC031320	01/06/2020	Series 300 training for Records Coordinator		\$1,550.00
94679	01/10/2020			MID COUNTY AUTO SUPPLY	\$460.18
	Invoice	Date	Description		Amount
	MID-610266	12/17/2019	Sign installation supplies		\$5.94
	MID-608523	12/16/2019	Impact gun, plugs		\$240.67
	MID-609345	12/16/2019	Oil filters		\$28.64
	MID-621280	12/27/2019	D rings, cable, wire		\$111.26
	MID-623436	12/30/2019	Trailer seals		\$18.80
	MID-623458	12/30/2019	Wheel bearing grease		\$5.50
	MID-623483	12/30/2019	Wire		\$21.78
	MID-624218	12/30/2019	Connector, wires		\$19.09
	MID-627188	01/02/2020	Air filter		\$8.50

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City Checks Issued January 10, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94680	01/10/2020			MISSION LINEN SUPPLY	\$201.15
	Invoice	Date	Description		Amount
	511521793	01/01/2020	Corp. yard linen service, mats, towels		\$92.05
	511521792	01/01/2020	Fleet linen service		\$36.78
	511481581	12/25/2019	Fleet linen service		\$36.16
	511432746	12/18/2019	Fleet linen service		\$36.16
94681	01/10/2020			MONTEREY BAY AIR RESOURCES DISTRICT	\$412.00
	Invoice	Date	Description		Amount
	2012-123119	12/31/2019	Corp. yard gasoline dispenser permit		\$412.00
94682	01/10/2020			MONY Life Insurance Company of America	\$2,805.22
	Invoice	Date	Description		Amount
	93044	12/11/2019	January LTD, STD, AD&D and life insurance		\$2,805.22
			1000 - General Fund	\$61.32	
			1001 - Payroll	\$2,743.90	
94683	01/10/2020			NORTH BAY FORD	\$392.38
	Invoice	Date	Description		Amount
	339538	12/11/2019	2016 Ford Explorer replace ignition cylinder		\$392.38
94684	01/10/2020			O'REILLY AUTO PARTS	\$33.11
	Invoice	Date	Description		Amount
	2763-101908	12/18/2019	Capsules		\$33.11
94685	01/10/2020			PALACE BUSINESS SOLUTIONS	\$435.53
	Invoice	Date	Description		Amount
	564402-0	12/30/2019	Computer stands (5)		\$196.31
	564648-0	01/03/2020	Tape dispensers, staplers, pen holders		\$122.72
	564647-0	01/03/2020	Laminator, paper, hand sanitizer		\$116.50
			1000 - General Fund	\$116.50	
			1300 -SLES - Supl Law	\$319.03	
94686	01/10/2020			PITNEY BOWES	\$2,608.50
	Invoice	Date	Description		Amount
	PB121919	12/19/2019	City Hall postage machine refill, supplies and service		\$2,608.50
			2210 - ISF - Stores		
94687	01/10/2020			SAN LORENZO LUMBER	\$107.74
	Invoice	Date	Description		Amount
	55-0507856	12/03/2019	Sandbags		\$54.71
	55-0513388	12/30/2019	Glasses, gloves, hardware		\$53.03

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City Checks Issued January 10, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94688	01/10/2020			SANTA CRUZ COUNTY INFORMATION SERVICES	\$633.68
	Invoice	Date	Description		Amount
	SCC123119	12/31/2019	January open query scan charges		\$633.68
94689	01/10/2020			SANTA CRUZ COUNTY TAX COLLECTOR	\$1,159.85
	Invoice	Date	Description		Amount
	1235282-2	01/01/2020	City Hall sanitation district charges		\$1,159.85
94690	01/10/2020			SANTA CRUZ COUNTY TAX COLLECTOR	\$7,806.49
	Invoice	Date	Description		Amount
	1236197-2	01/01/2020	Esplanade sanitation district charges		\$7,806.49
94691	01/10/2020			SANTA CRUZ COUNTY TAX COLLECTOR	\$445.50
	Invoice	Date	Description		Amount
	1236956-2	01/01/2020	Library sanitation district charges		\$445.50
94692	01/10/2020			SANTA CRUZ COUNTY TAX COLLECTOR	\$2,181.19
	Invoice	Date	Description		Amount
	1236718-2	01/01/2020	Wharf sanitation district charges 1311 - Wharf		\$2,181.19
94693	01/10/2020			SANTA CRUZ LIVE SCAN INC	\$480.00
	Invoice	Date	Description		Amount
	1359	01/01/2020	Recreation instructors live scans		\$120.00
	1297	11/01/2019	New hire and recreation instructor live scans		\$270.00
	1264	09/01/2019	New hire and recreation instructor live scans		\$90.00
94694	01/10/2020			SESAC	\$460.00
	Invoice	Date	Description		Amount
	10353062	01/01/2020	Annual music performance license		\$460.00
94695	01/10/2020			SOQUEL CREEK WATER DISTRICT	\$1,095.83
	Invoice	Date	Description		Amount
	08-15299-00.1219	12/18/2019	Monterey Ave water service		\$169.35
	09-15964-00.1219	12/18/2019	Monterey Ave irrigation		\$542.28
	10-16315-00.1219	12/18/2019	504 Beulah irrigation		\$44.40
	10-16317-00.1219	12/18/2019	420 Capitola Ave water service		\$140.79
	34-18508-00.1219	12/27/2019	1510 McGregor Drive water service		\$41.29
	13-10919-00.1219	12/19/2019	2000 Wharf Road water service		\$37.06
	10-16316-00.1219	12/18/2019	426 Capitola Ave irrigation		\$83.60
	08-15562-00.1219	12/18/2019	Cliff and Fair View water service		\$37.06

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City Checks Issued January 10, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94696	01/10/2020			SPECTRUM BUSINESS	\$1,234.58
	Invoice	Date	Description		Amount
	0000178111919	11/19/2019	December internet service		\$3,258.22
	0000178101919	10/19/2019	November internet service		(\$5,428.99)
	0000178010120	01/01/2020	January internet service		\$3,405.35
			1000 - General Fund	\$352.22	
			2211 - ISF - Info Tech	\$882.36	
94697	01/10/2020			STATE STEEL COMPANY	\$253.82
	Invoice	Date	Description		Amount
	126033	12/27/2019	Sheet metal		\$253.82
94698	01/10/2020			THE HOME DEPOT PRO	\$1,604.67
	Invoice	Date	Description		Amount
	527626451	12/20/2019	Janitorial supplies		\$1,604.67
94699	01/10/2020			TIRE CHOICE AUTO SERVICE CENTERS	\$445.85
	Invoice	Date	Description		Amount
	200784	12/30/2019	Trailer tires (4) and installation		\$445.85
94700	01/10/2020			TRANSPORTATION ALLIANCE BANK INC.	\$1,373.63
	Invoice	Date	Description		Amount
	654452	12/09/2019	Sweeper filaments, g.b. set, chains		\$1,373.63
			1310 - Gas Tax		
94701	01/10/2020			TRI COUNTY TROPHY & ENGRAVING	\$109.25
	Invoice	Date	Description		Amount
	19-04688	01/03/2020	Police officer of the year award		\$109.25
94702	01/10/2020			UNITED STATES POSTAL SERVICE	\$1,243.00
	Invoice	Date	Description		Amount
	USPS1015	01/03/2020	Refill bulk postage permit #7013		\$1,243.00
			2210 - ISF - Stores		
94703	01/10/2020			US BANK PARS Acct 6746022400	\$195.20
	Invoice	Date	Description		Amount
	PARS010320	01/06/2020	PARS contributions PPE 12/28/19		\$195.20
			1001 - Payroll		
94704	01/10/2020			VERITONE INC.	\$1,200.00
	Invoice	Date	Description		Amount
	22472	11/30/2019	Annual license fee		\$1,200.00

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City Checks Issued January 10, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94705	01/10/2020			Deep Thought LLC	\$5,296.00
	Invoice	Date	Description		Amount
	19-0408	01/09/2020	1850 41st Ave. CUP, design & sign permit deposit refund		\$5,296.00
94706	01/10/2020			Faith Sackett	\$4,026.35
	Invoice	Date	Description		Amount
	FS010820	01/08/2020	Claim settlement 2213 - ISF - Self-Insur Liab		\$4,026.35
94707	01/10/2020			Lucinda Scheer	\$83.70
	Invoice	Date	Description		Amount
	2003863.002	01/02/2020	Refund for class withdrawal		\$83.70
94708	01/10/2020			University of California Santa Cruz	\$200.00
	Invoice	Date	Description		Amount
	2020-00001961	01/08/2020	Refund facility rental security deposit		\$200.00
Type Check Totals:					\$163,297.98
EFT					
879	01/06/2020			EMPLOYMENT DEVELOPMENT DEPT	\$8,337.42
	Invoice	Date	Description		Amount
	0-631-310-272	01/06/2020	State taxes PPE 12/28/19 1001 - Payroll		\$8,337.42
880	01/06/2020			INTERNAL REVENUE SERVICE	\$29,012.62
	Invoice	Date	Description		Amount
	72762191	01/06/2020	Federal taxes & Medicare PPE 12/28/19 1001 - Payroll		\$29,012.62
881	01/06/2020			STATE DISBURSEMENT UNIT	\$1,232.76
	Invoice	Date	Description		Amount
	SFU80RF6657	01/06/2020	Employee garnishments PPE 12/28/19 1001 - Payroll		\$1,232.76
Type EFT Totals:					\$38,582.80

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City Checks Issued January 10, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
Library - Library					
<u>Check</u>					
170	01/10/2020			BOGARD CONSTRUCTION INC.	\$6,360.00
	Invoice	Date	Description		Amount
	160707-40	12/26/2019	Library construction project management services 1360 - Library Fund		\$6,360.00
171	01/10/2020			JAMES P ALLEN	\$2,430.00
	Invoice	Date	Description		Amount
	123119b	12/31/2019	Library arborist services 1360 - Library Fund		\$2,430.00
172	01/10/2020			NOLL AND TAM ARCHITECTS	\$11,146.23
	Invoice	Date	Description		Amount
	0058519	11/30/2019	Library schematic design and construction documents 1360 - Library Fund		\$11,146.23
Type Check Totals:					\$19,936.23

CITY - Main City Totals			Count	Total
Checks			80	\$163,297.98
EFTs			3	\$38,582.80
All			83	\$201,880.78
Library - Library Totals				
Checks			3	\$19,936.23
EFTs			0	\$0.00
All			3	\$19,936.23
Grand Totals:				
Checks			83	\$183,234.21
EFTs			3	\$38,582.80
All			86	\$221,817.01

Attachment: 1/10/20 City Check Register (Approval of City Check Registers)


City main account checks dated January 17, 2020, numbered 94709 to 94757, plus 2 EFTs, totaling \$130,074.42, and 3 payroll account checks plus 90 EFTs, totaling \$170,037.33, for a grand total of \$300,111.75, have been reviewed and authorized for distribution by the City Manager.

As of January 17, 2020, the unaudited cash balance is \$3,947,900.65.

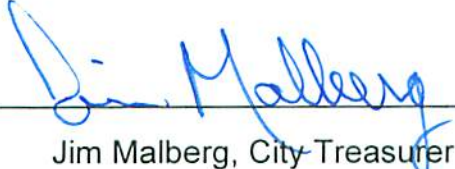
CASH POSITION - CITY OF CAPITOLA
January 17, 2020

	<u>Net Balance</u>
General Fund	\$ (2,333,555.92)
Payroll Payables	\$ 174,666.39
Contingency Reserve Fund	\$ 2,048,845.66
Facilities Reserve Fund	\$ 488,485.06
Capital Improvement Fund	\$ 2,418,459.88
Stores Fund	\$ 50,822.24
Information Technology Fund	\$ 232,849.92
Equipment Replacement	\$ 407,130.16
Self-Insurance Liability Fund	\$ 129,234.78
Workers' Comp. Ins. Fund	\$ 286,663.29
Compensated Absences Fund	\$ 44,299.19
TOTAL UNASSIGNED GENERAL FUNDS	\$ 3,947,900.65

The Emergency Reserve Fund balance is \$1,359,205.54 (not included above).
The PERS Contingency Fund balance is \$894,355.72 (not included above).
The Library Fund balance is \$5,588,894.04 (not included above).



 Jamie Goldstein, City Manager 1/23/20
 Date



 Jim Malberg, City Treasurer 1/23/20
 Date

Attachment: 1/17/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 17, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94709	01/17/2020			AFLAC	\$1,617.10
	Invoice	Date	Description		Amount
	771996	12/25/2019	December supplemental insurance 1001 - Payroll		\$1,617.10
94710	01/17/2020			AMAZON CAPITAL SERVICES	\$1,143.44
	Invoice	Date	Description		Amount
	1XMM-XFRP-GFJW	01/09/2020	Monitor, mini soundbar speakers (4)		\$337.03
	1KNC-GNXH-63TG	01/12/2020	Podium with speaker array		\$434.91
	17CV-LQ73-LMGV	01/07/2020	Monitors (2), keyboard/mouse combos (4)		\$451.74
	1FJT-C7L7-HCG7	01/13/2020	Return toner		(\$76.25)
	1TF6-WQJK-GF1H	01/13/2020	Shipping credit on toner return		(\$3.99)
			1300 - SLESF-Supl Law	\$771.94	
			2211 - ISF - Info Tech	\$371.50	
94711	01/17/2020			ANDERSON PACIFIC ENGINEERING CONSTRUCTION INC	\$21,052.55
	Invoice	Date	Description		Amount
	1998-30	01/03/2020	Hollister Avenue emergency storm drain installation		\$12,052.55
	1998-26	12/31/2019	El Camino Medio storm drain repair		\$9,000.00
			1200 - Capital Impr	\$12,052.55	
			1310 - Gas Tax	\$9,000.00	
94712	01/17/2020			APTOS LANDSCAPE SUPPLY INC.	\$54.50
	Invoice	Date	Description		Amount
	505828	01/06/2020	Bark chips		\$54.50
94713	01/17/2020			AT&T	\$9.09
	Invoice	Date	Description		Amount
	ATT010120	01/01/2020	January long distance charges		\$9.09
			1000 - General Fund	\$4.48	
			2211 - ISF - Info Tech	\$4.61	
94714	01/17/2020			B & B SMALL ENGINE REPAIR	\$532.20
	Invoice	Date	Description		Amount
	435932	01/08/2020	Bar oil		\$91.35
	435464	12/27/2019	DL chain, safety rope		\$403.85
	434611	12/10/2019	DL chain		\$37.00
94715	01/17/2020			BEAR ELECTRICAL SOLUTIONS INC.	\$646.80
	Invoice	Date	Description		Amount
	9572	12/30/2019	December traffic signal maintenance services - routine 1310 - Gas Tax		\$646.80

Attachment: 1/17/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 17, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94716	01/17/2020			CA DEPARTMENT OF JUSTICE	\$196.00
	Invoice	Date	Description		Amount
	426779	01/06/2020	Fingerprinting		\$196.00
94717	01/17/2020			CATTO'S GRAPHICS INC.	\$1,190.83
	Invoice	Date	Description		Amount
	29205	01/09/2020	Event signs		\$1,190.83
94718	01/17/2020			CRYSTAL SPRINGS WATER CO.	\$206.50
	Invoice	Date	Description		Amount
	CSW123119	12/31/2019	December drinking water		\$206.50
94719	01/17/2020			FIRST SECURITY	\$356.42
	Invoice	Date	Description		Amount
	IN-0027825	01/03/2020	January skate park patrol service		\$356.42
94720	01/17/2020			FIRST SECURITY	\$344.93
	Invoice	Date	Description		Amount
	IN-0027798	01/03/2020	Jade St. park patrol		\$344.93
94721	01/17/2020			FIRST SECURITY	\$382.50
	Invoice	Date	Description		Amount
	IN-0027826	01/03/2020	January Esplanade patrol service		\$382.50
94722	01/17/2020			GEORGE McMENAMIN	\$667.81
	Invoice	Date	Description		Amount
	2020-4	01/12/2020	Bay St., Peery Park riparian restoration & maintenance, supplies		\$667.81

Attachment: 1/17/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 17, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94723	01/17/2020			HOME DEPOT CREDIT SERVICES	\$458.33
	Invoice	Date	Description		Amount
	9521388	01/09/2020	Paint		\$21.69
	9612232	01/09/2020	Wire strippers, 3 port connector, spackling		\$42.99
	0015580	01/08/2020	Wharf signage, chalk, black marker		\$14.45
	6520857	01/02/2020	Electrical tape, black marker, sponge, glass cleaner		\$21.88
	9642161	01/09/2020	Screws, citrus spray, self-drilling lath		\$27.15
	6520818	01/02/2020	Steel end piece, vinyl drop outlet		\$29.86
	0644823	12/09/2019	Leaf rake		\$9.79
	6061758	01/12/2020	Scour pads, pet tray liner, roller cover, roller, roller frame		\$54.47
	6611563	01/02/2020	Wrench set, drywall repair patch		\$38.07
	1061180	01/07/2020	Disinfecting wipes, comet powder, Clorox disinfectant		\$32.10
	1632008	01/07/2020	Clamp light, respirator, liquid bandage, gloves, bungee cord		\$108.28
	9514271	01/09/2020	Outlets		\$32.63
	9615398	12/10/2019	Tote, tape measure, plants		\$24.97
			1000 - General Fund	\$411.25	
			1300 - SLESF-Supl Law	\$32.63	
			1311 - Wharf	\$14.45	
94724	01/17/2020			HUMBOLDT PETROLEUM LLC	\$26.00
	Invoice	Date	Description		Amount
	088857	12/31/2019	December car washes		\$26.00
94725	01/17/2020			JIM MALBERG - PETTY CASH CUSTODIAN	\$568.00
	Invoice	Date	Description		Amount
	PC011020	01/10/2020	Replenish petty cash		\$568.00
			1000 - General Fund	\$481.79	
			2210 - ISF - Stores	\$86.21	
94726	01/17/2020			KATHY D'ANGELO	\$473.80
	Invoice	Date	Description		Amount
	000V-0011062019	01/10/2020	Shoot & edit Patrick McCormick interview		\$400.00
	000M-0010262019	01/10/2020	16GB Sandisks (10)		\$73.80
94727	01/17/2020			KBA Document Solutions LLC	\$33.34
	Invoice	Date	Description		Amount
	55Y1055424	01/13/2020	January copier usage charges		\$28.51
	55Y1055425	01/13/2020	January recreation copier usage charges		\$4.83
			1000 - General Fund	\$4.83	
			2211 - ISF - Info Tech	\$28.51	
94728	01/17/2020			KING'S PAINT AND PAPER INC.	\$156.11
	Invoice	Date	Description		Amount
	A0293325	01/08/2020	Jade St. park paint		\$156.11

Attachment: 1/17/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 17, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94729	01/17/2020			LABORMAX STAFFING	\$1,076.30
	Invoice	Date	Description		Amount
	26-117001	01/10/2020	Seasonal labor 1/4 - 1/10/20		\$1,076.30
94730	01/17/2020			LC ACTION POLICE SUPPLY LTD	\$207.68
	Invoice	Date	Description		Amount
	405874	01/10/2020	Gun magazines (12)		\$207.68
94731	01/17/2020			LEAGUE OF CALIFORNIA CITIES Monterey Bay Division	\$150.00
	Invoice	Date	Description		Amount
	8249	01/06/2020	Annual membership dues		\$150.00
94732	01/17/2020			LIUNA PENSION FUND	\$985.60
	Invoice	Date	Description		Amount
	DR0487	12/31/2019	December LIUNA pension dues 1001 - Payroll		\$985.60
94733	01/17/2020			MADELINE C HORN	\$555.00
	Invoice	Date	Description		Amount
	37	12/31/2019	Cataloging and organizing museum artifacts		\$525.00
	36	12/31/2019	Cataloging and organizing Begonia Festival artifacts		\$30.00
94734	01/17/2020			MAR-KEN K-9 TRAINING CENTER	\$240.00
	Invoice	Date	Description		Amount
	010-20	01/10/2020	January K-9 training		\$240.00
94735	01/17/2020			MISSION LINEN SUPPLY	\$196.54
	Invoice	Date	Description		Amount
	511579573	01/08/2020	Corp. yard linen service, mats, towels		\$88.42
	511350321	08/19/2019	Credit PD mat service		(\$55.23)
	511603005	01/13/2020	Community Center mop and mat service		\$85.29
	510996897	10/21/2019	Community Center mop and mat service		\$78.06
94736	01/17/2020			MISSION PRINTERS	\$85.74
	Invoice	Date	Description		Amount
	60310	01/09/2020	City council business cards		\$85.74
94737	01/17/2020			PALACE BUSINESS SOLUTIONS	\$115.34
	Invoice	Date	Description		Amount
	560273-0	11/21/2019	Evidence supplies		\$68.74
	9679490-0	01/11/2020	Mounting adhesive		\$52.84
	C1168019-0	11/04/2019	Return calculator		(\$6.24)

Attachment: 1/17/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 17, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94738	01/17/2020			PREFERRED BENEFIT INSURANCE ADMIN.	\$5,804.80
	Invoice	Date	Description		Amount
	EIA30677	12/01/2019	December dental and vision insurance 1001 - Payroll		\$5,804.80
94739	01/17/2020			PRINTING SYSTEMS INC	\$153.24
	Invoice	Date	Description		Amount
	210589	01/07/2020	Business license envelopes		\$153.24
94740	01/17/2020			SALINAS VALLEY PRO SQUAD	\$353.75
	Invoice	Date	Description		Amount
	304006	12/06/2019	532 uniform		\$353.75
94741	01/17/2020			SAN LORENZO LUMBER	\$946.42
	Invoice	Date	Description		Amount
	55-0515101	01/08/2020	Wharf lumber		\$800.60
	55-0515115	01/08/2020	Wharf lumber and supplies		\$126.21
	55-0512928	12/26/2019	Hex key set for PD		\$19.61
			1000 - General Fund	\$19.61	
			1311 - Wharf	\$926.81	
94742	01/17/2020			SANTA CRUZ COUNTY INFORMATION SERVICES	\$704.99
	Invoice	Date	Description		Amount
	RadioShop12/19	01/02/2020	October - December radio shop charges		\$704.99
94743	01/17/2020			SANTA CRUZ COUNTY LAW ENFORCEMENT CHIEFS ASSOC	\$50.00
	Invoice	Date	Description		Amount
	SCCLECA010820	01/08/2020	2020 membership dues		\$50.00
94744	01/17/2020			SANTA CRUZ FIRE EQUIPMENT CO.	\$229.57
	Invoice	Date	Description		Amount
	105074	12/27/2019	Wharf flammable shed semi-annual service, supplies 1311 - Wharf		\$229.57
94745	01/17/2020			SANTANA PAVING & GRADING INC.	\$4,000.00
	Invoice	Date	Description		Amount
	2904	12/26/2019	Street striping by wharf, city hall, Jade St. 1310 - Gas Tax		\$4,000.00

Attachment: 1/17/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 17, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94746	01/17/2020			SOQUEL CREEK WATER DISTRICT	\$2,245.09
	Invoice	Date	Description		Amount
	42-15297-00.1219	12/26/2019	426 Capitola Ave irrigation		\$115.25
	42-15751-01.1219	12/26/2019	2005 Wharf Road irrigation		\$54.47
	42-17688-00.1219	12/26/2019	Lawn Way irrigation		\$54.79
	42-16122-00.1219	12/26/2019	Esplanade fountain irrigation		\$62.34
	42-10504-00.1219	12/26/2019	Cliff Drive irrigation		\$49.72
	42-18238-00.1219	12/26/2019	Capitola Road irrigation		\$49.72
	42-11467-00.1219	12/26/2019	Jade Street park irrigation		\$424.10
	42-11517-00.1219	12/26/2019	41st Avenue irrigation		\$115.25
	42-14404-00.1219	12/26/2019	Nobel Gulch Park Monterey Ave irrigation		\$86.41
	42-16130-00.1219	12/26/2019	Wharf Road irrigation		\$49.72
	42-16136-00.1219	12/26/2019	1400 Wharf Road irrigation		\$309.76
	42-16407-00.1219	12/26/2019	Bay Avenue irrigation		\$51.01
	42-14431-00.1219	12/26/2019	Monterey Ave irrigation		\$584.53
	42-15969-00.1219	12/26/2019	Lawn Way irrigation		\$122.77
	42-11090-01.1219	12/26/2019	Capitola Road irrigation		\$115.25
			1000 - General Fund	\$1,935.33	
			1311 - Wharf	\$309.76	
94747	01/17/2020			SPRINT	\$1,258.85
	Invoice	Date	Description		Amount
	788070596-029	01/02/2020	December cell phone charges		\$1,258.85
94748	01/17/2020			STATE WATER RESOURCES CONTROL BOARD	\$1,638.00
	Invoice	Date	Description		Amount
	WD-0170439	01/08/2020	State water board annual permit fee for Soquel Creek lagoon		\$1,638.00
94749	01/17/2020			TAYLORS OFFICE CITY	\$2,890.70
	Invoice	Date	Description		Amount
	320925-0	01/03/2020	Chairs (4)		\$1,463.95
	320972-0	01/06/2020	Recycling receptacle		\$120.12
	321100-0	01/10/2020	Chairs (4)		\$1,306.63
			1300 - SLESF-Supl Law		
94750	01/17/2020			THE CLEANING MACHINE INC.	\$2,680.00
	Invoice	Date	Description		Amount
	6392	11/21/2019	Village sidewalk pressure washing		\$2,680.00
94751	01/17/2020			THE HOME DEPOT PRO	\$95.42
	Invoice	Date	Description		Amount
	528571003	12/31/2019	Janitorial supplies		\$95.42

Attachment: 1/17/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 17, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94752	01/17/2020			TPX COMMUNICATIONS	\$1,527.97
	Invoice	Date	Description		Amount
	124565887-0	12/23/2019	December phone service		\$1,527.97
			1000 - General Fund	822.29	
			2211 - ISF - Info Tech	705.68	
94753	01/17/2020			US BANK	\$11,560.25
	Invoice	Date	Description		Amount
	62956	01/01/2020	Pac Cove facility lease A/C#207877000		\$11,560.25
			1421 - Pac Cove Park		
94754	01/17/2020			US BANK EQUIPMENT FINANCE	\$481.78
	Invoice	Date	Description		Amount
	403894769	01/03/2020	City Hall & Recreation copier leases		\$481.78
			1000 - General Fund	25.8	
			2210 - ISF - Stores	455.98	
94755	01/17/2020			US BANK EQUIPMENT FINANCE	\$103.55
	Invoice	Date	Description		Amount
	403894678	01/03/2020	Recreation copier lease		\$103.55
94756	01/17/2020			US BANK EQUIPMENT FINANCE	\$288.85
	Invoice	Date	Description		Amount
	403895188	01/03/2020	PD copier lease		\$288.85
94757	01/17/2020			WELLS FARGO BANK	\$6,127.21
	Invoice	Date	Description		Amount
	WF010320	01/03/2020	December credit card purchases		\$6,127.21
			Purchases over \$500 threshold:		
			Employee holiday party	\$1,427.68	
			Recliner	\$580.74	
			TV	\$868.05	
			Chamber event	\$520.00	
			1000 - General Fund	\$4,651.94	
			1300 - SLESF-Supl Law	\$857.18	
			2211 - ISF - Info Tech	\$618.09	
Type Check Totals:					\$76,868.89

Attachment: 1/17/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 17, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
EFT					
882	01/13/2020			CalPERS Member Services Division	\$52,329.35
	Invoice	Date	Description		Amount
	1001482520-3	01/13/2020	PERS contributions PPE 12/28/19		\$52,329.35
			1000 - General Fund (\$0.17)		
			1001 - Payroll	\$52,329.52	
883	01/13/2020			WELLS FARGO BANK	\$876.18
	Invoice	Date	Description		Amount
	WF011320	01/13/2020	Monthly client analysis charges		\$876.18
Type EFT Totals:					\$53,205.53

CITY - Main City Totals	Count	Total
Checks	49	\$76,868.89
EFTs	2	\$53,205.53
All	51	\$130,074.42
WELLS - Payroll Totals		
Checks	3	\$2,395.03
EFTs	90	\$167,642.30
All	93	\$170,037.33
Grand Totals:		
Checks	52	\$79,263.92
EFTs	92	\$220,847.83
All	144	\$300,111.75

Attachment: 1/17/20 City Check Register (Approval of City Check Registers)

City main account checks dated January 24, 2020, numbered 94758 to 94792, plus 5 EFTs, totaling \$242,442.66, and 2 library account checks, totaling \$723,190.42, for a grand total of \$965,633.08, have been reviewed and authorized for distribution by the City Manager.

As of January 24, 2020, the unaudited cash balance is \$4,590,190.51.


CASH POSITION - CITY OF CAPITOLA
January 24, 2020

	<u>Net Balance</u>
General Fund	\$ (1,538,220.80)
Payroll Payables	\$ 72,319.34
Contingency Reserve Fund	\$ 2,048,845.66
Facilities Reserve Fund	\$ 488,485.06
Capital Improvement Fund	\$ 2,406,268.13
Stores Fund	\$ 50,822.24
Information Technology Fund	\$ 232,849.92
Equipment Replacement	\$ 368,623.70
Self-Insurance Liability Fund	\$ 129,234.78
Workers' Comp. Ins. Fund	\$ 286,663.29
Compensated Absences Fund	\$ 44,299.19
TOTAL UNASSIGNED GENERAL FUNDS	\$ 4,590,190.51

The Emergency Reserve Fund balance is \$1,359,205.54 (not included above).
The PERS Contingency Fund balance is \$901,712.76 (not included above).
The Library Fund balance is \$4,866,153.62 (not included above).



Jamie Goldstein, City Manager 1/28/20
Date



Jim Malberg, City Treasurer 1/29/20
Date

Attachment: 1/24/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 24, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94758	01/24/2020			ABC SUPPLY CO INC - MBA 742	\$88.29
	Invoice	Date	Description		Amount
	89186709	01/02/2020	Galvanized leader heads		\$88.29
94759	01/24/2020			ANDREW DALLY	\$188.77
	Invoice	Date	Description		Amount
	Dally011720	01/17/2020	Management course meals & parking reimbursement		\$188.77
94760	01/24/2020			APTOS LANDSCAPE SUPPLY INC.	\$31.34
	Invoice	Date	Description		Amount
	506290	01/15/2020	Village landscaping supplies		\$31.34
94761	01/24/2020			B & B SMALL ENGINE REPAIR	\$189.93
	Invoice	Date	Description		Amount
	436437	01/16/2020	Hexagon nuts		\$12.37
	428458	09/05/2019	Hedger tune & service, sharpen, replace leaking gas cap		\$177.56
94762	01/24/2020			BAY PHOTO LAB	\$21.16
	Invoice	Date	Description		Amount
	15332920	01/21/2020	Museum print		\$21.16
94763	01/24/2020			CAPITOLA PEACE OFFICERS ASSOCIATION	\$1,769.00
	Invoice	Date	Description		Amount
	POA011720	01/11/2020	POA and gym dues PPE 1/11/20 1001 - Payroll		\$1,769.00
94764	01/24/2020			CSG Consultants Inc.	\$6,158.52
	Invoice	Date	Description		Amount
	B191565	01/03/2020	December building plan review services		\$6,158.52
94765	01/24/2020			Division of the State Architect	\$177.60
	Invoice	Date	Description		Amount
	DSA123119	12/31/2019	October - December disability access & education fee		\$177.60
94766	01/24/2020			DONALD W ALLEY	\$16,417.19
	Invoice	Date	Description		Amount
	120-01	01/21/2020	Soquel creek fish & wildlife monitoring		\$16,417.19
94767	01/24/2020			ELK GROVE AUTO WINNER CHEVROLET	\$38,506.46
	Invoice	Date	Description		Amount
	12640	01/15/2020	2020 Chevy Tahoe VIN 182698 2212 - ISF - Equip Repl		\$38,506.46

Attachment: 1/24/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 24, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94768	01/24/2020			EMPLOYMENT DEVELOPMENT DEPT	\$150.00
	Invoice	Date	Description		Amount
	L1858684256-14	01/17/2020	Employee earnings withholding order 1001 - Payroll		\$150.00
94769	01/24/2020			FARWEST NURSERY	\$134.71
	Invoice	Date	Description		Amount
	938905	01/14/2020	City Hall succulents, ground cover, potting soil, bark		\$122.95
	938906	01/15/2020	Weed barrier		\$11.76
94770	01/24/2020			GLADWELL GOVERNMENT SERVICES INC.	\$250.00
	Invoice	Date	Description		Amount
	4234	01/01/2020	Records retention legal review, update and advice		\$250.00
94771	01/24/2020			HOME DEPOT CREDIT SERVICES	\$499.79
	Invoice	Date	Description		Amount
	0051509	12/09/2019	Impact nut driver, tape, clamp, markers		\$51.62
	1010822	01/17/2020	Box cover, light, switch		\$65.51
	5642759	01/13/2020	Community center toilet supplies		\$11.59
	4642849	01/14/2020	Wet mop refill		\$23.94
	4642847	01/14/2020	Swimming pool muriatic acid		\$11.97
	4633176	01/14/2020	Zip pouch		\$25.04
	8642282	01/10/2020	32 gallon trash cans (5)		\$179.69
	3612841	01/15/2020	Multi-purpose tool, screwdriver set, wrench set, socket adapter		\$130.43
94772	01/24/2020			ICMA RETIREMENT TRUST 457	\$7,336.12
	Invoice	Date	Description		Amount
	271857	01/11/2020	Employee 457 contributions PPE 1/11/20 1001 - Payroll		\$7,336.12
94773	01/24/2020			KING'S PAINT AND PAPER INC.	\$37.82
	Invoice	Date	Description		Amount
	A0293789	01/23/2020	Paint for graffiti coverup		\$37.82
94774	01/24/2020			LABORMAX STAFFING	\$1,076.30
	Invoice	Date	Description		Amount
	26-117280	01/17/2020	Seasonal labor 1/11 - 1/17		\$1,076.30
94775	01/24/2020			MID COUNTY AUTO SUPPLY	\$21.64
	Invoice	Date	Description		Amount
	MID-649097	01/17/2020	Capsule, mini bulb		\$21.64
94776	01/24/2020			MILLER'S TRANSFER & STORAGE CO.	\$280.60
	Invoice	Date	Description		Amount
	91760	01/10/2020	January record storage and December warehouse handling		\$280.60

Attachment: 1/24/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 24, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94777	01/24/2020			MISSION LINEN SUPPLY	\$92.05
	Invoice	Date	Description		Amount
	511621712	01/15/2020	Corp. yard uniform cleaning, towels		\$92.05
94778	01/24/2020			MOFFATT AND NICHOL	\$12,191.75
	Invoice	Date	Description		Amount
	748035	01/21/2020	Wharf design and permitting, flume specs, meeting & coordination 1200 - Capital Impr		\$12,191.75
94779	01/24/2020			PALACE BUSINESS SOLUTIONS	\$114.29
	Invoice	Date	Description		Amount
	567238-0	01/16/2020	Hand sanitizer		\$105.58
	9681972-0	01/18/2020	Museum supplies		\$8.71
94780	01/24/2020			PHIL ALLEGRI ELECTRIC INC.	\$140.00
	Invoice	Date	Description		Amount
	26812	01/13/2020	Christmas tree lights troubleshooting		\$140.00
94781	01/24/2020			PHOENIX GROUP INFORMATION SYSTEMS	\$2,952.13
	Invoice	Date	Description		Amount
	122019070	01/17/2020	December citation processing		\$2,952.13
94782	01/24/2020			ROYAL WHOLESALE ELECTRIC	\$470.79
	Invoice	Date	Description		Amount
	7719-652591	12/20/2019	LED bypass post top		\$141.70
	7719-654647	01/15/2020	Facility lights		\$327.00
	7719-654848	01/15/2020	Washer, flex connector		\$2.09
94783	01/24/2020			SANTA CRUZ SENTINEL	\$160.00
	Invoice	Date	Description		Amount
	0001231717	12/31/2019	December public notices		\$160.00
94784	01/24/2020			SOQUEL NURSERY GROWERS INC.	\$78.10
	Invoice	Date	Description		Amount
	0000354295	01/14/2020	Village plants		\$78.10
94785	01/24/2020			STAPLES ADVANTAGE	\$248.65
	Invoice	Date	Description		Amount
	8056994228	01/04/2020	Tape dispenser, organizers, wrist rest, pens, post-its		\$248.65
94786	01/24/2020			TIMES PUBLISHING GROUP INC.	\$520.00
	Invoice	Date	Description		Amount
	13448	11/19/2019	BIA holiday gift guide advertising 1321 - Village-Wharf BIA		\$520.00

Attachment: 1/24/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 24, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94787	01/24/2020			US BANK PARS Acct 6746022400	\$243.96
	Invoice	Date	Description		Amount
	PARS011720	01/17/2020	PARS contributions PPE 1/11/20 1001 - Payroll		\$243.96
94788	01/24/2020			VISIT SANTA CRUZ COUNTY	\$54,866.11
	Invoice	Date	Description		Amount
	VSCC12312019	12/31/2019	October - December TMD		\$54,866.11
94789	01/24/2020			WHITLOW CONCRETE INC.	\$4,000.00
	Invoice	Date	Description		Amount
	B1303	01/16/2020	Install new parking meter bases (6)		\$4,000.00
94790	01/24/2020			Loretta Ramirez	\$36.00
	Invoice	Date	Description		Amount
	200125294	01/15/2020	Citation refund		\$36.00
94791	01/24/2020			Mario Remes Claros	\$36.00
	Invoice	Date	Description		Amount
	702124574	01/15/2020	Citation refund		\$36.00
94792	01/24/2020			Sebrina LaFleur	\$36.00
	Invoice	Date	Description		Amount
	200125217	01/15/2020	Citation refund		\$36.00
Type Check Totals:					\$149,521.07
EFI					
884	01/22/2020			EMPLOYMENT DEVELOPMENT DEPT	\$8,401.01
	Invoice	Date	Description		Amount
	0-481-193-920	01/22/2020	State taxes PPE 1/11/20 1001 - Payroll		\$8,401.01
885	01/22/2020			INTERNAL REVENUE SERVICE	\$29,692.96
	Invoice	Date	Description		Amount
	12752495	01/22/2020	Federal taxes & Medicare PPE 1/11/20 1001 - Payroll		\$29,692.96
886	01/23/2020			CalPERS Member Services Division	\$53,459.86
	Invoice	Date	Description		Amount
	1001487971-75	01/23/2020	PERS contributions PPE 1/11/20 1000 - General Fund 1001 - Payroll	(\$0.18) \$53,460.04	\$53,459.86

Attachment: 1/24/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 24, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
887	01/22/2020			STATE DISBURSEMENT UNIT	\$1,232.76
	Invoice	Date	Description		Amount
	366DQD26657	01/22/2020	Employee garnishments PPE 1/11/20 1001 - Payroll		\$1,232.76
888	01/24/2020			DISCOVERY BENEFITS	\$135.00
	Invoice	Date	Description		Amount
	0001102077-IN	12/31/2019	December FSA admin.		\$135.00
Type EFT Totals:					\$92,921.59
Library - Library					
<u>Check</u>					
173	01/24/2020			JOHN F OTTO INC ESCROW NO 02-701154	\$36,159.52
	Invoice	Date	Description		Amount
	13413retainer	12/31/2019	December library construction retainer 1360 - Library		\$36,159.52
174	01/24/2020			OTTO CONSTRUCTION INC.	\$687,030.90
	Invoice	Date	Description		Amount
	13413	12/31/2019	December library construction services 1360 - Library		\$687,030.90
Type Check Totals:					\$723,190.42
CITY - Main City Totals					
Checks				Count	Total
EFTs				5	\$92,921.59
All				40	\$242,442.66
Library - Library Totals					
Checks				2	\$723,190.42
EFTs				0	\$0.00
All				2	\$723,190.42
Grand Totals:					
Checks				37	\$872,711.49
EFTs				5	\$92,921.59
All				42	\$965,633.08

Attachment: 1/24/20 City Check Register (Approval of City Check Registers)

City main account checks dated January 31, 2020, numbered 94793 to 94859, totaling \$120,234.93, 4 library account checks, totaling \$13,231.64, 2 payroll account checks and 94 EFTs, totaling \$176,080.64, for a grand total of \$309,547.21, have been reviewed and authorized for distribution by the City Manager.

As of January 31, 2020, the unaudited cash balance is \$4,379,064.66.

CASH POSITION - CITY OF CAPITOLA

January 31, 2020

	<u>Net Balance</u>
General Fund	\$ (1,835,545.40)
Payroll Payables	\$ 175,111.38
Contingency Reserve Fund	\$ 2,048,845.66
Facilities Reserve Fund	\$ 488,485.06
Capital Improvement Fund	\$ 2,391,327.23
Stores Fund	\$ 50,686.22
Information Technology Fund	\$ 231,333.55
Equipment Replacement	\$ 368,623.70
Self-Insurance Liability Fund	\$ 129,234.78
Workers' Comp. Ins. Fund	\$ 286,663.29
Compensated Absences Fund	\$ 44,299.19
TOTAL UNASSIGNED GENERAL FUNDS	<u>\$ 4,379,064.66</u>

The Emergency Reserve Fund balance is \$1,359,205.54 (not included above).
The PERS Contingency Fund balance is \$901,712.76 (not included above).
The Library Fund balance is \$4,852,921.98 (not included above).


 _____ 1/31/20
 Jamie Goldstein, City Manager Date


 _____ 2/6/20
 Jim Malberg, City Treasurer Date

Attachment: 1/31/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 31, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94793	01/31/2020			4LEAF INC.	\$1,120.00
	Invoice	Date	Description		Amount
	J3803A	01/17/2020	December building development technician services		\$1,120.00
94794	01/31/2020			ALLSAFE LOCK COMPANY	\$6.54
	Invoice	Date	Description		Amount
	52233	01/21/2020	Keys		\$6.54
94795	01/31/2020			ALVAREZ TECHNOLOGY GROUP INC	\$222.50
	Invoice	Date	Description		Amount
	54137	01/17/2020	Monthly antivirus software 2211 - ISF - Info Tech		\$222.50
94796	01/31/2020			AMAZON CAPITAL SERVICES	\$1,043.36
	Invoice	Date	Description		Amount
	1JKY-3VP4-CJ9T	01/21/2020	1GB SD card		\$24.51
	117W-PJHK-LDFL	01/17/2020	Return microphone/headphones		(\$152.59)
	1XRD-1Q3V-MJCJ	01/22/2020	AAA batteries		\$14.18
	1QQH-XM3P-NVK3	01/19/2020	Canister holder		\$21.26
	1VR3-1Y9R-36L6	01/27/2020	ADA compliant picnic table		\$969.01
	1TF6-WQJK-M7XC	01/14/2020	Headset system		\$104.08
	1RYQ-1WMD-JMPF	01/16/2020	Auxiliary audio cable, VGA cable		\$20.41
	1FQK-743P-6YWL	01/10/2020	iPad keyboard case		\$42.50
			1000 - General Fund	\$840.93	
			1300 - Supl Law Enfc	\$21.26	
			2211 - ISF - Info Tech	\$181.17	
94797	01/31/2020			AT&T/CALNET 3	\$886.54
	Invoice	Date	Description		Amount
	0014172644	01/13/2020	January T-1 access		\$886.54
94798	01/31/2020			B & B SMALL ENGINE REPAIR	\$78.04
	Invoice	Date	Description		Amount
	436955	01/27/2020	Chainsaw troubleshooting		\$20.00
	436954	01/27/2020	Stihl KM131 estimate to repair damage		\$20.00
	436958	01/27/2020	DL chain, file pack		\$38.04
94799	01/31/2020			BEAR ELECTRICAL SOLUTIONS INC.	\$174.83
	Invoice	Date	Description		Amount
	9667	12/28/2019	December traffic signal maintenance services - response 1310 - Gas Tax		\$174.83

Attachment: 1/31/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 31, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94800	01/31/2020			BLUEPOINT PLANNING LLC	\$2,887.58
	Invoice	Date	Description		Amount
	479	01/15/2020	Recreation strategic plan consulting		\$2,887.58
94801	01/31/2020			BOBBY'S PIT STOP INC.	\$1,843.41
	Invoice	Date	Description		Amount
	0367409	01/15/2020	2008 Ford F350 smog inspection		\$40.75
	0367433	01/16/2020	1999 Ford F250 smog inspection		\$40.75
	0367445	01/16/2020	1997 Ford Aerostar remove/replace camshaft sensor		\$240.00
	0367368	01/13/2020	2004 Ford F250 smog inspection		\$40.75
	0367360	01/13/2020	2011 Ford crown victoria smog inspection		\$40.75
	0367328	01/09/2020	1997 Ford F350 smog inspection		\$40.75
	0367318	01/09/2020	2011 Ford crown victoria smog inspection		\$40.75
	0367270	01/08/2020	2008 Ford F350 air conditioner repairs		\$1,318.16
	0367413	01/15/2020	2006 Ford F250 smog inspection		\$40.75
94802	01/31/2020			CA DEPARTMENT OF TRANSPORTATION	\$3,258.70
	Invoice	Date	Description		Amount
	SL200462	01/14/2020	October - December traffic signals and lighting 1310 - Gas Tax		\$3,258.70
94803	01/31/2020			CALIFORNIA COAST UNIFORM COMPANY	\$386.61
	Invoice	Date	Description		Amount
	7744	01/20/2020	532 uniform tailoring		\$28.00
	7747	01/20/2020	532 uniform		\$65.35
	7746	01/20/2020	531 uniform tailoring		\$84.00
	7745	01/20/2020	522 uniform		\$209.26
94804	01/31/2020			CARIN HANNA	\$3,091.27
	Invoice	Date	Description		Amount
	CH011320	01/13/2020	BIA advertising, storage, postage, post cards, flyer 1321 - BIA - Village-Wharf		\$3,091.27
94805	01/31/2020			CASA OF SANTA CRUZ COUNTY	\$150.00
	Invoice	Date	Description		Amount
	CASA012720	01/27/2020	Capitola village window decorating contest winner donation		\$150.00
94806	01/31/2020			CHARMAINE MONIZ	\$29.90
	Invoice	Date	Description		Amount
	CM012720	01/27/2020	Instructor payment		\$29.90
94807	01/31/2020			CSG Consultants Inc.	\$1,050.00
	Invoice	Date	Description		Amount
	28761	01/10/2020	Building plan review services		\$1,050.00

Attachment: 1/31/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 31, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94808	01/31/2020			DEBORAH WU	\$76.70
	Invoice	Date	Description		Amount
	DW012720	01/27/2020	Instructor payment		\$76.70
94809	01/31/2020			EWING IRRIGATION	\$313.59
	Invoice	Date	Description		Amount
	8942017	01/15/2020	Roundup, PVC red bushing, parks supplies		\$170.54
	8549904	10/19/2019	Median irrigation parts		\$129.14
	8549905	10/19/2019	Garden valve		\$13.91
94810	01/31/2020			FASTENAL COMPANY	\$99.49
	Invoice	Date	Description		Amount
	CASAT55504	12/16/2019	Fleet fasteners		\$99.49
94811	01/31/2020			FERGUSON ENTERPRISES INC 795	\$981.00
	Invoice	Date	Description		Amount
	8234215	01/09/2020	Facility supplies		\$981.00
94812	01/31/2020			FLYERS ENERGY LLC	\$4,865.56
	Invoice	Date	Description		Amount
	20-051779	01/16/2020	152 gallons diesel		\$580.83
	20-051778	01/16/2020	408 gallons gasoline		\$1,552.46
	20-048354	01/09/2020	449 gallons gasoline		\$1,675.05
	20-043918	01/02/2020	290 gallons gasoline		\$1,057.22
94813	01/31/2020			GALLS LLC	\$182.84
	Invoice	Date	Description		Amount
	014662049	01/03/2020	Boots		\$182.84

Attachment: 1/31/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 31, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94814	01/31/2020			HOME DEPOT CREDIT SERVICES	\$1,852.58
	Invoice	Date	Description		Amount
	0612151	01/08/2020	Screws, nuts, washers, reflective tape		\$45.67
	4644240	01/24/2020	Paint trays, paint, stain		\$108.06
	5034427	01/13/2020	Saw horse		\$45.75
	5510028	01/23/2020	Tube, brush, nipple		\$43.77
	5634728	01/23/2020	Monterey park hardware		\$20.98
	6083259	01/22/2020	Monterey park bushing brass, coupling brass, nipple brass		\$19.12
	3615990	12/16/2019	Tool bag, power inverter, flap disc, bungee cord, respirator		\$129.00
	1521907	01/17/2020	Rust stopper, gloves, safety glasses, neverwet fabric		\$121.80
	6613453	01/22/2020	Vinyl tube, loctite, brass adapters, couplings, clamps		\$37.77
	5634698	01/23/2020	Brass bushing		\$4.71
	3612810	01/15/2020	Door stop, cobalt extractor set, gloves		\$63.58
	1202423	01/27/2020	Returned gloves		(\$10.90)
	6633851	12/13/2019	Supplies		\$5.42
	2054038	11/17/2019	Paint brushes, poly roll		\$39.21
	1013941	12/18/2019	Bit holder set, gloves, extractor set, hex drive set		\$60.82
	10077	09/30/2019	Camera floodlight		\$216.91
	633117	12/09/2019	Hex key sets, batteries		\$28.29
	6668698	10/24/2019	Heavy duty commercial door closer		\$141.66
	8060134	10/22/2019	Mixing containers, lids		\$4.60
	8215617	10/02/2019	4-ton come along cable puller		\$46.96
	3845085	09/27/2019	Surveyor vests		\$153.52
	51509	12/09/2019	Tape measure, markers, clamps, impact nut driver set		\$51.62
	3430174	12/06/2019	Safety supplies		\$86.68
	9523162	11/20/2019	Lag screws, wire ring, nut driver		\$20.32
	4620537	11/15/2019	Paint, flood light, bucket, padlocks, gloves, liquid bandage		\$143.11
	9644706	10/31/2019	Raid, fogger, carabiners		\$19.74
	9632840	10/11/2019	Gloves, tool bag, carabiners, black markers		\$51.56
	7612980	10/03/2019	Line level, 60 piece screw driving set, gloves		\$36.97
	7621399	11/22/2019	Galvanized tension wire		\$29.43
	5644171	01/23/2020	Masking tape		\$8.02
	61208	10/30/2019	Trash can, batteries		\$78.43
94815	01/31/2020			HOSE SHOP	\$105.81
	Invoice	Date	Description		Amount
	422002	01/16/2020	Couplers, hydrant wrench		\$105.81
94816	01/31/2020			HUMBOLDT PETROLEUM LLC	\$39.00
	Invoice	Date	Description		Amount
	088888	01/15/2020	January car wash services		\$39.00

Attachment: 1/31/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 31, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94817	01/31/2020			HYDROSCIENCE ENGINEERS INC.	\$2,115.00
	Invoice	Date	Description		Amount
	331013010	01/06/2020	#17-097 New Brighton beach parking lot stormwater review		\$2,115.00
94818	01/31/2020			INTERLITE SKYLIGHT INC.	\$305.20
	Invoice	Date	Description		Amount
	47905	01/22/2020	Esplanade acrylic dome lens sets		\$305.20
94819	01/31/2020			INTERSTATE TRAFFIC CONTROL PRODUCTS	\$2,254.41
	Invoice	Date	Description		Amount
	235659	11/20/2019	Barricade tape, stop sign		\$2,254.41
94820	01/31/2020			JACQUES BERTRAND	\$250.00
	Invoice	Date	Description		Amount
	JB011220	01/12/2020	Digital reading device		\$250.00
94821	01/31/2020			JOHANNA WEINSTEIN	\$227.50
	Invoice	Date	Description		Amount
	JA012720	01/27/2020	Instructor payment		\$227.50
94822	01/31/2020			KIMLEY HORN AND ASSOCIATES INC	\$36,103.40
	Invoice	Date	Description		Amount
	14843366	09/30/2019	Update to local hazard mitigation plan		\$9,945.00
	15464527	11/30/2019	Brommer St. prepare final PS&E, bid & construction support		\$7,922.50
	15081278	10/31/2019	Bay Ave./Capitola Ave. roundabout design		\$1,228.40
	14989012	09/30/2019	Clares St. traffic calming data gathering & design alternatives		\$8,490.00
	14979591	09/30/2019	Brommer Street construction documents		\$3,295.00
	14340906	07/31/2019	July Park Avenue sidewalk improvements		\$5,222.50
			1200 - Capital Impro	\$14,940.90	
			1309 - RTC Streets	\$11,217.50	
			1314 - Green Build Ed	\$9,945.00	
94823	01/31/2020			KING'S PAINT AND PAPER INC.	\$274.79
	Invoice	Date	Description		Amount
	AX000128	01/27/2020	Paint, paint brushes		\$274.79
94824	01/31/2020			LABORMAX STAFFING	\$2,235.40
	Invoice	Date	Description		Amount
	26-116786	01/03/2020	Seasonal labor 12/28 - 1/3/20		\$1,076.30
	26-117550	01/24/2020	Seasonal labor 1/18 - 1/24		\$1,159.10
94825	01/31/2020			LEAGUE OF CALIFORNIA CITIES Monterey Bay Division	\$6,170.00
	Invoice	Date	Description		Amount
	628111	01/01/2020	Annual membership dues		\$6,170.00

Attachment: 1/31/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 31, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94826	01/31/2020			MBS BUSINESS SYSTEMS	\$668.30
	Invoice	Date	Description		Amount
	376078	12/31/2019	PD copier usage charges		\$668.30
94827	01/31/2020			MID COUNTY AUTO SUPPLY	\$437.53
	Invoice	Date	Description		Amount
	MID-628764	01/03/2020	Pulley		\$20.20
	MID-630550	01/06/2020	Stop and tail lights, clearance lights		\$40.88
	MID-632623	01/07/2020	Splice connectors, tubs		\$23.42
	MID-633356	01/07/2020	Trail cables, splice connector, clearance lights, plug		\$31.61
	MID-635117	01/08/2020	Connectors, clamp, vinyl tape		\$70.40
	MID-635937	01/08/2020	Stop and tail lights, plug adapter		\$47.58
	MID-636785	01/09/2020	Splice connectors		\$6.26
	MID-636978	01/09/2020	D-rings		\$55.80
	MID-637473	01/09/2020	Antenna		\$9.27
	MID-641480	01/13/2020	Air filter, fuel filter		\$32.62
	MID-641551	01/13/2020	Exchange fuel filter		(\$2.60)
	MID-643362	01/14/2020	Buddy kits, reflectors		\$81.86
	MID-646304	01/15/2020	License plate frames (12)		\$45.48
	MID-647969	01/16/2020	Air filter		\$29.83
	MID-633807	01/07/2020	Return d-rings		(\$55.08)
94828	01/31/2020			MISSION LINEN SUPPLY	\$198.76
	Invoice	Date	Description		Amount
	511671409	01/22/2020	Fleet linen service		\$36.78
	511621711	01/15/2020	Fleet linen service		\$36.78
	511579572	01/08/2020	Fleet linen service		\$36.78
	511671410	01/22/2020	Corp. yard linen service, mats, towels		\$88.42
94829	01/31/2020			MISSION PRINTERS	\$47.28
	Invoice	Date	Description		Amount
	60402	01/22/2020	Assistant planner business cards		\$47.28
94830	01/31/2020			MONRO INC.	\$115.43
	Invoice	Date	Description		Amount
	201083	01/23/2020	Mount and balance tire		\$45.93
	200994	01/15/2020	Mount and balance tire		\$40.00
	200987	01/15/2020	Flat repair, re-balance tire		\$29.50
94831	01/31/2020			NANCY ELLEN GALLOWAY	\$286.00
	Invoice	Date	Description		Amount
	NG012720	01/27/2020	Instructor payment		\$286.00

Attachment: 1/31/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 31, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94832	01/31/2020			NANCY HOWELLS	\$109.20
	Invoice	Date	Description		Amount
	NH012720	01/27/2020	Instructor payment		\$109.20
94833	01/31/2020			NORTH BAY FORD	\$420.39
	Invoice	Date	Description		Amount
	340255	01/08/2020	2016 Ford Explorer door repair		\$420.39
94834	01/31/2020			O'REILLY AUTO PARTS	\$296.02
	Invoice	Date	Description		Amount
	2763-105303	01/03/2020	Wiper fluid		\$26.09
	2763-105306	01/03/2020	Air filters (3)		\$144.48
	2763-107440	01/13/2020	Oil filter, air filter		\$18.41
	2763-107447	01/13/2020	Fuel filter, air filter		\$21.33
	2763-107871	01/15/2020	Air filters (2)		\$113.45
	2763-107954	01/15/2020	Return air filter		(\$90.19)
	2763-108058	01/16/2020	Cam sensor		\$62.45
94835	01/31/2020			PACIFIC GAS & ELECTRIC	\$13,218.51
	Invoice	Date	Description		Amount
	PGE012320-acc19	01/23/2020	January gas and electricity		\$13,208.70
	PGE011220-acc10	01/12/2020	Wharf Road Rispin Mansion utilities		\$9.81
			1000 - General Fund	\$4,585.28	
			1300 - Supl Law Enfc	\$396.46	
			1310 - Gas Tax	\$6,834.60	
			1311 - Wharf	\$1,402.17	
94836	01/31/2020			PALACE BUSINESS SOLUTIONS	\$190.61
	Invoice	Date	Description		Amount
	566514-0	01/17/2020	Recreation supervisor nameplate		\$13.03
	567007-0	01/15/2020	Pens		\$11.16
	568029-0	01/22/2020	Calendar		\$17.13
	568804-0	01/27/2020	Hand sanitizer		\$65.37
	568881-0	01/27/2020	Paper		\$21.34
	567717-0	01/23/2020	Hand sanitizer		\$62.58
			1000 - General Fund	\$162.32	
			2210 - ISF - Stores	\$28.29	
94837	01/31/2020			PAPA	\$80.00
	Invoice	Date	Description		Amount
	PAPA012720	01/27/2020	PAPA seminar registration fee		\$80.00

Attachment: 1/31/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 31, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94838	01/31/2020			PAST PERFECT SOFTWARE INC.	\$15.00
	Invoice	Date	Description		Amount
	90613467	01/15/2020	Museum media replacement fee 2211 - ISF - Info Tech		\$15.00
94839	01/31/2020			PITNEY BOWES	\$107.73
	Invoice	Date	Description		Amount
	PB011920	01/19/2020	Postage late fee and finance charges 2210 - ISF - Stores		\$107.73
94840	01/31/2020			PRAXAIR DISTRIBUTION INC.	\$120.38
	Invoice	Date	Description		Amount
	93841656	12/22/2019	Acetylene rental		\$120.38
94841	01/31/2020			SAN LORENZO LUMBER	\$25.00
	Invoice	Date	Description		Amount
	55-0518587	01/22/2020	Bolt cutter, hex bolt zincs		\$25.00
94842	01/31/2020			SANTA CRUZ COUNTY ANIMAL SHELTER	\$13,867.40
	Invoice	Date	Description		Amount
	19/20-3CA	01/09/2020	Quarterly animal services contribution		\$13,867.40
94843	01/31/2020			SANTA CRUZ MUNICIPAL UTILITIES	\$119.18
	Invoice	Date	Description		Amount
	SCMU123119	12/31/2019	December water service for medians		\$119.18
94844	01/31/2020			SANTA CRUZ SPCA	\$150.00
	Invoice	Date	Description		Amount
	SPCA012720	01/27/2020	Capitola village window decorating contest winner donation 1321 - BIA - Village-Wharf		\$150.00
94845	01/31/2020			SAVAGE TRAINING GROUP LLC	\$615.00
	Invoice	Date	Description		Amount
	1070	01/25/2020	530 field training officer course		\$615.00
94846	01/31/2020			SERVPRO OF SANTA CRUZ	\$187.29
	Invoice	Date	Description		Amount
	1096	01/27/2020	Biohazard cleanup vehicle 162		\$187.29
94847	01/31/2020			SIRCHIE	\$166.17
	Invoice	Date	Description		Amount
	0430814-IN	01/16/2020	Evidence collection tubes, evidence tags		\$166.17

Attachment: 1/31/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 31, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94848	01/31/2020			SOQUEL CREEK WATER DISTRICT	\$424.43
	Invoice	Date	Description		Amount
	06-14476-00.0120	01/06/2020	430 Kennedy Drive water service		\$109.03
	10-16316-00.0120	01/16/2020	426 Capitola Ave irrigation		\$83.60
	10-61317-00.0120	01/16/2020	420 Capitola Ave water service		\$187.83
	10-16315-00.0120	01/16/2020	504 Beulah irrigation		\$43.97
94849	01/31/2020			STAPLES ADVANTAGE	\$54.78
	Invoice	Date	Description		Amount
	8057161572	01/18/2020	Return break room supplies		(\$54.89)
	8057079031	01/11/2020	Break room supplies		\$109.67
94850	01/31/2020			STATE STEEL COMPANY	\$358.70
	Invoice	Date	Description		Amount
	126048	01/15/2020	Sheet metal		\$358.70
94851	01/31/2020			TAYLORS OFFICE CITY	\$653.32
	Invoice	Date	Description		Amount
	432-0	01/23/2020	Chairs (2) 1300 - Supl Law Enfc		\$653.32
94852	01/31/2020			THE HOME DEPOT PRO	\$1,777.76
	Invoice	Date	Description		Amount
	531289023	01/17/2020	Janitorial supplies		\$1,777.76
94853	01/31/2020			TPX COMMUNICATIONS	\$1,523.80
	Invoice	Date	Description		Amount
	125678828-0	01/23/2020	January phone service		\$1,523.80
			1000 - General Fund	\$819.49	
			2211 - ISF - Info Tech	\$704.31	
94854	01/31/2020			TRACTOR SUPPLY COMPANY	\$50.21
	Invoice	Date	Description		Amount
	200317163	12/27/2019	D-rings (4)		\$50.21
94855	01/31/2020			UPEC LIUNA LOCAL 792	\$1,045.00
	Invoice	Date	Description		Amount
	UPEC010620	01/25/2020	January UPEC dues 1001 - Payroll		\$1,045.00
94856	01/31/2020			UPLIFT DESK	\$4,292.42
	Invoice	Date	Description		Amount
	INV179459	12/18/2019	Standing desks, monitor arms, cabinets, tables (est #26933)		\$4,292.42

Attachment: 1/31/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 31, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
94857	01/31/2020			VERIZON WIRELESS	\$2,963.39
	Invoice	Date	Description		Amount
	9846043476	01/10/2020	January telephone charges		\$2,963.39
94858	01/31/2020			WATCHGUARD VIDEO	\$393.39
	Invoice	Date	Description		Amount
	CMINV0000277	01/09/2020	October - December cloud storage		\$228.75
	CMINV0000276	01/09/2020	July - September cloud storage		\$143.01
	CMINV0000275	01/09/2020	June cloud storage		\$21.63
			2211 - ISF - Info Tech		
94859	01/31/2020			WATSONVILLE POLICE DEPARTMENT	\$575.00
	Invoice	Date	Description		Amount
	R19-CPD-004	01/21/2020	November and December range fees		\$575.00
Type Check Totals:					\$120,234.93
Library - Library					
<u>Check</u>					
175	01/31/2020			BUTANO GEOTECHNICAL ENGINEERING	\$1,140.00
	Invoice	Date	Description		Amount
	4596	01/13/2020	Library construction phase observation & testing		\$1,140.00
			1360 - Library Fund		
176	01/31/2020			INTERWEST CONSULTING GROUP INC.	\$375.00
	Invoice	Date	Description		Amount
	56746	01/22/2020	Library plan review		\$375.00
			1360 - Library Fund		
177	01/31/2020			NOLL AND TAM ARCHITECTS	\$11,491.64
	Invoice	Date	Description		Amount
	0058560	12/31/2019	Library construction administration and public art fabrication		\$11,491.64
			1360 - Library Fund		
178	01/31/2020			Teresa Henning	\$225.00
	Invoice	Date	Description		Amount
	TH012220	01/22/2020	Refund library paver		\$225.00
			1360 - Library Fund		
Type Check Totals:					\$13,231.64

Attachment: 1/31/20 City Check Register (Approval of City Check Registers)

City Checks Issued January 31, 2020

Check Number	Invoice Number	Invoice Date	Description	Payee Name	Transaction Amount
CITY - Main City Totals				Count	Total
Checks				67	\$120,234.93
EFTs				0	\$0.00
All				67	\$120,234.93
Library - Library Totals					
Checks				4	\$13,231.64
EFTs				0	\$0.00
All				4	\$13,231.64
WELLS - Payroll Totals					
Checks				2	\$2,124.41
EFTs				94	\$173,956.23
All				96	\$176,080.64
Grand Totals:					
Checks				73	\$135,590.98
EFTs				94	\$173,956.23
All				167	\$309,547.21

Attachment: 1/31/20 City Check Register (Approval of City Check Registers)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF FEBRUARY 27, 2020

FROM: Public Works Department

SUBJECT: Update on the Emergency Repairs to the Wharf

RECOMMENDED ACTION:

1. Accept this update report on the Emergency Repairs to the Wharf, and
2. By super majority vote, make the determination that all hazards related to the failed Wharf pilings as detailed in Resolution No. 4166 adopted by the City Council on February 13, 2020, have not been eliminated and that there is a need to continue action.

BACKGROUND: On February 13, 2020, the City Council adopted Resolution No. 4166 declaring that an emergency condition exists as a result broken piles on Capitola Wharf. Pursuant to Public Contracting Code Section 22050 the City Council must review this action at each subsequent regularly scheduled meeting and by a super majority vote authorize work to continue under the emergency declaration.

DISCUSSION: Project status: Based on the direction from Council to use fiberglass piles the contractor has been directed to order the new piles, which have a six-to-eight-week delivery schedule. While waiting for the piles, Public Works staff, engineers with Moffatt and Nichol, and contractor representatives are finalizing the most expeditious repair plan.

FISCAL IMPACT: No costs have been incurred to date.

Report Prepared By: Steve Jesberg
Public Works Director

Reviewed and Forwarded by:

Jamie Goldstein, City Manager

2/21/2020



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF FEBRUARY 27, 2020

FROM: Public Works Department
SUBJECT: Update of Emergency Storm Drain Repairs

RECOMMENDED ACTION:

1. Accept update report on the Chittenden Lane Storm Drain Repairs, and
2. By a super majority vote, make the determination that all hazards related to the failed storm drain off Chittenden Lane as detailed in Resolution No. 4167 adopted by the City Council on February 13, 2020 have not been eliminated and that there is a need to continue action.

BACKGROUND: On February 13, 2020 the City Council adopted Resolution No. 4167 declaring that an emergency condition exists as a result of a broken storm drainpipe off Chittenden Lane. Pursuant to Public Contracting Code Section 22050 the City Council must review this action at each subsequent regularly scheduled meeting and by 4/5 vote authorize work to continue under the emergency declaration.

DISCUSSION: Project status: The repair project includes a cost-share agreement with the Santa Cruz County Flood Control and Water Conservation District Zone 5, and the Council authorized the City Manager and City Attorney to negotiate the terms of the agreement. A meeting with Zone 5 staff was held on February 20, 2020, in which general agreement regarding contract terms was reached.

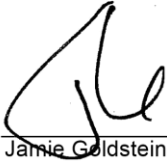
The contractor is scheduled to begin work the week of February 24 and it should take one to two weeks to complete.

FISCAL IMPACT: No costs have yet been expended on this project and the estimated costs remain at \$65,000.

Report Prepared By: Steve Jesberg
Public Works Director

Cihittenden Lane SD Update
February 27, 2020

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

2/21/2020



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF FEBRUARY 27, 2020

FROM: City Manager Department

SUBJECT: Second Reading of an Ordinance Amending Portions of Municipal Code Title 2: Administration to Update and Clarify Various Sections

RECOMMENDED ACTION: Adopt an Ordinance amending and adding sections of Title 2: Administration of the Capitola Municipal Code, and waive reading of the text.

BACKGROUND: At the January 9, 2020, City Council meeting, staff received Council direction on updates to Municipal Code Title 2: Administration regarding removal of Planning Commission members and the mayor or vice mayor, the process to refer an issue to an advisory commission, and rights of advisory chairs to place items on the Council agenda. Staff also noted several outdated items that need correction.

- Addressing changes to meeting times and places to match existing practice
- Removing outdated Election Code references and updating the language regarding the selection of mayor for consistency with State law
- Updating public comment process to better match practice
- Clarifying appeal hearing process language
- Eliminating the Redevelopment Agency section
- Removing references to policies and bonds that do not need to be codified

DISCUSSION: On February 13, staff introduced a first reading of a proposed ordinance incorporating the direction received from City Council. At that hearing the Council determined the process to remove a planning commissioner or mayor/vice mayor would require a simple majority vote. With that amendment, the ordinance passed the first reading. A clean copy of the proposed final ordinance follows.

FISCAL IMPACT: None.

Report Prepared By: Linda Fridy
City Clerk

Second Reading Code Cleanup Ordinance
February 27, 2020

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

2/20/2020

ORDINANCE NO. ___

**AN ORDINANCE AMENDING SECTIONS 2.04, 2.12, AND 2.52
OF THE CAPITOLA MUNICIPAL CODE,
REPEALING SECTIONS 2.04.070, 2.04.090, 2.04.100, AND 2.04.285
OF THE CAPITOLA MUNICIPAL CODE, AND
ADDING SECTION 2.04.040 TO THE CAPITOLA MUNICIPAL CODE**

THE CITY COUNCIL OF THE CITY OF CAPITOLA DOES ORDAIN AS FOLLOWS:

SECTION 1: Sections of Chapters 2.04, 2.12, 2.52 of the Capitola Municipal Code are hereby amended to read as follows:

2.04.080 Bonds

The bonding requirements of Government Code Section 36518 shall be fulfilled by a government crime insurance policy.

~~**2.04.080 Officers**~~

~~The following officials of the city shall be bonded with a statutory public official's bond, which shall include faithful performance provisions or conditions, in the following amounts:~~

Title of Official	Amount of Bond
Director of finance	\$50,000.00
City treasurer	50,000.00

~~(Ord. 830 § 1, 2001; Ord. 375 (part), 1974)~~

2.04.110 Regular meetings

A. Time. Regular meetings of the city council generally shall be held on the second and fourth Thursday of each month. Any other regular meeting will be in accordance with Government Code Sections 54954 and 54955.

B. Place. All regular meetings of the council shall be convened in the council chambers in the City Hall, 420 Capitola Avenue, Capitola, California. If, by reason of a natural disaster, emergency, or other event that makes it unsafe to meet in the place designated, the meetings may be held for the duration of the event at such place as is designated by the presiding officer of the council.

2.04.140 Agenda

The following have authority to place a matter on the council agenda:

A. The mayor or any member of the city council with the condition that the proposed agenda item be requested at an open city council meeting;

B. The city manager;

C. The city council may, after the seventy-two-hour agenda-posting deadline has expired, add items to the agenda in the manner provided in Government Code Section 54954.2(b).

2.04.150 Selection of the mayor (presiding officer)

A. Each year the City Council shall select a mayor and mayor pro tempore. During years with a general election, such selection shall be made at the meeting at which the declaration of the

Second Reading Code Cleanup Ordinance
February 27, 2020

election results for a general municipal election is made. During years without a general election, such selection shall be made approximately one year after the prior selection.
(Ord. 768, 1994; Ord. 375 (part), 1974)

B. The mayor, or mayor pro tempore, may be replaced if at least three council members vote for the removal of the mayor, or mayor pro tempore, at a noticed city council meeting

2.04.220 Addressing council – Permission required

Any person desiring to address the council at a meeting shall first secure the permission of the presiding officer to do so; provided, however, that under the heading oral communications, after being recognized by the presiding officer, interested parties or their authorized representatives may address the council on matters concerning their interests. (Ord. 375 (part), 1974)

2.12.020 Appointment

Beginning as soon as the ordinance codified in this chapter becomes effective, each council member may appoint one planning commission member. Except as provided in this chapter, the term of any commissioner so appointed shall terminate fourteen days after the canvassing of the next regular election of council members. However, a commissioner may serve until his or her successor takes office.

Once appointed, a planning commissioner may serve the term above provided unless:

- A. The council member who made the appointment requests removal; or
- B. At least three council members vote for the commissioner's removal at a noticed open city council meeting. (Ord. 428 (part), 1978; Ord. 295 § 2, 1967; Ord. 58 § 2, 1951)

2.52.020 Time and form of appeal

All appeals shall be made in writing and delivered to the office of the city clerk with payment of the fee established by resolution. Such appeals shall be made within ten working days from the time of the board decision that is the subject of the appeal, except that when neither the applicant nor the applicant's representative has been present at the meeting in which the decision was rendered, the appeal time shall be fourteen working days from the date the staff mails to the applicant a notice of the decision. The request for appeal shall set forth the appellant's name, the phone number for the appellant, an address to which notices may be sent to the appellant and the grounds upon which the appeal is made. (Ord. 845 § 1, 2003; Ord. 519 (part), 1982)

2.52.050 Conduct of the hearing

The hearing shall be de novo. The appellant's presentation shall be limited to issues raised in the request for appeal and to reasonable rebuttal. The ordinary order of presentation is as follows: staff report; appellant; real party in interest, if any; public comments; appellant's rebuttal; rebuttal by real party in interest, if any; council consideration. The presiding officer may set forth any reasonable time limits for any presentation, and may change these procedures, in his or her discretion. (Ord. 519 (part), 1982)

SECTION 2: Sections of Chapter 2.04 of the Capitola Municipal Code are hereby repealed:

~~**2.04.070 Policy adoption**~~

~~A. The policies of the city shall be adopted by resolution or formal motions of the city council upon the advice and recommendation of the city manager.~~

~~B. In the absence of council policy, the city manager may establish an interim policy pending the formal action of the city council on the subject. (Ord. 375 (part), 1974)~~

Second Reading Code Cleanup Ordinance
February 27, 2020

2.04.090 — Blanket bond

~~The bond required by Section 2.04.080 shall be so written as to include provisions constituting a public employees' honesty blanket position bond in the amount of two thousand five hundred dollars, covering such officers and employees in all city offices and departments as may be designated by the council. (Ord. 375 (part), 1974)~~

2.04.100 — Terms

~~All bonds specified in Sections 2.04.080 and 2.04.090 shall indemnify the city against loss up to the penal sum of the bond relating to such loss, and the premium on the bond shall be paid by the city. All bonds shall be executed by a responsible corporate surety whose financial standing and qualifications shall be approved by the city manager. (Ord. 375 (part), 1974)~~

2.04.285 — Redevelopment agency

~~A. It is found, determined and declared that there is a need for a redevelopment agency to function in the city in accordance with the provisions of the Community Redevelopment Law.~~

~~B. Said redevelopment agency is established pursuant to Section 33101 of the Community Redevelopment Law, to be known as the "redevelopment agency of the city of Capitola." Said redevelopment agency is authorized to transact business and exercise its powers under provisions of the Community Redevelopment Law.~~

~~C. Pursuant to the provisions of Section 33200 of the Community Redevelopment Law, this city council declares itself to be the redevelopment agency of the city.~~

~~D. The city council finds and determines that the designation of the city council as the redevelopment agency will serve the public interest and promote the public health, safety and welfare in an effective manner in that this public body is best able to serve the needs of the community to implement the purposes of the Community Redevelopment Law. (Ord. 505 §§ 1—4, 1981)~~

SECTION 3: Chapter 2.04.040 of the Capitola Municipal Code is hereby added to read as follows:

2.04.040 City Council Referrals

The City Council may refer an item to a board, commission, or advisory body by motion, passed by a simple majority, at a noticed public meeting.

SECTION 4: Compliance with California Environmental Quality Act (CEQA)

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

SECTION 5: Severability

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

SECTION 6: Effective Date

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

Second Reading Code Cleanup Ordinance
February 27, 2020

This ordinance was introduced on the 13th day of February, 2020, and was passed and adopted by the City Council of the City of Capitola on the 27th day of February, 2020, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

Kristen Petersen, Mayor

ATTEST:

Linda Fridy, City Clerk



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF FEBRUARY 27, 2020

FROM: Finance Department
SUBJECT: Mid-Year Budget Report

RECOMMENDED ACTION: Receive Mid-Year Budget Report and amend the Fiscal Year 19-20 Budget based on the attached budget amendment request.

BACKGROUND: The Mid-Year Budget Report provides an update on the City's financial status and recommends budget adjustments to better reflect current projections. The City's major revenue sources (sales tax, property tax, and transient occupancy tax or TOT) continue to trend closely with budget estimates in total but will need minor adjustments to property tax to better match budget projections. The passage of Measure I, which allowed for the establishment two retail cannabis stores, provides a new cannabis tax revenue source to the City. However, due to unforeseen delays, those stores will open later than originally anticipated requiring a reduction of \$225,000 in budgeted cannabis tax revenues. While Cannabis Tax revenues are projected to be well below budget forecasts, other adjustments to budgeted revenues are projected to increase in aggregate making the net budget amendment related to General Fund revenues a net decrease of \$172,000.

General Fund expenditures are projected to end the year below budget. The mid-year budget adjustment includes a net decrease of \$15,000 in expenditures based on current trends. These projections assume the local economy will maintain steady performance similar to the prior fiscal year.

DISCUSSION:

Revenues: General Fund revenues are projected to be below the original Fiscal Year (FY) 2019-20 Adopted Budget. This decrease is due to unanticipated delays in the receipt of cannabis tax revenues. The total cannabis tax revenue decrease of \$225,000 with additional revenue reductions of \$35,000 in Camp Capitola fees, and \$47,000 in afterschool program fees, will be offset by revenue increases of \$50,000 in property tax, \$20,000 in investment earnings, \$15,000 in police services related to special events, \$30,000 in parking citations, \$10,000 in encroachment permits, and \$10,000 in plan check fees.

Sales Tax: Sales tax revenues are approximately 8 percent lower through the first half of the fiscal year compared to the same period in the prior year. However, staff believes this decrease

Mid-Year Budget Report
February 27, 2020

is primarily due to the California Department of Tax and Fee Administration (CDTFA) getting caught up on payments in the prior fiscal year that resulted in overstating revenue in the prior fiscal year. As a reminder, the CDTFA implemented new software in 2018 and was significantly behind processing sales tax returns and payments for most of calendar year 2018. In January 2019, the City received approximately \$250,000 more in sales tax revenue than anticipated, which coincides with this year's decrease when compared to the prior fiscal year. The adopted FY 2019-20 budget forecasted sales tax revenues to be flat and anticipated the reduction in cash receipts from the prior year. Staff believes this to still be the case and is not recommending a budget amendment to sales tax revenue.

Property Tax: The City's property tax collections have increased 4.5 percent over the prior fiscal year, which is slightly higher than the FY 2019-20 budget. Property tax growth has been consistent for several years, which was anticipated when preparing the FY 2019-20 budget. Staff is recommending a budget amendment to increase property tax revenue by \$50,000.

Cannabis Retail Tax: The passage of Measure I, which allowed for the establishment of two retail cannabis stores, provides a new cannabis tax revenue source to the City. Staff developed revenue projections based on input from the Cannabis License applicants as well as data from Santa Cruz County estimating that each cannabis store would generate approximately \$250,000 in annual cannabis tax revenue. At the time the FY 2019-20 budget was adopted, staff believed that both cannabis retail stores would be open for approximately six months of the fiscal year and recommended a budget of \$250,000 for cannabis tax revenue. Due to unforeseen circumstances, staff now anticipates that one cannabis store will open for the final quarter of FY 2019-20 and that the second store will open some time in late summer or early fall during FY 2020-21.

Due to the delays encountered in getting the stores open, staff is recommending a budget amendment reducing cannabis retail tax revenue by \$225,000. While this is reducing expected cannabis tax revenue by 90 percent from the adopted budget, unlike sales tax, property tax, or TOT budget amendments in the past, this one-time reduction to the revenue source is based on timing and not on performance. Due to this fact, staff is recommending that any shortfalls in cannabis retail tax revenue are covered by existing general fund-fund balance. The beginning FY 2019-20 general fund-fund balance was approximately \$800,000 and this action would potentially reduce the fund balance to approximately \$650,000 by June 30, 2020.

Expenditures: City Departments have consistently maintained expenditures within the adopted budget. Halfway through the fiscal year the General Fund has expended 55 percent of its budget. The City prepaid its CalPERS Unfunded Actuarial Pension Liability instead of making monthly payments, which resulted in a savings of \$51,800. However, that payment put the personnel line item roughly \$740,000 higher at this time of year compared to where we expect personnel costs to end the year.

Mid-Year Budget Report
February 27, 2020

Account Classification	FY 2019-20 Amended Budget	YTD Transactions	% Used	Prior Year YTD
Personnel	\$ 9,879,593	\$ 5,317,745	54	\$ 4,783,639
Contract services	2,970,780	1,680,524	61	1,594,686
Training & Memberships	127,070	63,361	50	52,164
Supplies	541,663	296,688	55	278,682
Grants and Subsidies	269,647	123,074	48	117,457
Internal service fund charges	1,176,081	588,041	50	604,553
EXPENSE TOTALS	\$ 14,964,834	\$ 8,069,432	55%	\$ 7,431,181

The proposed expenditure budget amendment results in a net decrease of expenditures totaling \$15,000 as detailed on the attachment to the staff report. Recommended changes include increasing Parking Pay Station Repair & Maintenance by \$25,000, Public Works Contracts/General by \$10,000, and Community Development Contracts – Housing Admin by \$22,000. These increases will be offset by reductions to Public Works – ADA Compliance of \$50,000 and Community Development Wages of \$22,000.

Capital Improvement Program: The City has been awarded a grant from the Regional Transportation Commission (RTC) in the amount of \$505,264. These funds will include \$455,264 for pavement management and \$50,000 for engineering work related to pavement management. The attached budget amendment includes recognizing the revenue as well as programming the expenditures in the Capital Improvement Program fund.

FISCAL IMPACT: The budget adjustment will decrease the General Fund revenue budget by \$172,000, reduce the General Fund expenditure budget by \$15,000, and decrease the ending General Fund balance by approximately \$157,000. Additionally, the revenue and expenditure budgets in the Capital Improvement Program fund will both be increased by the grant award amount of \$505,264.

ATTACHMENTS:

1. MYE 2020 change requests

Report Prepared By: Jim Malberg
Finance Director

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

2/21/2020

MYE - Summary of Changes				
General Fund				
Incr / (Decr.)\$	Fund	Account	Purpose	
Revenue				
\$ 50,000	1000-00-00-000	3110.100	Property Tax	
\$ (225,000)	1000-00-00-000	3145.000	Cannabis Retail Tax	
\$ 20,000	1000-00-00-000	3610.100	Investment Earnings LAIF	
\$ 15,000	1000-20-20-000	3420.031	Police Services - Special Events	
\$ 30,000	1000-20-21-000	3510.200	Parking Citations	
\$ 10,000	1000-30-30-000	3200.200	Encroachment Permits	
\$ 10,000	1000-40-41-000	3450.010	Building Plan Check Fees	
\$ (35,000)	1000-50-50-000	3470.030	Camp Capitola Fees	
\$ (47,000)	1000-50-50-000	3470.015	Afterschool Program Fees	
\$ (172,000)	Net decrease in revenues			
Expenditures				
\$ 25,000	1000-20-21-000	4375.555	Police - Parking Pay Station Repair & Maint	
\$ 10,000	1000-30-30-000	4305.900	Public Works - Contracts/general	
\$ (50,000)	1000-30-31-310	4355.365	Public Works - ADA Compliance	
\$ 22,000	1000-40-40-000	4345.202	CDD - Contracts Housing admin	
\$ (22,000)	1000-40-40-000	4110.000	CDD - Building Wages Permanent	
\$ (15,000)	Net decrease in expenditures			
\$ (157,000)	Total net decrease in General Fund budget			
Other Funds				
Revenue				
\$ 505,264	1200-00-00-000	3320.200	State Grants - Regional Transportation Improvement Program	
Expenditures				
\$ 455,264	1200-00-00-000	4390.100	Construction Services - Pavement Management	
\$ 50,000	1200-00-00-000	4355.356	PW Engineering Services	
\$ 505,264				

Attachment: MYE 2020 change requests (Mid-Year Budget Report)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF FEBRUARY 27, 2020

FROM: Community Development

SUBJECT: Introduce an Ordinance Amending Chapter 17.74 Accessory Dwelling Units and Chapter 17.15 (17.16 Outside Coastal Zone) for R-1 Zoning District

RECOMMENDED ACTION: Approve the first reading and waive reading of the text of the proposed Ordinance amending Title 17 to align with recent State requirements for Accessory Dwelling Units and Floor Area Ratio for Single Family Residences with an Accessory Dwelling Unit.

BACKGROUND: The California State Legislature brought forward several bills in 2019 related to the development of Accessory Dwelling Units (ADUs). In October 2019, the Governor signed into law Assembly Bill (AB) 68, AB 881, and Senate Bill (SB) 13 amending the section of the California Government Code related to ADUs (Government Code Section 65852.2). Additionally, AB 68 amended standards for Junior ADUs, and SB 13 made additions to the State Health and Safety Code (adding Section 1790.12). The new laws took effect on January 1, 2020. The updated sections of the Government Code are included as Attachments 1, 2, and 3.

Portions of the Capitola Municipal Code Chapter 17.74: Accessory Dwelling Units are inconsistent with the new State legislation. The City is currently enforcing the State legislation, and thus in compliance with the law; amending Chapter 17.74 will make the Municipal Code consistent with the law.

On January 16, 2020, City staff presented the new state ADU regulations to the Planning Commission. Upon hearing the state requirements, the Planning Commission requested the City Council provide general direction on the approach for the draft ordinance in terms of either matching state law or making the regulations more permissive than state law.

On January 23, 2020, City Council provided direction to bring the ADU regulations into compliance with the state regulation and not to incorporate regulations that are more permissive than the state. In general, the Council acknowledged the new state regulations are far more permissive than the City's existing ordinance and the impacts of the changes should be observed before implementing additional changes.

On February 5, 2020, the Planning Commission reviewed the draft ordinance amendments and recommended approval with an exclusion to onsite parking requirements in the Cliffwood Heights neighborhood as discussed in further detail in the following section and minor edits summarized in Attachment 4.

first reading ADUs
February 27, 2020

DISCUSSION: There are two proposed zoning code amendments within the proposed ordinance. The first amendment proposes updates to Chapter 17.74 regulating Accessory Dwelling Units (ADUs) to bring City ADU regulations into compliance with new state laws. The second amendment is to remove the floor area ratio incentive for ADUs from the single-family (R-1) zoning district.

The new state laws regarding ADUs are complex and will have significant impacts on the treatment of ADUs in Capitola's single-family, multi-family, and mixed-use zoning districts. The following list identifies the most significant changes in state law followed by how the law was incorporated into Zoning Code Chapter 17.74: Accessory Dwelling Units.

1. Identifies general requirements applicable to all ADUs.

Section 17.74.040: General Requirements, identifies the general requirements applicable to all ADUs including applicable zoning districts, maximum number per parcel, utility connections, fire sprinklers, prohibition of vacation rentals, separate sale, and guaranteed allowance. One of the most significant changes to state law is the introduction of a guaranteed allowance of an ADU of up to 800 square feet of floor area, 16 feet in height, and with minimum side and rear setback of four feet, which local maximum building coverage, floor area ratio (FAR), and private open space standards shall not prohibit. In the past, if a home is at the maximum FAR limit, an ADU could not be built. The new law guarantees the allowance of up to an 800 square foot ADU and prohibits limiting the size of ADU in respect to maximum FAR.

2. Expands permitted locations.

Subsection 17.74.040(A): Expands permitted locations to include any zoning district where single-family or multi-family dwellings are allowed. This includes all residential, mixed-use, and commercial zoning districts.

3. Requires action on administrative ADU applications within 60 days.

Sections 17.74.050 and 17.74.060 outline the specific scenarios in which an ADU is subject to approval within 60 days. Longer review periods are allowed for ADUs which require design permit approval by Planning Commission or will be built in conjunction with a new primary residence.

4. Incorporates two types of administrative review processes specific to ADU scenarios.

Section 17.74.050: Units Subject to Limited Standards, identifies four types of ADUs subject to limited standards of review. For the ADUs identified in this section, the City can only require the general requirements of 17.74.040 and the development standards in this section.

Section 17.74.060: Units Subject to Full Review Standards, identifies the two types of ADUs subject to full review standards. The full review standards include maximum unit size, setbacks, building coverage, maximum height, private open space, parking, and objective design standards.

5. Allows Cities to require discretionary review process only for ADUs that do not comply

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with specific administrative scenarios outlined by the state.

Section 17.74.070: Units Requiring a Design Permit identifies the two types of ADUs that require Planning Commission approval of a design permit, including two-story ADUs and ADUs which deviate from the applicable standards. The previous version of the ADU regulations required a design permit and conditional use permit for this category of ADUs. ADUs are an allowed use, therefore the requirement of a Conditional Use Permit has been removed.

6. On single-family properties, allows a Junior ADU (one contained within the primary structure) in conjunction with a detached ADU if specific circumstances are met.

Subsection 17.74.050.B allows ministerial approval of one detached, new construction, ADU for a parcel with a proposed or existing single-family dwelling. The detached ADU may be combined with a junior ADU. In this scenario, the detached ADU must comply with minimum rear and side setbacks of 4 feet, a maximum floor area of 800 square feet, and a maximum height of 16 feet.

7. On multi-family properties, allows more than one ADU per parcel if specific circumstances are met.

Section 17.74.050: Units Subject to Limited Standards, identifies four types of ADUs subject to limited standards of review, two of which are multi-family. Subsection 17.74.050(C): Non-livable Multifamily Space and 17.74.050(D): Detached Accessory Dwelling Units on Multifamily Parcels each outline the limited development standards under which ADUs on parcels with an existing multi-family unit may be reviewed. Specifically, one or more internal accessory dwelling unit is permitted within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, subject to: (1) At least one accessory dwelling unit is allowed within an existing multifamily dwelling up to maximum of 25 percent of the existing multifamily dwelling units, and (2) each unit shall comply with state building standards for dwellings. Also, no more than two detached ADUs are allowed on a parcel with an existing multifamily dwelling as long as the detached ADUs have a maximum height of 16 feet and minimum rear and side yard setbacks of four feet.

8. Allows conversion and replacement of existing structures with nonconforming setbacks and nonconforming building separation standards for ADUs.

Section 17.74.040(I): Converting and Replacing Existing Structures is new and allows for conversion and replacement of existing structures that are nonconforming in terms of setbacks and building separation standards.

9. Modifies development standards regulations, as follows:
 - a. Removes minimum parcel size
 - b. Increases maximum unit size
 - c. Reduces minimum setbacks (four feet side and rear)
 - d. Increases height (16 feet) for one-story detached ADU

Section 17.74.080 includes all the modified development standards required by the state.

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10. Modifies parking requirements for detached ADUs with specific characteristics.

Section 17.74.080(C) includes the parking exceptions required by the state, such as being located within one-half mile walking distance of public transit.

11. Limits review to objective standards (measurable, quantitative) and architectural standards (specific materials) rather than subjective development standards (compatibility).

Section 17.74.090 is new and introduces objective standards that are highly prescriptive and quantifiable in terms of design providing direction on placement of entrances, privacy, location of second-story decks, and architectural details.

12. Allows objective standards to minimize adverse impacts to historic properties consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties.

Section 17.74.090(D) prescribes architectural standards for historic structures and section 17.74.090(E) introduces objective standard to minimize adverse impacts to historic properties consistent with the Secretary of the Interior standards for the Treatment of Historic Properties. ADUs are explicitly exempt from CEQA and therefore the historic review will be limited to ministerial review for consistency with the objective standards.

13. Removes size, attribute, and owner-occupancy deed restriction requirements for ADUs, except junior ADUs.

Section 17.74.140: Deed Restrictions has been modified to remove the prior size and owner-occupancy requirements for ADUs. The owner-occupancy requirement can be reinserted in 2025 when the relevant section of state law sunsets. Deed restrictions on size and owner occupancy continue to apply to junior ADUs and all ADUs with deed restrictions permitted prior to 2020. The section also includes a requirement for all ADUs to have a deed restriction expressly prohibiting vacation rentals.

Optional Items

The new state law also includes several optional items, including:

1. Separate sale of ADUs. The state provided an option for cities to allow separate sale of deed-restricted affordable ADUs by a non-profit corporation. Due to the City Council's guidance to adhere to the requirements of state law but not be more lenient, the draft ordinance does not include this optional allowance. The draft ordinance requires a deed restriction stating accessory dwelling unit shall not be sold separately from the primary dwelling within 17.74.120(A)(2).
2. Vacation Rentals. The state law prohibits short term vacation rentals (30 days or less) for ADUs in some cases. Cities have the option to prohibit vacation rentals on all ADUs. Capitola's existing ADU ordinance prohibits short term vacation rentals for all ADUs. The draft ordinance maintains the prohibition on short term vacation rentals of all ADUs and requires a deed restriction stating the restriction within 17.74.120(A)(1)).
3. Coastal Act. The state ADU law section 65852.2(l) specifies that it shall not be construed to

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supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 {commencing with Section 30000} of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for ADUs. The City can maximize protection of coastal resources consistent the city's Local Coastal Program and the California Coastal Act.

Capitola is a dense city with mix of compact single-family lots and an abundance of multifamily dwellings. Street parking is in high demand in the coastal zone due to the density of residential neighborhoods and visitor demand for coastal access. The new state legislation waives onsite parking requirements for the majority of ADUs, which will result in an increase in demand for street parking. The City has the option to protect coastal access through protection of street parking. Within the coastal zone, the City can require onsite parking for ADUs to ensure street parking continues to provide the public with access to the coast.

Draft code sections 17.74.080.C.2 and C.3 introduce specific standards within the coastal zone for parking that deviate from ADU parking standards in other areas of the City. As drafted, the exceptions for ADU parking are expressly not applicable within the Coastal Zone. Specifically, the draft code requires one onsite parking space for an ADU and requires that any displaced parking from the conversion or demolition of a parking structure be replaced onsite. These deviations are in compliance with policies in the City's Local Coastal Program protecting access to the coast and California Coastal Act.

In considering the requirement for onsite parking, there are aesthetic impacts to consider. Within the state law, parking for ADUs is allowed within the front, side, and rear yard setbacks. In Capitola's neighborhoods with compact lots, such as the Jewel Box and Riverview neighborhoods, new parking spaces within the front yard will be allowed by the new state law. This will have an impact on Capitola's landscaped front yards. To mitigate the impacts of parking in the front yard, the draft ordinance §17.74.080(C)(1)(c)(2) requires parking spaces in the front yard for ADUs be limited to a "ribbon" or "Hollywood" design with two parallel strips of pavement. The paving strips shall be no wider than two and a half feet each and shall utilize permeable paving such as porous concrete/asphalt, open-jointed pavers, and turf grids. Unpaved areas between the strips shall be landscaped with turf or low-growing ground cover. The ordinance also introduces a maximum onsite parking requirement of four parking spaces per property to ensure there is not an overabundance of onsite parking.

There are different approaches that could be taken regarding parking relative to the Local Coastal Program and the California Coastal Act. Some options include:

1. Require parking for all ADUs within the Coastal Zone;
2. Require parking in specific neighborhoods located in the Coastal Zone; or
3. Require parking for properties located within a specific distance of the coast.

In choosing the approach, the City Council should evaluate which option is most aligned with Capitola's Local Coastal Program and the Coastal Act. Relative sections of each are summarized in Attachment 5 and a copy of the zoning map inside the Coastal Zone boundary is included as Attachment 6.

During its February 5, 2020, meeting, the Planning Commission recommended requiring parking for all ADUs within the Coastal Zone except for lots within the Cliffwood Heights neighborhood with an existing single-family home (Attachment 8 – Map of recommend

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exception area). The Planning Commission reason for the exception to Cliffwood Heights was the desire to preserve front yards. Cliffwood Heights has relatively larger lot sizes with typically four onsite parking spaces and greater availability of street parking than the denser residential neighborhoods.

Since the Planning Commission meeting, staff has completed four parking surveys of the Cliffwood Heights neighborhood; two in the morning and two at night. The surveys were done to gauge availability of street parking and identify driveway demand. Ten percent of the single-family home driveways in the neighborhood were sampled in the survey. Staff found there is a greater demand for street parking on streets in close proximity to multi-family residential, including Kennedy Drive and Balboa Avenue (Attachment 7). Also, for the randomly selected 10 percent of single-family homes, the average driveway occupancy at both 7 a.m. and 6 p.m. was less than 50% (Attachment 10).

Average Driveway Occupancy	
February 13 (PM)	49.0%
February 14 (AM)	37.7%
February 18 (PM)	41.8%
February 19 (AM)	40.0%

The draft ordinance includes the Planning Commission-recommended exception to the Cliffwood Heights neighborhood. The City Council may:

1. Adopt the ordinance as drafted with an exception to single family lots in the Cliffwood Heights neighborhood; or
2. Modify the draft ordinance to limit the exception to lots in the Cliffwood Heights neighborhood with an existing single-family home, excluding properties along Kennedy Drive and Balboa Avenue (Attachment 9).
3. Remove the parking exception for the Cliffwood Heights neighborhood.

Removing Bonus Floor Area for Lots with Accessory Dwelling Units

The existing ADU ordinance includes a floor area ratio (FAR) bonus of 0.60 with an ADU. The new state law is very permissive and allows property owners to exceed the maximum FAR of a property by up to 800 square feet. In the draft ordinance, staff removed the FAR bonus for ADUs. In addition, a reference to the FAR bonus has been removed from Note [1] under Table 17.16-3 in §17.16.030 Development Standards for residential zoning districts for the zoning code applicable to properties outside the Coastal Zone (Attachment 8) and removed from section 17.15.100(A) within the zoning code inside the Coastal Zone (Attachment 9).

<u>Coastal</u>	<u>Commission</u>	<u>Revisions</u>
The draft ordinance for Chapter 17.16 applicable to properties outside the Coastal Zone also includes redlines requested by the Coastal Commission staff for local coastal plan adoption. The modifications are minor and include adding public pathways and coastal accessways to the land use table as conditional use permits and correcting a reference to a coastal development permit.		

CEQA: These code revisions are statutorily exempt from CEQA pursuant to Public Resources Code Section 21080.17 (Application of Division to Ordinances Implementing Law Relating to Construction of Dwelling Units and Second Units), since the proposed changes are consistent with adopted State Law.

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FISCAL IMPACT: Very minor fiscal impact from increase in property tax.

ATTACHMENTS:

1. Government Code 65852.2 - Accessory Dwelling Units - 01.01.2020 - Letter (PDF)
2. Government Code 65852.22 - Junior Accessory Dwelling Units - 01.01.2020 - Letter (PDF)
3. Government Code 65852.26 - ADU Separate Sale or Conveyance (PDF)
4. ADU Ordinance Planning Commission Recommendation February 6, 2020 (PDF)
5. Relevant References LCP LUP (PDF)
6. Old Zoning Map_InsideCoastalBoundary (PDF)
7. Cliffwood Heights Map of Street Parking Demand (PDF)
8. Planning Commission recommended area for parking exception (PDF)
9. Cliffwood Heights Parking Exception excluding Kennedy Dr and Balboa Ave (PDF)
10. Cliffwood Heights - Driveway Parking Counts (PDF)

Report Prepared By: Katie Herlihy
Community Development Director

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

2/21/2020

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ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY OF CAPITOLA AMENDING MUNICIPAL CODE SECTIONS 17.15, 17.16, AND 17.74 RELATED TO ACCESSORY DWELLING UNITS

WHEREAS, in 2019, the California Legislature approved, and the Governor signed into law a number of bills regarding Accessory Dwelling Units ("New ADU Laws") that, among other things, amended Government Code section 65852.2 and 65852.22 to impose new limits on local authority to regulate Accessory Dwelling Units ("ADUs") and Junior Accessory Dwelling Units ("JADUs"); and

WHEREAS, the New ADU Laws took effect January 1, 2020 and, because portions of the City's current ADU ordinance is not consistent with the New ADU Laws, those portions of the City's ordinance are null and void and unenforceable as of January 1, 2020, thereby limiting the City to the application of the few default standards provided in Government Code sections 65852.2 and 65852.22 for the approval of ADUs and JADUs; and

WHEREAS, the approval of ADUs and JADUs based solely on the default statutory standards, without local regulations governing height, setback, landscape, architectural review, among other things, would threaten the character of existing neighborhoods, and negatively impact property values, personal privacy, and fire safety; and

WHEREAS, the proposed ADU amendments address and ameliorate the public peace, welfare, health and safety issues related to the City's urgent need to provide additional housing; and

WHEREAS, the City desires to amend its local regulatory scheme for the construction of ADUs and JADUs to comply with the amended provisions of Government Code sections 65852.2 and 65852.22; and

WHEREAS, the proposed amendments to the City's ADU ordinance are statutorily exempt from CEQA pursuant to Public Resources Code Section 21080.17 (Application of Division to Ordinances Implementing Law Relating to Construction of Dwelling Units and Second Units), since the proposed changes are consistent with adopted State Law; and

WHEREAS, the Planning Commission held a duly noticed public hearing on February 6, 2020, at which time it reviewed the proposed amendments, considered all public comments on the revisions and related CEQA exemption, and provided a unanimous positive recommendation on the proposed ordinance; and

WHEREAS, based upon the Planning Commission recommendation, the City Council determined that the amendments are consistent with the General Plan, including the Goals, Policies and Implementation Measures of the Land Use Element and Housing Element, and that the revisions would be internally consistent with all other provisions of the Municipal Code.

WHEREAS, the Zoning Code serves as the Implementation Plan of the City's Local Coastal Program and is intended to be implemented in a manner that is in full conformance with the

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California Coastal Act.

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BE IT ORDAINED By the City of Capitola as follows:

Section 1. The above findings are adopted and incorporated herein.

Section 2. Chapter 17.74 (Accessory Dwelling Units) of the Capitola Municipal Code is hereby amended to read as follows:

Chapter 17.74 – ACCESSORY DWELLING UNITS

Sections:

17.74.010	Purpose
17.74.020	Definitions
17.74.030	Permitting Process
17.74.040	General Requirements
17.74.050	Units Subject to Limited Standards
17.74.060	Units Subject to Full Review Standards
17.74.070	Units Requiring a Design Permit
17.74.080	Development Standards
17.74.090	Objective Design Standards
17.74.100	Deviation from Standards
17.74.110	Findings
17.74.120	Deed Restrictions
17.74.130	Incentives

17.74.010 Purpose

This chapter establishes standards for the location and construction of accessory dwelling units (ADUs) consistent with Government Code Sections 65852.2-65852.22. These standards are intended to allow accessory dwelling units as a form of affordable housing in Capitola while maintaining the character and quality of life of residential neighborhoods.

17.74.020 Definitions

Terms used in this chapter are defined as follows:

- A. Accessory Dwelling Unit. "Accessory dwelling unit" means a self-contained living unit located on the same parcel as a primary dwelling unit.
- B. Attached Accessory Dwelling Unit. "Attached accessory dwelling unit" means an accessory dwelling unit that:
 1. Shares at least one common wall with the primary dwelling unit; and
 2. Is not fully contained within the existing space of the primary dwelling unit.
- C. Detached Accessory Dwelling Unit. "Detached accessory dwelling unit" means an accessory dwelling unit that does not share a common wall with primary dwelling unit and is not an internal accessory dwelling unit.
- D. Internal Accessory Dwelling Unit. "Internal accessory dwelling unit" means an accessory dwelling unit that is fully contained within the existing space of the primary dwelling unit or an accessory structure.
- E. Junior Accessory Dwelling Unit. "Junior accessory dwelling unit" means an accessory dwelling unit no more than 500 square feet in size and contained entirely within a single-family residence.
- F. Two-story Attached Accessory Dwelling Unit. "Two-story attached accessory dwelling unit" means an attached accessory dwelling unit that is configured as either:

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1. Two stories of living space attached to an existing primary dwelling unit; or
 2. Second-story living space above a ground-floor garage or living space in an existing primary dwelling unit.
- G. Two-story Detached Accessory Dwelling Unit. "Two-story detached accessory dwelling unit" means a detached accessory dwelling unit that is configured as either:
1. Two stories of living space in a single accessory dwelling unit; or
 2. Second story living space above a ground floor garage or other accessory structure.

17.74.030 Permitting Process

A. When Consistent with Standards.

1. Except when a Design Permit is specifically required by this chapter, an accessory dwelling unit that complies with all standards in in this chapter shall be approved ministerially with an Administrative Permit. No discretionary review or public hearing is required. A building permit application may be submitted concurrently with the Administrative Permit application.
 2. If an existing single-family or multifamily dwelling exists on the parcel upon which an accessory dwelling unit is proposed, the City shall act on an application to create an accessory dwelling unit within 60 days from the date the City receives a completed application. If the applicant requests a delay in writing, the 60-day time period shall be tolled for the period of the delay.
 - a. The City has acted on the application if it:
 - (1) Approves or denies the building permit for the accessory dwelling unit;
 - (2) Informs the applicant in writing that changes to the proposed project are necessary to comply with this chapter; or
 - (3) Determines that the accessory dwelling unit does not qualify for ministerial approval.
 - b. If the accessory dwelling unit application is submitted with a permit application to create a new single-family dwelling on the parcel, the City may delay acting on the accessory dwelling unit application until the City acts on the permit application for the new single-family dwelling. The accessory dwelling unit shall be considered without discretionary review or hearing.
- B. Two-Story Units. A two-story accessory dwelling unit (attached or detached) requires Planning Commission approval of a Design Permit. To approve the Design Permit, the Planning Commission must make the findings in Section 17.74.110. A two-story accessory dwelling unit must comply with the standards in Sections 17.74.080 (Development Standards) and 17.74.090 (Objective Design Standards) unless the Planning Commission allows a deviation through the Design Permit process.
- C. When Deviating from Standards. An accessory unit that deviates from any standard in 17.74.080 (Development Standards) or 17.74.090 (Objective Design Standards) may be allowed with Planning Commission approval of a Design Permit. See Section 17.74.100 (Deviation from Standards).
- D. When Dependent on Separate Construction. When a proposed attached or detached accessory dwelling unit is dependent on the construction of a new building or new portion of a building which is not a part of the accessory dwelling unit ("separate construction") and is not proposed as part of a permit application to create a new single-family dwelling on the parcel , the City shall either:
1. Accept and begin processing the accessory dwelling unit application only after acting on an application for the proposed separate construction; or
 2. Upon written request from the applicant, review and act on the accessory dwelling unit together with the separate construction as part of a single application. In this case, the accessory dwelling unit is subject to the same review procedures as the separate

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construction.

E. Within Coastal Zone.

1. A proposed accessory dwelling unit that is located in the Coastal Zone may require a Coastal Development Permit (CDP) as specified by Chapter 17.44 (Coastal Overlay Zone) and the findings for approval of a CDP as specified in 17.44.130 (Findings for Approval).
2. Nothing in this chapter shall be construed to supersede or in any way alter or lessen the effect of application of the California Coastal Act of 1976 (Division 20, commencing with Section 30000, of the Public Resources Code), except that a public hearing for a CDP application for an accessory dwelling unit shall not be required.

F. Historic Resources.

1. If a Design Permit is required for an accessory dwelling unit on a property with a historic resource, the proposed project is subject to the requirements in Chapter 17.94 (Historic Preservation). Third-party review of the proposed project may be required as provided in Chapter 17.94.
2. Compliance with Chapter 17.94 is not required for accessory dwelling units approved ministerially with an Administrative Permit.

17.74.040 General Requirements

The following requirements apply to all accessory dwelling units.

A. Where Allowed. An accessory dwelling unit is permitted:

1. In any zoning district where single-family or multifamily dwellings are a permitted use; and
2. On any parcel with an existing or proposed single-family or multifamily dwelling.

B. Maximum Number per Parcel. Not more than one accessory dwelling unit is allowed per parcel except as allowed by subsections 17.74.050.B (Detached Accessory Dwelling Units), 17.74.050.C (Non-livable Multifamily Space), and 17.74.050.D (Detached Accessory Dwelling Units on Multifamily Parcels).

C. Residential Mixed Use. If one dwelling unit is on a parcel with a non-residential use, the dwelling unit is considered a single-family dwelling for the purpose of determining the applicable requirements in this chapter. If two or more dwelling units are on a parcel with a non-residential use, the dwelling units are considered a multi-family dwelling.

D. Utility Connections. Utility connection requirements shall be subject to state law and the serving utility district

E. Fire Sprinklers. The City shall not require accessory dwelling units to provide fire sprinklers if they would not be required for the primary residence under the current Fire Code.

F. Vacation Rentals Prohibited. Accessory dwelling units may not be used for vacation rentals.

G. Separate Sale from Primary Dwelling. An accessory dwelling unit shall not be sold or conveyed separately from the primary dwelling.

H. Guaranteed Allowance. Maximum building coverage, floor area ratio, and private open space standards in Section 17.74.080 (Development Standards) shall not prohibit an accessory dwelling unit with up to 800 square feet of floor area, up to 16 feet in height, and four-foot side and rear yard setbacks, provided the accessory dwelling unit complies with all other applicable standards. The guaranteed allowance of 800 square feet of floor area is in addition to the maximum floor area of a property.

I. Converting and Replacing Existing Structures.

1. An internal accessory dwelling unit may be constructed regardless of whether it conforms to the current zoning requirement for building separation or setbacks.
2. If an existing structure is demolished and replaced with an accessory dwelling unit, an accessory dwelling unit may be constructed in the same location and to the same dimensions as the demolished structure.

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3. If any portion of an existing structure crosses a property line, the structure may not be converted to or replaced with an accessory dwelling unit. For existing structure within 4 feet of a property line, the applicant must submit a survey demonstrating that the structure does not cross the property line.
- J. Manufactured Homes and Mobile Units.
1. A manufactured home, as defined in California Health and Safety Code Section 18007, is allowed as an accessory dwelling unit. Pursuant California Health and Safety Code Section 18007, as may be amended from time to time, a manufactured home must:
 - a. Provide a minimum of 320 square feet of floor area;
 - b. Be built on a permanent chassis
 - c. Be designed for use as a single-family dwelling with or without a foundation when connected to the required utilities; and
 - d. Include the plumbing, heating, air conditioning, and electrical systems contained within the home.
 2. Vehicles and trailers, with or without wheels, which do not meet the definition of a manufactured home, are prohibited as accessory dwelling units.
 3. A prefabricated or modular home is allowed as an accessory dwelling unit.
- K. Junior Accessory Dwelling Units
1. General. Junior accessory dwelling units shall comply with all standards in this chapter unless otherwise indicated.
 2. Occupancy. The property owner must occupy either the primary dwelling unit or the junior accessory dwelling unit on the property.
 3. Sanitation Facilities. A junior accessory dwelling unit may include sanitation facilities, or may share sanitation facilities with the primary dwelling.
 4. Kitchen. A junior accessory dwelling unit must include, at a minimum:
 - a. A cooking facility with appliances; and
 - b. At least 3 linear feet of food preparation counter space and 3 linear feet of cabinet space.
- L. Multifamily Homeowners Associations. If a multifamily dwelling is located in a development with a homeowners' association (HOA), an application for an accessory dwelling unit must include a written statement from the HOA stating that:
1. The application is authorized by the HOA, if such authorization is required; and
 2. The accessory dwelling unit complies with the CC&Rs and other applicable HOA requirements.

17.74.050 Units Subject to Limited Standards

The City shall ministerially approve an application for a building permit within a residential or mixed-use zoning district to create the following types of accessory dwelling units. For each type of accessory dwelling unit, the City shall require compliance only with the development standards in this subsection. Standards in Subsection 17.74.080 (Development Standards) and 17.74.090 (Objective Design Standards) do not apply to these types of accessory dwelling units.

- A. Internal Accessory Dwelling Units. One internal accessory dwelling unit or junior accessory dwelling unit per parcel with a proposed or existing single-family dwelling if all of the following apply:
1. The internal accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to

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- accommodating ingress and egress.
- 2. The unit has exterior access from the proposed or existing single-family dwelling.
- 3. The side and rear setbacks are sufficient for fire and safety.
- 4. The junior accessory dwelling unit complies with Government Code Section 65852.22.
- B. One-Story Detached Accessory Dwelling Units 800 Square Feet or Less. One detached, new construction, accessory dwelling unit for a parcel with a proposed or existing single-family dwelling. The detached accessory dwelling unit may be combined with a junior accessory dwelling unit described in Subsection A (Internal Accessory Dwelling Units) above. The accessory dwelling unit must comply with the following:
 - 1. Minimum rear and side setbacks: 4 feet.
 - 2. Maximum floor area: 800 square feet.
 - 3. Maximum height: 16 feet.
- C. Non-Livable Multifamily Space. One or more internal accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, subject to the following:
 - 1. At least one accessory dwelling unit is allowed within an existing multifamily dwelling up to maximum of 25 percent of the existing multifamily dwelling units; and
 - 2. Each unit shall comply with state building standards for dwellings.
- D. Detached Accessory Dwelling Units on Multifamily Parcels. Not more than two detached accessory dwelling units that are located on a parcel that has an existing multifamily dwelling, subject to the following:
 - 1. Maximum height: 16 feet.
 - 2. Minimum rear and side setbacks: 4 feet.

17.74.060 Units Subject to Full Review Standards

The City shall ministerially approve an application for a building permit to create the following types of accessory dwelling units.

- A. One-Story Attached Accessory Dwelling Units. A one-story attached accessory dwelling unit in compliance with standards in Subsection 17.74.080 (Development Standards) and 17.74.090 (Objective Design Standards).
- B. One-Story Detached Accessory Dwelling Units Between 800 and 1,200 Square Feet. A one-story detached accessory dwelling unit with a floor area between 800 and 1,200 square feet in compliance with standards in Subsection 17.74.080 (Development Standards) and 17.74.090 (Objective Design Standards).

17.74.070 Units Requiring a Design Permit

The following types of accessory dwelling units require Planning Commission approval of a Design Permit.

- A. Two-Story Accessory Dwelling Units. A two-story attached or detached accessory dwelling unit in compliance with standards in Subsection 17.74.080 (Development Standards) and 17.74.090 (Objective Design Standards).
- B. Accessory Dwelling Units Deviating from Standards. Any accessory dwelling unit that deviates from one or more standards in Subsection 17.74.080 (Development Standards) and 17.74.090 (Objective Design Standards).

17.74.080 Development Standards

The standards in this section apply to all accessory dwelling units not approved pursuant to Section 17.74.050 (Units Subject to Limited Standards).

- A. General. Table 17.74-1 shows development standards that apply to accessory dwelling units.

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ADU Type/Location	Standard
Unit Size, Maximum	
Attached ADU, one bedroom or less	50 percent of the existing primary dwelling or 850 sq. ft., whichever is greater
Attached ADU, more than one bedroom	50 percent of the existing primary dwelling or 1,000 sq. ft., whichever is greater
Detached ADU	1,200 sq. ft.
Internal ADU	50 percent of the existing primary dwelling
Junior ADU	500 sq. ft.
Floor Area Ratio, Maximum [1]	As required by zoning district [2]
Setbacks, Minimum [3,4]	
Front	Same as primary dwelling [5]
Interior Side, 1 st and 2 nd Story	4 ft.
Exterior Side, 1 st and 2 nd Story	4 ft.
Rear, 1 st and 2 nd Story	4 ft.
Building Coverage, Maximum	
R-M zoning district	40 % [2]
All other zoning districts	No maximum
Height, Maximum [3]	
Attached ADU	Height of primary residence or maximum permitted in zoning district, whichever is less
Detached ADU, one-story	16 ft.
Detached ADU, two-story [6]	22 ft.
Private Open Space, Minimum [7]	48 sq. ft. [2]

Notes

- [1] Calculated as the total floor area ratio on the site, including both the primary dwelling and accessory dwelling unit. An applicant may request simultaneous approval of a new internal accessory dwelling unit and an addition to the primary residence as part of a single application.
- [2] Standard may not prohibit an accessory dwelling unit with at least an 800 square feet of floor area. See Section 17.74.040.H (Guaranteed Allowance).
- [3] Setback and height standards apply only to attached and detached accessory dwelling units. Standards do not apply to internal or junior accessory dwelling units.
- [4] See also Section 17.74.040.H (Converting and Replacing Existing Structures) for setback exceptions that apply to an accessory dwelling unit created by converting or replacing an existing structure.
- [5] See also 17.74.080.B (Front Setbacks).
- [6] A two-story detached accessory dwelling unit require a Design Permit.
- [7] Private open space may include screened terraces, decks, balconies, and other similar

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areas.

B. Front Setbacks.

1. Any increased front setback requirement that applies to a garage associated with a primary dwelling unit also applies to a garage that serves an accessory dwelling unit.
2. In the R-1 zoning district, front setback exceptions in Riverview Terrace and on Wharf Road as allowed in 17.16.030.B apply to accessory dwelling units.
3. In the mix use zoning districts, minimum front setbacks in Chapter 17.20 (Mixed Use Zoning Districts) apply to accessory dwelling units. Maximum setbacks or build-to requirements do not apply.

C. Parking.

1. All Areas. The following parking provisions apply to accessory dwelling units in all areas in Capitola.
 - a. Required Parking in Addition to Primary Residence. Parking spaces required for an accessory dwelling unit are in addition to parking required for the primary residence.
 - b. Tandem Spaces. Required off-street parking may be provided as tandem parking on an existing driveway.
 - c. Within Setback Areas.
 - (1) Required off-street parking may be located within minimum required setback areas from front, side, and rear property lines.
 - (2) A parking space in a required front setback area shall be a "ribbon" or "Hollywood" design with two parallel strips of pavement. The paving strips shall be no wider than 2.5 feet each and shall utilize permeable paving such as porous concrete/asphalt, open-jointed pavers, and turf grids. Unpaved areas between the strips shall be landscaped with turf or low-growing ground cover.
 - d. Alley-Accessed Parking. Parking accessed from an alley shall maintain a 24-foot back-out area, which may include the alley.
2. Outside of Coastal Zone and in Cliffwood Heights. The following parking provisions apply only to accessory dwelling units outside of the Coastal Zone and in the Cliffwood Heights neighborhood as shown in Figure 17.74-1.
 - a. No additional parking is required for an internal or junior accessory dwelling unit. The floor area of an internal or junior accessory dwelling unit shall not be included in the parking calculation for the primary residence.
 - b. One off-street parking space is required for an attached or detached accessory dwelling unit, except as provided in Paragraph (c) below.
 - c. No off-street parking is required for an accessory dwelling unit in the following cases:
 - (1) The accessory dwelling unit is located within one-half mile walking distance of public transit, as defined in Government Code Section 65852.2(j)(10).
 - (2) The accessory dwelling unit is located within a National Register Historic District or other historic district officially designated by the City Council.
 - (3) The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.
 - (4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
 - (5) When there is a car share vehicle pick-up/drop-off location within one block of the accessory dwelling unit.
 - d. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, replacement parking stalls are not required for the demolished or converted parking

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- structure.
3. Within Coastal Zone and Outside Cliffwood Heights. The following parking provisions apply only to accessory dwelling units in the Coastal Zone and outside of the Cliffwood Heights neighborhood as shown in Figure 17.74-1 in accordance with the City's adopted Local Coastal Program.
 - a. One off-street parking space is required for any type of accessory dwelling unit except as provided in Paragraph (b) below.
 - b. Where the primary residence is served by four or more existing off-street parking spaces, including spaces in a tandem configuration, no off-street parking is required for the accessory dwelling unit.
 - c. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, replacement parking stalls are required for the demolished or converted parking structure. Replacement parking space(s) may be covered or uncovered. Replacement parking does not satisfy the one off-street parking requirement for the accessory dwelling unit in Paragraph (a) above.

FIGURE 17.74-1



17.74.090 Objective Design Standards

The standards in this section apply to all accessory dwelling units not approved pursuant to

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Section 17.74.050 (Units Subject to Limited Standards).

- A. Entrance Orientation – Detached ADU. The primary entrance to a detached accessory dwelling unit shall face the front or interior of the parcel unless the accessory dwelling unit is directly accessible from an alley or a public street.
- B. Privacy Impacts. To minimize privacy impacts on adjacent properties, the following requirements apply to walls with windows within 8 feet of an interior side or rear property line abutting a residential use.
1. For a single-story wall or the first story of a two-story wall, privacy impacts shall be minimized by either:
 - a. A 6-foot solid fence on the property line; or
 - b. Clerestory or opaque windows for all windows facing the adjacent property.
 2. For a second story wall, all windows facing the adjacent property shall be clerestory or opaque.
- C. Second Story Decks and Balconies. Second story decks and balconies shall be located and designed to minimize privacy impacts on adjacent residential properties, as determined by the Planning Commission through the Design Permit approval process.
- D. Architectural Details. Table 17-74-2 shows architectural detail standards for accessory dwelling units.

Table 17-74-2: Architectural Detail Standards

	Non-Historic Property [1]		Historic Property [1]	
	Attached ADU	Detached ADU	Attached ADU	Detached ADU
Primary Exterior Materials [2]	Same as primary dwelling [3]	No requirement	Same as primary dwelling; or horizontal wood, fiber cement, or board and batten siding or shingles [3]	Horizontal wood, fiber cement, or board and batten siding, or shingles [4]
Window and Door Materials	No requirement		Wood, composite, pre-finished metal with a non-reflective finish	
Window Proportions	No requirement		Windows must be taller than they are wide or match the proportions of the primary dwelling window [5]	
Window Pane Divisions	No requirement		True or simulated divided lights	
Roof Material	Same as primary dwelling [3]	No requirement	Same as primary dwelling [3]	Same as primary dwelling; or architectural composition shingles, clay tile, slate, or non-reflective standing seam metal [3]
Roof Pitch	No requirement	4:12 or greater. [6]	No requirement	4:12 or greater [6]

Notes:

- [1] "Historic property" means a designated historic resource or potential historic resource as defined in Section 17.84.020 (Types of Historic Resources).
- [2] Standard does not apply to secondary and accent materials.
- [3] "Same as primary dwelling" means the type of material must be the same as the primary dwelling. The size, shape, dimensions, and configuration of individual pieces or elements of

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the material may differ from the primary dwelling.

- [4] If primary dwelling is predominantly stucco, stucco is allowed for the accessory dwelling unit.
- [5] Bathroom windows may be horizontally oriented.
- [6] If the primary dwelling has a roof pitch shallower than 4:12, the accessory dwelling unit roof pitch may match the primary dwelling.

E. Building Additions to Historic Structures. A building addition to a designated historic resource or potential historic resource as defined in Section 17.84.020 (Types of Historic Resources) for an attached accessory dwelling unit shall be inset or separated by a connector that is offset at least 18 inches from the parallel side or rear building wall to distinguish it from the historic structure.

17.74.100 Deviation from Standards

- A. When Allowed. The Planning Commission may approve an accessory dwelling unit that deviates from one or more standards in Section 17.74.080 (Development Standards) and 17.74.090 (Objective Design Standards).
- B. Permit Required. Deviations allowed under this section require Planning Commission approval of a Design Permit. A Variance is not required. To approve the Design Permit, the Planning Commission must make the findings in Section 17.74.110 (Findings).

17.74.110 Findings

- A. When Required. The Planning Commission must make the findings in this section to approve a Design Permit for:
 - 1. Two-story attached or detached accessory dwelling units; and
 - 2. Accessory dwelling units that deviate from one or more standards in Section 17.74.080 (Development Standards) and 17.74.090 (Objective Design Standards).
- B. Findings. To approve the Design Permit, the Planning Commission shall find that:
 - 1. The exterior design of the accessory dwelling unit is compatible with the primary dwelling on the parcel through architectural use of building forms, height, construction materials, colors, landscaping, and other methods that conform to acceptable construction practices.
 - 2. The exterior design is in harmony with, and maintains the scale of, the neighborhood.
 - 3. The accessory dwelling unit will not create excessive noise, traffic, or parking congestion.
 - 4. The accessory dwelling unit has or will have access to adequate water sewer service as determined by the applicable service provider.
 - 5. Adequate open space and landscaping has been provided that is usable for both the accessory dwelling unit and the primary residence. Open space and landscaping provides for privacy and screening of adjacent properties.
 - 6. The location and design of the accessory dwelling unit maintains a compatible relationship to adjacent properties and does not significantly impact the privacy, light, air, solar access, or parking of adjacent properties.
 - 7. The accessory dwelling unit generally limits the major access stairs, decks, entry doors, and major windows to the walls facing the primary residence, or to the alley if applicable. Windows that impact the privacy of the neighboring side or rear yard have been minimized. The design of the accessory dwelling unit complements the design of the primary residence and does not visually dominate it or the surrounding properties.
 - 8. The site plan is consistent with physical development policies of the General Plan, any area plan or specific plan, or other City policy for physical development. If located in the coastal zone, the site plan is consistent with policies of the Local Coastal Plan. If located in the coastal zone and subject to a coastal development permit, the proposed

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development will not have adverse impacts on coastal resources.

9. The project would not impair public views along the ocean and of scenic coastal areas. Where appropriate and feasible, the site plan restores and enhances the visual quality of visually degraded areas.
10. The project deviation (if applicable), is necessary due special circumstances applicable to subject property, including size, shape, topography, location, existing structures, or surroundings, and the strict application of this chapter would deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zoning classification.

17.74.120 Deed Restrictions

- A. Before obtaining a building permit for an accessory dwelling unit, the property owner shall file with the County Recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the current owner. The deed restriction shall state that:
 1. The accessory dwelling units may not be used for vacation rentals.
 2. The accessory dwelling unit may not be sold separately from the primary dwelling.
 3. For junior accessory dwelling units, restrictions on size, owner occupancy requirement, and attributes in conformance with this chapter.
- B. The above declarations are binding upon any successor in ownership of the property. Lack of compliance shall be cause for code enforcement and/or revoking the City's approval of the accessory dwelling unit.
- C. The deed restriction shall lapse upon removal of the accessory dwelling unit.

17.74.130 Incentives

- A. Fee Waivers for Affordable Units.
 1. The City may waive development fees for accessory dwelling units that will be rented at levels affordable to low or very low income households.
 2. Applicants of affordable accessory dwelling units shall record a deed restriction limiting the rent to low or very low-income levels prior to issuance of a building permit.
 3. Landlords of accessory dwelling units shall be relieved of any affordability condition upon payment of fees in the amount previously waived as a result of affordability requirements, subject to an annual consumer price index increase commencing with the date of application for building permit.
- B. Historic Properties. The Planning Commission may allow exceptions to design and development standards for accessory dwelling units proposed on a property that contains a Historic Resource as defined in Chapter 17.84 (Historic Preservation). To allow such an exception, the Planning Commission shall approve a Design Permit and find that the exception is necessary to preserve the architectural character of the primary residence.

Section 3. Section 17.15.100 et seq. (Floor area ratio) of Chapter 17.15 of the Capitola Municipal Code is hereby amended to read as follows:

17.15.100 Floor area ratio.

Building size shall be regulated by the relationship of the building to the lot size, a measurement identified as floor area ratio (FAR). Maximum FAR shall be determined as follows:

- A. Lots less than 2,650 sf 58%
- Lots 2,651 to 3,250 sf 57%

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Lots 3,251 to 3,500 sf	56%
Lots 3,501 to 3,750 sf	55%
Lots 3,751 to 4,000 sf	54%
Lots 4,001 to 4,250 sf	53%
Lots 4,251 to 4,500 sf	52%
Lots 4,501 to 4,750 sf	51%
Lots 4,751 to 5,000 sf	50%
Lots 5,001 to 6,000 sf	49%
Lots more than 6,000 sf	48%

~~Lots of five thousand or more square feet with approved second dwelling units are permitted a maximum FAR of sixty percent for all structures, in accordance with Chapter 17.99 Secondary Dwelling Units.~~

This calculation includes the gross building area, including covered parking, as further described in subsections B through D of this section:

Section 4. Chapter 17.16 (Residential Zoning Districts) of the Capitola Municipal Code is hereby amended to read as follows:

Chapter 17.16 – RESIDENTIAL ZONING DISTRICTS

Sections:

17.16.010	Purpose of the Residential Zoning Districts
17.16.020	Land Use Regulations
17.16.030	Development Standards
17.16.010	Purpose of the Residential Zoning Districts

A. General. The purpose of residential zoning districts is to support attractive, safe, and friendly neighborhoods consistent with Capitola’s intimate small-town feel and coastal village charm. Development within the residential zoning districts will feature high quality design that enhances the visual character of the community. The mass, scale, and design of new homes shall be compatible with existing homes in neighborhoods and carefully designed to minimize impacts to existing homes. Residential zoning districts contain a range of housing types and community facilities to support diverse and complete neighborhoods with a high quality of life for residents.

B. Specific.

1. Residential Single-Family (R-1) Zoning District. The purpose of the R-1 zoning district is to protect and enhance the unique qualities of individual neighborhoods in Capitola. The R-1 zoning district allows for variation in development standards based on the existing development patterns within these neighborhoods. New development will respect the

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existing scale, density, and character of neighborhoods to strengthen Capitola's unique sense of place.

2. Residential Multi-Family (RM) Zoning District. The purpose of the RM zoning district is to accommodate a range of housing types to serve all Capitola residents. The RM zoning districts allows single-family and multi-family housing at higher densities to maintain and increase the supply of affordable housing choices. Housing in the RM zoning districts will be carefully designed to enhance Capitola's unique identity and to minimize impacts on adjacent land uses and structures. The RM zone is divided into three subzones (RM-L, RM-M, and RM-H) allowing for a range of permitted residential densities.
3. Mobile Home Park (MH) Zoning District. The MH zone provides areas for exclusive development of mobile home parks. Mobile home parks provide a valuable source of affordable housing serving Capitola's lower-income and senior residents.

17.16.020 Land Use Regulations

- A. Permitted Land Uses. Table 17.16-1 identifies land uses permitted in the residential zoning districts.

TABLE 17.16-1: PERMITTED LAND USES IN THE RESIDENTIAL ZONING DISTRICTS

Key	Zoning District			Additional Regulations
	R-1	RM	MH	
P Permitted Use				
A Administrative Permit required				
M Minor Use Permit required				
C Conditional Use Permit required				
- Use not allowed				
Residential Uses				
Duplex Homes	-	P	-	
Elderly and Long Term Care	-	C	-	
Group Housing	-	P	-	
Mobile Home Parks	-	C	P [1]	Chapter 17.100
Multi-Family Dwellings	-	P	-	
Residential Care Facilities, Small	P	P	C [2]	
Residential Care Facilities, Large	C	C	C [2]	Section 17.96.080
Accessory Dwelling Units	A/C	A/C [4]	-	Chapter 17.74
Single-Family Dwellings	P	P	C [2]	
Public and Quasi-Public Uses				
Community Assembly	C	C	C	
Day Care Centers	C	C	C	
Home Day Care, Large	M	M	M	Section 17.96.070
Home Day Care, Small	P	P	P	
Parks and Recreational Facilities	-	C	C	
<u>Public Pathways and Coastal Accessways</u>	<u>C</u>	<u>C</u>	<u>C</u>	

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Key	Zoning District			Additional Regulations
	R-1	RM	MH	
P Permitted Use				
A Administrative Permit required				
M Minor Use Permit required				
C Conditional Use Permit required				
- Use not allowed	R-1	RM	MH	Additional Regulations
Schools, Public or Private	-	C	C	
Commercial Uses				
Bed and Breakfast	C	C	-	
Vacation Rentals	See Section 17.40.030			
Transportation, Communication, and Utility Uses				
Utilities, Major	C	C	C	
Utilities, Minor	P	P	P	
Wireless Communications Facilities	See Chapter 17.104			
Other Uses				
Accessory Uses and Structure	P [3]	P [3]	P[3]	Chapter 17.52
Home Occupation	A	A	A	Section 17.96.040
Temporary Uses and Structures	M	M	-	Section 17.96.180
Urban Agriculture				
Home Gardens	P	P	P	
Community Gardens	M	M	M	
Urban Farms	C	C	C	

Notes:

- [1] May include offices incidental and necessary to conduct a mobile home park use.
 [2] Permitted on the mobile home park parcel or on a separate parcel of no less than 5,000 square feet.
 [3] An accessory structure that exceed the development standards of Chapter 17.52 requires a Conditional Use Permit.
 [4] Permitted only when there is one single family dwelling on the parcel.

B. Additional Permits. In addition to permits identified in Table 17.16-1, development projects in the residential zoning districts may also require a Design Permit pursuant to Chapter 17.120 (Design Permits). Modifications to a historic resource may require a Historic Alteration Permit pursuant to Chapter 17.84 (Historic Preservation). Development in the coastal zone may require a Coastal Development Permit pursuant to Chapter 17.44 (Coastal Overlay Zone) independent of and in addition to any other required permit or approval.

17.16.030 Development Standards

A. General Standards - Single-Family and Multi-Family Zoning Districts. Table 17.16-2 identifies development standards that apply in the R-1 and RM zoning districts.

TABLE 17.16-2: DEVELOPMENT STANDARDS IN THE R-1 AND RM ZONING DISTRICTS

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	R-1	RM	Additional Standards
Site Requirements			
Parcel Area, Minimum [1]	5,000 sq. ft.	N/A	
Parcel Width, Minimum [1]	30 ft.	N/A	
Parcel Depth, Minimum [1]	80 ft.	N/A	
Floor Area Ratio, Maximum	See Section 17.16.030.B.1	N/A	Section 17.16.030.B Section 17.48.040
Building Coverage, Maximum	N/A	40%	
Open Space	N/A	Section 17.030.C.2	
Parcel Area Per Unit, Minimum	N/A	RM-L: 4,400 sq. ft. RM-M: 2,900 sq. ft. RM-H: 2,200 sq. ft.	
Parking and Loading	See Chapter 17.76		
Structure Requirements			
Setbacks, Minimum			Section 17.48.030.B.2 56
Front	<u>Ground floor:</u> 15 ft. <u>Garage:</u> 20 ft. <u>Second story:</u> 20 ft.	<u>Main structure:</u> 15 ft. <u>Garage:</u> 20 ft.	Section 17.16.030.B.2 Section 17.16.030.B.3 5 Garage Setback: <u>Section 17.16.030.B.4</u>
Rear	20% of parcel depth; 25 ft. max.	15% of parcel depth	Section 17.16.030.B.4 5
Interior Side	<u>Ground floor:</u> 10% of parcel width; 3 ft. min.; 7 ft. max. <u>Second story:</u> 15% of parcel width	10% of parcel width	Section 17.16.030.B.4 5 <u>5&6</u>
Street Side, Corner Lots	10 ft.	10 ft.	Section 17.16.030.B.3 5
Height, Maximum	25 ft.	RM-L: 30 ft. RM-M: 30 ft. RM-H: 35 ft.	Section 17.16.030.B.6 7 <u>7&8</u> Section 17.48.020
Accessory Structures	See Chapter 17.52		

Notes:

[1] Parcel area, width, and depth requirements apply only to the creation of new parcels. These requirements do not apply to legally created parcels existing as of [effective date of updated Zoning Code]. See Capitola Municipal Code Title 16 (Subdivisions) for requirements that apply to lot line adjustments to existing parcels that do not comply with the parcel area, width, and depth requirements in this table.

B. Additional Standards in the R-1 Zoning District. The following additional standards apply in the R-1 zoning district.

1. Floor Area Ratio. Table 17.16-3 identifies the maximum permitted floor area ratio (FAR)

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in the R-1 zoning district. See Section 17.48.040.B for floor area calculations.

TABLE 17.16-3: MAXIMUM FLOOR AREA RATIO IN THE R-1 ZONING DISTRICT

Lot Size	Maximum FAR
2,650 sq. ft. or less	0.58
2,651 to 3,250 sq. ft.	0.57
3,251 to 3,500 sq. ft.	0.56
3,501 to 3,750 sq. ft.	0.55
3,751 to 4,000 sq. ft.	0.54
4,001 to 4,250 sq. ft.	0.53
4,251 to 4,500 sq. ft.	0.52
4,501 to 4,750 sq. ft.	0.51
4,751 to 5,000 sq. ft.	0.50 [1]
5,001 to 6,000 sq. ft.	0.49 [1]
More than 6,000 sq. ft.	0.48 [1]

Notes:

~~[1] Parcels of 4,000 sq. ft. or more with approved accessory dwelling units are permitted a maximum FAR of 0.60 for all structures.~~

Section 5. Section 17.16.030.B.9 et seq (Mini-Bar/Convenience Areas) of Chapter 17.14 of the Capitola Municipal Code is hereby amended to read as follows:

17.16.030.B.9. Mini-Bar/Convenience Areas.

- a. A single-family home may contain one mini-bar/convenience area in addition to a kitchen, subject to the following standards:
 - (1) Fixtures shall be limited to a small refrigerator, a microwave oven, and a small sink with a drain size less than one and one-half inches.
 - (2) No gas line or 220-volt electric service is permitted within the area.
 - (3) Only one such area is permitted within a dwelling property in addition to the kitchen.
 - ~~(4) Internal access to the area shall be maintained within the dwelling.~~
 - (4) The mini-bar/convenience area may be located within the home or outside of the home as part of an outdoor kitchen. If located within the home, internal access to the area shall be maintained within the dwelling.
- b. The requirements in paragraph (a) above shall not limit the establishment of an accessory dwelling unit in conformance with Chapter 17.74 (Accessory Dwelling Units).

Section 6: Compliance with California Environmental Quality Act (CEQA)

These code revisions are statutorily exempt from CEQA pursuant to Public Resources Code Section 21080.17 (Application of Division to Ordinances Implementing Law Relating to Construction of Dwelling Units and Second Units), since the proposed changes are consistent with adopted State Law.

Section 7: Severability

The City Council hereby declares every section, paragraph, sentence, cause, and phrase of this ordinance is severable. If any section, paragraph, sentence, clause, or phrase of this ordinance is for any reason found to be invalid or unconstitutional, such invalidity or unconstitutionality

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shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses, or phrases.

Section 8: Effective Date

This Ordinance shall be in full force and effect thirty (30) days from its passage and adoption except that it will not take effect within the coastal zone until certified by the California Coastal Commission. This Ordinance shall be transmitted to the California Coastal Commission and shall take effect in the coastal zone immediately upon certification by the California Coastal Commission or upon the concurrence of the Commission with a determination by the Executive Director that the Ordinance adopted by the City is legally adequate.

This ordinance was introduced on the 27th day of February, 2020, and was passed and adopted by the City Council of the City of Capitola on the ____ day of ____, 2020, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

Kristen Petersen, Mayor

ATTEST:

Linda Fridy, City Clerk

State of California

GOVERNMENT CODE

Section 65852.2

65852.2. (a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. The ordinance shall do all of the following:

(A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. A local agency that does not provide water or sewer services shall consult with the local water or sewer service provider regarding the adequacy of water and sewer services before designating an area where accessory dwelling units may be permitted.

(B) (i) Impose standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Resources. These standards shall not include requirements on minimum lot size.

(ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

(C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(D) Require the accessory dwelling units to comply with all of the following:

(i) The accessory dwelling unit may be rented separate from the primary residence, but may not be sold or otherwise conveyed separate from the primary residence.

(ii) The lot is zoned to allow single-family or multifamily dwelling residential use and includes a proposed or existing dwelling.

(iii) The accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling.

(iv) If there is an existing primary dwelling, the total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing primary dwelling.

(v) The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet.

(vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

(vii) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.

(viii) Local building code requirements that apply to detached dwellings, as appropriate.

(ix) Approval by the local health officer where a private sewage disposal system is being used, if required.

(x) (I) Parking requirements for accessory dwelling units shall not exceed one parking space per accessory dwelling unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway.

(II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

(III) This clause shall not apply to an accessory dwelling unit that is described in subdivision (d).

(xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local agency shall not require that those offstreet parking spaces be replaced.

(xii) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.

(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(3) A permit application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits. The permitting agency shall act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. A local agency may charge a fee to reimburse it for costs incurred to implement this paragraph,

including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.

(4) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. If a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.

(5) No other local ordinance, policy, or regulation shall be the basis for the delay or denial of a building permit or a use permit under this subdivision.

(6) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be used or imposed, including any owner-occupant requirement, except that a local agency may require that the property be used for rentals of terms longer than 30 days.

(7) A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of an accessory dwelling unit if these provisions are consistent with the limitations of this subdivision.

(8) An accessory dwelling unit that conforms to this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(b) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives an application for a permit to create an accessory dwelling unit pursuant to this subdivision, the local agency shall approve or disapprove the application ministerially without discretionary review pursuant to subdivision (a). The permitting agency shall act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a

delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not acted upon the completed application within 60 days, the application shall be deemed approved.

(c) (1) Subject to paragraph (2), a local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units.

(2) Notwithstanding paragraph (1), a local agency shall not establish by ordinance any of the following:

(A) A minimum square footage requirement for either an attached or detached accessory dwelling unit that prohibits an efficiency unit.

(B) A maximum square footage requirement for either an attached or detached accessory dwelling unit that is less than either of the following:

(i) 850 square feet.

(ii) 1,000 square feet for an accessory dwelling unit that provides more than one bedroom.

(C) Any other minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, and minimum lot size, for either attached or detached dwellings that does not permit at least an 800 square foot accessory dwelling unit that is at least 16 feet in height with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(d) Notwithstanding any other law, a local agency, whether or not it has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), shall not impose parking standards for an accessory dwelling unit in any of the following instances:

(1) The accessory dwelling unit is located within one-half mile walking distance of public transit.

(2) The accessory dwelling unit is located within an architecturally and historically significant historic district.

(3) The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.

(4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

(5) When there is a car share vehicle located within one block of the accessory dwelling unit.

(e) (1) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following:

(A) One accessory dwelling unit or junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:

(i) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure.

An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(ii) The space has exterior access from the proposed or existing single-family dwelling.

(iii) The side and rear setbacks are sufficient for fire and safety.

(iv) The junior accessory dwelling unit complies with the requirements of Section 65852.22.

(B) One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in subparagraph (A). A local agency may impose the following conditions on the accessory dwelling unit:

(i) A total floor area limitation of not more than 800 square feet.

(ii) A height limitation of 16 feet.

(C) (i) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

(ii) A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.

(D) Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limit of 16 feet and four-foot rear yard and side setbacks.

(2) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of nonconforming zoning conditions.

(3) The installation of fire sprinklers shall not be required in an accessory dwelling unit if sprinklers are not required for the primary residence.

(4) A local agency shall require that a rental of the accessory dwelling unit created pursuant to this subdivision be for a term longer than 30 days.

(5) A local agency may require, as part of the application for a permit to create an accessory dwelling unit connected to an onsite water treatment system, a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years.

(6) Notwithstanding subdivision (c) and paragraph (1) a local agency that has adopted an ordinance by July 1, 2018, providing for the approval of accessory dwelling units in multifamily dwelling structures shall ministerially consider a permit application to construct an accessory dwelling unit that is described in paragraph (1), and may impose standards including, but not limited to, design, development, and historic standards on said accessory dwelling units. These standards shall not include requirements on minimum lot size.

(f) (1) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).

(2) An accessory dwelling unit shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the accessory dwelling unit was constructed with a new single-family dwelling.

(3) (A) A local agency, special district, or water corporation shall not impose any impact fee upon the development of an accessory dwelling unit less than 750 square feet. Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.

(B) For purposes of this paragraph, “impact fee” has the same meaning as the term “fee” is defined in subdivision (b) of Section 66000, except that it also includes fees specified in Section 66477. “Impact fee” does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation.

(4) For an accessory dwelling unit described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge, unless the accessory dwelling unit was constructed with a new single-family home.

(5) For an accessory dwelling unit that is not described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its square feet or the number of its drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

(g) This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.

(h) (1) A local agency shall submit a copy of the ordinance adopted pursuant to subdivision (a) to the Department of Housing and Community Development within 60 days after adoption. After adoption of an ordinance, the department may submit written findings to the local agency as to whether the ordinance complies with this section.

(2) (A) If the department finds that the local agency’s ordinance does not comply with this section, the department shall notify the local agency and shall provide the local agency with a reasonable time, no longer than 30 days, to respond to the findings before taking any other action authorized by this section.

(B) The local agency shall consider the findings made by the department pursuant to subparagraph (A) and shall do one of the following:

(i) Amend the ordinance to comply with this section.

(ii) Adopt the ordinance without changes. The local agency shall include findings in its resolution adopting the ordinance that explain the reasons the local agency believes that the ordinance complies with this section despite the findings of the department.

(3) (A) If the local agency does not amend its ordinance in response to the department's findings or does not adopt a resolution with findings explaining the reason the ordinance complies with this section and addressing the department's findings, the department shall notify the local agency and may notify the Attorney General that the local agency is in violation of state law.

(B) Before notifying the Attorney General that the local agency is in violation of state law, the department may consider whether a local agency adopted an ordinance in compliance with this section between January 1, 2017, and January 1, 2020.

(i) The department may review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, and standards set forth in this section. The guidelines adopted pursuant to this subdivision are not subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.

(j) As used in this section, the following terms mean:

(1) "Accessory dwelling unit" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(2) "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

(3) "Efficiency unit" has the same meaning as defined in Section 17958.1 of the Health and Safety Code.

(4) "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

(5) "Local agency" means a city, county, or city and county, whether general law or chartered.

(6) "Neighborhood" has the same meaning as set forth in Section 65589.5.

(7) "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.

(8) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(9) “Proposed dwelling” means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

(10) “Public transit” means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

(11) “Tandem parking” means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(k) A local agency shall not issue a certificate of occupancy for an accessory dwelling unit before the local agency issues a certificate of occupancy for the primary dwelling.

(l) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.

(m) A local agency may count an accessory dwelling unit for purposes of identifying adequate sites for housing, as specified in subdivision (a) of Section 65583.1, subject to authorization by the department and compliance with this division.

(n) In enforcing building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code for an accessory dwelling unit described in paragraph (1) or (2) below, a local agency, upon request of an owner of an accessory dwelling unit for a delay in enforcement, shall delay enforcement of a building standard, subject to compliance with Section 17980.12 of the Health and Safety Code:

(1) The accessory dwelling unit was built before January 1, 2020.

(2) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

(o) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

(Amended by Stats. 2019, Ch. 659, Sec. 1.5. (AB 881) Effective January 1, 2020. Repealed as of January 1, 2025, by its own provisions. See later operative version added by Sec. 2.5 of Stats. 2019, Ch. 659.)

State of California

GOVERNMENT CODE

Section 65852.22

65852.22. (a) Notwithstanding Section 65852.2, a local agency may, by ordinance, provide for the creation of junior accessory dwelling units in single-family residential zones. The ordinance may require a permit to be obtained for the creation of a junior accessory dwelling unit, and shall do all of the following:

(1) Limit the number of junior accessory dwelling units to one per residential lot zoned for single-family residences with a single-family residence built, or proposed to be built, on the lot.

(2) Require owner-occupancy in the single-family residence in which the junior accessory dwelling unit will be permitted. The owner may reside in either the remaining portion of the structure or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.

(3) Require the recordation of a deed restriction, which shall run with the land, shall be filed with the permitting agency, and shall include both of the following:

(A) A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers.

(B) A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this section.

(4) Require a permitted junior accessory dwelling unit to be constructed within the walls of the proposed or existing single-family residence.

(5) Require a permitted junior accessory dwelling to include a separate entrance from the main entrance to the proposed or existing single-family residence.

(6) Require the permitted junior accessory dwelling unit to include an efficiency kitchen, which shall include all of the following:

(A) A cooking facility with appliances.

(B) A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

(b) (1) An ordinance shall not require additional parking as a condition to grant a permit.

(2) This subdivision shall not be interpreted to prohibit the requirement of an inspection, including the imposition of a fee for that inspection, to determine if the junior accessory dwelling unit complies with applicable building standards.

(c) An application for a permit pursuant to this section shall, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits, be considered ministerially, without discretionary review or a

hearing. The permitting agency shall act on the application to create a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family dwelling on the lot. If the permit application to create a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. A local agency may charge a fee to reimburse the local agency for costs incurred in connection with the issuance of a permit pursuant to this section.

(d) For purposes of any fire or life protection ordinance or regulation, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit. This section shall not be construed to prohibit a city, county, city and county, or other local public entity from adopting an ordinance or regulation relating to fire and life protection requirements within a single-family residence that contains a junior accessory dwelling unit so long as the ordinance or regulation applies uniformly to all single-family residences within the zone regardless of whether the single-family residence includes a junior accessory dwelling unit or not.

(e) For purposes of providing service for water, sewer, or power, including a connection fee, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit.

(f) This section shall not be construed to prohibit a local agency from adopting an ordinance or regulation, related to parking or a service or a connection fee for water, sewer, or power, that applies to a single-family residence that contains a junior accessory dwelling unit, so long as that ordinance or regulation applies uniformly to all single-family residences regardless of whether the single-family residence includes a junior accessory dwelling unit.

(g) If a local agency has not adopted a local ordinance pursuant to this section, the local agency shall ministerially approve a permit to construct a junior accessory dwelling unit that satisfies the requirements set forth in subparagraph (A) of paragraph (1) of subdivision (e) of Section 65852.2 and the requirements of this section.

(h) For purposes of this section, the following terms have the following meanings:

(1) “Junior accessory dwelling unit” means a unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

(2) “Local agency” means a city, county, or city and county, whether general law or chartered.

(Amended by Stats. 2019, Ch. 655, Sec. 2. (AB 68) Effective January 1, 2020.)


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AB-587 Accessory dwelling units: sale or separate conveyance. (2019-2020)

As Amends the Law Today

[As Amends the Law on Nov 18, 2019](#)

SECTION 1. *Section 65852.26 is added to the Government Code, immediately following Section 65852.25, to read:*

65852.26. *(a) Notwithstanding clause (i) of subparagraph (D) of paragraph (1) of subdivision (a) of Section 65852.2, a local agency may, by ordinance, allow an accessory dwelling unit to be sold or conveyed separately from the primary residence to a qualified buyer if all of the following apply:*

(1) The property was built or developed by a qualified nonprofit corporation.

(2) There is an enforceable restriction on the use of the land pursuant to a recorded contract between the qualified buyer and the qualified nonprofit corporation that satisfies all of the requirements specified in paragraph (10) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code.

(3) The property is held pursuant to a recorded tenancy in common agreement that includes all of the following:

(A) The agreement allocates to each qualified buyer an undivided, unequal interest in the property based on the size of the dwelling each qualified buyer occupies.

(B) A repurchase option that requires the qualified buyer to first offer the qualified nonprofit corporation to buy the property if the buyer desires to sell or convey the property.

(C) A requirement that the qualified buyer occupy the property as the buyer's principal residence.

(D) Affordability restrictions on the sale and conveyance of the property that ensure the property will be preserved for low-income housing for 45 years for owner-occupied housing units and will be sold or resold to a qualified buyer.

(4) A grant deed naming the grantor, grantee, and describing the property interests being transferred shall be recorded in the county in which the property is located. A Preliminary Change of Ownership Report shall be filed concurrently with this grant deed pursuant to Section 480.3 of the Revenue and Taxation Code.

(5) Notwithstanding subparagraph (A) of paragraph (2) of subdivision (f) of Section 65852.2, if requested by a utility providing service to the primary residence, the accessory dwelling unit has a separate water, sewer, or electrical connection to that utility.

(b) For purposes of this section, the following definitions apply:

(1) "Qualified buyer" means persons and families of low or moderate income, as that term is defined in Section 50093 of the Health and Safety Code.

(2) "Qualified nonprofit corporation" means a nonprofit corporation organized pursuant to Section 501(c)(3) of the Internal Revenue Code that has received a welfare exemption under Section 214.15 of the Revenue and Taxation Code for properties intended to be sold to low-income families who participate in a special no-interest loan program.

Planning Commission Recommended Edits for Accessory Dwelling Units Ordinance

Meeting Date	Section	Page	Recommended Change
02/06/2020	17.74.030.A.1	74-2	Except when a Design Permit is specifically required <u>by this chapter</u> , an accessory dwelling unit that complies with all standards in in this chapter shall be approved ministerially with an Administrative Permit. No discretionary review or public hearing is required.
02/06/2020	17.74.030.D.	74-3	When Dependent on Separate Construction. When a proposed attached or detached accessory dwelling unit is dependent on the construction of a new building or new portion of a building which is not a part of the accessory dwelling unit (“separate construction”) <u>and is not proposed as part of a permit application to create a new single-family dwelling on the parcel</u> , the City shall either:
02/06/2020	17.74.080.C.2	74-10	Outside of Coastal Zone and in Cliffwood Heights. The following parking provisions apply only to accessory dwelling units outside of the Coastal Zone <u>and in the Cliffwood Heights neighborhood as shown in General Plan Figure LU-1.</u>
02/06/2020	17.74.080.C.3	74-11	Within Coastal Zone and Outside Cliffwood Heights. The following parking provisions apply only to accessory dwelling units in the Coastal Zone <u>and outside of the Cliffwood Heights neighborhood as shown in General Plan Figure LU-1</u> in accordance with the City’s adopted Local Coastal Program.

Relevant References from Capitola’s Local Coastal Program Land Use Plan:

The following statements are from the Capitola’s LCP Land Use Plan including references to the California Coastal Act, summaries of existing conditions in Capitola, and policies and implementation. The full Land Use Plan is available on the Capitola websites at <https://www.cityofcapitola.org/communitydevelopment> at the bottom of the page.

Introduction

The basic goals of the Coastal Act, as stated in the Public Resources Code, Section 30001.5, are to:

- a) Protect, maintain and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and manmade resources.
- b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.
- c) Maximize public access to and along the coastal and maximize public recreation opportunities in the coastal zone, consistent with sound resource conservation principles and constitutionally protected rights of private property owners.
- d) Assure priority for coastal-dependent development over other development on the coast.
- e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

I. LAND USE PLAN FRAMEWORK POLICIESPOLICY B

Where policies in the Land Use Plan overlap or conflict, the policy that is the most protective of coastal resources shall take precedence.

POLICY C

The Capitola LCP Land Use Plan shall be adopted as an amendment to the Capitola General Plan.

POLICY D

In reviewing or carrying out projects outside the coastal zone, the City shall consider the effect of such projects or actions on coastal zone resources in order to ensure that the policies of the Capitola LCP Land Use Plan are achieved.

POLICY E

Prior to the issuance of any permit for development in the coastal zone, the City of Capitola shall prepare necessary findings that the development meets the standards set forth in all applicable Land Use Plan polices.

POLICY F

The City of Capitola shall maintain a high level of opportunities for public participation throughout the entire Local Coastal Program and Implementation Planning process.

POLICY G

The Land Use Plan brings the City's General Plan, Zoning Ordinances and other policies for lands within the coastal zone into conformance with the Coastal Act. It should be recognized that the Land Use Plan must be used in concern with other local, state and federal policies and regulations when evaluating any development proposal, If a conflict between policies arises, the adopted Land Use Plan policies shall be the prevailing policy.

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I. LOCATING AND PLANNING NEW OR INTENSIFIED DEVELOPMENT PUBLIC WORKS FACILITIES

RELEVANT COASTAL ACT POLICIES

The following Coastal Act policies deal directly with the establishment of priority uses and criteria for development:

SEC. 30250

SEC. 30252

The location and amount of new development should maintain and enhance public areas to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses, such as high-rise office building, and by (6) assuring that the recreational needs of the new residents will not overload the nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of on site recreational facilities to serve the new development.

SEC. 30255

Coastal-dependent developments shall have priority over other developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

ISSUE DISCUSSION AND RECOMMENDED POLICIESVILLAGE CHARACTER

Capitola Village and Beach is a unique visitor destination with a long history as a seaside resort. The Village has a special charm, due to its scale, variety and ambiance. There is a greater demand for parking than there is supply within Capitola Village. A 1981 study by DKS Associates showed that there is a deficit of approximately 360 spaces, based on current parking demand for Village activities.

The Coastal Act requires that “the location and amount of new development should maintain and enhance public access to the Coast by ... (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation.” (Section 30252).

The consensus of City officials and citizens appears to be that increased parking within the Village would destroy Village character and would be too costly. Therefore, Capitola has been seriously utilizing alternative solutions , including remote parking and shuttle , along with parking within walking distance to the Village.

Since there is currently a deficit of parking facilities to service the Village, Beach and Wharf areas, all new or intensified development in these areas should include an equitable contribution to a permanent shuttle bus/remote parking system or adequate parking. A long-term shuttle bus financing program would appropriately be based on an assessment district or some other comparable measures which require contribution to the shuttle bus/remote parking system or new parking lots.

The long-standing residential and commercial users in the Village should share the responsibility of providing additional parking or shuttle bus services with the new uses.

Policy I-1 It shall be the policy of the City of Capitola to maintain and enhance access to Capitola Beach, Village, and Wharf while maintaining and enhancing the existing character of Capitola Village and the surrounding residential areas. The intensity of new development shall be limited to the availability of parking and other alternative transportation systems, such as a shuttle bus an remote parking. (see Visual Resource and Special Communities & Public Access Components for further discussion.)

Implementation:

- a) Develop a Capitola Village/Beach parking program that will provide 300 to 400 new parking places for Village Beach users.

- b) Require adequate parking for new users, such parking to be provided at sites outside the Village area within walking distance or remote and served by shuttle system; exceptions to permit on-site parking may be made for (1) non-historic structures in residential areas bounding the central commercial district of the Village as shown on Exhibit B attached; (2) for the Capitola Theatre site and the Mercantile site as shown on Exhibit B attached, and providing that site designs shall provide for minimizing driveway cuts and for ground floor street frontage commercial development with parking areas/structures on the interior of the sites; (3) if mandated under Federal Emergency Agency regulations and as consistent with the certified LCP.
- c) Protect adjacent residential neighborhoods from parking intrusions while providing for public access to viewpoints and recreation areas. The residential parking program as approved under CDP 3-87-42 must incorporate the following provisions: (1) a limit of 350 permits at any one time for the Village Parking District; (2) a limit of 50 permits for the Pacific Cove parking lot to be issued to Village Permit holders and Transient Occupancy Permit holders; (3) provision of public parking on a daily basis along Prospect, Grand, and Cliff Avenues, to provide public access to scenic overlooks; (4) residential permit parking within the neighborhood areas shall be in effect only during the hours of operation of the Capitola Beach shuttle system except as provided in Resolutions 2435 and 2436 for the Fanmar and the Burlingame, Grand/Cliff areas; signing shall clearly state this relationship and shall be conspicuously posted; (5) if the shuttle system operation is suspended, the permit parking program shall be suspended; (6) the ocean side of the Prospect shall have unrestricted parking; (7) a parking monitoring and reporting program designed to document the relationship of shuttle bus operation, residential permit parking program and its impact on public parking supply and to provide mechanisms to protect the public parking supply; (8) changes to the parking program areas or conditions will require an amendment to the LCP.

RESIDENTIAL DEVELOPMENT

More residential units are required to serve the needs of the residents of the City of Capitola. The Village area provides a place for residential and commercial / recreational activities. Change in land use policy will have to be made in order to ensure this mix continues.

Policy I-2 It shall be the policy of the City of Capitola to encourage mixed commercial/residential development in the Village and to designate certain existing residential areas as exclusively residential.

Implementation:

- a) The City shall rezone sites identified on the Land Use Map as appropriate for residential use.
- b) The Central Village Zoning District shall be revised to include a CV – R Central Village/Residential District exclusively for residential use.

II. PUBLIC ACCESS COMPONENT

The California Coastal Act of 1976 includes strong policies to assure public access to and along the shoreline. Section 30500(a) of the Act requires that each Local Coastal Program contain a specific public access component to assure that maximum public access to and along the coast and public recreational opportunities are provided.

30001.5.c

The legislature further finds and declares that the basic goals of the state for the coastal zone are to:

(c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protect rights of private property owners.

(d) Assure priority for coastal-dependent and coastal-related development over other development on the coast.

(e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

30210

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people, consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

30211

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

30212.5

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public or any single area.

30213

Lower cost visitor and recreational facilities and housing opportunities for persons of low and moderate income shall be protected, encouraged, and where feasible, provided. Developments providing public recreational opportunities are preferred. New housing in the coastal zone shall be developed in conformity with the standards, policies, and goals of local housing elements adopted in accordance with the requirements of subdivision (c) of Section 65302 of the Government Code.

From Local Coastal Plan Part 2 (page 24)

EXISTING ACCESS AND FUTURE DEMAND IN CAPITOLA

Working Paper Number One for the Capitola LUP entitled Access (issued in June, 1979) includes a description of existing vertical and lateral accessways and scenic vista points in the Capitola Coastal Zone. The Working Paper also includes a detailed survey of the parking situation in Capitola Village as a constraint to access. Additional work on parking and vehicular concerns was done by a transportation consultant and the data from those studies is also available for review.

The land adjacent to Capitola's shoreline is densely developed with residential development along the Cliff Drive and Grand Avenue bluffs, as well as a mixture of residential and commercial uses in Capitola Village adjacent to Capitola Beach. Vertical access to the sea from Cliff Drive and Grand Avenue is virtually impossible due to the height of the cliff and substantial continuing erosion. Users of the Capitola shoreline typically gain access from the Esplanade, the wharf area, or from New Brighton beach.

Following is a general description of the major lateral and vertical access areas and scenic overlooks.

CLIFF DRIVE

Two well-used viewpoints are located along Cliff Drive between the western city limit line and the wharf. Both pullouts are unpaved, have garbage cans and are lined with safety railings approximately five feet inland because the cliff was receding and undermining the posts. The western viewpoint is owned by the City and has room for approximately 11 cars. There are no benches, but people sometimes sit on the railing. Through a Coastal Conservancy Grant, the City has recently provided a stairway access to the beach. The city is developing a vista point along Cliff Drive in the turnout above the Hooper Beach stairway.

On the inland side of Cliff Drive, an unpaved area along the Southern Pacific right-of-way is used for public parking (approximately 50 spaces). The City has a formal agreement with Southern Pacific concerning use of this area. People going to Capitola Beach often park here and walk down to the beach. There are no sidewalks or bike paths in the City's narrow road right-of-way; this causes dangerous conflicts between pedestrians and vehicles. The City of Capitola has been given a grant by the Coastal Conservancy (for funding) to develop a paved parking lot on the Southern Pacific Railroad property.

HOOPER BEACH

This small beach is located west of the wharf. Access at the end of Wharf Road is down a roadway that is occasionally used as a boat ramp. There are 11 public parking spaces at the end of Wharf Road; 9 nearby in front of the Venetian Court and approximately 26 private spaces reserved for guests of the two motels. Pedestrian access is also obtained along the beach from the main beach to the east.

Underlying title to Hooper Beach is owned by Esther H. Hooper. There are no signs indicating that this beach is private and there are no barriers to keep the public out. On the beach itself are located two garbage cans and a City sign; "No dogs on beach – Capitola City Ordinance." These improvements were placed there by the City.

In recent years, the City’s maintenance of this beach has included lifeguard service (summer only), raking, litter pick-up and rat abatement in the rocks (principally in the new rip-rap placed below the Cliff Drive houses).

Public beach use is clearly evident. Also, small sailboats are stored on the beach during the summer.

SOQUEL CREEK

The Local Coastal Program Working Paper Number 1 – Access – described the issues and possibilities concerning public access along Soquel Creek. The Capitola General Plan Circulation Element has a policy that Soquel Creek have a pedestrian path from Highway One to the Village Center. In fact, the Soquel Creek corridor has a long history of public trail use. As development has taken place in the corridor, access has been altered, and in some cases, diminished.

Because of the sensitive nature of the riparian corridor and the habitat it provides for various species of resident and migratory birds (including the black crown night herons, which are on the Audobon Society “blue list”) an extension of the path, and especially the use of bridges, should not be required.

The dedications offered by Timmons, Rafaelo and Golino, for access easements should not be accepted by the City. However, the City shall accept and require scenic conservation easements to ensure that the banks of the creek are maintained in their natural conditions.

The City should continue to maintain the existing paths and provide for public access at the city-owned parks along the northerly reaches of the creek. In addition, the city should enhance the public’s abilities to reach upper Soquel Creek from the lagoon, by way of Riverview Drive and Wharf Road.

POLICIES AND IMPLEMENTATION FOR
PUBLIC ACCESS COMPONENT – CAPITOLA LCP

GENERAL POLICIES

Policy II-1 It shall be the policy of the City of Capitola to provide safe and adequate pedestrian access to and along the shoreline as designated in the Shoreline Access Plan (see Maps II-1,2, and 3).

Implementation:

- a) Develop ordinance to require dedications to implement the shoreline access plan.
- b) Use available coastal access and open space grant programs for acquisition and development (i.e. Coastal Conservancy and State Parks and Recreation).

Policy II-2 It shall be the policy of the City of Capitola to maintain the existing shuttle

Attachment: Relevant References LCP LUP (first reading ADUs)

bus system so that it serves as an alternative to automobile use and parking within the Village. Furthermore, the City shall continue to seek out and implement other parking alternatives that may become available in the future. The intensity of development within Capitola Village shall be limited to the availability of parking.

Implementation:

- a) Acquire a shuttle bus parking lot.
- b) Develop a financing mechanism for the shuttle bus.
- c) Periodically review parking innovations in other coastal communities for possible use in Capitola.

SPECIFIC POLICIES

Policy II-5 Obtain agreement from Southern Pacific and improve parking area on inland side of Cliff Drive within Southern Pacific and Cliff Drive rights of-way. This is intended to add to Wharf user parking.

Implementation:

Acquire necessary easements for long-term usage of Southern Pacific right-of-way for parking and utilize Coastal Conservancy funding for development.

HOOPER BEACH AREA

Policy II-7 Maintain, at minimum, the existing rights of the public to use the sandy beach.

Implementation:

None.

WHARF AREA

Policy II-9 Provide adequate parking nearby to support the wharf uses (specifically boat launching activities) and establish operational guidelines that minimize conflicts between pedestrians and Wharf traffic.

Implementation:

- a) Acquire necessary easements for long-term usage of Southern Pacific right-of-way for parking and utilize Coastal Conservancy funding for development.
- b) Develop concessionaire agreements that specify and limit types of uses of wharf consistent with Policy II-8.

Policy II-10 Improve the design of Wharf Road/Cliff Drive intersection to improve traffic circulation (see Exhibit II-1).

Implementation:

Place improvements for intersection within the City's Capital Improvements Program (1981-82).

CAPITOLA BEACH AREA:

Policy II-14 Maintain a commitment to all existing access walkways and paths to Capitola Beach.

Implementation:

Develop an inventory of all existing, as well as desired public accessways.

III. VISUAL RESOURCES AND SPECIAL COMMUNITIES COMPONENT

In summary, the sense of Capitola as a special community is threatened. The car has a continuing negative impact on the Village where parking demands take up valuable land in the Central Village area, and asphalt surfaces and open carports create a larger scale than is appropriate to the Village. New development should be sensitive to creating a small scale that is necessary for it to be consistent with the Village. Village Design Guidelines can help maintain and enhance the Village character while allowing individual freedom of expression.

Particularly important for Capitola Village is Section 30253(5) of the Coastal Act, which states:

New development shall:

- 5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

GENERAL POLICIES

Policy III-1 It shall be the policy of the City of Capitola to maintain the natural features, visual resources, and unique character of the Capitola Village. This includes maintenance of the particular scale and character of Capitola Village, retaining its special ability to serve both Capitola residents and visitors, protecting its natural features and views, and recognizing its historical continuity extending from the Camp Capitola period through the present. A commitment shall be made to maintaining the level of current activity in the Central Village area and/or intensifying activity and increasing capacity only in ways consistent with the current scale and character of Capitola Village.

Implementation:

- a) Develop project review criteria to preserve trees and other vegetation along Cliff Avenue and Prospect Avenue, along Soquel Creek and within the Village.

- b) Develop a special zoning district for the Village. The district shall include design review requirements to protect the unique Village character.

Policy III-2 It should be recognized that the historical continuity of development in Capitola Village is an evolutionary process that doesn't stop in the present. New styles of architecture may be as appropriate now as they have proved to be in the past. Capitola will continue to evolve as it has before, but should maintain a consistency of scale and a variety of architectural types to support the goal to preserve the special scale and character of historical Capitola Village.

Implementation:

Develop design review guidelines and a development review process for new construction and rehabilitation to ensure that building materials including siding, roofing, doors and windows are appropriate for the building design and the Village character.

Policy III-6 It shall be the policy of the City of Capitola to maintain the special character of Depot Hill. New development on Depot Hill shall be permitted only where designed to be compatible with the scale and architectural character of the area.

Implementation:

Require Architectural and Site review for all development in the Depot Hill area.

SPECIFIC POLICIES

General Appearance of Capitola

Policy III-7 To ensure the maintenance of the special scale and character of Capitola Village development proposals within the Village area shall be subject to Arch & Site and Planning Commission Review with emphasis placed on the following design particulars:

- a) Building bulk, width, height and roofscape (the overall building envelope and the scale of the pieces within this envelope).
- b) Architectural thematic units including:
 1. Window size and scale and frame materials.
 2. Color variety.
 3. Materials variety.
 4. Signage.
 5. Scale of articulation.

- c) Street thematic units including:
 1. Trees, ground cover and foliage.
 2. Street, path and public space lighting.
 3. Paving patterns and paving materials.
 4. Traffic and parking furniture (directional signs, directional islands, bicycle racks, etc.).
 5. Signage.
- d) A continuing program for the removal of utility poles and undergrounding of overhead wires.

Implementation:

Incorporate policy direction in Planning Commission and Arch & Site Review of projects in the Village Area consistent with Policies III-7, III-9 & III-14.

- Policy III-8 Where replacement of structures is permitted, new buildings need not necessarily be copies of older ones, but should be build with scale, materials, and a sensitivity to the spirit of adjacent buildings and the prior structure.

Implementation:

Incorporate policy direction in Planning Commission and Architectural & Site Review of projects in Village area consistent with this policy.

Natural Features

- Policy III-10 The City shall identify architecturally and historically significant structures and provide for their protection. These include special, unique structures in Capitola Village and surrounding bluffs, both private and public.

Implementation:

- a) Complete a survey of architecturally and historically significant structures and those requiring special design review.
- b) Develop special design criteria for the redevelopment and/or restoration of architecturally and historically significant structures to preserve those qualities that are found to be unique.
- c) In the Village area, ground floor or on-site parking shall be limited to those areas designated on Exhibit B or as provided in LCP Policy 1.1.

Scale, Activity and Special Community Character

Policy III-12 Maintenance and emphasis on small individual businesses oriented primarily to the pedestrian, and discourage large scale conglomerations of shops surrounded by off-street parking. Establish a desirable range to the size and scale of the Village commercial facilities including square footage and street frontage. The intensity of development shall be limited to the availability of parking or alternative transportation systems such as a shuttle buss and remote parking. Relate sign and access regulations to pedestrian movement and physical character appropriate to particular areas in the Central Village.

Implementation:

- a) Develop Village/beach parking requirements that require new developments to provide parking.
- b) Prepare a standard aesthetically pleasing design for all access signs in accordance with the policies of the Visual Resource Component (III), and Coastal Guidelines.

Policy III-15 Long-term and short-term housing should be maintained and encouraged, consistent with maintaining a balance with permanent resident and visitor's uses of the Village as a special community.

Implementation:

Incorporate policy direction in Planning Commission and Architectural and Site Review of projects in Village area consistent with this policy.

Policy III-16 Within the architectural style and character of the Village, residential units should be considered as a part of commercial development to maintain and enhance the mixed commercial/residential character of the Village. These requirements should extend along Capitola Road to 45th Avenue and Capitola Avenue to Bay Avenue.

Implementation:

- a) Develop the necessary regulations to insure consideration for the inclusion of residential units in all the Village development.
- b) Adopt Commercial/Residential Zone district for Capitola Road.

Visual Aspects of Access and Circulation

Policy III-17 Large open parking lots are visually disruptive and pre-empt valuable land locations from being used for the kind of human activity that translates into Village life. The current public parking supply in the Central Village area should not be increased by covering more land. (New parking areas within the Village shall be limited to the provisions of LUP Policy 1-1.) If peripheral parking areas or other alternatives are to be developed, they should be designed, operated and maintained as a visual resource to the Village.

Implementation:

- a) Develop ordinance that limits development to the provision of additional parking.
- b) Acquire long-term use of land for remote parking lot to serve the shuttle bus system.
- c) Develop a permanent shuttle bus financing system to operate as long as there is a parking shortage. Develop objective criteria for determining the existence of a parking shortage, including shuttle bus ridership use. Provide that the discontinuance of the shuttle system requires prior approval of the Coastal Commission.
- d) The City shall periodically review alternative transportation systems being utilized by other coastal communities for application in Capitola.

IV. RECREATION & VISITOR SERVING FACILITIES

BACKGROUND

The City of Capitola has a number of natural and manmade resources which have made it an increasingly popular destination point for visitors. These visitors are from Santa Cruz County, many are from the San Francisco Bay Area, and others from more distant parts of the state as well as the nation. The popularity of Capitola for tourism and recreation is not a new phenomenon, however, as the beach, Village, and Depot Hill areas were the sites of a thriving resort in the late 19th Century and early 20th Century. Now, with the increased commercial

importance of the City, the revitalization of the Village, and the restoration of the Wharf, it can be expected that visitor attendance will increase.

RELEVANT COASTAL ACT POLICIES

The Coastal Act contains several sections that relate to recreation and visitor-serving facilities.

SEC. 30212.5

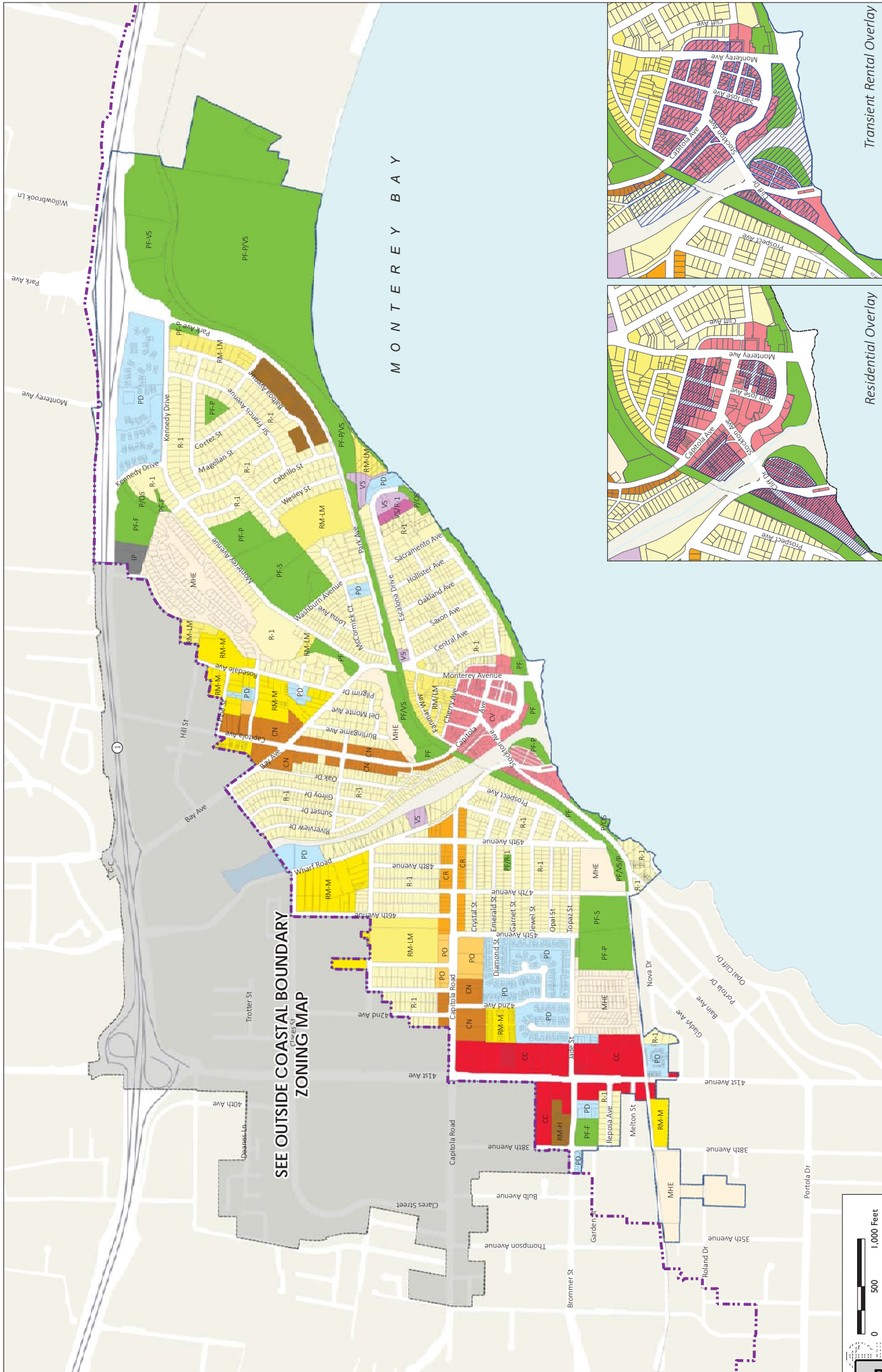
Whenever appropriate and feasible, public facilities, including parking areas or facilities shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

SEC. 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

SEC. 30223

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.



SEE OUTSIDE COASTAL BOUNDARY ZONING MAP

Commercial/Office/Industrial Districts

- PO - Professional Office
- CR - Commercial/Residential
- CN - Neighborhood Commercial
- CV - Central Village
- CC - Community Commercial

Industrial Districts

- IP - Industrial Park
- Other Districts

Residential Districts

- R-1 - Single-Family Residential
- RM-LM - Multi-Family Residential Low-Medium Density
- RM-M - Multi-Family Residential Medium Density
- RM-H - Multi-Family Residential High Density
- MHE - Mobile Home Exclusive

Other Districts

- VS - Visitor Serving
- PD - Planned Development (activity limit)

Automatic Review Overlay

- Automatic Review Overlay

Residential Overlay

- Residential Overlay

Transient Rental Overlay

- Transient Rental Overlay

Coastal Zone

- CZ - Coastal Zone

Samta Cruz Coastal Zone Boundary

- Samta Cruz Coastal Zone Boundary

Combining District

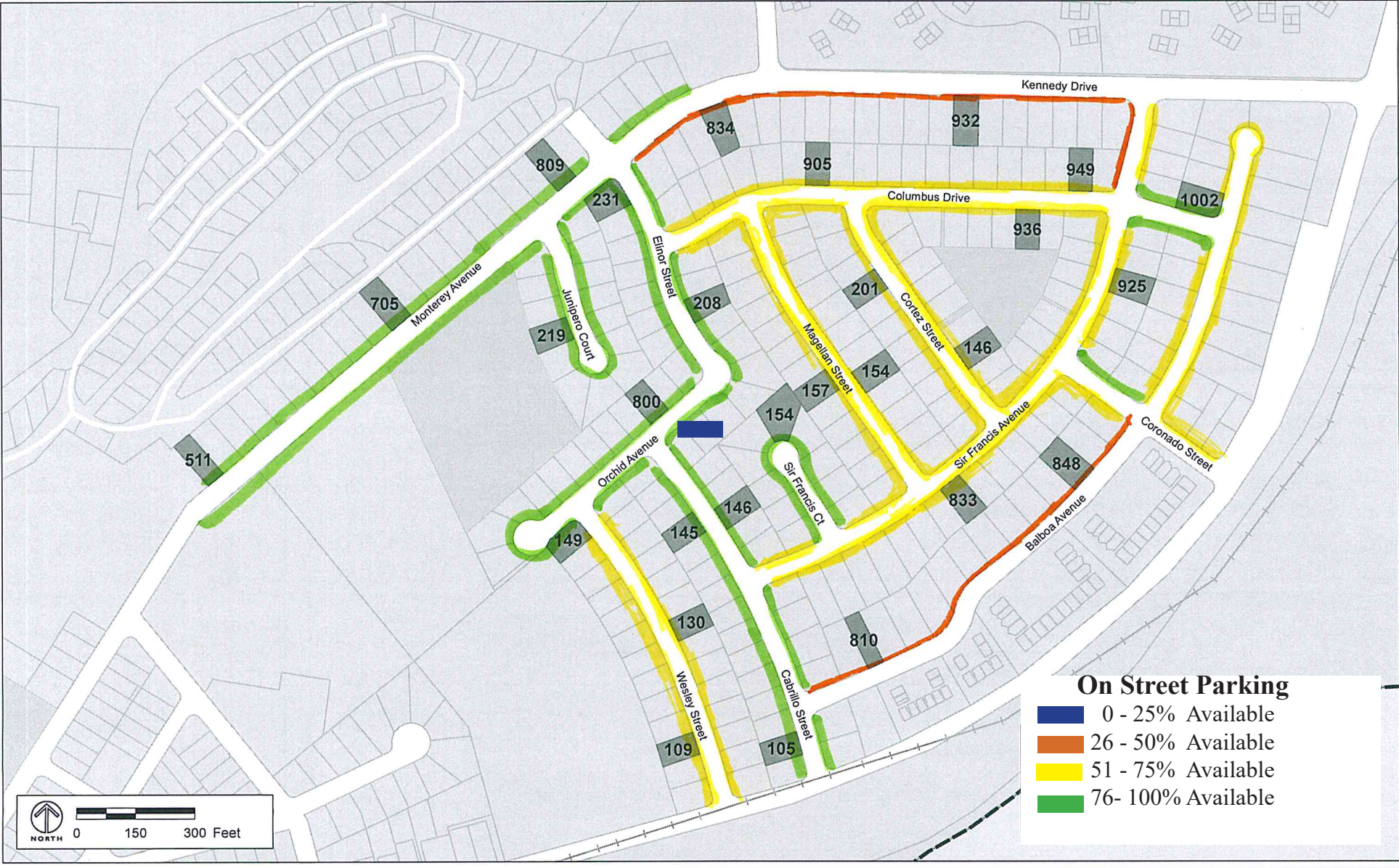
- F - Facility
- P - Park
- OS - Open Space
- S - School

Scale: 0, 500, 1,000 Feet

Source: ESRI, 2017; City of Capitola, 2018; PlaceWorks, 2018.

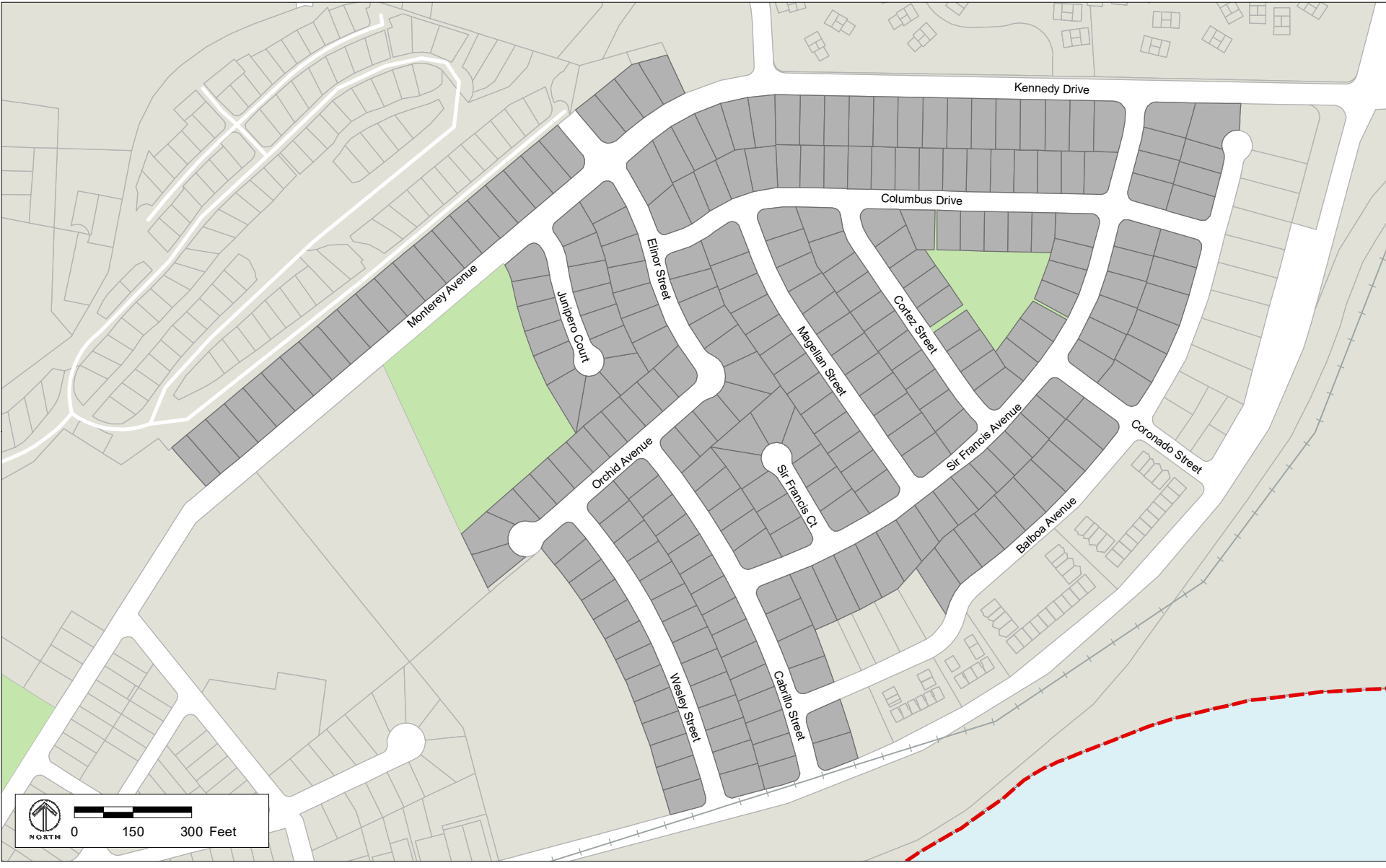
Attachment: Old Zoning Map_Inside Coastal Boundary (first reading ADUs)

CITY OF CAPITOLA



Attachment: Cliffwood Heights Map of Street Parking Demand (first reading ADUs)

CITY OF CAPITOLA





Attachment: Planning Commission recommended area for parking exception (first reading ADUs)

■ PC Recommended Area for Parking Exception selection
■ City Limit

CITY OF CAPITOLA



 Parking Exception excluding Kennedy Drive and Balboa Avenue selection

 City Limit

Attachment: Cliffwood Heights Parking Exception excluding Kennedy Dr and Balboa Ave (first reading)

Cliffwood Heights Parking Counts

Measures Spaces Used / Spaces Available					
02.13.20 PM	02.14.20 AM	02.18.20 PM	02.19.20 AM	Average Occupancy Per Driveway	Address
1/3	1/3	0/3	2/3	33%	848 Balboa Avenue
1/2	0/2	1/2	1/2	38%	1002 Balboa Avenue
1/2	0/2	1/2	0/2	25%	105 Cabrillo Street
2/2	0/2	2/2	0/2	50%	145 Cabrillo Street
0/2	1/2	1/2	1/2	38%	146 Cabrillo Street
1/2	0/2	1/2	0/2	25%	905 Columbus Drive
1/2	1/2	1/2	1/2	50%	936 Columbus Drive
1/2	1/2	1/2	1/2	50%	949 Columbus Drive
0/2	1/2	1/2	1/2	38%	146 Cortez Street
-	1/2	1/2	0/2	33%	201 Cortez Street
0/2	1/2	1/2	1/2	38%	208 Elinor Street
1/2	2/2	0/2	2/2	63%	231 Elinor Street
0/2	-	0/2	1/2	17%	219 Junipero Court
2/2	0/2	1/2	0/2	38%	932 Kennedy Drive
1/2	1/2	1/2	1/2	50%	154 Magellan Street
0/2	2/2	0/2	2/2	25%	157 Magellan Street
2/2	0/2	1/2	1/2	50%	511 Monterey Avenue
1/2	0/2	1/2	0/2	25%	705 Monterey Avenue
2/2	2/2	1/2	2/2	88%	809 Monterey Avenue
3/2	0/2	1/2	0/2	50%	834 Monterey Avenue
-	0/2	2/2	0/2	33%	800 Orchid Avenue
1/2	1/2	0/2	1/2	38%	833 Sir Francis Avenue
-	0/2	0/2	1/2	17%	925 Sir Francis Avenue
1/2	1/2	0/2	1/2	38%	154 Sir Francis Court
2/2	1/2	2/2	0/2	63%	109 Wesley Street
0/2	2/2	1/2	1/2	50%	130 Wesley Street
1/2	1/2	1/2	1/2	50%	149 Wesley Street

Attachment: Cliffwood Heights - Driveway Parking Counts (first reading ADUs)

Average Driveway Occupancy By Day	
February 13 (PM)	49.0%
February 14 (AM)	37.7%
February 18 (PM)	41.8%
February 19 (AM)	40.0%



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF FEBRUARY 27, 2020

FROM: City Manager Department

SUBJECT: Municipal Code Chapter 8.36: Environmentally Acceptable Packaging Materials Enforcement

RECOMMENDED ACTION: Receive report and give direction.

BACKGROUND: In 2006, the City of Capitola added Municipal Code Chapter 8.36: Environmentally Acceptable Packaging Materials that bans the use of polystyrene foam containers in retail and food establishments. Also included in the ordinance is a requirement for all food vendors to use biodegradable and compostable items for all single-use food service ware including straws.

In the past, the City has used a local non-profit to perform outreach. The City has communicated with all food service vendors via letter on multiple occasions about the requirements. This item is on the agenda at the request of Vice Mayor Brooks who requested a review of the City's food ware enforcement efforts.

DISCUSSION: Municipal Code 8.36 enforcement protocols have been complaint based. When the City receives information that a food vendor is not using the correct food service ware, Staff take the following steps.

- Communicates the violation to the vendor.
- Follows up with vendor to see if there are questions.
- Works with vendor to help find an acceptable product
- Performs site visit to verify violation is corrected.

The code includes the ability to levy fines for violations; however, the City has never levied any fines.

Staff has been in communication with other jurisdictions with similar ordinances to see how they handle enforcement. All jurisdictions contacted have complaint-based systems. All jurisdictions attempt to work with vendors at different levels. None of the jurisdictions had levied fines on businesses at this time. One city sent its Environmental Program Specialist to a 40-hour PC 832 arrest law enforcement class so s/he would have the ability to issue administrative citations. No citations have been issued at this time.

Municipal Code Chapter 8.36, including the enforcement protocols, were reviewed by the Commission on the Environment in late 2019. Although there were no formal recommendations, some members of the Commission gave feedback suggesting it could be improved with a more

Discuss Polystyrene Ordinance
February 27, 2020

detailed enforcement process and potentially more significant penalties for violations. Other comments included more guidance for businesses and residents, as well as the specific inclusion of straws in the ordinance.

In addition, some jurisdictions in Santa Cruz County have passed ordinances that will require a charge for takeout cups, similar to the charges for a single use paper bag in Capitola.

Enforcement of Municipal Code chapter 8.36 has been the responsibility of staff. The use of volunteers or contractors has not been considered due to the level of responsibility necessary, liability, and other concerns.

The options for the City moving ahead with the program include;

- Continuing with current complaint-based enforcement.
- Perform additional outreach to the business community, either through increased staff time devoted to the effort or a new contract with a nonprofit.
- Modify the enforcement program.
- Modify existing code to include more guidance for businesses in complying and more substantial penalties for those businesses that don't comply.

FISCAL IMPACT: Fiscal impact will depend on the Council direction.

ATTACHMENTS:

1. Capitola Municipal Code 8.36

Report Prepared By: Larry Laurent
Assistant to the City Manager

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

2/21/2020

Chapter 8.36 ENVIRONMENTALLY ACCEPTABLE PACKAGING MATERIALS

Sections:

- [8.36.010](#) Findings and intent.
- [8.36.020](#) Definitions.
- [8.36.030](#) Prohibited food service ware.
- [8.36.035](#) Prohibited retail sales.
- [8.36.040](#) Required biodegradable and compostable disposable food service ware.
- [8.36.050](#) Exemptions.
- [8.36.060](#) Liability and enforcement.
- [8.36.070](#) Violations – Penalties.
- [8.36.080](#) Study.

8.36.010 Findings and intent.

The city council finds and declares:

- A. The city has a duty to protect the natural environment, the economy, and the health of its citizens.
- B. Effective ways to reduce the negative environmental impacts of throw-away food service ware include reusing food service ware and using compostable and biodegradable take-out materials made from renewable resources such as paper, corn starch and sugarcane.
- C. Polystyrene foam is a common environmental pollutant as well as a nonbiodegradable substance that is commonly used as food service ware by food vendors operating in the city.
- D. There continues to be no meaningful recycling of polystyrene foam food service ware and biodegradable or compostable food service ware is an affordable, safe, more ecologically sound alternative.
- E. Affordable biodegradable or compostable food service ware products are increasingly available for several food service applications such as cold cups, plates and hinge containers and these products are more ecologically sound than polystyrene foam materials and can be turned into a compost product.
- F. New Leaf Markets, Grinds Coffee Shop, and other Capitola businesses have successfully eliminated the use of polystyrene and nonbiodegradable packaging materials in the operation of their businesses.
- G. The Oakland Coliseum has successfully replaced its cups with biodegradable cornstarch cups and has shown an overall cost savings due to organics recycling.
- H. Over one hundred fifty-five businesses in Oakland engage in organics recycling and it has been demonstrated that the use of biodegradable or compostable food service ware can reduce waste disposal costs when the products are taken to composting facilities as part of an organics recycling program rather than disposed in a landfill.
- I. The natural compost product from these biodegradable or compostable materials is used as fertilizer for farms and gardens, thereby moving towards a healthier zero waste system.
- J. Disposable food service ware constitutes a large portion of the litter in Capitola's lagoon, waterways and storm drains, and on the beaches, streets, parks and public places and the cost of managing this litter is high and rising.
- K. Polystyrene foam is notorious as a pollutant that breaks down into smaller, nonbiodegradable pieces that are ingested by marine life and other wildlife thus harming or killing them.
- L. Due to the physical properties of polystyrene, the EPA states "that such materials can also have serious impacts on human health, wildlife, the aquatic environment and the economy."
- M. A 1986 EPA report on solid waste named the polystyrene manufacturing process as the fifth largest creator of hazardous waste in the United States.

N. In the product manufacturing process as well as the use and disposal of the products, the energy consumption, greenhouse gas effect, and total environmental effect, polystyrene's environmental impacts were second highest, behind aluminum, according to the California Integrated Waste Management Board.

O. Styrene, a component of polystyrene, is a known hazardous substance that medical evidence and the Food and Drug Administration suggests leaches from polystyrene containers into food and drink.

P. Styrene is a suspected carcinogen and neurotoxin which potentially threatens human health.

Q. Styrene has been detected in the fat tissue of every man, woman and child tested by the EPA in a 1986 study.

R. The general public is not typically warned of any potential hazard, particularly in the immigrant and non-English-speaking community.

S. Due to these concerns nearly one hundred cities have banned polystyrene foam food service ware including several California cities, and many local businesses and several national corporations have successfully replaced polystyrene foam and other nonbiodegradable food service ware with affordable, safe, biodegradable products.

T. Restricting polystyrene foam products that are not wholly encapsulated or encased by a more durable material and replacing non-biodegradable food service ware with biodegradable food service ware products in Capitola will further protect the public health and safety of the residents of Capitola, the city of Capitola's natural environment, waterways and wildlife, would advance the city's goal of developing a sustainable city, advance the city's goal of zero waste by 2020 and fulfill Article 10 of the Environmental Accords, whereby Capitola partnered with other cities across the globe in signing a commitment to eliminate or restrict the use of one chemical or environmental hazard every year. (Ord. [964](#) § 1, 2011; Ord. [913](#) § 2, 2006)

8.36.020 Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall have the meanings set forth below:

A. "Affordable" means purchasable by the food vendor for same or less purchase cost than the non-biodegradable, non-polystyrene foam alternative.

B. "ASTM standard" means meeting the standards of the American Society for Testing and Materials (ASTM) international standards D6400 or D6868 for biodegradable and compostable plastics.

C. "Biodegradable" means the entire product or package will completely break down and return to nature, i.e., decompose into elements found in nature within a reasonably short period of time after customary disposal.

D. "Compostable" means all materials in the product or package will break down into, or otherwise become part of, usable compost (e.g., soil-conditioning material, mulch) in a safe and timely manner in an appropriate composting program or facility, or in a home compost pile or device. Compostable disposable food service ware includes ASTM standard bio-plastics (plastic-like products) that are clearly labeled, preferably with a color symbol, such that any compost collector and processor can easily distinguish the ASTM standard compostable plastic from non-ASTM standard compostable plastic.

E. "City facilities" mean any building, structure or vehicles owned or operated by the city of Capitola, its agent, agencies, departments and franchisees.

F. "Customer" means any person obtaining prepared food, merchandise or product from a restaurant or retail food vendor, or retail vendor.

G. "Disposable food service ware" means all containers, bowls, plates, trays, cartons, cups, forks, spoons, knives and other items that are designed for one-time use and on, or in, which any restaurant, retail vendor or retail food vendor directly places or packages prepared foods or which are used to consume foods. This includes, but is not limited to, service ware for takeout foods and/or leftovers from partially consumed meals prepared at restaurants, sold at restaurants, retail vendors or retail food vendors.

H. "Food vendor" means any restaurant or retail food vendor located or operating within the city of Capitola.

I. "Polystyrene foam" means and includes blown polystyrene and expanded and extruded foams (sometimes called Styrofoam, a Dow Chemical Co. trademarked form of polystyrene foam insulation) which are thermoplastic petrochemical materials utilizing a

styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, foam molding, and extrusion-blow molding (extruded foam polystyrene). Polystyrene foam is generally used to make cups, bowls, plates, trays, clamshell containers, meat trays and egg cartons.

J. "Prepared food" means food or beverages, which are served, packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed or otherwise prepared on the food vendor's premises or within the city of Capitola. For the purposes of this ordinance, prepared food includes raw, butchered meats, fish and/or poultry sold from a butcher case or similar retail appliance. Prepared food may be eaten either on or off the premises, also known as "takeout food."

K. "Product" means any product such as coolers, cups, bowls, plates, clamshells, containers, ice chests, packing peanuts or other packing materials, beach or pool toys, or any other product or merchandise containing polystyrene foam that is not encapsulated or encased by a more durable material.

L. "Restaurant" means any establishment located within the city of Capitola that sells prepared food for consumption on, near, or off its premises by customers. Restaurant for purposes of this chapter includes itinerant restaurants, pushcarts and vehicular food vendors.

M. "Retail food vendor" means any store, shop, sales outlet, or other establishment, including a grocery store or a delicatessen, other than a restaurant, located within the city of Capitola that sells prepared food.

N. "Retail vendor" means any store that sells goods or merchandise located or operating within the city of Capitola.

O. "Special events promoter" means an applicant for any special events permit issued by the city or any city employee(s) responsible for any city organized special event. (Ord. [964](#) § 2, 2011; Ord. [939](#) § 1, 2009; Ord. [913](#) § 2, 2006)

8.36.030 Prohibited food service ware.

A. Except as provided in Section [8.36.050](#), food vendors are prohibited from providing prepared food to customers in disposable food service ware that uses polystyrene foam.

B. All city facilities are prohibited from using polystyrene foam disposable food service ware and all city departments and agencies will not purchase or acquire polystyrene foam disposable food service ware for use at city facilities.

C. City franchisees, special event promoters, contractors and vendors doing business with the city shall be prohibited from using polystyrene foam disposable food service ware in the city of Capitola. (Ord. [964](#) § 3, 2011; Ord. [939](#) § 1, 2009; Ord. [913](#) § 2, 2006)

8.36.035 Prohibited retail sales.

No retail vendor or special event promoter in the city of Capitola may sell, rent or otherwise provide any polystyrene foam product which is not wholly encapsulated or encased within a more durable product, except as exempted in Section [8.36.050](#). This specifically includes, but is not limited to, cups, plates, bowls, clamshells and other products intended primarily for food service use, as well as coolers, containers, ice chests, pool or beach toys, packing peanuts or other packaging materials. (Ord. [964](#) § 4, 2011)

8.36.040 Required biodegradable and compostable disposable food service ware.

A. All food vendors using any disposable food service ware will use biodegradable or compostable disposable food service ware unless they can show a biodegradable or compostable product is not available for a specific application or does not exist. A food vendor may charge a "take out fee" to customers to cover the cost difference.

B. All city facilities will use biodegradable or compostable disposable food service ware.

C. City franchises, special events promoter, contractors and vendors doing business with the city will use biodegradable or compostable disposable food service ware unless they can show a biodegradable or compostable product is not available for a specific application or does not exist. (Ord. [964](#) § 5, 2011; Ord. [939](#) § 1, 2009; Ord. [913](#) § 2, 2006)

8.36.050 Exemptions.

A. Prepared foods prepared or packaged outside the city of Capitola are exempt from the provisions of this chapter. Purveyors of food prepared or packaged outside the city of Capitola are encouraged to follow the provisions of this chapter.

B. Food vendors will be exempted from the provisions of this chapter for specific items or types of disposable food service ware if the city manager or designee finds that a biodegradable or compostable alternative does not exist.

C. To apply for an exemption from the requirement set forth in Section [8.36.040](#), a food vendor must submit an application to the city manager. The application shall include all information necessary for the city manager or the manager's designee to make a decision, including, but not limited to, documentation showing factual support for the claimed exemption.

D. Disposable food service ware composed entirely of aluminum is exempt from the provisions of this chapter.

E. Meat trays are exempt from the provisions of this chapter.

F. Products wholly encapsulated or encased by another non-polystyrene product, are exempt from the provisions of this chapter. Examples include surfboards, boats, life preservers, construction materials, craft supplies and durable coolers not principally composed of polystyrene.

G. Emergency Supply and Services Procurement: In a situation deemed by the city manager to be an emergency for the immediate preservation of the public peace, health or safety, city facilities, food vendors, retail vendors, city franchises, contractors and vendors doing business with the city shall be exempt from the provisions of this chapter. (Ord. [964](#) § 6, 2011; Ord. [939](#) § 1, 2009; Ord. [913](#) § 2, 2006)

8.36.060 Liability and enforcement.

A. The city manager or designee will have primary responsibility for enforcement of this chapter. The city manager or designee is authorized to promulgate regulations and to take any and all other actions reasonable and necessary to enforce this chapter, including, but not limited to, entering the premises of any food or retail vendor to verify compliance.

B. City facilities, food vendors, retail food vendors, retail vendors and restaurants will be given three months from the effective date of the ordinance codified in this chapter to comply with the provisions herein.

C. If, after the first three months of the effective date of the ordinance codified in this chapter, the city manager or designee determines that a violation of this chapter occurred, he or she will issue a written warning notice to the retail food establishment that a violation has occurred, specifying a three month time period for the food or retail vendor to conform to the provisions of this chapter.

D. Violation or failure to comply with any of the requirements of this chapter shall constitute an infraction pursuant to Title [4](#) of the Capitola Municipal Code.

E. The city attorney may seek legal, injunctive, or other equitable relief to enforce this chapter. (Ord. [964](#) § 7, 2011; Ord. [913](#) § 2, 2006)

8.36.070 Violations – Penalties.

A. If the city manager or designee determines that a violation of this chapter has occurred, he or she will issue a written warning notice to the food or retail vendor or special event promoter that a violation has occurred, and give the offending party three months to conform to the provisions of this chapter.

B. If the food or retail vendor or special events promoter has subsequent violations of this chapter, the following penalties will apply:

1. A fine not exceeding one hundred dollars for the first violation after the warning notice is given.
2. A fine not exceeding two hundred dollars for the second violation after the warning notice is given.
3. A fine not exceeding five hundred dollars for the third and any future violations after the warning notice is given. (Ord. [964](#) § 8, 2011; Ord. [939](#) § 1, 2009; Ord. [913](#) § 2, 2006)

8.36.080 Study.

One year after the effective date of the ordinance codified in this chapter, the city manager will conduct a study on the effectiveness of this chapter. (Ord. [913](#) § 2, 2006)

The Capitola Municipal Code is current through Ordinance 1030, passed April 25, 2019.

Disclaimer: The City Clerk's Office has the official version of the Capitola Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF FEBRUARY 27, 2020

FROM: City Manager Department
SUBJECT: Receive Report on Historic Carousel

RECOMMENDED ACTION: Receive report and give direction.

BACKGROUND: The City of Capitola had a carousel running near the beach at times during the early part of the 20th century. The last carousel was first set up in 1955 where Zelda's Restaurant deck is currently located. The carousel, which was designed to be somewhat portable, was usually setup and taken down each summer. The carousel was approximately 35 feet in diameter and included 20 aluminum horses and two chariots for riding. Around 1965, the carousel was no longer set up on a regular basis.

Research indicates the carousel that was in Capitola was relocated to Casa de Fruta and then to the Red Barn Flea Market in Aromas. The carousel was operated into at least the early 2000s.

In the past, the City attempted to purchase the carousel from the Red Barn, but there was no interest in selling it.

In 2016, the City was contacted by the operator of the Red Barn to see if the City had interest in the carousel. City staff, the museum curator, and a carousel expert went to the Red Barn to see the carousel. The carousel had not run in several years. The carousel was confirmed to be the correct manufacturer and vintage to be the one that was installed in Capitola. Unfortunately, the operator of the Red Barn placed a much higher monetary value on the carousel than the City did, so no agreement could be reached.

In 2019, an appraiser in charge of liquidating Red Barn assets contacted the City to see if there was interest in purchasing the carousel. Staff again conducted a site visit. It appears that some rehabilitation work has been started, with 15 of the 20 horses in various states of restoration, but staff was not able to ascertain if all the parts were on site. The canopy has not been found.

DISCUSSION: Staff does not know exactly what would need to be done to make the carousel operational. Prior to the carousel being put into service there would be an extensive investigation on both the safety and operational requirements of a carousel. Staff could bring back those steps and cost to the City Council at a later date.

Because there is no obvious location where the carousel could be permanently installed, it will need to be stored. Staff believes the City has an appropriate storage location.

Staff spoke with a restorer to get information on the cost to finish the restoration and to get the carousel running again. The restorer initial thought was that it would take 25 to 30 hours to

Carousel
February 27, 2020

repaint a horse from scratch and between half a day and a full day to finish the work on the horses that restoration had already began. The restorer is looking into the costs to restore the remainder of the carousel. Staff has found that functioning carousels of similar vintage generally cost between \$50,000 and \$100,000. The entity responsible for liquidating Red Barn assets believes \$15,000 for the carousel would be approved by the trustee.

If the Council wishes to pursue acquisition of the carousel, staff suggests authorizing the City Manager to negotiate a purchase agreement for future Council consideration.

FISCAL IMPACT: Fiscal impact will depend on Council direction.

ATTACHMENTS:

1. 1999 Sentinel Carousel Article
2. Carousel images

Report Prepared By: Larry Laurent
Assistant to the City Manager

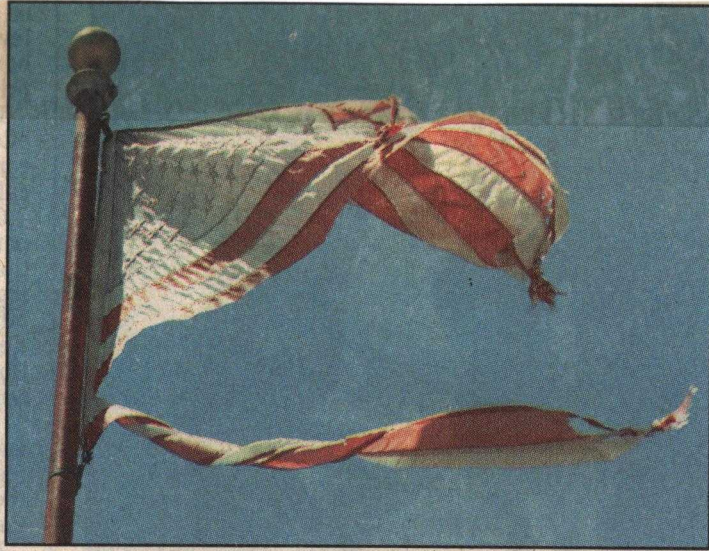
Reviewed and Forwarded by:



Jamie Goldstein, City Manager

2/21/2020

Round, round she goes



Carousel fans aim to bring Capitola's family-friendly merry-go-round back to the Village



Bill Lovejoy/Ser

Attachment: 1999 Sentinel Carousel Article (Carousel)

Capitola's most recent carousel is now in Aromas, but the current owner isn't interested in selling. Advocates of bringing the attraction back — or even a different carousel — say it will help restore the Esplanade's family atmosphere

City planners reach for the brass ring

By ANNA MARIA BASQUEZ
Sentinel staff writer

CAPITOLA — If the Esplanade seems like a circus these days, just wait.

Long before Capitola's beachside evolved into a row of eateries and bars, children spent sunny afternoons riding one of three merry-go-rounds the Village has hosted at different times this century.

Liz Urbancic, whose husband ran the ride in the 1950s, says it was a symbol of a different era.

"I like it because it's part of the past, part of old Capitola when it was quiet and family-oriented, and when you didn't have to go to Santa Cruz to ride a merry-go-round," she said.

Now fans want to bring that era — and the

merry-go-round — back through the proposed Village Master Plan.

"There's a lot of eating places there now where people can get watered — drinking establishments and bars," said planning commissioner Bruce Arthur. "I think it would bring more of a family flavor back in."

Arthur plans to head up an effort either to get the last one back, or else bring something like it into the Village.

Capitola is fast approaching its 50th anniversary and is looking to claim its spot in the Santa Cruz County history book. Bringing back the icon that graced the Esplanade in the 1930s, 1950s and some of the 1970s might be an answer.

The current owners of Capitola's last merry-

go-round say they won't part with it.

"I wouldn't be interested in selling it," said Fran Ellingwood, owner of The Red Barn antique shop in Aromas and who has the planade carousel of the 1950s. "Why should sell it? Children who come here love it. I'm sorry, but I'm sure there are other carousels there."

While most Capitolans applaud the steps the city is taking to restore its history, many criticize officials as inconsistent.

The city and its historic committees ignore the owners of the Capitola Theater, who fought to save the age-old movie projectors.

The two large arched antiques finally were

Please see C

Continued from Page A1

pushed out the theater's windows and destroyed, destined to become scrap metal.

Even more recently, Capitola History Museum officials had to fight a proposal by the Capitola Village Master Plan to pave a road right through the museum.

Still, the idea to bring back childhood memories has some holding fast to the idea.

"It's basically a dream right now and I think it would take a lot of hard work before it can become reality," Arthur said.

Carolyn Swift, history museum director, said a movement in the 1970s to bring the carousel back

fell flat. As the artsy, hippy counter-culture took hold of the Village, childhood history bowed out, she said.

But there was a time the community stood behind it all the way.

"There was a (1958) storm that washed out all the horses and sent them all scattering down the street," Swift said. "Everybody brought them all back."

Part of the reason it was moved was because of the storm threat, she said.

"That's one of the things you have to consider with bringing anything to the Esplanade," she said. "You always have to prepare for the worst.

"People are saying that all the

time: 'Let's bring back the merry-go-round.' That would be great but you have to consider all the nuts and bolts of it first."

The 1930s merry-go-round sat in the place where the Paradise Beach Grille now is located, according to Urbancic.

In the 1950s the carousel was placed where Zelda's decks are today. And in the 1970s it was temporarily placed across from the Esplanade.

Urbancic isn't certain the old days can be brought back.

The idea of bringing the merry-go-round back into the Village may simply be a scheme to see "how much money can we get out of tourists when they come," she said.



Carousel in Capitola (1950s)



Carousel at the Red Barn (2000s)

Attachment: Carousel images (Carousel)



Carousel Horses at Red Barn



Carousel Parts at Red Barn

Attachment: Carousel images (Carousel)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF FEBRUARY 27, 2020

FROM: Community Development

SUBJECT: Introduce an Ordinance Amending Chapter 17.80 Signs

RECOMMENDED ACTION: Approve the first reading and waive reading of the text of the proposed Ordinance amending Title 17 to align with recent legal decisions regarding non-commercial signs.

BACKGROUND: This amendment proposes updates to Chapter 17.80 regulating signs and incorporates non-commercial allowances based on recent court rulings. On February 5, 2020, the Planning Commission reviewed the draft ordinance amendments and recommended approval.

DISCUSSION: The changes to the sign code are related to the United States Supreme Court decision on *Reed v. Town of Gilbert*, which found that sign restrictions that are not content-neutral violate the First Amendment. The decision also set forth a rigid test for assessing content neutrality and mandated that “strict scrutiny” judicial review applies to laws that target speech based on its communicative intent. Due to the wide-ranging impacts of this decision, cities in California are being advised to ensure their sign codes comply with the court’s strict approach to defining content neutrality.

The City Attorney recommends several changes to the regulations for signs, including:

1. Adding language allowing noncommercial content wherever commercial content is allowed.
2. Adding definitions for “commercial message,” “commercial sign,” and “election period.”
3. Adding a section allowing small temporary noncommercial signs on residential property.
4. Adding “Message Neutrality,” “Message Substitution,” “Prohibited Sign Content,” “Other Government-Installed Signs,” and “Signs in the Coastal Zone” sections

CEQA: This action to adopt an ordinance to amend section 17.80 of the Capitola Municipal Code related to signs is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) pursuant to Guidelines Sections 15061(b)(1), 15061(b)(2), and specifically, the “General Rule” Section 15061(b)(3), where it can be seen with certainty that the proposed action will have no significant effect on the environment, projects are exempt from the requirements of CEQA.

FISCAL IMPACT: None

First Reading of an Ordinance Amending Chapter 17.80 Signs
February 27, 2020

Report Prepared By: Katie Herlihy
Community Development Director

Reviewed and Forwarded by:

First Reading of an Ordinance Amending Chapter 17.80 Signs
February 27, 2020

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY OF CAPITOLA AMENDING 17.80 SIGNS TO INCORPORATE MESSAGE NEUTRALITY STANDARDS FOR COMMERCIAL AND NONCOMMERCIAL SIGNS

WHEREAS, Chapter 17.80 of the Capitola Municipal Code establishes the City's regulations regarding signs; and

WHEREAS, in the case of *Reed v. Town of Gilbert* (2015) 135 S.Ct. 2218, the United States Supreme Court held that absent a compelling reason, a city may not provide preferential treatment in providing opportunities for posting noncommercial messages on signs based on the sign's content; and

WHEREAS, the proposed amendments to Chapter 17.80 incorporate message neutrality standards for commercial and noncommercial signs protected by the First Amendment to the U.S. Constitution; and

WHEREAS, the proposed amendments to Chapter 17.80 allow temporary noncommercial signs on private property; and

WHEREAS, the proposed amendments to Chapter 17.80 further the City's interest in both aesthetics and traffic safety by establishing appropriate limitations on the size, height, number, location and duration of such noncommercial signs so that they are appropriate and in keeping with the zoning district in which the signs are placed and to ensure that the signs do not overly distract, obstruct or otherwise impede traffic circulation; and

WHEREAS, the proposed amendments to Chapter 17.80 are exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) pursuant to Guidelines Sections 15061(b)(1), 15061(b)(2), and specifically, the "General Rule" Section 15061(b)(3), where it can be seen with certainty that the proposed action will have no significant effect on the environment, projects are exempt from the requirements of CEQA; and

WHEREAS, the Planning Commission held a duly noticed public hearing on February 6, 2020, at which time it reviewed the proposed amendments, considered all public comments on the revisions and related CEQA exemption, and provided a unanimous positive recommendation on the proposed ordinance; and

WHEREAS, based upon the Planning Commission recommendation, the City Council determined that the amendments are consistent with the General Plan, including the Goals, Policies and Implementation Measures of the Land Use Element and Housing Element, and that the revisions would be internally consistent with all other provisions of the Municipal Code; and

WHEREAS, the Zoning Code serves as the Implementation Plan of the City's Local Coastal Program and is intended to be implemented in a manner that is in full conformance with the California Coastal Act.

BE IT ORDAINED by the City of Capitola as follows:

Section 1. The above findings are adopted and incorporated herein.

Section 2. Chapter 17.80 (Signs) of the Capitola Municipal Code is hereby amended to read as follows:

Chapter 17.80 – SIGNS

Sections:

17.80.010	Purpose and Applicability
17.80.020	Definitions
17.80.030	Permit Requirements
17.80.040	Rules of Measurement
17.80.050	Signs Allowed Without Permits
17.80.060	Prohibited Signs
17.80.070	General Sign Standards
17.80.080	Standards for Specific Types of Signs
17.80.090	Design Standards
17.80.100	Residential Signs
17.80.110	Temporary Signs
17.80.120	Adjustment to Sign Standards
17.80.130	Master Sign Program
17.80.140	Nonconforming Signs
17.80.150	Violations and Enforcement

17.80.010 Purpose and Applicability

- A. Purpose. This chapter establishes standards relating to the permitted type, size, height, placement, number, and design of signs. The intent of these standards is to:
1. Support economically viable businesses serving city residents, workers, and visitors.
 2. Allow for signage that identifies businesses in a fair and equitable manner.
 3. Protect and enhance the aesthetic qualities of the city.
 4. Minimize hazards to motorists and pedestrians resulting from excessive, confusing, and distracting signs.
 5. Allow for a simple and streamlined sign permitting process.
- B. Applicability. This chapter applies to all signs in Capitola, except for City-installed signs and signs required by a governmental agency to carry out its responsibility to protect the public health, safety, and general welfare.

17.80.020 Definitions

The following definitions apply to this chapter:

- A. Awning Sign. A sign incorporated into, attached, or painted on an awning.
- B. Awning Face Sign. A sign located on the sloping plane face of an awning.
- C. Awning Valance Sign. A sign located on the valance of an awning perpendicular to the ground.
- D. Center Identification Sign. A sign identifying the name of a shopping center and that does not include the name of any business within the center. A shopping center is a commercial building or group of buildings operated as a unit on a single parcel, sharing common parking areas or commonly owned adjacent parcels.
- E. Commercial Message. Any sign copy that directly or indirectly names, draws attention to, or advertises a business, product, good, service, or other commercial activity, or which proposes a commercial transaction.

First Reading of an Ordinance Amending Chapter 17.80 Signs
February 27, 2020

F. Commercial Sign. A sign with a commercial message.

G. Construction Site Sign. An on-premise sign for an approved construction project that publicizes the future building and occupants as well as the architects, engineers and construction organizations involved in the project.

H. Directory Sign. An on-premise sign which shows the direction to or location of a customer entrance to a business.

I. Election Period. The period beginning 90 days before any national, state, or local election in which city electors may vote up through the date of the election.

J. Flags. Fabric, textile, or material with colors and/or patterns which display a symbol of a nation, state, company, or idea.

K. Monument Sign. An independent, freestanding structure supported on the ground as opposed to being supported on the building.

L. Projecting Sign. Any sign permanently attached to a building or wall such that the sign face or faces are perpendicular to the building or wall.

M. Roof Sign. Any sign that is mounted on a roof or a parapet, of a building.

N. Sidewalk Sign. Movable or permanent business identification signs placed in or attached to a public sidewalk.

O. Sign. Any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing to advertise or announce the purpose of a business or entity, or to communicate information of any kind to the public.

P. Sign Area. See Section 17.80.040.A (Calculation of Sign Area).

Q. Sign Copy. The area of a sign occupied by letters, numbers, graphics, or other content intended to inform, direct, or otherwise transmit information.

R. Sign Face. The area of a sign where sign copy is placed.

S. Wall Sign. A sign which is attached to or painted on the exterior wall of a structure with the display surface of the sign approximately parallel to the building wall.

T. Window Sign. A sign posted, painted, placed, or affixed in or on a window exposed to public view or within one foot and parallel to a window exposed to public view.

17.80.030 Permit Requirements

A. Administrative Sign Permits. An Administrative Sign Permit (Chapter 17.132) is required to install, construct, or enlarge a sign, except for:

1. Signs exempt from the permit requirements of this chapter as specified in Section 17.80.050 (Signs Allowed without Permits).
2. Signs requiring a Sign Permit as identified in Section B below.

B. Sign Permits. Planning Commission approval of a Sign Permit (Chapter 17.132) is required for the following types of signs and approvals:

1. New signs in the Mixed Use Village (MU-V) zoning district.
2. Exterior neon signs.
3. Monument signs for more than four tenants.
4. Auto dealership signs in the C-R zoning district (Section 17.80.080.A) that are not otherwise allowed with an Administrative Sign Permit.
5. Adjustments to sign standards in low visibility areas in commercial zoning districts (17.80.120.E).
6. Signs that do not conform with permitted sign types and standards in Section 17.80.080 (Standards for Specific Types of Signs)
7. Master sign programs (Section 17.80.130).

C. Noncommercial Signs. Noncommercial signs are allowed wherever commercial signs are permitted and are subject to the same standards and total maximum allowances per site or building of each sign type specified in this chapter.

D. Message Neutrality.

First Reading of an Ordinance Amending Chapter 17.80 Signs
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1. It is the City's policy to regulate signs in a constitutional manner that does not favor commercial speech over noncommercial speech, and is content neutral as to noncommercial messages which are within the protections of the First Amendment to the U.S. Constitution and the corollary provisions of the California Constitution.
2. Where necessary, the Director will interpret the meaning and applicability of this chapter in light of this message neutrality policy.

E. Message Substitution.

1. Subject to the property owner's consent, a message of any type may be substituted, in whole or in part, for the message displayed on any legally established sign without consideration of message content.
2. Message substitutions are allowed by-right without a permit.
3. This message substitution provision does not:
 - a. Create a right to increase the total amount of signage beyond that otherwise allowed or existing;
 - b. Affect the requirement that a sign structure or mounting device be properly permitted, when a permit requirement applies;
 - c. Allow a change in the physical structure of a sign or its mounting device;
 - d. Allow the establishment of a prohibited sign as identified in 17.80.060 (Prohibited Signs); or
 - e. Nullify or eliminate any contractual obligation through a development agreement or similar agreement that specifies the allowable content of a sign.

F. City-Installed Signs. City-installed signs in all zoning districts do not require a permit.

G. Other Government-Installed Signs. Governmental agency-installed signs to carry out its responsibility to protect the public health, safety, and general welfare in all zoning districts do not require a permit.

H. Signs in the Coastal Zone.

1. If a proposed sign is located in the Coastal Zone, it may require a Coastal Development Permit (CDP) as specified in Chapter 17.44 (Coastal Overlay Zone). Approval of a CDP requires conformance with the CDP findings for approval as specified in 17.44.130 (Findings for Approval).
2. Notwithstanding all applicable standards in this Chapter, any sign that could reduce public coastal access, including signs limiting public parking or restricting use of existing lateral and/or vertical accessways, requires a coastal development permit.

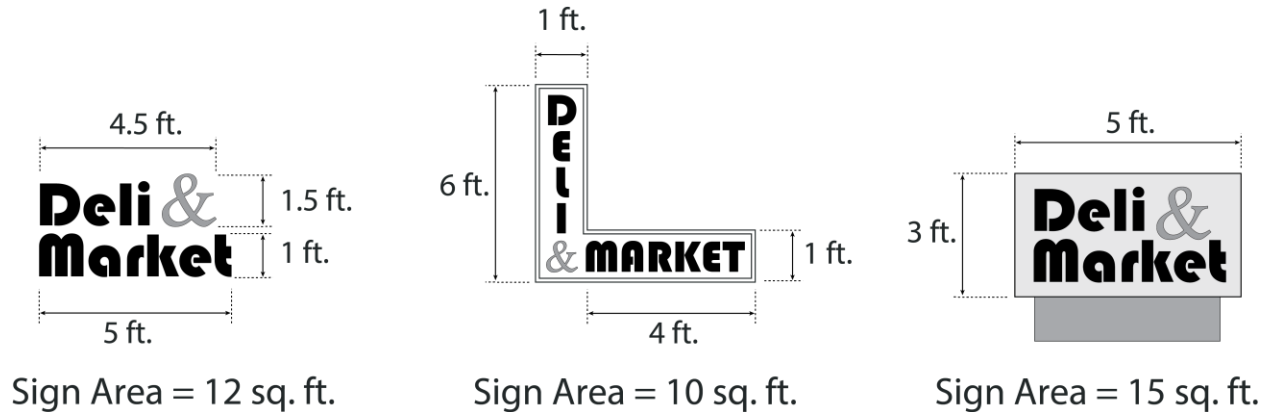
17.80.040 Rules of Measurement

A. Calculation of Sign Area.

1. Sign area is measured as the area of all sign copy, framing, or other display enclosed within a continuous perimeter forming a single geometric shape with no more than six sides. See Figure 17-80-1.

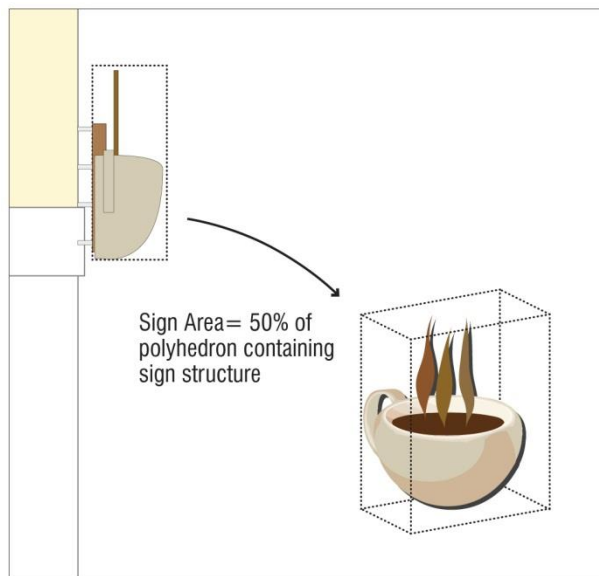
FIGURE 17-80-1: MEASUREMENT OF SIGN AREA

First Reading of an Ordinance Amending Chapter 17.80 Signs
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- Supporting framework or bracing that is clearly incidental to the display itself shall not be calculated as sign area.
- The area of a double-faced (back-to-back) sign shall be calculated as a single sign face if the distance between each sign face does not exceed 18 inches and the two faces are parallel with each other.
- The area of spherical, free-form, sculptural or other non-planar signs are measured as 50 percent of the sum of the area enclosed within the four vertical sides of the smallest four-sided polyhedron that will encompass the sign structure. See Figure 17.80-2.

FIGURE 17.80-2: NON-PLANER SIGN AREA



- Monument Sign Height Measurement.** The height of a monument or other freestanding sign is measured as the vertical distance from the sidewalk or top of curb nearest the base of the sign to the top of the highest element of the sign.

17.80.050 Signs Allowed Without Permits

- Types of Signs.** The following signs are allowed without a planning permit and shall not be counted towards the allowable sign area or number of signs on a parcel:
 - On-site directional signs which do not include commercial messages or images, not to

First Reading of an Ordinance Amending Chapter 17.80 Signs
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- exceed 3 feet in height and 6 square feet in area.
2. Informational signs which do not include commercial messages or images, displayed for the safety and convenience of the public, providing information such as “restrooms,” “danger,” “impaired clearance,” “no smoking,” “parking in rear,” “coastal access.” and other signs of a similar nature.
 3. Flags bearing noncommercial messages or graphic symbols.
 4. One commemorative plaque identifying a building name, date of construction, or similar information that is cut into, carved, or made of stone, concrete, metal, or other similar permanent material.
 5. One bulletin board on a parcel occupied by a noncommercial ~~place of public assembly organization~~, with a maximum area of 12 square feet.
 6. Political signs during an election period located outside of a public street, path, or right-of-way. Political signs may not exceed 6 feet in height and 32 square feet per unit.
 7. Constitutionally protected non-commercial message signs not to exceed 3 feet in height, with a maximum of 6 square feet per unit; and 6 square feet per non-residential property.
 8. Signs within a building, or on the premises of a building, that are not visible from the public right-of-way and are intended for interior viewing only.
 9. Murals on the exterior of a building that do not advertise a product, business, or service.
 10. Official or legal notices required by a court order or governmental agency.
 11. Signs installed by a governmental agency within the public right-of-way., ~~including signs advertising local nonprofit, civic, or fraternal organizations.~~
 12. Signs, postings, or notices required by a governmental agency to carry out its responsibility to protect the public health, safety, and general welfare.
 13. Restaurant menu signs attached to a building, with a maximum area of 3 square feet.
 14. Real estate listings posted in the window of a real estate office, with a maximum area of 25 percent of the total window area.
 15. Residential signs not requiring a building permit as specified in Section 17.80.100 (Residential Signs).
 16. Temporary signs ~~consistent with~~ allowed without a permit as provided in Section 17.80.110 (Temporary Signs).
 - 16.17. Vacation rental signs up to 12 inches by 12 inches.
 - 17.18. Garage sale signs limited to the day of the garage sale.
 - B. Building Permit Review. Planning staff shall review all proposed signs listed in Section A (above) that require a Building Permit to verify compliance with all applicable standards.
 - C. Changes to Sign Face. Changes to a sign face that do not structurally alter or enlarge a legally-established sign and utilize similar materials shall not require a planning permit.
 - D. Routine Maintenance. The painting, cleaning, repair, and normal maintenance of a legally-established sign shall not require a planning permit.

17.80.060 Prohibited Signs

- A. Prohibited Sign Types. The following types of signs are prohibited:
 1. Signs or sign structures which have become a public nuisance or hazard due to inadequate maintenance, dilapidation, or abandonment.
 2. Portable signs placed on the ground other than sidewalk signs permitted in the MU-V zoning district consistent with Section 17.80.080.K (Sidewalk Signs).
 3. Roof signs.
 4. Signs emitting odors, gases, or fluids.
 5. Signs that feature a flag, pennant, whirligig, or any device which is designed to wave, flutter, rotate or display other movement under the influence of wind, excluding flags and insignia of any government.
 6. Digital display and electronic readerboard signs which allow the image on a sign to be

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changed by electronic control methods, except for digital gas and service station signs consistent with Section 17.80.080.H (Gas and Service Station Signs) and parking garage signs consistent with Section 17.80.080.I (Parking Garage Signs).

7. Animated signs, with the exception of clocks and barber poles.
8. Signs that emit sound.
9. Signs which simulate in size, color, lettering, or design a traffic control sign or signal.
10. Signs which flash, blink, change color, or change intensity.
11. Beacons.
12. Signs mounted or attached to a vehicle parked for the purpose of calling attention to or advertising a business establishment.
13. Signs that have been abandoned, or whose advertised use has ceased to function for a period of 90 days or more.
14. Signs adversely affecting traffic control or safety.
- ~~15. Signs containing obscene matter.~~
16. Signs with exposed raceways.
17. Signs attached to trees.
18. Signs erected or maintained with horizontal or vertical clearance from overhead utilities less than required by State agencies.
19. Signs erected for the dominant purpose of being seen by travelers on a freeway, except for auto dealership signs as allowed by Section 17.80.080.A (Auto Dealership Signs).
20. Inflatable signs and balloons greater than fifteen inches in diameter, except for temporary auto dealership signs.
21. Signs on or affecting public property (e.g., 'tenant parking only') not placed there by the public entity having the possessory interest in such property.
22. All other signs not specifically permitted by or exempted from the requirements of this chapter.

B. Prohibited Sign Content.

1. The following sign content is prohibited:
 - a. Obscene or indecent text or graphics.
 - b. Text or graphics that advertise unlawful activity.
 - c. Text or graphics that constitute defamation, incitement to imminent lawless action, or true threats.
 - d. Text or graphics that present a clear and present danger due to their potential confusion with signs that provide public safety information (for example, signs that use the words "Caution," or "Danger," or comparable words, phrases, symbols, or characters in such a manner as to imply a safety hazard that does not exist).
2. The content prohibited by Paragraph (1) above is either not protected by the United States or California Constitutions or are offered limited protection that is outweighed by the substantial governmental interests in protecting the public safety and welfare. It is the intent of the City Council that each subparagraph of Paragraph (1) above be individually severable in the event that a court of competent jurisdiction were to hold one or more of them to be inconsistent with the United States or California Constitutions.

17.80.070 General Sign Standards

- A. Maximum Permitted Sign Area. Table 17.80-1 identifies the maximum cumulative/total sign area permitted on a property in each zoning district. Each business may have a mix of the sign types allowed by Section 17.80.080 (Standards for Specific Sign Types) provided the area of all signs on the property does not exceed the maximum established in Table 17.80-1.

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TABLE 17.80-1: SIGN AREA STANDARDS

Zoning District	Area per Linear Foot of Building Frontage
MU-V, MU -N	0.5 sq. ft. per linear foot 36 sq. ft. max
MU-N, C-R, C-C, I	1 sq. ft. per linear foot 50 sq. ft. max
VS, CF, P/OS [1]	As determined through Sign Permit
PD	As determined through the Development Plan

Notes:

Sign requirements in the Visitor Serving overlay zone shall be as required by the base zoning district.

- B. Maintenance. Signs, including all supports, braces, and anchors, shall be maintained in a state of good repair at all times. Damage to signs, including cracked sign faces, frayed or weathered fabric, and broken lighting, shall be repaired promptly.
- C. Building Surface Repair. When an existing sign is replaced or modified, any newly exposed portions of a building surface on which the sign is displayed shall be repaired and repainted to restore a uniform appearance to the surface. Compliance with this requirement includes the removal of any excess conduit and supports, and the patching or filling of any exposed holes.
- D. Illumination.
 - 1. Non-residential signs may be internally or externally illuminated except where specifically prohibited. Internal illumination is permitted only when the portion of the sign that appears illuminated is primarily the sign lettering, registered trademark, or logo. Internally illuminated boxes are prohibited, except that the copy of an existing internally illuminated box sign may be replaced with a change of business.
 - 2. The light source for externally illuminated signs shall be positioned so that light does not shine directly on adjoining properties or cause glare for motorists or pedestrians.
 - 3. Exposed bulbs are not permitted.
 - 4. Internal illumination is prohibited in the Mixed-Use Village (MU-V).
- E. Materials and Design.
 - 1. Except for interior window signs, all permanent signs shall be constructed of wood, metal, plastic, glass, or similar durable and weatherproof material.
 - 2. The design of signs, including its shape, features, materials, colors, and textures, shall be compatible with the design character of the development or use it identifies and will not have an adverse effect on the character and integrity of the surrounding area.
- F. Location and Placement.
 - 1. All signs shall be located on the same parcel as the business or use that it serves, except as otherwise allowed by this chapter.
- 2. Signs shall not obstruct the ingress to, or egress from, a door, window, fire escape, or other required accessway.
- 3. Signs shall not interfere with visibility at an intersection, public right-of-way, driveway, or other point of ingress/egress. The City may require sign setbacks greater than specified in this chapter as needed to maintain adequate visibility for motorists and pedestrians. See

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Section 17.96.050 (Intersection Sign Distance).

G. Signs in the Public Right-of-Way.

1. No sign shall be permitted in the public right-of-way, except for:
 - a. Signs installed or required by a governmental agency.
 - ~~b. Signs advertising local nonprofit, civic, or fraternal organizations with City Engineer approval.~~
 - b. Awning, canopy, marquee, projecting, or suspended signs attached to a building wall subject to the requirements in Section 17.80.080 (Standards for Specific Types of Signs).
 - c. Sidewalk signs in the Village Mixed Use (MU-V) zoning district consistent with Section 17.80.080.G (Sidewalk Signs).
 - d. Shared auto dealership signs consistent with Section 17.80.080.A (Auto Dealership Signs).
2. Any sign illegally installed or placed on public property shall be subject to removal and disposal as specified in Section 17.80.150 (Violations and Enforcement). The City shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of the sign.
3. Signs in the public right-of-way may require City approval of an Encroachment Permit.

17.80.080 Standards for Specific Types of Signs

Signs consistent with the standards in this section are allowed with an Administrative Permit unless Planning Commission approval of a Sign Permit is specifically required. Signs that deviate from the standards in this section may be allowed with Planning Commission approval of a Sign Permit in accordance with Section 17.80.120 (Adjustment to Sign Standards).

A. Auto Dealership Signs.

1. In addition to signs allowed with an Administrative Sign Permit (17.080.030.A), the Planning Commission may allow special auto dealership signage in the C-R zoning district with approval of a Sign Permit subject to the following standards:
 - a. Location: On or adjacent to an auto dealership land use.
 - b. Placement: 10 feet minimum setback from property line abutting the public right-of-way.
 - c. Maximum Height: At or below roof line.
 - d. The Planning Commission shall review the Sign Permit application if the total combined sign area on the site exceeds 100 square feet.
 - e. The Planning Commission may allow one shared sign used by multiple auto dealerships at the entry of Auto Plaza Drive which extends into or above the public right-of-way.

The Planning Commission may allow temporary auto dealership signage, such as signage on light poles and flags and pennants, that deviate from temporary sign standards in 17.80.110 (Temporary Signs) with the approval of a Sign Permit.

B. Awning Signs.

1. Standards for awning signs in each zoning district are as shown in Table 17.80-2.
2. Awning signs shall be located on the awning above a display window or the entrance to the business it serves.
3. An awning sign that projects over any public walkway or walk area shall have an overhead clearance of at least 8 feet.

TABLE 17.80-2: AWNING SIGN STANDARDS

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Zoning District	Awning Face Sign		Awning Valance Sign		
	Maximum Area	Maximum Number	Maximum Area	Maximum Letter Height	Maximum Number
MU-V, MU-N	Sign Permit Required (Chapter 17.132)		75 percent of valance	Two-thirds of valance height	1 sign per awning located on either the awning face or the awning valance
C-R, C-C	30 percent of awning face	1 sign per awning located on either the awning face or the awning valance			
I	20 percent of awning face				

Note: In the Visitor Serving (VS), Community Facility (CF) and Parks and Open Space (P/OS) zoning districts, standards for awning signs shall be established by the Planning Commission through a Sign Permit. In the Planned Development (PD) zoning district, standards for awning signs shall be established by the City Council in the Development Plan.

C. Monument Signs.

- Standards for monument signs in each zoning district are as shown in Table 17.80-3.

TABLE 17.80-3: MONUMENT SIGN STANDARDS

Zoning District	Maximum Area	Maximum Height	Maximum Number
MU-V	12 sq. ft.	4 ft.	1 per property
MU-N	16 sq. ft.		
C-R	60 sq. ft.	8 ft.	1 per building frontage
C-C	35 sq. ft.		
I			4 ft.

Note: In the Visitor Serving (VS), Community Facility (CF) and Parks and Open Space (P/OS) zoning districts, standards for monument signs shall be established by the Planning Commission through a Sign Permit. In the Planned Development (PD) zoning district, standards for monument signs shall be established by the City Council in the Development Plan.

- Monument signs shall be placed on the property of the business associated with the sign.
- Where two monument signs are allowed on a corner parcel, each sign **shall** be placed at least 200 feet from the intersection corner.

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4. A monument sign for up to four tenants may be approved with an Administrative Sign Permit. Monument signs listing more than four tenants require Planning Commission approval of a Sign Permit.
5. The area surrounding the base of a monument sign shall be landscaped consistent with Chapter 17.72 (Landscaping).
6. Monument signs shall be placed at least 5 feet away from any public or private driveway.
7. Monument signs shall be placed at least 5 feet behind sidewalk or property line, whichever is greater.
8. The height of a monument sign is measured as the vertical distance from the sidewalk or top of curb nearest the base of the sign to the top of the highest element of the sign.
9. Monument signs are not allowed in conjunction with wall signs on a property with three or fewer businesses.

D. Center Identification Signs.

1. Standards for center identification signs in each zoning district are as shown in Table 17.80-4.
2. Center identification signs shall identify the name of the center but may not include the name of any business or businesses within the center.
3. No more than one freestanding sign is permitted per center street frontage. If a monument sign is located along the center frontage, an additional center identification sign is not permitted.

TABLE 17.80-4: CENTER IDENTIFICATION SIGN STANDARDS

Zoning District	Maximum Area	Maximum Height	Maximum Number
MU-V and MU-N	Not permitted		
C-R	60 sq. ft.	5 ft.	1 per shopping center
C-C	35 sq. ft.		
I	Not permitted		

Note: In the Planned Development (PD) zoning district, standards for center identification signs shall be established by the City Council in the Development Plan.

E. Directory Signs.

1. Standards for directory signs in each zoning district are as shown in Table 17.80-5.
2. Directory signs may not be legible from adjacent public rights-of-way.
3. Directory signs shall identify the names of the occupant of the building or complex.

TABLE 17.80-5: DIRECTORY SIGN STANDARDS

Zoning District	Maximum Area	Maximum Height
MU-V	12 sq. ft.	4 ft.

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MU-N	16 sq. ft.	
C-R	30 sq. ft.	5 ft.
C-C	25 sq. ft.	
I	25 sq. ft.	4 ft.

Note: In the Visitor Serving (VS), Community Facility (CF) and Parks and Open Space (P/OS) zoning districts, standards for directory signs shall be established by the Planning Commission through a Sign Permit. In the Planned Development (PD) zoning district, standards for directory signs shall be established by the City Council in the Development Plan.

F. Wall Signs.

- Standards for wall signs in each zoning district are as shown in Table 17.80-6.
- Wall signs shall be attached parallel to the exterior wall of the business associated with the sign and may not extend above the top of building wall.
- Wall signs may be in cabinets, on wood, or on similar material attached to the wall or painted directly on the wall.
- Any portion of a wall sign that projects over any public walkway or walk area shall have an overhead clearance of at least 8 feet.
- Wall signs are not allowed in conjunction with a monument sign on a property with three or fewer businesses.
- On a corner lot, one wall sign is allowed per street frontage.

TABLE 17.80-6: WALL SIGN STANDARDS

Zoning District [1]	Maximum Area	Maximum Projection from Wall	Maximum Number
MU-V	0.5 sq. ft. per linear foot of shopfront, not to exceed 36 sq. ft. max	4 in.	1 per shopfront
MU-N	1.0 sq. ft. per linear foot of shopfront, not to exceed 36 ft.		
C-R, C-C, I [2]		12 in.	1 per shopfront

Note:

- [1] In the Visitor Serving (VS), Community Facility (CF) and Parks and Open Space (P/OS) zoning districts, standards for wall signs shall be established by the Planning Commission through a Sign Permit. In the Planned Development (PD) zoning district, standards for wall signs shall be established by the City Council in the Development Plan.
- [2] Wall signs are not allowed in conjunction with a monument sign in the Industrial (I) zoning district.

G. Projecting Signs.

- Standards for projecting signs in each zoning district are as shown in Table 17.80-7.

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2. Projecting signs shall be attached to the ground floor exterior wall of the business associated with the sign and may not extend above the top of the second story finished floor.
3. Projecting signs shall maintain a minimum 2-foot horizontal clearance from a driveway or street curb.
4. An encroachment permit must be obtained for all signs projecting over a public right-of-way.
5. A projecting sign that projects over any public walkway or walk area shall have an overhead clearance of at least 8 feet.

TABLE 17.80-7: PROJECTING SIGN STANDARDS

Zoning District	Maximum Area	Maximum Projection from Wall	Maximum Number
MU-V, MU-N	4 sq. ft.	4 ft.	1 per business entryway or storefront
C-R, C-C, I	8 sq. ft.	4 ft.	1 per business entryway or storefront

Note:

In the Visitor Serving (VS), Community Facility (CF) and Parks and Open Space (P/OS) zoning districts, standards for projecting signs shall be established by the Planning Commission through a Sign Permit. In the Planned Development (PD) zoning district, standards for projecting signs shall be established by the City Council in the Development Plan.

- H. Gas and Service Station Signs. In addition to signs allowed with an Administrative Sign Permit (Section 17.080.030.A), the Planning Commission may allow special gas and service station signs that comply with the following standards .
1. A maximum of two signs, not exceeding 4 square feet, shall be allowed on each pump island to denote either full service or self-service.
 2. No other signs will be allowed to be attached to pumps or islands other than required by State law. (See Business & Professions Code Section 13530.)
 3. A six-foot-high monument sign which displays prices charged, credit cards accepted or special services rendered shall be allowed on each street frontage.
 4. Digital changeable copy signs for gasoline pricing is permitted.
 5. Two additional signs up to a maximum of 1 square foot are permitted to advertise ancillary services such as ATMs and propane. Such signs must be attached to another sign or structure and may not be a portable freestanding sign.
- I. Parking Garage Signs. A maximum of one digital display signs not exceeding four square feet on each street frontage is permitted to show the number of available parking spaces.
- J. Window Signs.
1. Standards for window signs in each zoning district are as shown in Table 17.80-8.
 2. Window signs may be attached only to the inside of a ground floor window of the business associated with the sign.
 3. Interior signs within one foot of a window and publicly visible from outside of the building shall be included in the calculation of sign area for the property.

TABLE 17.80-8: WINDOW SIGN STANDARDS

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Zoning District	Maximum Area
MU-V, MU-N	25 percent of window
C-R, C-C, I	30 percent of window

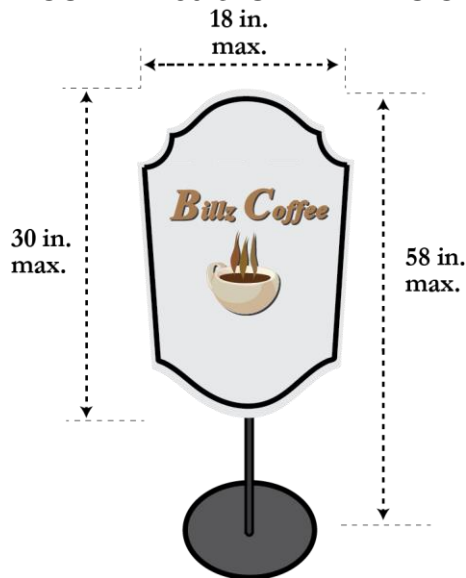
Note:

[1] In the Visitor Serving (VS), Community Facility (CF) and Parks and Open Space (P/OS) zoning districts, standards for window signs shall be established by the Planning Commission through a Sign Permit. In the Planned Development (PD) zoning district, standards for window signs shall be established by the City Council in the Development Plan.

K. Sidewalk Signs.

1. Where Allowed. Sidewalk signs are permitted only in the MU-V zoning district consistent with the requirements of this section.
2. Permits Required.
 - a. Sidewalk signs consistent with this section and the approved BIA design as illustrated in Figure 17-80-3 can be issued an over the counter sign permit by the Community Development Director.
 - b. All sidewalk signs shall obtain an encroachment permit. The encroachment permit will identify the location and method used to drill a hole in the sidewalk and/or the location of a sign on a base.
 - c. The owner of any business desiring to place a sidewalk sign on the City right-of-way shall provide an executed City hold harmless waiver and proof of liability insurance to the satisfaction of the City Attorney in the amount of one million dollars prior to placing the sign within said right-of-way.

FIGURE 17-80-3: SIDEWALK SIGN STANDARDS AND DESIGN CONCEPTS



3. Dimensions. Sidewalk signs shall comply with the dimension standards in Table 17.80-9.

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TABLE 17.80-9: SIDEWALK SIGNS STANDARDS

Zoning District	Sign Face			Entire Sign
	Maximum Area	Maximum Width	Maximum Height	Maximum Height [1]
MU-V	3.75 sq. ft.	18 in.	32 in.	58 in.
All Other Zoning Districts	Not permitted			

Note:

[1] Measured from sidewalk to top of sign

4. Number of Signs.
 - a. Only one two-sided sidewalk sign per business establishment is permitted.
 - b. Multi-tenant developments are permitted one sidewalk sign per each common exterior public business entrance.
5. Materials and Design.
 - a. Sidewalk signs shall be attached to metal poles. Poles may be either drilled into the sidewalk or inserted into a moveable base. Moveable bases shall be constructed of metal, form a circle with a diameter of no more than 18 inches, and must be approved as part of the sign permit.
 - b. Lights, banners, flags or similar objects shall not be placed on or adjacent to sidewalk signs.
 - c. Signs faces **shall** be constructed of solid wood, metal or similar durable and weatherproof material.
 - d. No sidewalk sign may contain lights of any kind.
6. Sidewalk Clearance.
 - a. The sidewalk in front of the business must be at least 78 inches in width.
 - b. Sidewalk signs shall not interfere with pedestrian ingress or egress as required by the building code or obstruct vehicular traffic sight distance requirements. A 48-inch level clear path of travel on concrete or similar material must be maintained where the sign is located.
7. Separation from Other Sidewalk Signs. Sidewalk signs shall be spaced a minimum of 30 linear feet from all other permitted sidewalk signs.
8. Display During Open Hours. Sidewalk signs may be used only during the hours when the business is open to the public. At all other times the sign and base must be stored within the business premises.
9. Advertising Multiple Businesses. Individual signs may advertise more than one business.
10. Other Business Signage.
 - a. No other temporary advertising signs (Section 17.80.110) may be used at the same time as the sidewalk sign is in use.
 - b. All other signs on the property must be in conformance with the City's sign regulations prior to a sidewalk sign permit being issued.

17.80.090 Design Standards

- A. Design Standards for Mixed Use Zoning Districts. The following design standards apply to all signs in the MU-V and MU-N zoning districts.

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1. Signs shall preserve, complement, or enhance the architectural composition and features of the building to which it is attached. Signs may not cover or obscure significant architectural details of the building to which it is attached.
 2. Signs shall be coordinated with the overall façade composition, including ornamental details and other signs on the building to which it is attached.
 3. Signs shall be mounted to fit within existing architectural features. The shape of the sign shall be used to reinforce the relationship of moldings and transoms seen along the street.
 4. Signs shall be located and designed so that they are legible when viewed from the sidewalk. Sign letter styles and sizes shall be designed for legibility from the sidewalk, not the street.
 5. To the extent possible, sign attachment parts shall be reused in their original location (holes in the façade or fixing positions) to protect the original building materials.
 6. Internally illuminated signs are prohibited in the MU-V and MU-N zoning districts.
 7. Wiring conduit for sign lighting shall be carefully routed to avoid damage to architectural details and to be concealed from view as much as possible.
 8. Sign materials and colors shall be compatible with the period and style of building to which it is attached. Sign panels shall avoid the extensive use of primary color or significant areas of white or cream.
 9. Letters and logos shall be raised, routed into the sign face, or designed to give the sign variety and depth.
 10. The sign will not have a significant adverse effect on the character and integrity of the surrounding area.
- B. Design Standards for Commercial Zoning Districts. The following design standards apply to all signs in the C-C and C-R zoning districts.
1. Sign design shall conform to and be in harmony with the architectural character of the building.
 2. Signs shall be symmetrically located within a defined architectural space.
 3. Internally illuminated signs are permitted only when the portion of the sign that appears illuminated is primarily the sign lettering, registered trademark, or logo. Large panel internally illuminated signs are prohibited.
 4. The design of monument and other freestanding signs **shall** relate to the architecture of the building or development they serve. Exterior materials, finishes and colors shall be the same or similar to those of the building or structures on site.
 5. Letters and logos shall be raised, routed into the sign face, or designed to give the sign variety and depth.
- C. Design Standards for Industrial Zoning District. Signs within the Industrial (I) zoning district shall be constructed of metal or other materials consistent with the light industrial character of the zoning district.

17.80.100 Residential Signs – Multi-Unit Properties

Multi-unit properties may display one or more master signs subject to the following requirements:

- A. A master sign program (17.80.130) has been approved for the multi-unit property.
- B. Maximum allowable sign area: 20 square feet per property.
- C. A master sign for a multi-unit property requires an Administrative Sign Permit.

17.80.110 Temporary Signs

- A. Permitted Temporary Signs. Table 17.80-10 (Temporary Sign Standards) identifies temporary signs permitted either by-right or with the approval of an Administrative Sign Permit. The Planning Commission may allow other types of temporary signs or temporary

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signs that do not comply with the standards in Table 17.80-1 with approval of a Sign Permit.

TABLE 17.80-10 TEMPORARY SIGN STANDARDS

Sign Type	Permit Required	Use Restriction	Maximum Number	Maximum Area/ Size	Maximum Duration
Auto Dealership Signs - Flags - Pennants - Balloons	None	Auto dealerships on Auto Plaza Drive only	No maximum	0.5 sq. ft. per linear business frontage; 30 sq. ft. max; 1/3 of window max	Year-round; must be maintained in good condition
Commercial Banner Signs	Administrative Sign Permit	Non-residential uses only	1 per 500 ft. of linear site building frontage; 2 sign maximum	30 sq. ft.	30 continuous calendar days; no more than 60 days each calendar year
Construction Site Signs - Residential	Administrative Sign Permit	Residential uses only	1 per 500 ft. of linear site building frontage; 2 sign maximum	Height: 5 ft. Area: 12 sq. ft.	From issuance of building permit to certificate of occupancy
Construction Site Signs - Non-Residential	Administrative Sign Permit	Commercial and industrial uses only	1 per 500 ft. of linear site building frontage; 2 sign maximum	Height: 8 ft.; 4 ft. in MTU-V Area: 40 sq. ft.; 12 sq. ft. in MTU-V	From issuance of building permit to certificate of occupancy
For Sale, Lease, and Rent Signs, Non-Residential	None	Commercial and industrial uses only	1 per property	Height: 8 ft. Area: 40 sq. ft.	1 year; Director may approve extension
For Sale, Lease, and Rent Signs, Residential	None	Residential uses only	1 per property	Height: 4 ft. Area: 6 sq. ft.	180 days; Director may approve extension
Open House or model home	None	None	1 per property and 1 on other property with owner consent	Height: 4 ft. Area: 6 ft.	Limited to day of open house.
Special Event	None	Special events open to the public (e.g., open streets),	1 per property and 1 on other property with owner consent	Height: 4 ft. Area: 6 ft.	Limited to day of special event house .
Residential Subdivision	Administrative Sign Permit	Residential subdivisions and condominiums located in the city	1 per subdivision	Height: 10 ft. Area: 40 sq. ft.	180 days or upon the sale of the last unit, whichever comes first

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17.80.120 Adjustment to Sign Standards

This section establishes procedures to allow the Planning Commission to approve signs that deviate from certain standards to provide reasonable flexibility in the administration of the sign ordinance.

- A. Permit Required. Adjustments to sign standards allowed by this section requires Planning Commission approval of a Sign Permit.
- B. Permitted Adjustments. The Planning Commission may allow adjustment to the following sign standards:
 - 1. The type of sign allowed in non-residential zoning districts (e.g., awning signs, monument signs).
 - 2. Requirements for temporary signs.
 - 3. The maximum permitted sign area up to a 25 percent increase.
 - 4. The maximum permitted sign height up to 25 percent increase.
- C. Excluded Adjustments. The Planning Commission may not use the sign standards adjustment process to approve deviations to the following sign standards:
 - 1. Prohibited Signs (Section 17.80.060).
 - 2. All general Sign Standards (Section 17.80.070) except maximum permitted sign area (17.80.70.A).
 - 3. Maximum number of signs allowed per property.
 - 4. Residential signs (Section 17.80.100).
- D. Findings. The Planning Commission may approve an adjustment to sign standards as allowed by this section if the following findings can be made in addition to findings required to approve Sign Permit applications:
 - 1. The sign will be compatible with adjacent structures and uses and is consistent with the character of the neighborhood or district where it is located.
 - 2. The sign will not adversely impact neighboring properties or the community at large.
 - 3. The adjustment is necessary due to unique characteristics of the subject property, structure, or use.
 - 4. The sign will be consistent with the purpose of the zoning district, the General Plan, Local Coastal Program, and any adopted area or neighborhood plan.
 - 5. The adjustment will not establish an undesirable precedent.
- E. Low Visibility Commercial Properties.
 - 1. In addition to adjustments allowed by subsection A through D above, the Planning Commission may allow additional adjustments to sign standards for low visibility properties in the C-R and C-C zoning districts. A low visibility property means a property where signage consistent with applicable standards would not be easily visible from the street or sidewalk due to the width of street frontage, parcel depth or configuration, placement of buildings on the property, topography, vegetation, or other physical characteristic of the property.
 - 2. Adjustments to sign standards for low visibility properties require Planning Commission approval of a Sign Permit.
 - 3. Adjustments are allowed to required sign types, height, size, placement, and number. Adjustments may not allow for prohibited signs or monument signs.
 - 4. The Planning Commission may approve additional or variations to any type of signage upon making the following findings:
 - a. The special signage, as designed and conditioned, is necessary and appropriate for the subject commercial site, in order to allow the site and the businesses located within it to be competitive with other businesses of a similar nature located elsewhere, and/or to be competitive with industry standards governing sale of the merchandise offered at the site.
 - b. The special signage, as designed and conditioned, will not have a significant adverse

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effect on the character and integrity of the surrounding area.

17.80.130 Master Sign Program

- A. Purpose. The purpose of the Master Sign Program is to provide a coordinated approach to signage for multi-family development and multi-tenant commercial developments.
- B. Applicability. A Master Sign Program is required for multi-family uses with more than one permanent sign proposed, and any non-residential development with four or more tenants.
- C. Permit Required. A Master Sign Program requires Planning Commission approval of a Sign Permit.
- D. Applications. Applications shall be filed with the Planning Department on the appropriate City forms, together with all the necessary fees, deposits, exhibits, maps, and other information required by the Department to clearly and accurately describe the proposed Master Sign Program.
- E. Master Sign Program Contents. All Master Sign Programs shall identify the materials, color, size, type, placement and general design of signs located on a project or property.
- F. Design Standards.
 - 1. Master Sign Programs shall feature a unified and coordinated approach to the materials, size, type, placement and general design of signs proposed for a project or property. Master Sign Programs may allow for variety in the design of individual signs.
 - 2. A Master Sign Program may deviate from standards contained in this chapter relating to permitted sign height, number of signs, sign area, and type of sign. A Master Sign Program may not allow a prohibited signs as identified in Section 17.80.060 (Prohibited Signs).
- G. Effect of Master Sign Program.
 - 1. All subsequent signs proposed for a development or property subject to an approved Master Sign Program shall comply with the standards and specifications included in the Master Sign Program.
 - 2. Signs consistent with an approved Master Sign Program are allowed with an Administrative Sign Permit.
 - 3. Approval of a Master Sign Program shall supersede the regulations of this chapter. Any aspect of the proposed signs not addressed by the Master Sign Program shall be in compliance with this chapter.

17.80.140 Nonconforming Signs

This section applies to all legally-established signs that do not conform to current requirements in this chapter.

- A. Continuation.
 - 1. Except as required by paragraph 2 below, a nonconforming sign may continue its use as a sign if it was legally established in compliance with all applicable regulations in effect at the time it was established. It is the applicant's responsibility to demonstrate that the sign was legally established.
 - 2. At time of review of a Design Permit application for a property with a non-conforming sign on the site, the Planning Commission shall review the existing non-conforming sign in conjunction with the Design Permit. The Planning Commission may allow the continuation of the nonconforming sign only upon finding the sign is compatible with the design character and scale of the surrounding area and does not adversely impact the public health, safety, or general welfare.
- B. Allowed Changes.
 - 1. Changes to sign copy/face and repainting of legal nonconforming signs is permitted as long as there is no alteration to the physical structure or support elements of the sign.
 - 2. A legal-nonconforming sign that sustains less than 50-percent damage to its structure

First Reading of an Ordinance Amending Chapter 17.80 Signs
February 27, 2020

may be repaired to its original pre-damaged condition, provided that such repair is completed within 180 days after the date of the damage.

- C. Required Compliance. A legal nonconforming sign shall be removed or brought into compliance with this chapter in the following situations:
1. The use advertised by the sign has ceased to function for a period of 90 days or more.
 2. The sign has sustained at least 50-percent damage to its structure.
 3. The sign is located on a remodeled building façade.
 4. The sign is relocated to a different lot or building.

17.80.150 Violations and Enforcement

- A. Illegal Signs. It is unlawful for any person to install, place, construct, repair, maintain, alter or move a sign in a manner that does not comply with the requirements of this chapter.
- B. Removal of Illegal Signs.
1. The City may immediately remove or cause the removal of any sign that places the public in immediate peril or that is located within the public right-of-way.
 2. For illegal signs that do not place the public in immediate peril and are located on private property, the City shall serve the business owner, property owner, or person responsible for the sign a written certified notice that:
 - a. Describes the physical characteristics of the subject sign.
 - b. Explains the nature of the violation.
 - c. States that the sign shall be removed or brought into compliance with this article within a specified number of days after the notice is received.
 - d. States that the City will remove the sign if the business owner or person responsible for sign does not correct the violation within the specified number of days after the notice is received.
 - e. States that the City may destroy the illegal sign if it is not retrieved within 20 days of removal by the City.
 - f. States that the business owner or person responsible for all costs associated with the removal, storage, and destruction of the sign.
 3. If an illegal sign is not removed or brought into compliance within the specified number of days after a notice is received, the City may issue a citation to the business owner or person responsible for the sign as provided in Municipal Code Title 4 (General Municipal Code Enforcement) and may remove or cause the removal of the sign.
 4. Any accessory structures, foundations, or mounting materials which are unsightly or a danger to the public health, safety, and welfare shall be removed at the time of the sign removal.
 5. A sign removed by the City shall be stored for a minimum of 20 days. If the sign is not retrieved by the business owner or person responsible for the sign within this 20-day period, the City may destroy the sign.

Section 3: Compliance with California Environmental Quality Act (CEQA)

The City Council hereby finds that the action to adopt this ordinance is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) pursuant to Guidelines Sections 15061(b)(1), 15061(b)(2), and specifically, the “General Rule” Section 15061(b)(3), where it can be seen with certainty that the proposed action will have no significant effect on the environment, projects are exempt from the requirements of CEQA.

Section 4: Severability

First Reading of an Ordinance Amending Chapter 17.80 Signs
February 27, 2020

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

Section 5: Effective Date

This Ordinance shall be in full force and effect thirty (30) days from its passage and adoption except that it will not take effect within the coastal zone until certified by the California Coastal Commission. This Ordinance shall be transmitted to the California Coastal Commission and shall take effect in the coastal zone immediately upon certification by the California Coastal Commission or upon the concurrence of the Commission with a determination by the Executive Director that the Ordinance adopted by the City is legally adequate.

This ordinance was introduced on the 27th day of February, 2020, and was passed and adopted by the City Council of the City of Capitola on the ____ day of _____, 2020, by the following vote:

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

APPROVED:

Kristen Petersen, Mayor

ATTEST:

Linda Fridy, City Clerk



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF FEBRUARY 27, 2020

FROM: Public Works Department

SUBJECT: Consider Approval of the Brommer Complete Street Project Documents and Authorize Advertising for Bids

RECOMMENDED ACTION: Approve the plans, specifications, and estimate for the Brommer Complete Street Improvement Project and authorize the Department of Public Works to advertise for construction bids, setting the bid opening date for 11:00 a.m. on Wednesday, April 1, 2020.

BACKGROUND: Design and permitting for the Brommer Complete Streets Improvement Project has been completed and the project is ready to advertise for construction bids. The project scope includes improving bicycle and pedestrian access along Brommer Street from 41st Avenue west to 38th Avenue. Upon completion, this project will provide full sidewalks on both sides of the street and bike facility improvements including bike lanes, updated traffic signal loop detection and a green bike box. A bike box is a designated area at the head of a traffic lane at a signalized intersection that provides bicyclists with a safe and visible way to get ahead of queuing traffic during a red light. In addition, the roadway will be repaved and the pylons along the center line replaced with an extended mountable curb. The project scope also includes an option to repave Brommer Street west of 38th Avenue to the city limit (approximately 215 feet) if the bid prices are low. A reduced set of plans is included as Attachment 1. The full set of plans and the specifications are available for reviewing in the Public Works Department.

A workshop on the project was held on March 26, 2019, in which approximately a dozen residents of the area received a report on the project and reviewed preliminary plans. The plans were modified based on the input received and Public Works staff has continued to communicate and update the residents through the process.

A Coastal Development Permit and CEQA Notice of Exemption were approved by the Planning Commission on January 16, 2020. This project has been allocated discretionary funds from the Santa Cruz County Regional Transportation Commission (RTC) through the Regional Surface Transportation Program Exchange (RSTPX). This process involved close coordination with members from the RTC Bicycle Advisory Committee.

DISCUSSION: The Engineer's estimated construction cost for the base work between 41st Avenue and 38th Avenue is \$596,000. The optional work west of 38th Avenue is estimated at \$165,000. A copy of the estimates is included as Attachment 2.

The proposed construction schedule is as follows:

City Council approval

February 27, 2020

Brommer Street Project to Bid
February 27, 2020

Bids received	April 1, 2020
Contract award	April 9, 2020
Construction start	May 2020
Completion	July 2020

FISCAL IMPACT:

Funding:

RSTPX	\$470,000
<u>Measure D</u>	<u>\$300,000</u>
Total	\$770,000

Expenses:

Engineering	\$ 85,400
<u>Construction base</u>	<u>\$596,000</u>
Total	\$681,400

Based on the current estimates, expanding the project to include repaving Brommer Street west of 38th Avenue will cost \$165,000 exceeding the current funding by \$76,400.

ATTACHMENTS:

1. Brommer_Final Plans_20191120_PDF
2. Brommer Street Estimates

Report Prepared By: Steve Jesberg
Public Works Director

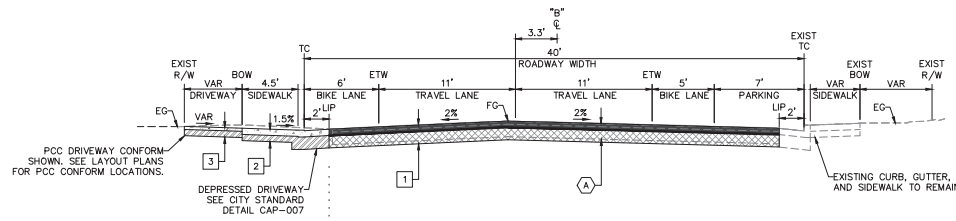
Reviewed and Forwarded by:



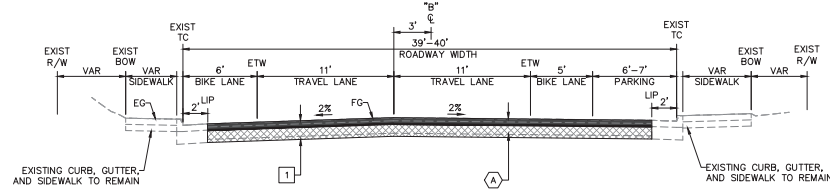
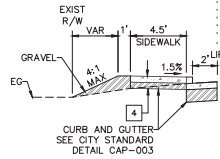
Jamie Goldstein, City Manager

2/21/2020

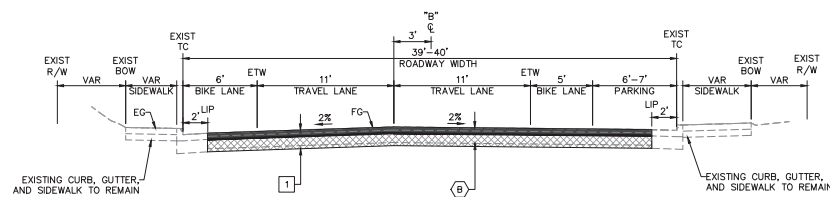
This document, together with the concepts and designs presented herein, is an instrument of service. It is prepared, issued and adopted by the engineer and approved by the City of Capitola. It shall be used only for the specific purpose and client for which it was prepared. Reuse of and changes to this document without authorization and approval by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



BROMMER STREET
NO SCALE
STA 18+80.32 TO STA 22+11.84
SCHEDULE A



BROMMER STREET
NO SCALE
STA 15+59.91 TO STA 18+80.32
SCHEDULE A



BROMMER STREET
NO SCALE
STA 12+50.00 TO STA 14+75.80
SCHEDULE B

NOTES (THIS SHEET ONLY)

- EXISTING PAVEMENT STRUCTURAL SECTIONS BASED ON CORE SAMPI GEOTECHNICAL INVESTIGATION BY BUTANO GEOTECHNICAL ENGINEER JANUARY 2019.
- PROPOSED PAVEMENT STRUCTURAL SECTIONS BASED ON CORE SAM GEOTECHNICAL INVESTIGATION BY BUTANO GEOTECHNICAL ENGINEER JANUARY 2019.
- PROPOSED PAVEMENT STRUCTURAL SECTIONS SHOWN FOR SCHEDULE B WORK.

PAVEMENT STRUCTURAL SECTIONS

- 1 0.50' HMA (TYPE A)
1.5" SAM = STRESS ABSORBING MEMBRANE LAYER (SAM)
1.00' FDR-C (3% CEMENT)
- 2 0.50' PCC
0.50' AB (CLASS 2)
- 3 0.25' PCC
0.50' AB (CLASS 2)
- 4 0.33' PCC
0.33' AB (CLASS 2)

EXISTING PAVEMENT STRUCTURAL SECTION

- A 0.25' HMA
1.16' AB (CLASS 2)
- B 0.375' HMA
1.08' AB (CLASS 2)

LEGEND

- PORTLAND CEMENT CONCRETE [PCC] (SIDEWALK/CURB DRIVEWAY)
- AGGREGATE BASE [AB] (CLASS 2)
- HOT MIX ASPHALT [HMA] (TYPE A)
- FULL DEPTH RECLAMATION [FDR]

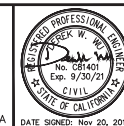
Attachment: Brommer_Final Plans_20191120_PDF (Brommer Street Project to Bid)

No.	REVISIONS	DATE	BY

Kimley-Horn
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PHONE: 669-800-4130
WWW.KIMLEY-HORN.COM

KHA PROJECT
097763129
DATE
11/22/2019
SCALE AS SHOWN
DESIGNED BY DW
DRAINED BY DW
CHECKED BY DC

BROMMER COMPLETE STREET IMPROVEMENTS
PREPARED FOR
CITY OF CAPITOLA
SANTA CRUZ COUNTY

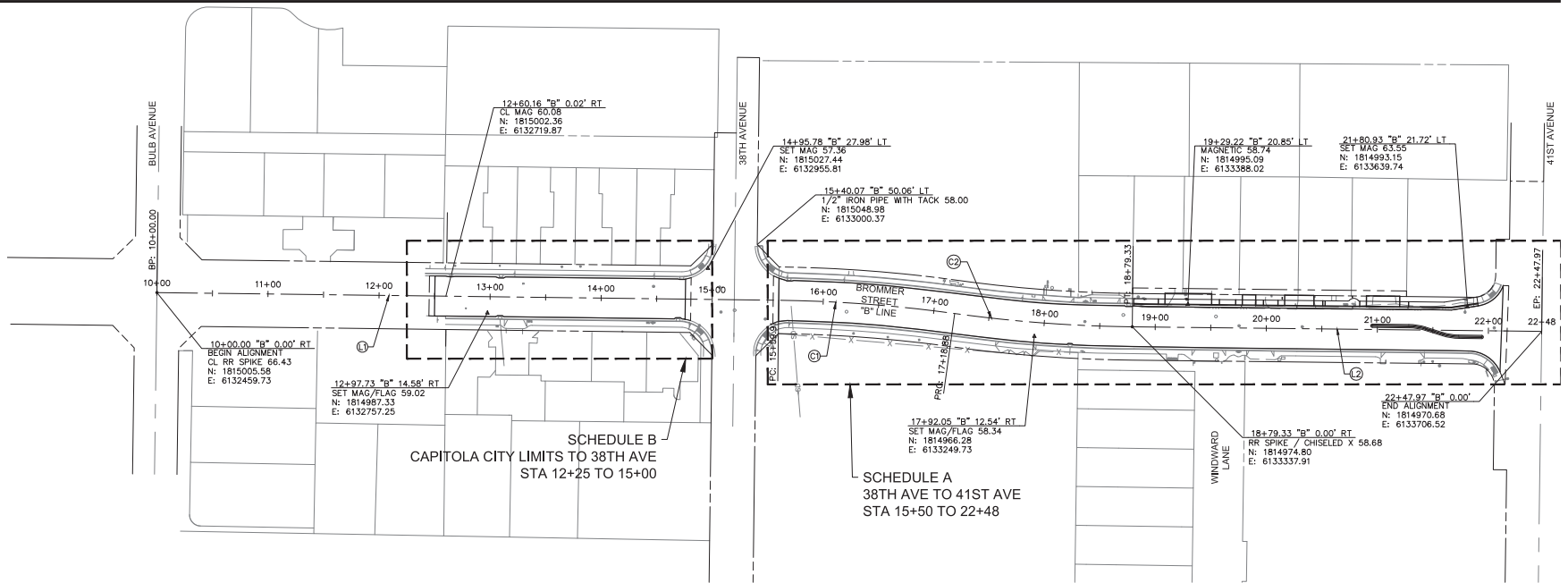


TYPICAL SECTIONS



SHEET NO. 2
OF 13 SHEETS
X-1

This document, together with the concepts and designs presented herein, are an instrument of service. It is deemed only for the specific purpose and client for which it was prepared. None of our employees or consultants are authorized to make any modifications or additions to this document without our written authorization and approval by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



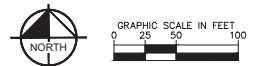
LINE	LENGTH	BEARING
L1	559.91	S89°17'35.51"E
L2	368.64	S89°21'36.14"E

CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	1265.52'	158.97'	S85°41'40"E	158.87'	71°1'51"	79.59'
C2	1265.90'	160.45'	S85°43'36"E	160.34'	71°5'43"	80.33'

GENERAL PROJECT NOTES

- THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALCULATED BEARING OF RAILROAD SPIKE WITH CHISELED X AT THE NORTHEAST CORNER OF LOT Q, OF SURVEY OF A PART OF BROMMER STREET, FILED IN VOLUME 47 OF MAP SANTA CRUZ COUNTY RECORDS = N 88°56'57" W
- THE BASIS OF ELEVATIONS FOR THIS MAP IS THE COUNTY OF SANTA CRUZ DESCRIPTION: PAINTED BOLT AT THE SOUTHEASTERLY BASE OF CROSSING; NORTHWEST CORNER OF INTERSECTION OF RAILROAD AND 41ST AVENUE (NAVD88).
- THIS SURVEY DOES NOT REPRESENT A COMPLETE BOUNDARY SURVEY. ALL HAVE NOT BEEN SEARCHED FOR OR LOCATED (OTHER THAN STREET MONUMENTS), AND NEW CORNERS OR MONUMENTS HAVE NOT BEEN SET DURING BOUNDARY (PROPERTY) LINES SHOWN HEREON ARE APPROXIMATE AND ARE MAP INFORMATION AND THE PHYSICAL LOCATION OF EXISTING IMPROVEMENT FENCE, SIDEWALKS, AND BUILDINGS; EASEMENTS ARE NOT SHOWN.
- CONTRACTOR IS RESPONSIBLE FOR SURVEY MONUMENT PRESERVATION, PRE POST-CONSTRUCTION CORNER RECORD FOR MONUMENTS IN PROJECT CONSIDERED.
- THE PROJECT IS SEPARATED INTO TWO SCHEDULES. SCHEDULE A INCLUDES IMPROVEMENTS ON BROMMER STREET BETWEEN 38TH AVENUE AND 41ST AVENUE. SCHEDULE B INCLUDES IMPROVEMENTS ON BROMMER STREET BETWEEN WESTERN CITY LIMITS AND 38TH AVENUE.

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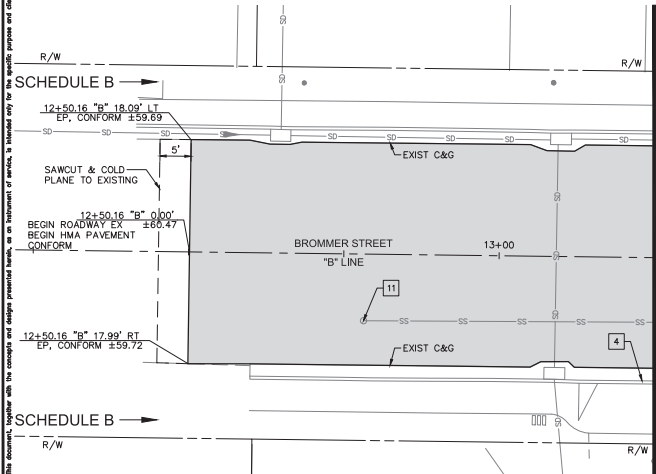
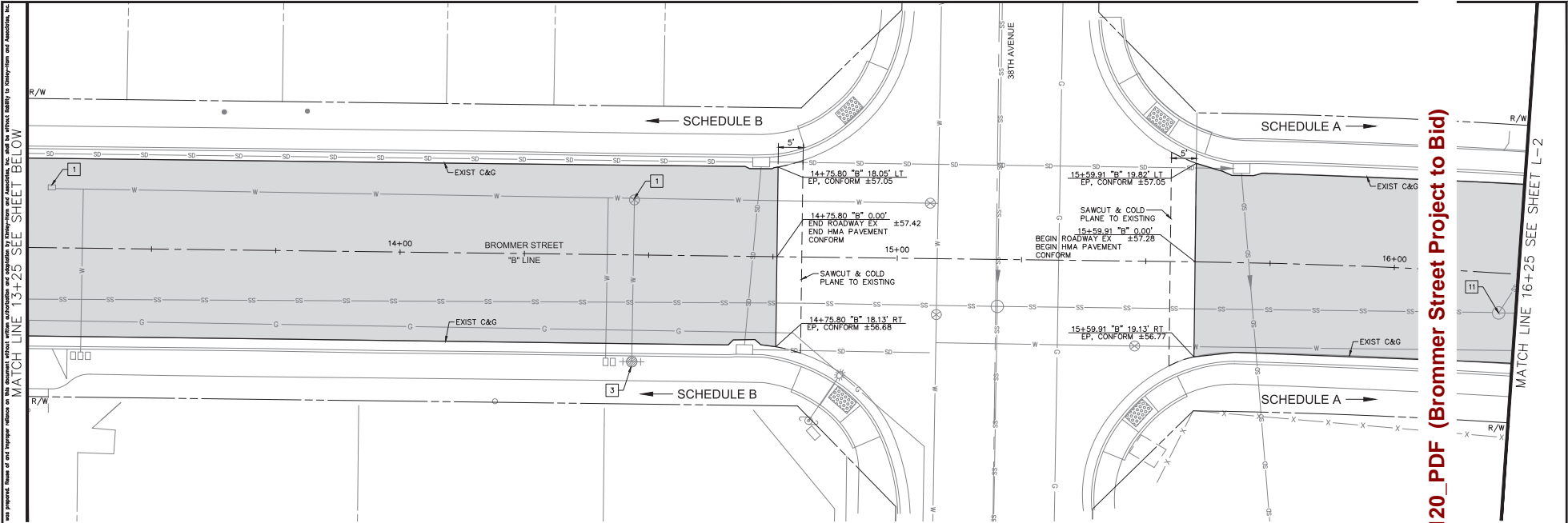
BROMMER COMPLETE STREET IMPROVEMENTS
PREPARED FOR
CITY OF CAPITOLA
SANTA CRUZ COUNTY



HORIZONTAL CONTR

SHEET NO. 3
OF 13 SHEETS
HC-1

Attachment: Brommer_Final Plans_20191120_PDF (Brommer Street Project to Bid)



GENERAL CONSTRUCTION NOTES

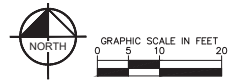
- SAWCUT SHALL BE PER CITY DETAIL, CAP-002 ON A NEAT LINE WITHOUT DAMAGING EXISTING AC OR CONCRETE THAT IS TO REMAIN IN PLACE. ANY DAMAGE TO THE ADJACENT SURFACE MATERIAL TO REMAIN SHALL BE REPAIRED OR REPLACED TO A CONDITION SATISFACTORY TO THE ENGINEER AT THE CONTRACTOR'S EXPENSE.
- CURB, GUTTER, AND SIDEWALK IMPROVEMENTS SHOWN ARE BASED ON EXISTING OG VERTICAL PROFILE ELEVATIONS AT PROPOSED LIP OF GUTTER.
- ALL STATION CALLOUTS REFERENCE "B" LINE STATIONS, UNLESS OTHERWISE NOTED.
- CONTRACTOR SHALL VERIFY ALL RIGHTS OF WAY PRIOR TO CONSTRUCTION.
- SEE TYPICAL SECTIONS FOR STANDARD SIDEWALK, CURB AND GUTTER, AND DRIVEWAY SECTIONS.
- SEE CONSTRUCTION DETAIL SHEETS FOR CURB, DRIVEWAY, SIDEWALK, MEDIAN, AND DRAINAGE DETAILS.
- SEE SIGNING AND STRIPING PLAN FOR PAVEMENT DELINEATION AND SIGNING DETAILS.
- ALL TREES NOT SPECIFICALLY INDICATED FOR REMOVAL SHALL BE PROTECTED IN PLACE. ANY TREES THAT ARE DAMAGED BY CONSTRUCTION ACTIVITIES SHALL BE REPLACED IN KIND AT NO ADDITIONAL EXPENSE TO THE CITY.
- IF TREE ROOTS ARE ENCOUNTERED DURING EXCAVATION THEY SHALL BE PROTECTED AND A QUALIFIED ARBORIST SHALL BE ENGAGED TO PROVIDE DIRECTION TO PROTECT TREE AND ROOTS FROM DAMAGE.
- SEE TITLE AND HC-01 SHEET FOR TRANSLATION OF NORTHING AND EASTING PROJECT COORDINATES TO NORTH AMERICAN DATUM (NAVD88).
- EXISTING UTILITIES ARE PRESENT CLOSE TO THE PROPOSED WORK. CONTRACTOR SHALL POT-HOLE AND FIELD LOCATE EXISTING UTILITIES AND NOTIFY THE ENGINEER OF ANY CONFLICTS WITH THE PROPOSED WORK PRIOR TO THE START OF CONSTRUCTION.
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- REMOVE EXISTING DETECTOR LOOPS AT BROMMER/41ST AVE WEST INTERSECTION LEG. SAWCUT AND INSTALL PROPOSED DETECTOR LOOPS AS SHOWN PER CALTRANS STANDARD PLAN ES-5A AND ES-5B.
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- SPLICE EXISTING DLC WITH NEW DETECTOR LOOP WIRE AT TRAFFIC SIGNAL PULL BOX.

LEGEND

- HMA (SEE TYPICAL SECTIONS)
- PCC (CURB/GUTTER/SIDEWALK/DRIVEWAY)
- PCC (DRIVEWAY CONFORM)
- GRAVEL
- SAWCUT
- G - GAS LINE
- OH - OVERHEAD UTILITY LINE(S)
- SS - SANITARY SEWER LINE
- SD - STORM DRAIN LINE
- W - WATER LINE
- XX / XX - DETAIL NO. / SHEET REFERENCE
- C&G - CURB AND GUTTER

CONSTRUCTION NOTES

- ADJUST EXISTING WATER MANHOLES
- EXISTING UTILITY POLE TO REMAIN
- EXISTING FIRE HYDRANT TO REMAIN
- EXISTING DRIVEWAY TO REMAIN
- EXISTING FENCE TO REMAIN
- DRIVEWAY CONFORM (PCC)
- ADJUST EXISTING WATER VALVE BO:
- RELOCATE EXISTING MAILBOX
- CALTRANS TYPE A LOOP DETECTOR
- CALTRANS TYPE D LOOP DETECTOR
- ADJUST EXISTING SANITARY SEWER



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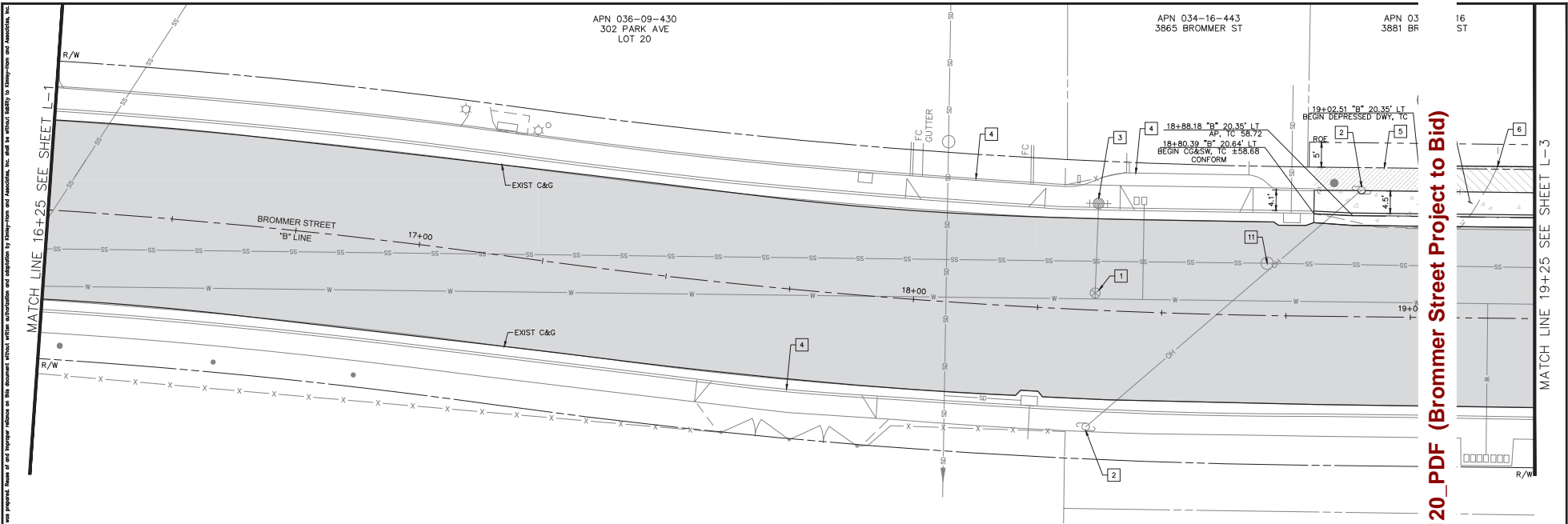
BROMMER COMPLETE STREET IMPROVEMENTS
 PREPARED FOR
 CITY OF CAPITOLA
 SANTA CRUZ COUNTY



LAYOUT PLAN

SHEET NO. 4
OF 13 SHEETS
L-1

Attachment: Brommer_Final Plans_20191120_PDF (Brommer Street Project to Bid)



GENERAL CONSTRUCTION NOTES

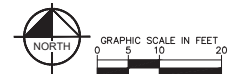
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LEGEND

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- PCC (DRIVEWAY CONFORM)
- GRAVEL
- SAWCUT
- G GAS LINE
- OH OVERHEAD UTILITY LINE(S)
- SS SANITARY SEWER LINE
- SD STORM DRAIN LINE
- W WATER LINE
- (XX) DETAIL NO. / SHEET REFERENCE
- C&G CURB AND GUTTER

CONSTRUCTION NOTES

- 1 ADJUST EXISTING WATER MANHOLES TO GRADE
- 2 EXISTING UTILITY POLE TO REMAIN
- 3 EXISTING FIRE HYDRANT TO REMAIN
- 4 EXISTING DRIVEWAY TO REMAIN
- 5 EXISTING FENCE TO REMAIN
- 6 DRIVEWAY CONFORM (PCC)
- 7 ADJUST EXISTING WATER VALVE BOXES TO GRADE
- 8 RELOCATE EXISTING MAILBOX
- 9 CALTRANS TYPE A LOOP DETECTOR
- 10 CALTRANS TYPE D LOOP DETECTOR
- 11 ADJUST EXISTING SANITARY SEWER MANHOLES TO GRADE



No.	REVISIONS	DATE	BY

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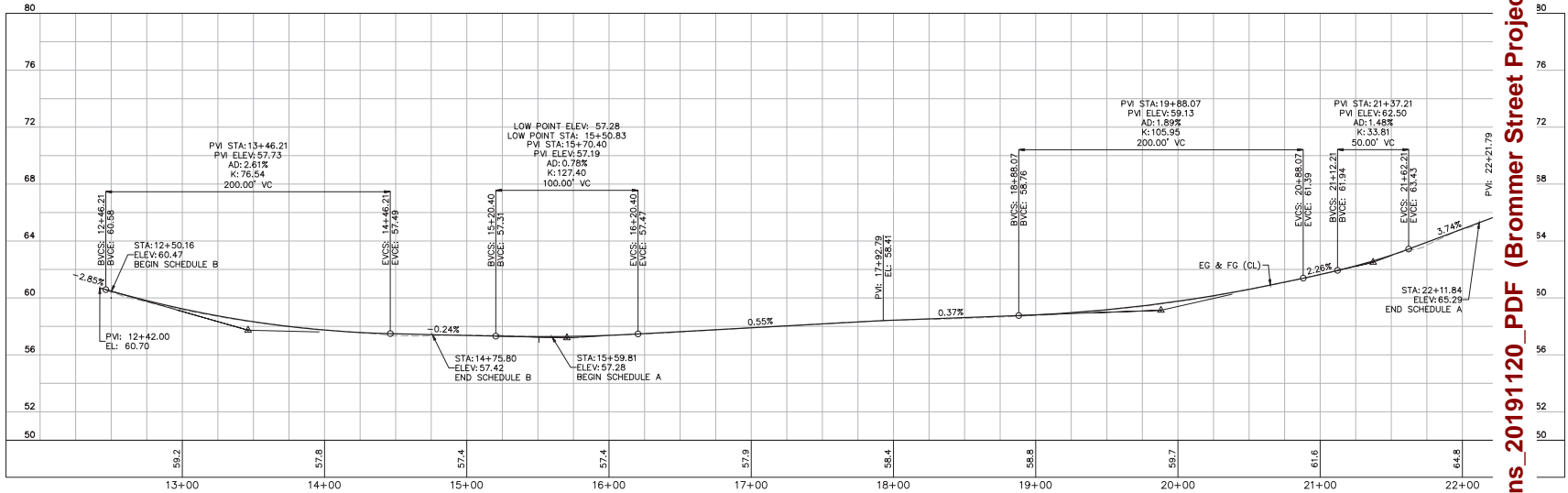


LAYOUT PLAN



SHEET NO. 5
 OF 13 SHEETS
 L-2

Attachment: Brommer_Final Plans_20191120_PDF (Brommer Street Project to Bid)



"B LINE"
BROMMER STREET

SCALE:
HORIZONTAL 1" = 40'
VERTICAL 1" = 4'

GENERAL PROFILE NOTES

- EXISTING CENTERLINE PROFILE SHOWN IS APPROXIMATE BASED ON TOPOGRAPHIC DATA PROVIDED BY BOWMAN & WILLIAMS, OCTOBER 2018

Attachment: Brommer_Final Plans_20191120_PDF (Brommer Street Project to Bid)

No.	REVISIONS	DATE	BY

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100 WEST SAN FERNANDO STREET, SUITE 200, SAN JOSE, CA 95113
PHONE: 669-800-4130
WWW.KIMLEY-HORN.COM

KHA PROJECT	09776.3129
DATE	11/22/2019
SCALE	AS SHOWN
DESIGNED BY	DW
DRAWN BY	DW
CHECKED BY	DC

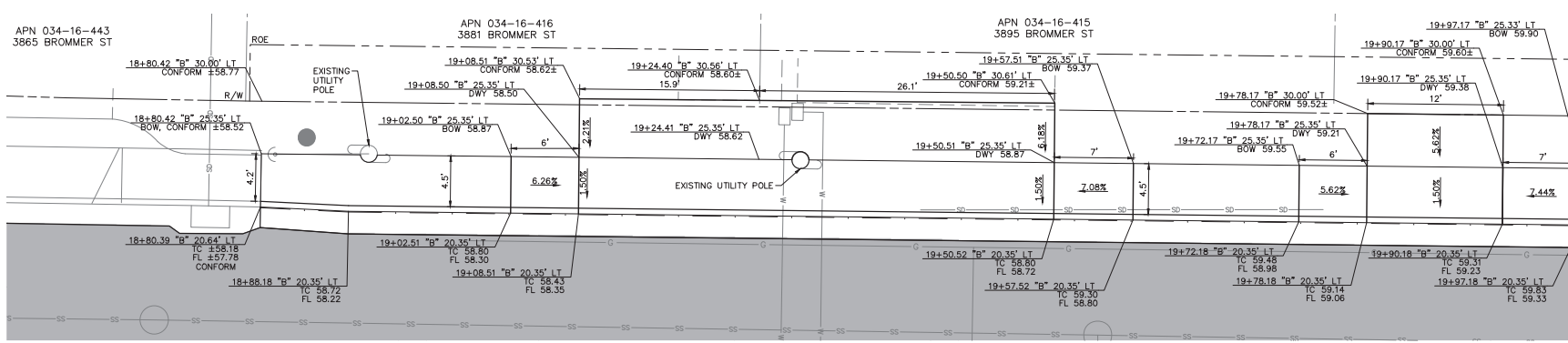
BROMMER COMPLETE STREET IMPROVEMENTS
PREPARED FOR
CITY OF CAPITOLA
SANTA CRUZ COUNTY



ROADWAY PROFILE

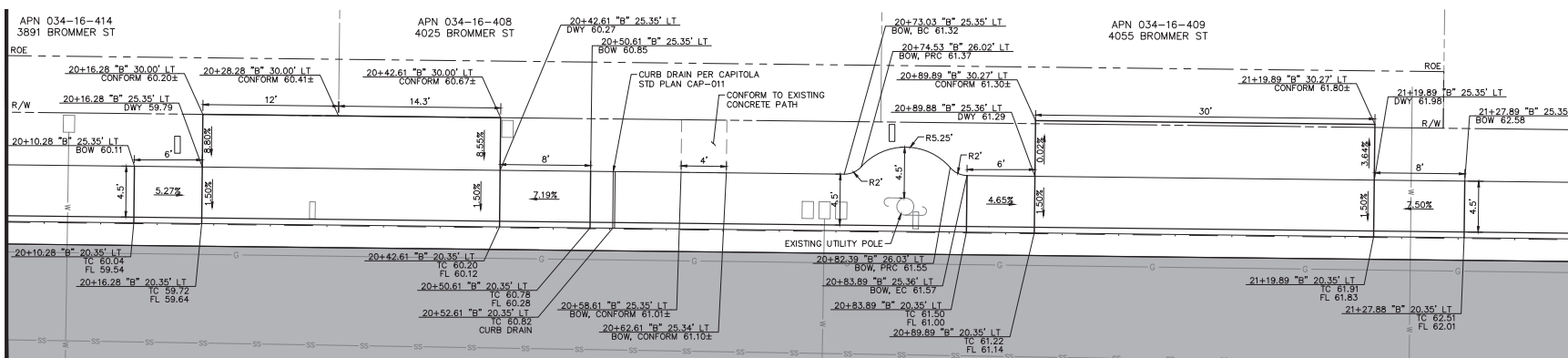


SHEET NO. 7
OF 13 SHEETS
P-1



DRIVEWAY DETAIL A

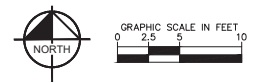
DRIVEWAY DETAIL B



DRIVEWAY DETAIL C

DRIVEWAY DETAIL D

- LEGEND**
- HMA (SEE TYPICAL SECTIONS)
 - PCC (CURB/GUTTER/SIDEWALK/DRIVEWAY)
 - PCC (DRIVEWAY CONFORM)
 - GRAVEL
 - SAWCUT
 - G - GAS LINE
 - OH - OVERHEAD UTILITY LINE(S)
 - SS - SANITARY SEWER LINE
 - SD - STORM DRAIN LINE
 - W - WATER LINE



No.	REVISIONS	DATE	BY

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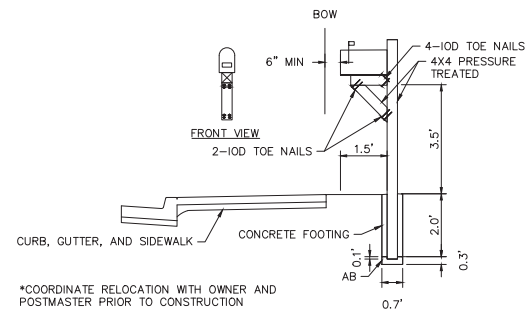
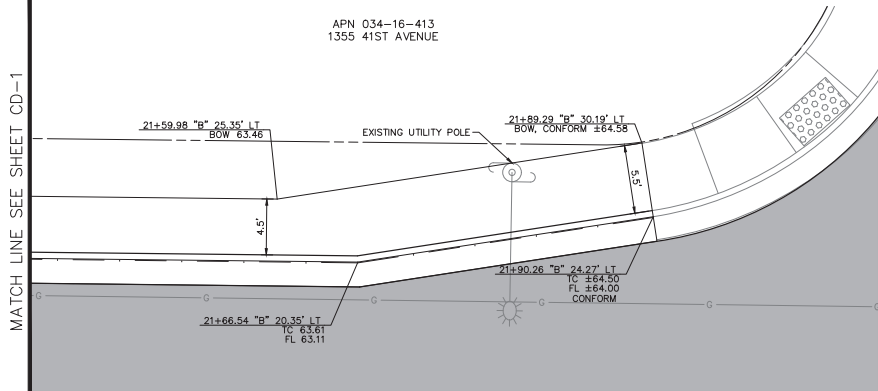
CONSTRUCTION DETAIL



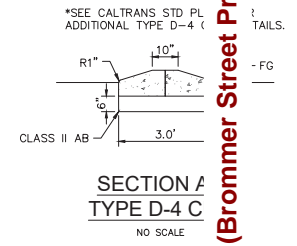
SHEET NO. 8
 OF 13 SHEETS
 CD-1

Attachment: Brommer_Final Plans_20191120_PDF (Brommer Street Project to Bid)

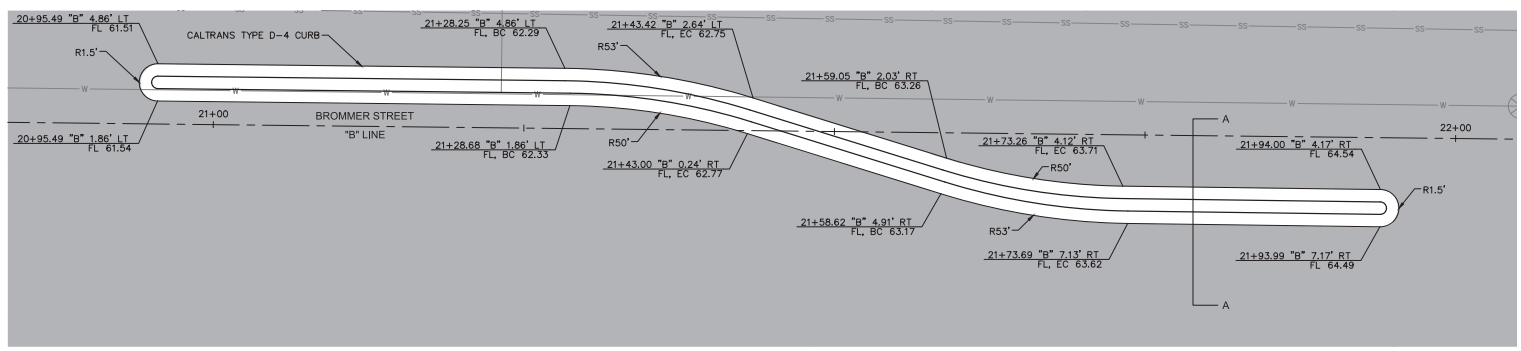
This document, together with the concepts and designs presented herein, is an instrument of service. It is prepared, issued and delivered in reliance on the information and data for which it was prepared. Reason of and liability for any errors or omissions in this document without attribution and responsibility to Kimley-Horn and Associates, Inc. shall rest solely with the client. Kimley-Horn and Associates, Inc. shall not be liable for any errors or omissions in this document without attribution and responsibility to Kimley-Horn and Associates, Inc.



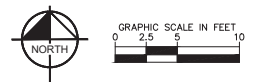
RELOCATE MAILBOX
NO SCALE



SECTION A
TYPE D-4 C
NO SCALE



MEDIAN DETAIL



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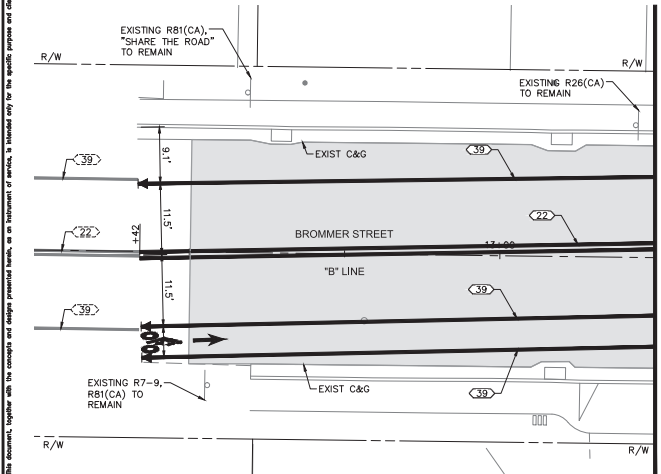
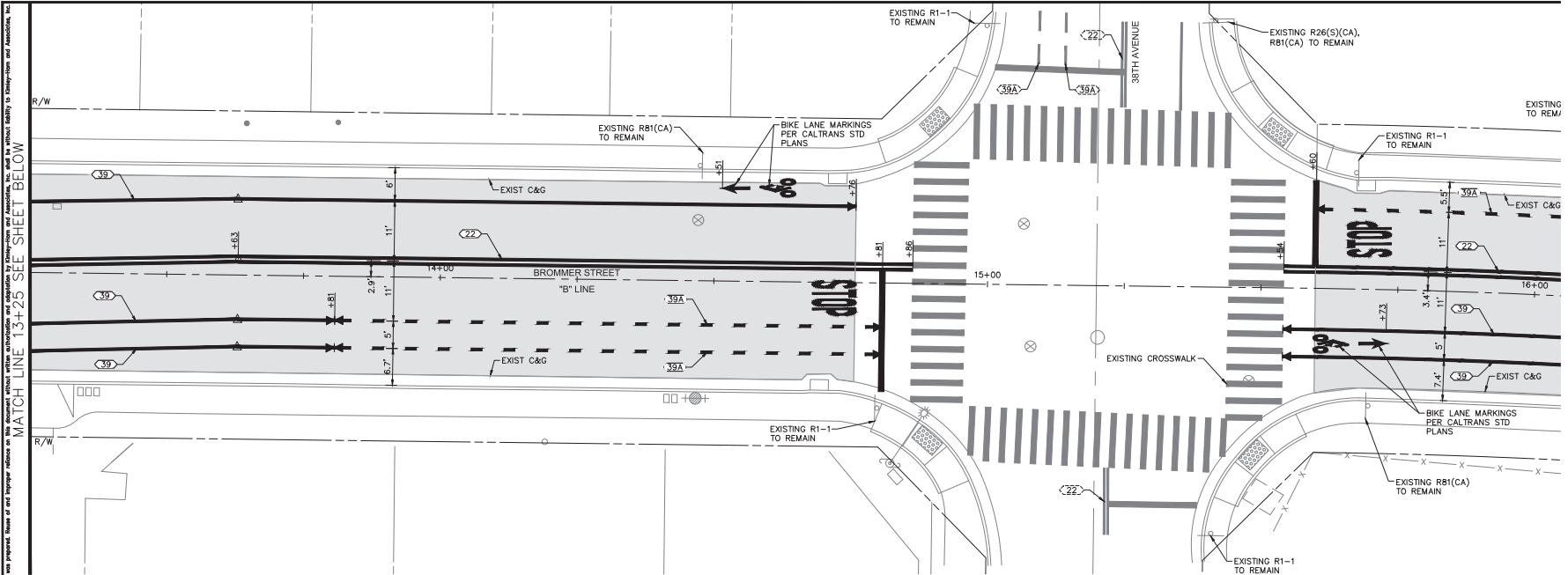


CONSTRUCTION DETAIL



SHEET NO. 9
OF 13 SHEETS
CD-2

Attachment: Brommer_Final Plans_20191120_PDF (Brommer Street Project to Bid)

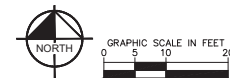


LEGEND

- EXISTING SIGN
- ▶ PROPOSED SIGN
- ⊗ EXISTING STRIPING DETAIL
- ⊗ PROPOSED STRIPING DETAIL
- ▶ STRIPING CHANGE
- ▶ STRIPING LIMIT
- △ ANGLE POINT
- PM PAVEMENT MARKING

GENERAL SIGNING AND STRIPING NOTES

1. ALL STATION CALLOUTS REFERENCE "B" LINE STATIONS, UNLESS OTHERWISE SPECIFIED.
2. ALL EXISTING SIGNS SHALL BE PROTECTED IN PLACE UNLESS SPECIFIED FOR REMOVAL OR RELOCATION.
3. EXISTING SIGNS SPECIFIED FOR REMOVAL SHALL NOT BE REMOVED UNTIL PERTINENT TO TRAFFIC CONTROL.
4. ALL STRIPING CONFLICTING WITH PROPOSED STRIPING SHALL BE REMOVED NEW STRIPING INSTALLATION.
5. ALL PAVEMENT DELINEATION MUST BE IN ACCORDANCE WITH CURRENT VE THE CALIFORNIA MUTCD AND 2018 CALTRANS STANDARD PLANS.
6. ALL STRIPING DIMENSIONS SHOWN ARE MEASURED FROM STRIPE TO STRIPE TO TOP OF CURB, OR STRIPE TO FACE OF CURB WHICHEVER SCENARIO IS APPLICABLE.
7. STREET SIGN POSTS SHALL BE INSTALLED PER CITY OF CAPITOLA DETAIL AND CAP-015.



No.	REVISIONS	DATE	BY

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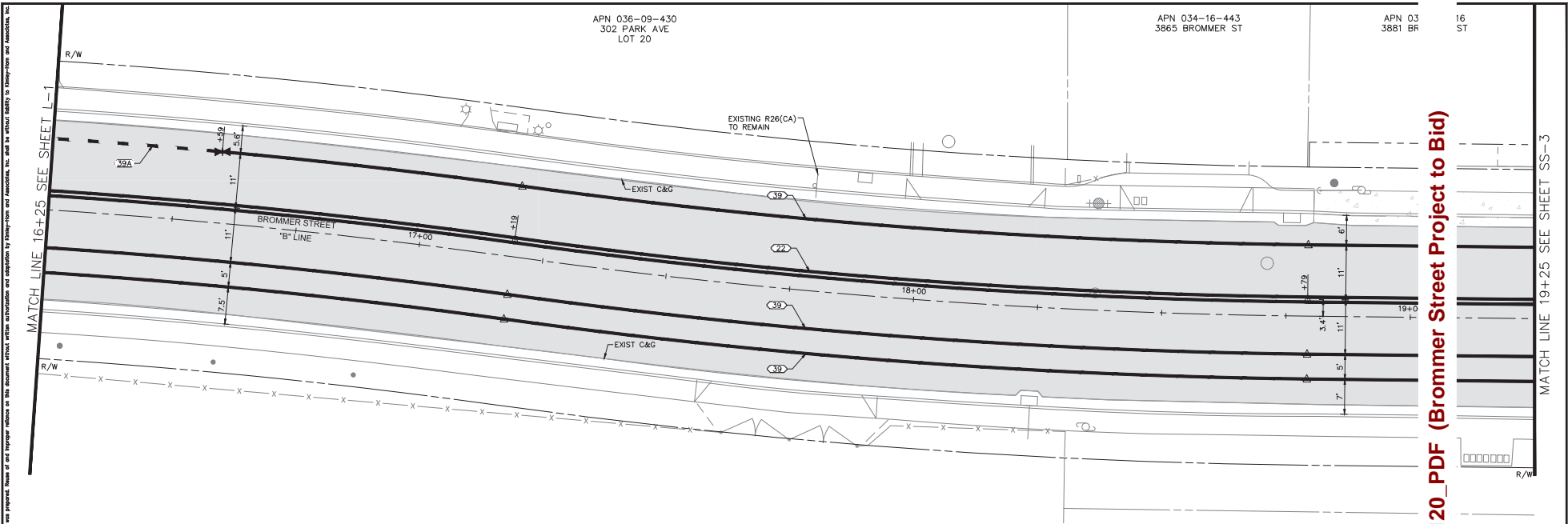
SIGNING AND STRIPING PLAN

CA DATE SIGNED: Nov 20, 2019

Attachment: Brommer_Final Plans_20191120_PDF (Brommer Street Project to Bid)



SHEET NO. 11
 OF 13 SHEETS
SS-1



LEGEND

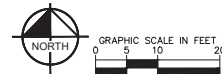
- EXISTING SIGN
- PROPOSED SIGN
- EXISTING STRIPING DETAIL
- PROPOSED STRIPING DETAIL
- STRIPING CHANGE
- STRIPING LIMIT
- ANGLE POINT
- PAVEMENT MARKING

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STRIPING AND MARKING SCHEDULE			
DETAIL	PATTERN OR LEGEND	LF	SQFT
22	CENTERLINE	1567	—
25	LEFT EDGELINE & 6" DIAGONAL	188	—
39	BIKE LANE LINE	1999	—
39A	INTERSECTION LINE (BIKE LANE)	333	—
PM	"STOP" MARKING	—	44
PM	"KEEP CLEAR" MARKING	—	51
PM	TYPE VIII ARROW	—	36
PM	CONTINENTAL CROSSWALK MARKING	—	194
PM	STOP BAR MARKING	—	86
PM	BIKE SYMBOL/ARROW MARKING	—	30
PM	SHARROW MARKING	—	24
PM	GREEN PAINT FOR BIKE LANE & BOX	—	201
TOTAL		4087	666.0

SIGN SCHEDULE			
DETAIL	STATION	DESCRIPTION	EA
R3-2	21+14	NO LEFT TURN	1
R3-7bP	21+85	EXCEPT BICYCLES	1
R4-7	20+94	KEEP RIGHT	1
R4-11	20+94	BIKES MAY USE FULL LANE	1
R10-6A	21+85	STOP HERE ON RED	1
R10-11A	22+48	NO TURN ON RED	1
R26(CA)	21+36	NO PARKING	1
R81(CA)	20+94, 21+62	BIKE LANE	2
R81A(CA)	21+62	BEGIN	1
R81B(CA)	20+94	END	1
OM2-2H	20+94, 21+96	TYPE 2 OBJECT MARKER	2
TOTAL			13



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SIGNING AND STRIPING PLAN

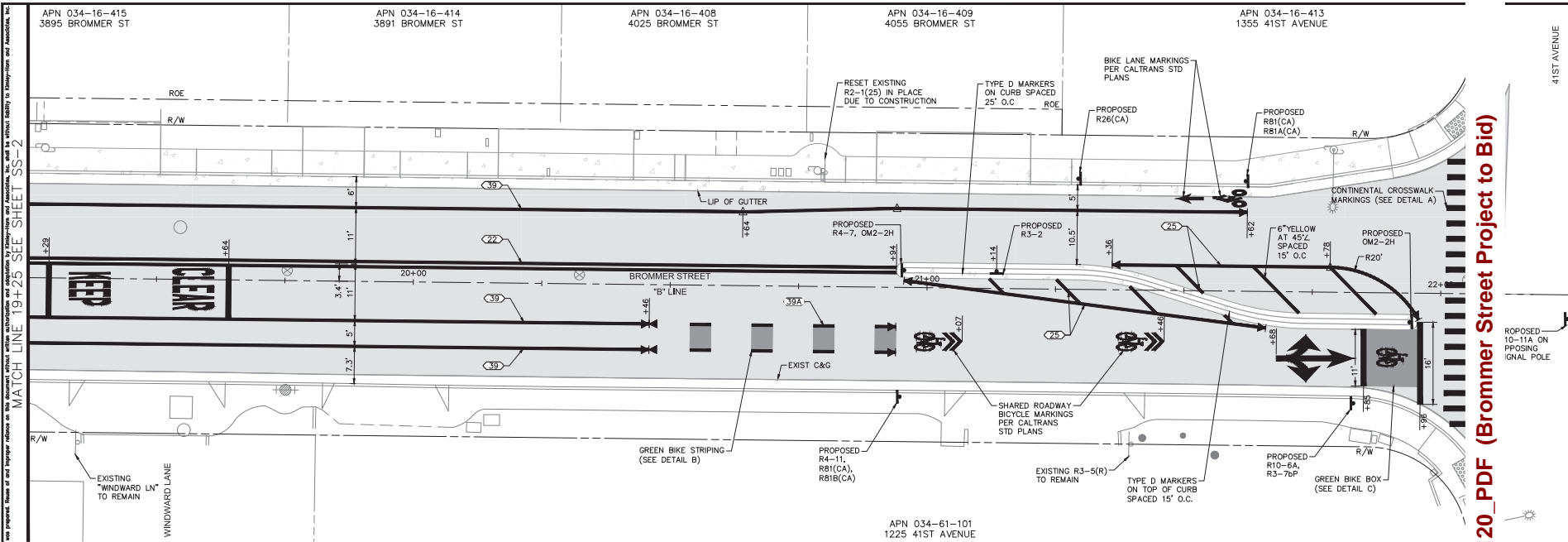


SHEET NO. 12
 OF 13 SHEETS
SS-2

Attachment: Brommer_Final Plans_20191120_PDF (Brommer Street Project to Bid)

MATCH LINE 16+25 SEE SHEET L-1

MATCH LINE 19+25 SEE SHEET SS-3

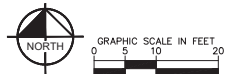
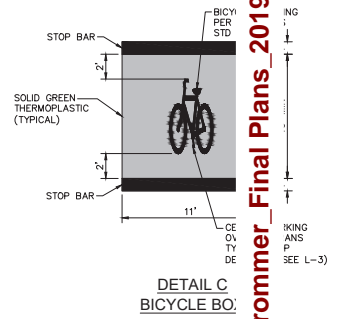
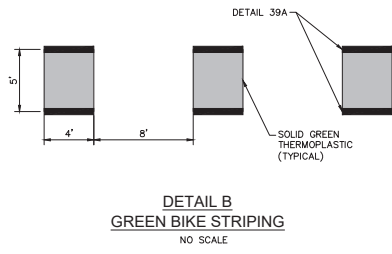
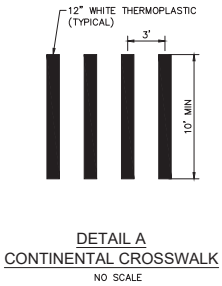


LEGEND

- EXISTING SIGN
- PROPOSED SIGN
- ⊗ EXISTING STRIPING DETAIL
- ⊗ PROPOSED STRIPING DETAIL
- ↔ STRIPING CHANGE
- ▬ STRIPING LIMIT
- △ ANGLE POINT
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 SCALE AS SHOWN
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BROMMER COMPLETE STREET IMPROVEMENTS
 PREPARED FOR
 CITY OF CAPITOLA
 SANTA CRUZ COUNTY



SIGNING AND STRIPING PLAN

CA DATE SIGNED: Nov 20, 2019

SHEET NO. 13
 OF 13 SHEETS
SS-3

Attachment: Brommer_Final Plans_20191120_PDF (Brommer Street Project to Bid)



Client: City of Capitola
 Project: Brommer Complete Street - Schedule A
 KHA No.: 097763129
 Title: Engineering Opinion of Probable Construction Cost
 Submittal: Final PS&E Design - 38th Avenue to 41st Avenue

Date: 11/20/19
 Prepared By: DW
 Checked By: DC
 Sheet 1

BASE BID - SCHEDULE A

Item	Caltrans Item No.	Description	Estimated Quantity	Unit	Unit Price	Total
1	999990	Mobilization	1	LS	\$49,300.00	\$49,300
2	120090	Construction Area Signs	1	LS	\$5,000.00	\$5,000
3	120100	Traffic Control System	1	LS	\$15,000.00	\$15,000
4	-	Survey and Construction Staking	1	LS	\$8,000.00	\$8,000
5	-	Survey Monumentation and Preservation	1	LS	\$5,000.00	\$5,000
6	130300	Temporary Water Pollution Control and Erosion Control	1	LS	\$8,000.00	\$8,000
7	070030	Lead Compliance Plan	1	LS	\$4,000.00	\$4,000
8	160102	Clearing and Grubbing	1	LS	\$4,000.00	\$4,000
9	150714	Remove Thermoplastic Traffic Stripe	2,450	LF	\$2.00	\$4,901
10	150715	Remove Thermoplastic Pavement Marking	412	SQFT	\$6.00	\$2,473
11	152390	Reset Roadside Sign	1	EA	\$300.00	\$300
12	-	Relocate Mailbox	2	EA	\$475.00	\$950
13	-	Adjust Sewer Utility Manhole Cover to Grade	3	EA	\$1,000.00	\$3,000
14	-	Adjust Water Utility Manhole Cover to Grade	4	EA	\$1,000.00	\$4,000
15	152441	Adjust Water Valve / Water Meter Box Cover to Grade	6	EA	\$750.00	\$4,500
16	150812	Remove Culvert	36	LF	\$45.00	\$1,620
17	153103	Cold Plan Asphalt Concrete Pavement	64	SY	\$20.00	\$1,278
18	190101	Roadway Excavation	58	CY	\$115.00	\$6,661
19	390132	Hot Mix Asphalt (Type A)	892	TON	\$200.00	\$178,478
20	260203	Aggregate Base (Class 2)	60	CY	\$90.00	\$5,422
21	-	Cement (Full Depth Reclamation - Cement)	26	CY	\$500.00	\$13,221
22	-	Full Depth Reclamation (FDR-C)	2,644	SY	\$50.00	\$132,206
23	-	Stress Absorbing Membrane Interlayer (SAMI)	2,644	SY	\$5.00	\$13,221
24	731504	Minor Concrete (Curb and Gutter)	310	LF	\$50.00	\$15,510
25	-	Minor Concrete (Curb Type D)	209	LF	\$40.00	\$8,345
26	-	Minor Concrete (Driveway Conform)	545	SQFT	\$12.00	\$6,541
27	731521	Minor Concrete (Sidewalk)	695	SQFT	\$14.00	\$9,735
28	731516	Minor Concrete (Depressed Driveway)	740	SQFT	\$16.00	\$11,833
29	566011	Roadside Sign (One Post - Metal)	11	EA	\$350.00	\$3,850
30	840504	Thermoplastic Traffic Stripe	2,886	LF	\$2.00	\$5,773
31	840515	Thermoplastic Pavement Marking	408	SQFT	\$7.00	\$2,853
32	840515	Thermoplastic Pavement Marking (Green)	201	SQFT	\$14.00	\$2,814
33	820130	Object Marker (Type OM2-2H)	2	EA	\$100.00	\$200
34	860810	Inductive Loop Detector (Type A and Type D)	5	EA	\$800.00	\$4,000
Subtotal						\$541,983
Contingency @ 10%						\$54,198
Total Schedule A Construction Cost						\$596,181

Notes

The Engineer has no control over the cost of labor, materials, equipment, or over the Contractor's methods of determining prices or over competitive bidding or market conditions. Opinions of probable costs provided herein are based on the information known to Engineer at this time and represent only the Engineer's judgment as a design professional familiar with the construction industry. The Engineer cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from its opinions of probable costs.

Attachment: Brommer Street Estimates (Brommer Street Project to Bid)



Client: City of Capitola
 Project: Brommer Complete Street - Schedule B
 KHA No.: 097763129
 Title: Engineering Opinion of Probable Construction Cost
 Submittal: Final PS&E Design - Capitola Western City Limits to 38th Avenue

Date: 11/20/19
 Prepared By: DW
 Checked By: DC
 Sheet 1

ADD ALTERNATIVE 1 - SCHEDULE B

Item	Caltrans Item No.	Description	Estimated Quantity	Unit	Unit Price	Total
1	999990	Mobilization	1	LS	\$13,700.00	\$13,700
2	120090	Construction Area Signs	1	LS	\$1,000.00	\$1,000
3	120100	Traffic Control System	1	LS	\$3,000.00	\$3,000
4	-	Survey and Construction Staking	1	LS	\$2,000.00	\$2,000
5	-	Survey Monumentation and Preservation	1	LS	\$2,000.00	\$2,000
6	130300	Temporary Water Pollution Control and Erosion Control	1	LS	\$2,000.00	\$2,000
7	070030	Lead Compliance Plan	1	LS	\$1,000.00	\$1,000
8	160102	Clearing and Grubbing	1	LS	\$1,000.00	\$1,000
9	150714	Remove Thermoplastic Traffic Stripe	958	LF	\$2.00	\$1,917
10	150715	Remove Thermoplastic Pavement Marking	61	SQFT	\$6.00	\$363
11	152390	Reset Roadside Sign	0	EA	\$300.00	\$0
12	-	Relocate Mailbox	0	EA	\$475.00	\$0
13	-	Adjust Sewer Utility Manhole Cover to Grade	1	EA	\$1,000.00	\$1,000
14	-	Adjust Water Utility Manhole Cover to Grade	2	EA	\$1,000.00	\$2,000
15	152441	Adjust Water Valve / Water Meter Box Cover to Grade	0	EA	\$750.00	\$0
16	150812	Remove Culvert	0	LF	\$45.00	\$0
17	153103	Cold Plan Asphalt Concrete Pavement	40	SY	\$20.00	\$800
18	190101	Roadway Excavation	2	CY	\$115.00	\$199
19	390132	Hot Mix Asphalt (Type A)	303	TON	\$200.00	\$60,509
20	260203	Aggregate Base (Class 2)	9	CY	\$90.00	\$800
21	-	Cement (Full Depth Reclamation - Cement)	9	CY	\$500.00	\$4,482
22	-	Full Depth Reclamation (FDR-C)	896	SY	\$50.00	\$44,822
23	-	Stress Absorbing Membrane Interlayer (SAMI)	896	SY	\$5.00	\$4,482
24	731504	Minor Concrete (Curb and Gutter)	0	LF	\$50.00	\$0
25	-	Minor Concrete (Curb Type D)	0	LF	\$40.00	\$0
26	-	Minor Concrete (Driveway Conform)	0	SQFT	\$12.00	\$0
27	731521	Minor Concrete (Sidewalk)	0	SQFT	\$14.00	\$0
28	731516	Minor Concrete (Depressed Driveway)	0	SQFT	\$16.00	\$0
29	566011	Roadside Sign (One Post - Metal)	0	EA	\$350.00	\$0
30	840504	Thermoplastic Traffic Stripe	1,201	LF	\$2.00	\$2,401
31	840515	Thermoplastic Pavement Marking	57	SQFT	\$7.00	\$399
32	840515	Thermoplastic Pavement Marking (Green)	0	SQFT	\$14.00	\$0
33	820130	Object Marker (Type OM2-2H)	0	EA	\$100.00	\$0
34	860810	Inductive Loop Detector (Type A and Type D)	0	EA	\$800.00	\$0
Subtotal						\$149,874
Contingency @ 10%						\$14,987
Total Schedule B Construction Cost						\$164,862

Notes

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Attachment: Brommer Street Estimates (Brommer Street Project to Bid)